

AGENDA - COUNCIL MEETING - TUESDAY - MAY 15, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2012-0353 to 2012-0372
ORDINANCES – 2012-0449 to 2012-0476
RESOLUTIONS – 2012-0014 to 2012-0015

2012-0352-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Davis

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 2012-0353 – Procedural motion
Motion 2012-0354 – Procedural motion
Motion 2012-0355 – Procedural motion
Motion 2012-0356 – Procedural motion
Motion 2012-0357 – Procedural motion
Motion 2012-0358 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 16, 2012 - 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 41

MISCELLANEOUS - NUMBER 1

1. Motion 2012-0363

RECOMMENDATION from Director Department of Solid Waste Management for approval of additional funding in the amount of \$1,500,000.00 for Solid Waste Disposal Contract with **WASTE MANAGEMENT, INC** - General Fund

ACCEPT WORK - NUMBERS 2 through 5

2. Motion 2012-0364

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$835,072.00 and acceptance of work on contract with **MILLIS DEVELOPMENT & CONSTRUCTION, INC**, for Godwin Park - Phase II - 4.92% over the original contract amount and under the 5% contingency - **DISTRICT C - COHEN**

3. Motion 2012-0365

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,475,292.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP**, for Townwood Park - 3.46% over the original contract amount and under the 5% contingency **DISTRICT K - GREEN**

4. Motion 2012-0360

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$9,277,514.84 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, LTD.**, for Brittmoore Road Reconstruction from I-10 to Hammerly 1.44% under the original contract amount - **DISTRICT A - BROWN**

5. Motion 2012-0361

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,593,566.76 and acceptance of work on contract with **GONZALEZ CONSTRUCTION ENTERPRISE, INC** for Water Line Replacement in Annunciation Subdivision 6.75% under the original contract amount - **DISTRICT B - DAVIS**

PROPERTY - NUMBERS 6 through 8

6. Motion 2012-0366

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court and withdraw City's objections to the award in connection with eminent domain proceeding styled City of Houston v. 8716 Long Point, Ltd., a Texas limited partnership, et al., Cause No. 996,423; for acquisition of Parcels AY9-415 and KY10-133; for the **LONG POINT RECONSTRUCTION PROJECT, (Pech - Hollister)** - **DISTRICT A - BROWN**

7. Motion 2012-0367

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of court in connection with eminent domain proceedings styled City of Houston v. Green & Fresh Produce, Inc., A Texas corporation, et al., Cause No. 994,116, for acquisition of Parcel AY10-205; for **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610)** - **DISTRICT H - GONZALEZ**

8. Motion 2012-0368

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of court in connection with eminent domain proceedings styled City of Houston v. Kuo's Family Limited Partnership, et al., Cause No. 994,117, for acquisition of Parcel AY10-204; for **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610)** - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 13

9. Ordinance 2012-0450

ORDINANCE appropriating \$103,667.88 out of Equipment Acquisition Consolidated Fund for purchase of Truckster Utility Vehicles for Parks & Recreation Department

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2012-0369**

BUSCANYI FAMILY MANAGEMENT CORPORATION, dba TEXAS POWERSPORTS OF PASADENA for Truckster Utility Vehicles from State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program for Parks & Recreation Department - \$61,684.62

10. **Motion 2012-0370**

PERKINELMER HEALTH SCIENCES, INC for Purchase of One Gas Chromatograph System from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$55,756.33 - Asset Forfeiture Fund

11. **Motion 2012-0371**

DIGITAL SAFETY TECHNOLOGIES, INC for Digital Patroller Camera System, Software, Installation and Maintenance for the Houston Police Department - \$122,481.00 - General and Police Special Services Funds

12. **Motion 2012-0372**

ARROWHEAD SCIENTIFIC, INC dba ARROWHEAD FORENSICS for Portable, Laser-Based, Forensic Detection Systems for the Houston Police Department - \$86,000.00 - General Fund

13. **Motion 2012-0362**

NEWMAN REGENCY GROUP, INC - \$108,180.00 and **JERSEY EQUIPMENT COMPANY OF HOUSTON, INC** - \$59,250.00 for Submersible Pumps for the Department of Public Works & Engineering - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 41

14. **Resolution 2012-0015**

RESOLUTION of the City Council prescribing the date, time, and location of a public hearing on the City Budgets for the time period July 1, 2012 through June 30, 2013; authorizing notice of such public hearing and making other provisions related to the subject
HEARING DATE - TUESDAY - 1:30 P.M. - JUNE 5, 2012

15. **Council Member Brown tagged**

ORDINANCE **AMENDING ARTICLE XII OF CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to monitoring wells and environmental test boring facilities, containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

16. **Ordinance 2012-0451**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public right-of-way of Endor Street, from Frio Street east to its terminus; vacating and abandoning the right of way to SWS Holdings-Pasadena, LP, owner, in consideration of its conveyance to the City of Houston, Texas, of a 20-foot-wide storm sewer easement, payment to the City of \$54,898.00, and other consideration - **DISTRICT I - RODRIGUEZ**

17. **Ordinance 2012-0462**

ORDINANCE approving and authorizing a Memorandum Of Understanding Affiliation Agreement between the City and **HOUSTON INDEPENDENT SCHOOL DISTRICT** to collaborate for the Project Saving Smiles Program

RESOLUTIONS AND ORDINANCES - continued

18. Ordinance 2012-0463

ORDINANCE approving and authorizing first amendment to Grant Agreement between the City of Houston and **VIETNAMESE COMMUNITY OF HOUSTON & VICINITIES, INC** to provide an additional \$99,500.00 of Federal Community Development Block Grant Funds for costs associated with the renovation of a Community Center located at 7100 Clarewood Drive, Houston, Texas, which serves low to moderate income households; to revise the scope of work for eligible costs to be covered thereby; to extend the time to complete the work; and to extend the term of the period during which the facility must be used to provide public services - **DISTRICT F - HOANG**

19. Ordinance 2012-0464

ORDINANCE creating the **BVSW GARDEN OAKS, L.P. REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN**

a. Ordinance 2012-0465

ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas, and **BVSW GARDEN OAKS, L.P.** for certain property located within the BVSW Garden Oaks, L.P. Reinvestment Zone - **DISTRICT C - COHEN**

20. Ordinance 2012-0466

ORDINANCE appropriating \$3,590,306.00 out of Equipment Acquisition Consolidated Fund as an additional appropriation for Municipal Courts Case Management System (C-SMART) Originally approved by Ordinance No. 2011-824

21. Ordinance 2012-0467

ORDINANCE appropriating \$3,000,000.00 out of Reimbursement of Equipment / Projects Fund Contract No. 4600006180 between the City of Houston and **SAP PUBLIC SERVICES, INC**; amending Ordinance No. 2008-0331 to increase the maximum contract amount for Software Maintenance and Services related to an Enterprise Resource Planning System - \$1,481,968.14 out of Central Service Revolving Fund to

22. Ordinance 2012-0468

ORDINANCE approving and authorizing Amendment No. 1 to the agreement by and between the City of Houston and **FIRST SUPPORT SERVICES, INC** for Fleet/Vehicle and Equipment Maintenance Services for the Houston Airport System - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ**

23. Ordinance 2012-0469

ORDINANCE awarding contract to **TRIPLE D SECURITY** for Armored Car Services for Various Departments; providing a maximum contract amount - 1 Year with four one-year options \$824,303.60 - General, Enterprise and Other Funds

24. Ordinance 2012-0452

ORDINANCE awarding contract to **K.P. MANAGEMENT, LLC dba USA DECON** for Medical Waste Removal and Disposal Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$619,855.00 - General Fund

25. Ordinance 2012-0470

ORDINANCE amending Ordinance No. 2012-215 relating to the Bridgeland Management District

RESOLUTIONS AND ORDINANCES - continued

26. Ordinance 2012-0471

ORDINANCE approving and authorizing Lease Agreement by and between the City of Houston and the **UNITED STATES OF AMERICA**, acting by and through the General Services Administration on behalf of the Transportation Security Administration for certain premises at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**

27. Ordinance 2012-0472

ORDINANCE appropriating \$1,483,627.00 out of Airports Improvement Fund and approving and authorizing Design Build Agreement between the City of Houston and **MICA CORPORATION** for Exterior Roadway Signage at George Bush Intercontinental Airport/Houston (Project No. 684) **DISTRICT B - DAVIS**

28. Ordinance 2012-0473

ORDINANCE appropriating \$40,000.00 out of Public Health Consolidated Construction Fund as an additional appropriation; approving and authorizing a first amendment to the construction contract between the City of Houston and **HALLMARK CAPITAL GROUP, LLC dba HALLMARK-FARRELL ROOFING COMPANY** (Approved by Ordinance No. 2012-0260) for the Sunnyside Multi-Service Center Roof - **DISTRICT D - ADAMS**

29. Ordinance 2012-0474

ORDINANCE approving and authorizing agreement between the City of Houston and **GULF COAST RAIL DISTRICT** for the East Belt Grade Crossing Safety Improvements within the boundaries of the City of Houston - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

30. Ordinance 2012-0453

ORDINANCE appropriating \$766,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC** for Willow Water Hole (Sub-Project 1 - Willow Meadows Sections 15-18) Drainage and Paving; providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT C - COHEN**

31. Ordinance 2012-0454

ORDINANCE appropriating \$981,182.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **GUNDA CORPORATION, L.L.C.** for Reconstruction of Wallisville Road from Lockwood Drive to North Wayside Drive (Approved by Ordinance No. 2011-0265); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT B - DAVIS**

32. Council Member Green tagged

ORDINANCE appropriating \$284,405.00 out of Metro Projects Construction DDSRF, \$284,405.00 out of Contribution for Capital Projects Fund; approving and authorizing Professional Engineering Services Contract between the City of Houston and **FCM ENGINEERS, P.C.** for S. Post Oak Paving and Drainage from Beltway 8 to FM 2234; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF and Contribution for Capital Projects Fund - **DISTRICT K - GREEN**

33. Ordinance 2012-0455

ORDINANCE appropriating \$1,031,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BLACK & VEATCH CORPORATION** for Update to Biosolids Management Plan; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

RESOLUTIONS AND ORDINANCES - continued

34. Ordinance 2012-0475

ORDINANCE appropriating \$11,156,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing sixth amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC.** (Approved by Ordinance No. 2006-0277) for services associated with the Surface Water Transmission Program; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

35. Ordinance 2012-0456

ORDINANCE appropriating \$2,630,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC**, for Northgate and Imperial Valley Wastewater Treatment Plant Improvements; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - DAVIS**

36. Ordinance 2012-0457

ORDINANCE appropriating \$1,744,560.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **T CONSTRUCTION, LLC**, for Wastewater Collection System Rehabilitation and Renewal; 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 (4235-56)

37. Ordinance 2012-0458

ORDINANCE appropriating \$521,866.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation; 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 (4277-59)

38. Ordinance 2012-0459

ORDINANCE appropriating \$3,034,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RESICOM, INC**, for Water Line Replacement in Shadywood Area; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - PENNINGTON**

39. Ordinance 2012-0460 – Passed first reading

ORDINANCE granting to **JOSE PULIDO dba PULIDO TRUCKING 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 **FIRST READING**

RESOLUTIONS AND ORDINANCES - continued

40. Ordinance 2012-0461 – Passed first reading

ORDINANCE granting to **PAMELA BUSSEY dba 1ST CHOICE GREASE SERVICE, 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 - **FIRST READING**

41. Ordinance 2012-0428 – Passed second reading

ORDINANCE No. 2012-0428, passed first reading May 9, 2012

ORDINANCE granting to **MAGNA FLOW INTERNATIONAL, INC dba MAGNA FLOW ENVIRONMENTAL, 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 - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 42 through 44

Motion 2012-0359 – Suspend rules to consider Items 42 and 43 out of order

42. Ordinance 2012-0449

ORDINANCE appropriating \$4,282,515.00 out of Police Consolidated Construction Fund for leased premises buildout costs, approving Lease Agreement with the **STAR OF HOPE MISSION** as landlord for a Planned Sobering Center at 1811 Ruiz - **DISTRICT H - GONZALEZ**

TAGGED BY COUNCIL MEMBER BROWN

This was Item 7 on Agenda of May 9, 2012

43. Resolution 2012-0014

RESOLUTION authorizing the creation of **HOUSTON RECOVERY CENTER LGC**, a Local Government Corporation; approving the Certificate of Formation; approving the by-laws; appointing the initial Directors and Chair - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 8 on Agenda of May 9, 2012

44. Ordinance 2012-0476

ORDINANCE appropriating \$127,542.00 out of Reimbursement of Equipment / Projects Fund as an additional appropriation to contract between the City of Houston and **SOGETI USA, LLC**; amending Ordinance No. 2011-0070 to increase the maximum contract amount for an Enterprise Point of Sale System for the Public Works & Engineering Department

TAGGED BY COUNCIL MEMBER RODRIGUEZ

This was Item 23 on Agenda of May 9, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Costello 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

5/15/2012 - Council Member Sullivan absent on City business

5/16/2012 - All Present