

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 2, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2012-0708 to 2012-0721
ORDINANCES - 2012-0865 to 2012-0884
RESOLUTION - None

2012-0707-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Brown

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

NOTE: If a translator is required, please advise when reserving time to speak

Motion 2012-0708 – Procedural motion

Motion 2012-0709 – Procedural motion

Motion 2012-0710 – Procedural motion

Motion 2012-0711 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 3, 2012 - 9:00 A. M.

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

NOTE: HEARING SCHEDULED FOR 6:00 P.M.

HEARING - 6:00 P.M.

PUBLIC HEARING relating to Public Improvement Bond Propositions "A" through "E" to be submitted to voters at a Special Election on November 6, 2012

Motion 2012-0712 – Accept report

9:00 A.M. - **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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 33

MISCELLANEOUS - NUMBERS 1 and 2

1. **Motion 2012-0713**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ZOO, INC BOARD OF DIRECTORS**, for terms to expire June 30, 2015

Position Three - **ZEINA FARES**, appointment

Position Four - **STEPHEN M. KAUFMAN**, reappointment

Position Six - **JIM POSTL**, appointment

2. **Motion 2012-0714**

RECOMMENDATION from Director Administration & Regulatory Affairs for the designation of residential parking permit areas in the Super Neighborhood of Greater Uptown - **DISTRICT G - PENNINGTON**

ACCEPT WORK - NUMBERS 3 and 4

3. **Motion 2012-0715**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,225,284.10 and acceptance of work on contract with **ISI CONTACTING, INC** for Paving Improvements of Long Point Road at Wirt Road Intersections and Approaches - 0.84% over the original contract amount and under the 5% contingency amount **DISTRICT A - BROWN**

4. **Motion 2012-0718**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$957,439.50 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Water Storage Tanks - 2.93% under the original contract amount **DISTRICTS B - DAVIS and F - HOANG**

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 7A

5. **Motion 2012-0716**

SCOTT TECHNOLOGIES, INC dba SCOTT SAFETY for Thermal Imaging Cameras, Accessories and Replacement Parts for the Houston Fire Department - 3 Years with two one year options - \$669,035.20 - General Fund

6. **Ordinance 2012-0875**

ORDINANCE appropriating \$20,394.66 out of Fleet Equipment Special Revenue Fund for Purchase of Forklift for the Fleet Management Department

a. **Motion 2012-0719**

AMEND MOTION #2011-432, 6/1/11, TO PURCHASE additional Forklifts for a total increase of \$52,618.91 for the Fleet Management and Public Works & Engineering Departments, awarded to **mitsubishi caterpillar forklift of america, inc d/b/a mitsubishi forklift trucks of houston**

PURCHASING AND TABULATION OF BIDS - continued

7. Ordinance 2012-0865

ORDINANCE appropriating \$900,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Sanitary Sewer Force Main Repairs at Renwick Drive and Bissonnet Street for the Public Works & Engineering Department

a. Motion 2012-0717

T CONSTRUCTION , LLC for Emergency Sanitary Sewer Force Main Repairs for the Department of Public Works & Engineering - **DISTRICT J - LASTER**

ORDINANCES - NUMBERS 8 through 33

8. Ordinance 2012-0876

ORDINANCE establishing City of Houston election precincts and designating polling places for the City of Houston Special Election to be held on November 6, 2012

9. Ordinance 2012-0877

ORDINANCE approving and authorizing agreement between the City of Houston and the **VILLAGE LEARNING CENTER, INC**, to provide a grant of \$314,000.00 in Community Development Block Grant Funds for acquisition of a facility, located in the vicinity of 3930 Glade Valley Drive, Houston, Texas, which will be used to provide services to low to moderate income individuals with developmental disabilities - **DISTRICT E - SULLIVAN**

10. Ordinance 2012-0878

ORDINANCE appropriating \$47,609.50 out of Parks Consolidated Construction Fund and approving and authorizing the Purchase and Sale Agreement between **RON ALIEZER, AVI RON, and AVISHAL RON (Sellers)** and the City of Houston (Purchaser) for the purchase of 0.1127 acres of land located at 2312 Dennis Street, Houston, Harris County, Texas, for the purchase price of \$86,719.00 plus additional expenses of \$8,500.00 for the Houston Parks and Recreation Department - \$47,609.50 Grant Fund - **DISTRICT D - ADAMS**

11. Ordinance 2012-0879

ORDINANCE authorizing Purchase and Sale Agreement between **JOHN A. HENDLMYER, TRUSTEE, Seller**, and the City of Houston, Texas, Purchaser, and Lease Agreement between the City of Houston, Texas, Landlord, and **HOUSTON PRECIOUS METALS, LTD., Tenant**, relating to the purchase of 5,031 square feet of land located at 607 Chenevert, Houston, Texas; designating the property as a "Leased Premises" under the Lease Agreement between the City of Houston, Texas, and **HOUSTON FIRST CORPORATION, Formerly HOUSTON CONVENTION CENTER HOTEL CORPORATION**, pursuant to Ordinance No. 2011-390

12. Ordinance 2012-0880

ORDINANCE authorizing Purchase and Sale Agreement between **HOUSTON PROFESSIONAL MUSICIANS LOCAL NO. 65-699, A. F. of M., Seller**, and the City of Houston, Texas, Purchaser, relating to the purchase of 5,662 square feet of land located at 609 Chenevert, Houston, Texas; designating the property as a "Leased Premises" under the Lease Agreement between the City of Houston, Texas, and **HOUSTON FIRST CORPORATION, FORMERLY HOUSTON CONVENTION CENTER HOTEL CORPORATION**, pursuant to Ordinance No. 2011-390

13. Ordinance 2012-0866

ORDINANCE appropriating \$898,705.00 out of Police Consolidated Construction Fund as an additional appropriation for contract between the City of Houston and **BL TECHNOLOGY, INC** approved by Ordinance No. 2007-0972 for Security System Installation and Repair Services for the General Services Department - **DISTRICTS B - DAVIS; D - ADAMS and F - HOANG**

ORDINANCES - continued

14. Ordinance 2012-0881

ORDINANCE approving and authorizing submission of an application for grant assistance to the **U.S. SOCCER FOUNDATION** for Soccer Field Improvements at Milby Park; declaring the availability of matching funds; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process and to accept such grant funds, if awarded - **DISTRICT I - RODRIGUEZ**

15. Ordinance 2012-0882

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **TEXAS STATE UNIVERSITY - SAN MARCOS** for the Tobacco Enforcement Program administered by the Texas Department of State Health Services, Mental Health Services Division Program for the Houston Police Department - \$120,000.00 - Grant Fund

16. Council Member Green tagged

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **PUMPS OF HOUSTON, INC** (Approved by Ordinance 2007-0813) for Submersible Pump Repair Services for the Public Works and Engineering Department

17. Ordinance 2012-0867

ORDINANCE approving and authorizing second amendments to contracts between the City of Houston and **DRC EMERGENCY SERVICES, LLC**, and **OMNI PINNACLE, LLC** for Disaster Debris Removal Services for the Solid Waste Management Department

18. Council Member Noriega tagged

ORDINANCE issuing a permit to **HFOTCO LLC, dba HOUSTON FUEL OIL TERMINAL COMPANY**, to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICT E - SULLIVAN**

19. Ordinance 2012-0883

ORDINANCE appropriating \$7,000.00 out of Metro Projects Construction DDSRF; approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Bringhurst Bridge Crossing at Union Pacific Railroad - **DISTRICT B - DAVIS**

20. Ordinance 2012-0868

ORDINANCE approving and authorizing Revised and Restated Agreement between the City of Houston and **SEVERN TRENT ENVIRONMENTAL SERVICES, INC** (Approved by Ordinance 2010-582) for the Greater Northeast Houston Service Area Water and Wastewater Utilities and Facilities - 1 Year with two consecutive one-year options - \$356,493.00 - Enterprise Fund **DISTRICT E - SULLIVAN**

21. Ordinance 2012-0869

ORDINANCE consenting to the addition of 46.0732 acres of land to **DOWDELL PUBLIC UTILITY DISTRICT**, for inclusion in its district

22. Ordinance 2012-0884

ORDINANCE consenting to the addition of 300.89 acres of land to **HARRIS-MONTGOMERY COUNTIES MUNICIPAL UTILITY DISTRICT NO. 386**, for inclusion in its district

23. Ordinance 2012-0870

ORDINANCE establishing the north and south sides of the 3500-3600 block of Parkwood Drive within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**

ORDINANCES - continued

24. Ordinance 2012-0871

ORDINANCE appropriating \$230,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **MCDONOUGH ENGINEERING CORPORATION** for Local Drainage Project Negotiated Work Orders (Approved by Ordinance No. 2010-0230, as amended); providing funding for CIP Salary Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF

25. Ordinance 2012-0872

ORDINANCE approving the change of control of **A-AFFORDABLE VACUUM SERVICE, A TEXAS SOLE PROPRIETORSHIP**, that holds 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 City of Houston, Texas Ordinance No. 2011-426

26. Ordinance 2012-0873 – Passed first reading

ORDINANCE granting to **EVERETT DEE HENLEY dba SERVICE FIRST GREASE RECYCLING/TRAP, 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**

27. Ordinance 2012-0874 – Passed first reading

ORDINANCE granting to **ENVIROLINK, INC., 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 - **FIRST READING**

28. Ordinance 2012-0843 – Passed second reading

ORDINANCE No. 2012-843, passed first reading September 26, 2012

ORDINANCE granting to **STELLA ENVIRONMENTAL SERVICES, LLC, A Delaware 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 - **SECOND READING**

29. Ordinance 2012-0844 – Passed second reading

ORDINANCE No. 2012-844, passed first reading September 26, 2012

ORDINANCE granting to **AMERICAN SANITATION SERVICES, INC dba AM-CAN, 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**

30. Ordinance 2012-0845 – Passed second reading

ORDINANCE No. 2012-845, passed first reading September 26, 2012

ORDINANCE granting to **G. R. GROUP, 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 - **SECOND READING**

ORDINANCES - continued

31. Ordinance 2012-0846 – Passed second reading

ORDINANCE No. 2012-846, passed first reading September 26, 2012

ORDINANCE granting to **HOUSTON WINDOW CLEANING L.L.C., 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 **SECOND READING**

32. Ordinance 2012-0847 – Passed second reading

ORDINANCE No. 2012-847, passed first reading September 26, 2012

ORDINANCE granting to **CARON SERVICE, INC, 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**

33. Ordinance 2012-0848 – Passed second reading

ORDINANCE No. 2012-848, passed first reading September 26, 2012

ORDINANCE granting to **TENNESSEE GENERAL CORP., A Tennessee 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 - NUMBER 34

34. Motion 2012-0720 – Adopt

RECOMMENDATION from Director Administration & Regulatory Affairs for adoption of Alcohol Free Zone for St. Stephens Episcopal School at 1805 West Alabama - **DISTRICT C - COHEN**

POSTPONED BY MOTION #2012-696, 9/19/12

This was Item 2 on Agenda of September 19, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez first

RECONVENE

WEDNESDAY - OCTOBER 3, 2012 - 6:00 P. M.

HEARING - 6:00 P.M.

35. Motion 2012-0721 – Close hearing

PUBLIC HEARING relating to Public Improvement Bond Propositions “A” through “E” to be submitted to voters at a Special Election on November 6, 2012

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

- 10/2/2012 - Council Member Adams absent on City business
Council Member Rodriguez absent on personal business**
- 10/3/2012 - Council Member Adams absent on City business**