

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 9, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2012-0722 to 2012-0733
ORDINANCES - 2012-0885 to 2012-0900
RESOLUTION – 2012-0029

2012-0721-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Cohen

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 2012-0722 – Procedural motion
Motion 2012-0723 – Procedural motion
Motion 2012-0724 – Procedural motion
Motion 2012-0725 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 10, 2012 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. Motion 2012-0726 – Close hearing

PUBLIC HEARING on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery 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:

1. Cypress Forest Public Utility District
2. Harris County Municipal Utility District No. 468
3. Cornerstones Municipal Utility District
4. Harris County Municipal Utility District No. 118
5. Fort Bend County Municipal Utility District No. 133
6. Harris County Municipal Utility District No. 221
7. Harris County Municipal Utility District No. 53
8. Montgomery County Municipal Utility District No. 119
9. Harris County Municipal Utility District No. 239
10. Harris County Municipal Utility District No. 374
11. West Harris County Municipal Utility District No. 11
12. Northwest Harris County Municipal Utility District No. 24
13. Harris County Fresh Water Supply District No. 47
14. Northwest Harris County Municipal Utility District No. 32
15. West Harris County Municipal Utility District No. 2

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 32

MISCELLANEOUS - NUMBERS 2 through 5

2. Motion 2012-0727

REQUEST from Mayor for confirmation of the appointment of **BILL C. LITTLEJOHN** to Position Eight of the **BOARD OF PUBLIC TRUSTS**, for a term to expire March 22, 2014

3. Motion 2012-0728

REQUEST from Mayor for confirmation of the appointment of the following individual to the **INDEPENDENT POLICE OVERSIGHT BOARD**:

Name	District	Panel	For an unexpired term ending
Marvin J. Hamilton	D	A1	10/26/2014

4. Motion 2012-0732

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

- Position One - **DAVID A. HAMILTON**, appointment, for a term to expire 7/20/2013
Position Two - **JOHN RICKEL**, appointment, for a term to expire 7/20/2014
Position Three - **BOB TUCKER**, appointment, for a term to expire 7/20/2013
Position Four - **ANN THOMAS GIVENS**, reappointment, for a term to expire 7/20/2014, and to serve as Chair for a term to expire 12/31/2012
Position Five - **ZACHARY R. HODGES**, reappointment, for a term to expire 7/20/2013
Position Six - **BRADLEY R. FREELS**, reappointment, for a term to expire 7/20/2014
Position Seven - **GLENN E. AIROLA**, reappointment, for a term to expire 7/20/2013

MISCELLANEOUS - continued

5. Council Member Sullivan tagged

RECOMMENDATION from Director Mayor's Office of Intergovernmental Relations and Deputy Chief of Staff for adoption of the City of Houston Legislative Principles for the 83rd Session of the Texas Legislature

ACCEPT WORK - NUMBERS 6 and 7

6. Motion 2012-0729

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,658,922.30 and acceptance of work on contract with **T J & T ENTERPRISES, INC** for West Houston Traffic Signal Communications - 24.54% under the original contract amount - **DISTRICTS F - HOANG and G - PENNINGTON**

7. Motion 2012-0730

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$533,529.80 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation 1.82% over the original contract amount and under the 5% contingency (4277-38) - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and K - GREEN**

PURCHASING AND TABULATION OF BIDS - NUMBER 8

8. Motion 2012-0731

VWR INTERNATIONAL, LLC for Laboratory Furnishings, Equipment and Associated Construction Services through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for the Houston Police Department - \$99,697.92 - Asset Forfeiture Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 9 through 32

9. Resolution 2012-0029

RESOLUTION authorizing a Loan Application to the Texas Water Development Board

10. Ordinance 2012-0885

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Prairie Avenue, from La Branch Street to Crawford Street; vacating and abandoning the right-of-way to Finger-FSC Crawford, LTD., owner, upon the satisfaction of certain conditions authorizing a Development Agreement - **DISTRICT I - RODRIGUEZ**

11. Ordinance 2012-0890

ORDINANCE approving a Foreign Trade Zone Agreement for the payment of Ad Valorem Taxes between the City of Houston and **KUEHNE + NAGLE, INC, a Texas Limited Liability Company**; authorizing the Mayor to execute a letter of non-opposition to the establishment of a Foreign Trade Special Purpose Subzone - **DISTRICT B - DAVIS**

12. Ordinance 2012-0897

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston, Texas, and **HARRIS COUNTY, TEXAS**, to provide for the design, construction, operation and maintenance of a joint radio maintenance facility at 2318 Greens Road, Houston, Texas **DISTRICT B - DAVIS**

RESOLUTIONS AND ORDINANCES - continued

a. Ordinance 2012-0898

ORDINANCE approving Lease Agreement between the City Of Houston, Texas, Landlord, and **HARRIS COUNTY, TEXAS, Tenant**, for 4719 North Shepherd Drive, Houston, Texas, for use by tenant for temporary use by tenant during the duration of the construction of the joint radio maintenance facility - **DISTRICT B - DAVIS**

13. Council Member Green tagged

ORDINANCE approving and authorizing Memorandum of Understanding No. 1 between the City and **HOUSTON FORENSIC SCIENCE LGC, INC**; containing a savings clause

14. Ordinance 2012-0891

ORDINANCE approving and authorizing contract between the City and **DEPARTMENT OF STATE HEALTH SERVICES** (DSHS Contract No. 2013-042768) for the Women, Infants and Children (WIC) Program; declaring the City's eligibility for the contract grant funds; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds, and accept all subsequent awards, if any, pertaining to the WIC Program - \$5,431,753.00 - Grant Fund

15. Ordinance 2012-0892

ORDINANCE approving and authorizing contract between the City of Houston and **THE SALVATION ARMY** in the amount of \$70,000.00 in Housing Trust Funds for the provision of Homeless Services in connection with the Texas Homeless Housing and Services Program

16. Ordinance 2012-0893

ORDINANCE approving and authorizing first amendment and Modification Agreement pertaining to Amended Loan Agreement, Note, Deed of Trust, Restrictive Covenants and other loan documents, between the City of Houston and **INDEPENDENCE HALL MUTUAL HOUSING ASSOCIATION**, relating to a 292 unit apartment complex, targeting low income elderly, disabled and/or handicapped persons, located in the vicinity of 6 Burress Street, Houston, Texas **DISTRICT H - GONZALEZ**

17. Ordinance 2012-0899

ORDINANCE approving and authorizing Amendment No. 2 to Construction Management At Risk Agreement between the City of Houston and **MANHATTAN CONSTRUCTION COMPANY** for Phase IIA Construction Services for the Terminal D Departure Level Refresh at George Bush Intercontinental Airport/Houston (Project No. 500N) - \$2,355,918.00 - Enterprise Fund **DISTRICT B - DAVIS**

18. Ordinance 2012-0886

ORDINANCE appropriating \$74,600.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 2 to contract between the City of Houston and **OSBORN & VANE ARCHITECTS, INC** for Professional Architectural Services for the Houston Airport System (Project 615M) - **DISTRICT B - DAVIS**

19. Not Received - Not Considered

ORDINANCE appropriating \$10,000,000.00 out of Airports Improvement Fund as an additional appropriation for contract between the City of Houston and **HOUSTON AIRPORTS PROGRAM MANAGEMENT TEAM** approved by Ordinance No. 2011-783 for Professional Program Management Consulting Services for the Houston Airport System (Project No. 697) - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ**

20. Ordinance 2012-0887

ORDINANCE appropriating \$1,500,000.00 out of Equipment Acquisition Consolidated Fund for the Municipal Courts Case Management System (C-SMART) originally approved by Ordinance No. 2011-824

RESOLUTIONS AND ORDINANCES - continued

21. Ordinance 2012-0888

ORDINANCE appropriating \$91,000.00 out of General Improvement Consolidated Construction Fund; \$75,000.00 out of Solid Waste Consolidated Construction Fund; \$45,000.00 out of Public Library Consolidated Construction Fund; \$200,000.00 out of Water & Sewer System Consolidated Construction Fund; and \$186,000.00 out of Police Consolidated Construction Fund; amending Ordinance No. 2008-0374 (Passed April 30, 2008) to increase the maximum contract amount to the Task Order Contract between the City of Houston and **BRAVE/ARCHITECTURE INC** for Various City Departments

22. Ordinance 2012-0900

ORDINANCE appropriating \$250,000.00 out of General Improvement Consolidated Construction Fund, \$250,000.00 out of Fire Consolidated Construction Fund, and \$250,000.00 out of Parks Consolidated Construction Fund for the Fiscal Year 2013 Environmental Consulting Task Order Program; approving and authorizing eighteen Professional Environmental Consulting Services Task Order Contracts between the City of Houston and 1) **A & B ENVIRONMENTAL SERVICES, INC**, 2) **ALL POINTS ENVIRONMENTAL, LLC**, 3) **ARCADIS U.S., INC**, 4) **ATC GROUP SERVICES, INC, d/b/a ATC ASSOCIATE, INC**, 5) **BROWN AND CALDWELL, INC**, 6) **ENERCON CORNERSTONE GOVERNMENT SERVICES, LLC**, 7) **ENVIRONMENTAL CONSULTANTS INTERNATIONAL, LLC**, 8) **ENVIRONMENTAL CONSULTANTS, INC (ERC)**, 9) **FERN ENVIRONMENTAL, LLC**, 10) **HONESTY ENVIRONMENTAL SERVICES, INC**, 11) **HUNT & HUNT ENGINEERING CORP.**, 12) **KLEINFELDER CENTRAL, INC**, 13) **QC LABORATORIES, INC**, 14) **SKA CONSULTING, L.P.**, 15) **SEPARATION SYSTEMS CONSULTANTS, INC, (SSCI)** 16) **TERRA NOVA CONSULTING, INC**, 17) **TERRAIN SOLUTIONS, INC** and 18) **TOLUNAY-WONG ENGINEERS, INC**; providing a maximum contract amount

23. Ordinance 2012-0889

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Fulton Paving and Drainage Project from East Tidwell to East Parker; authorizing the acquisition of Fee Simple Title Interest in or easement to 53 parcels of land required for the project and situated in the H.T.&C. R.R. Co. Survey, Section 5, Abstract No. 428; in Harris County, Texas, said parcels of land being along the northeasterly and southwesterly lines of Fulton Street from East Tidwell to East Parker in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 53 parcels of land required for the project - **DISTRICT H - GONZALEZ**

24. Ordinance 2012-0894

ORDINANCE appropriating \$809,555.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an agreement between the City of Houston and **HARRIS COUNTY** for the Relocation of City of Houston utilities on Cullen Boulevard from Beltway 8 to approximately 400 feet north of Almeda Genoa Road; providing funding for CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**

25. Ordinance 2012-0873 – Passed second reading

ORDINANCE No. 2012-0873, passed first reading October 3, 2012
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 - **SECOND READING**

RESOLUTIONS AND ORDINANCES - continued

26. Ordinance 2012-0874 – Passed second reading

ORDINANCE No. 2012-0874, passed first reading October 3, 2012

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 - **SECOND READING**

27. Ordinance 2012-0843 – Passed third and final reading

ORDINANCE No. 2012-843, passed second reading October 3, 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 - **THIRD AND FINAL READING**

28. Ordinance 2012-0844 – Passed third and final reading

ORDINANCE No. 2012-844, passed second reading October 3, 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 **THIRD AND FINAL READING**

29. Ordinance 2012-0845 – Passed third and final reading

ORDINANCE No. 2012-845, passed second reading October 3, 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 - **THIRD AND FINAL READING**

30. Ordinance 2012-0846 – Passed third and final reading

ORDINANCE No. 2012-846, passed second reading October 3, 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 **THIRD AND FINAL READING**

31. Ordinance 2012-0847 – Passed third and final reading

ORDINANCE No. 2012-847, passed second reading October 3, 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 - **THIRD AND FINAL READING**

32. Ordinance 2012-0848 – Passed third and final reading

ORDINANCE No. 2012-848, passed second reading October 3, 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 33 through 35

33. Motion 2012-0733 – Refer back to the Administration

ORDINANCE approving and authorizing Lease Agreement between **7100 NORTH LOOP EAST, INC., as Landlord**, and the City of Houston, Texas, as Tenant, for office and warehouse space located at 7100 North Loop East, Houston, Texas - **DISTRICT H - GONZALEZ**

POSTPONED BY MOTION #2012-706, 9/26/12

This was Item 29 on Agenda of September 26, 2012

34. Ordinance 2012-0895 – Adopt

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

TAGGED BY COUNCIL MEMBER GREEN

This was Item 16 on Agenda of October 3, 2012

35. Ordinance 2012-0896 – Adopt

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**

TAGGED BY COUNCIL MEMBER NORIEGA

This was Item 18 on Agenda of October 3, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Sullivan 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

10/9/2012 - Council Member Burkes absent on personal business

10/10/2012 - Council Member Adams absent on personal business