

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

with notes of action taken

MOTIONS - 2012-0762 to 2012-0772
ORDINANCES - 2012-0925 to 2012-0939
RESOLUTION – 2012-0032

2012-0752-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Bradford

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 31, 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 2012-0762 – Close hearing

PUBLIC HEARING relating to the termination of the Cable Television Franchise granted to **TVMAX Houston, L.P.** by City of Houston, Texas Ordinance No. 2005-582, as amended by Ordinance No. 2010-559

a. Motion 2012-0763 – Close hearing

ORDINANCE terminating the cable television franchise granted to **TVMAX HOUSTON, L.P.** by City of Houston, Texas Ordinance No. 2005-582, as amended by Ordinance No. 2010-559

Motion 2012-0764 – Accept reports

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 and a Quarterly Investment Report by the City Controller

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 22

MISCELLANEOUS - NUMBER 2

2. Motion 2012-0765

REQUEST from Mayor for confirmation of the appointment of **GILDA RAMIREZ**, to Position Four to the **BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-THREE (also known as the HARRISBURG ZONE)** and to serve as Chair, for an unexpired term ending December 31, 2013

ACCEPT WORK - NUMBER 3

3. Motion 2012-0767

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$115,557.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.**, for Asbestos Abatement and Demolition at 3301, 3303 and 3305 Lyons Avenue - Deluxe Theater Buildings - 7.27% over the original contract amount and under the 10% contingency **DISTRICT B - DAVIS**

PROPERTY - NUMBER 4

4. Motion 2012-0766

RECOMMENDATION from Director Department of Public Works Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc., on behalf of M&S Restaurants #1, Ltd., (Bob Borochoff, Chief Operating Officer) for abandonment and sale of three 6-foot-wide utility easements within Lots 1 through 5 and Lots 28 through 32, in exchange for the conveyance to the City of a 10-foot-wide access easement, all located within the Renesu-Court Addition, out of the Obedience Smith Survey, A-696, Parcels SY13-015A, SY13-015B, SY13-015C and AY13-073 - **DISTRICT C - COHEN**

RESOLUTIONS AND ORDINANCES - NUMBERS 5 through 22

5. Resolution 2012-0032

RESOLUTION declaring Directors of Houston Recovery Center LGC to be "covered persons" within the meaning of Chapter 2, Article X, of the Code of Ordinances, City of Houston, Texas; containing findings and other provisions relating to the foregoing subject; containing a savings clause

6. Ordinance 2012-0926

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2012-578 by deleting one (1) Senior Captain Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance

7. Ordinance 2012-0927

ORDINANCE authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to execute an agreement between the City of Houston and the **UNITED STATES DEPARTMENT OF HOMELAND SECURITY** accepting a 2012 Port Security Grant in accordance with the FY2012 Port Security Grant Program Investment Justification; declaring the City's eligibility for such grant; authorizing the Director to execute any subsequent documents necessary to secure the City's allocations throughout the life of this grant program - **DISTRICTS E - SULLIVAN AND I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

8. Ordinance 2012-0928

ORDINANCE authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to execute two Subrecipient Grant Agreements with the Texas Department of Public Safety ("DPS") accepting FY2012 Homeland Security Grant Funding from the Urban Area Security Initiative ("UASI") Grant Program and the UASI Law Enforcement Terrorism Prevention Activities ("LETPA") Program; declaring the City's eligibility for such grants; authorizing the Director to execute all modifications to the agreements and to execute any subsequent documents necessary to secure the City's allocations throughout the life of these grant awards

Motion 2012-0768 – Suspend rules to remain in session beyond the scheduled noon recess

9. Ordinance 2012-0929

ORDINANCE appropriating \$9,604,327.00 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), and Reinvestment Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone) for affordable housing, payments to Houston Independent School District, and payments to certain Redevelopment Authorities as provided herein

10. Ordinance 2012-0930

ORDINANCE appropriating and transferring \$400,000.00 out of Contractor's Responsibility Fund into the Health Special Revenue Fund for the provision of services under the **CARE HOUSTON PROGRAM** for the Houston Department of Health and Human Services

Motion 2012-0769 – Call the question on Item 11

11. Ordinance 2012-0931

ORDINANCE approving and authorizing contract between the City and the **HOUSTON FOOD BANK** to increase public awareness of Benefits Programs to eligible Supplemental Nutrition Assistance Program Participants; providing a maximum contract amount - \$159,684.96 - General Fund

12. Ordinance 2012-0932

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY**, providing up to \$167,562.00 in Emergency Solutions Grant Funds for the operation and maintenance of the Homeless Management Information System

13. Ordinance 2012-0933

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY**, providing up to \$133,415.00 in Community Development Block Grant Funds for planning to support systematic solutions to the problems of homelessness

RESOLUTIONS AND ORDINANCES - continued

14. Ordinance 2012-0934

ORDINANCE approving and authorizing contract between the City of Houston and **MEMORIAL ASSISTANCE MINISTRIES, INC**, and providing \$50,000.00 in Housing Trust Funds, for the provision of homeless prevention assistance in connection with the Texas Homeless Housing and Services Program

15. Ordinance 2012-0925

ORDINANCE appropriating \$275,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **PORTER HEDGES LLP** for Professional Legal Services for the Houston Airport System

16. Ordinance 2012-0935

ORDINANCE appropriating \$220,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **WALTER P. MOORE** for Professional Consulting Services for the Houston Airport System

17. Council Members Adams and Burks tagged

ORDINANCE amending Ordinance No. 2011-0043 to increase the maximum contract amount for contract between the City of Houston and **CROWN PACIFIC, INC (Formerly Crown Relocations)** for Moving and Storage of Household Goods for the Housing and Community Development Department; approving and authorizing first amendment to the contract \$200,000.00 - CDBG Fund

18. Council Members Davis and Hoang tagged

ORDINANCE approving and authorizing first amendment to an agreement between the City of Houston and the **DRESSER, INC** for Blower Replacement Parts and Repair Services for the Department of Public Works & Engineering (Ordinance 2007-1212)

19. Ordinance 2012-0936

ORDINANCE appropriating \$262,612.00 out of Public Library Consolidated Construction Fund as an additional appropriation for the Construction Management At Risk Contract between the City of Houston and **BALFOUR BEATTY CONSTRUCTION, LLC fka SPAWMAXWELL COMPANY, L.P.** (Approved by Ordinance No. 2007-1471) for Electrical Switchgear in the Julia Ideson Building **DISTRICT I - RODRIGUEZ**

20. Council Member Brown tagged

ORDINANCE appropriating \$419,164.00 out of Parks Consolidated Construction Fund; awarding construction contract to **CARRERA CONSTRUCTION, INC** for Dow Park Basketball Court and Pavilion Restorations at various locations; 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 services, construction management, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICTS D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K - GREEN**

21. Ordinance 2012-0937

ORDINANCE appropriating \$152,510.00 out of Parks Consolidated Construction Fund and \$134,310.00 out of Parks and Recreation Dedication Fund; awarding construction contract to **JERDON ENTERPRISE, L.P.** for Glenbrook Park, Phase II and Schwartz 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 testing services, construction management, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, the Parks and Recreation Dedication Fund, and Federal Government-Grants Fund - \$881,020.00 - Grant Fund - **DISTRICTS A - BROWN and I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

22. Ordinance 2012-0938

ORDINANCE appropriating \$202,200.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Bringham Pedestrian Bridge over Union Pacific Railroad (Approved by Ordinance No. 2012-0613); providing funding for CIP Salary Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT B - DAVIS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 23 through 26

23. Motion 2012-0770 - Adopt

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Brian Nawara, Texas Engineering and Mapping, on behalf of Alliance Enclave Reflections Limited Partnership (Alliance Enclave Reflections GP, Inc [Steven Ivankovich, President], General Partner), for abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide by 35-foot-wide water main (flushing valve) easement, located within the Enclave at Reflections Apartments Addition, Section One, out of the Joel Wheaton Survey, A-80, Parcels SY13-017A and SY13-017B - **DISTRICT G - PENNINGTON** - TAGGED BY COUNCIL MEMBER PENNINGTON

This was Item 3 on Agenda of October 24, 2012

24. Motion 2012-0771 – Adopt

MOTION by Council Member Gonzalez/Seconded by Council Member Costello to adopt recommendation to **AMEND MOTION 2007-259, 3/7/07, as previously amended, TO INCREASE** spending authority from \$27,563,500.00 to \$38,588,900.00 for Chemicals, Inorganic Metal Salt Coagulants (Aluminum Sulfates and Aluminum Chlorohydrate) for the Department of Public Works & Engineering, awarded to **ALTIVIA CORPORATION** - \$11,025,400.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER GREEN**

This as Item 5 on Agenda of October 24, 2012

25. Ordinance 2012-0939

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** - TAGGED BY COUNCIL MEMBER SULLIVAN

This was Item 12 on Agenda of October 24, 2012

26. Motion 2012-0772 – Postpone two (2) weeks

ORDINANCE appropriating \$246,100.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **TRW ENGINEERS, INC dba TSC ENGINEERING** for Braesmont Dr. Area Drainage and Paving Improvements (Approved by Ordinance No. 2011-0506); providing funding for CIP Salary Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT C - COHEN** TAGGED BY COUNCIL MEMBER GREEN

This was Item 16 on Agenda of October 24, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Adams 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

10/30/2012 - All Present

10/31/2012 - All Present