

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 12, 2013 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2013-0112 to 2013-0125
ORDINANCES – 2013-0114 to 2013-0134
RESOLUTION – None

2013-0111-1

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 2013-0112 –Procedural motion
Motion 2013-0113 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 13, 2013 - 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 2013-0115 – Close hearing**

PUBLIC HEARING regarding the decommissioning of a portion of 2.1748 acres of Levy Park to allow for redesign and future expansion of the park - **DISTRICT C - COHEN**

MAYOR'S REPORT - Sexual Assault Kits

CONSENT AGENDA NUMBERS 2 through 36

MISCELLANEOUS - NUMBERS 2 through 5

Motion 2013-0114 – Suspend rules to consider Item 2 prior to the Mayor’s Report

2. Motion 2013-0116

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **WASHINGTON AVENUE CORRIDOR ADVISORY COMMITTEE**, for a period of 180 days
Position One - **JANE CAHILL WEST**
Position Two - **KEITH EDGAR**
Position Three - **PHYLLIS K. WEHRING THOMASON**, and to serve as Chair
Position Four - **JON D. DEAL**
Position Five - **BRYAN WHITE**
Position Six - **RICARDO MOLINA**
Position Seven - **SALEEM GEORGE FERNANDEZ**

3. Motion 2013-0117

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2013 Operations and Maintenance Budget for the **LAKE HOUSTON FACILITY** project operated by the Coastal Water Authority - \$2,502,982.00 - Enterprise Fund

4. Motion 2013-0118

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2013 Operations and Maintenance Budget for the **TRINITY RIVER WATER CONVEYANCE PROJECT** operated by the Coastal Water Authority - \$20,964,773.00 - Enterprise Fund

5. Motion 2013-0119

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2013 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$3,662,010.00 - Enterprise Fund

ACCEPT WORK - NUMBERS 6 through 8

6. Motion 2013-0120

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$971,543.38 and acceptance of work on contract with **CONRAD CONSTRUCTION CO. LTD.** for Cambridge Paving from Holly Hall to IH 610 - 2.81% under the original contract amount - **DISTRICT D - ADAMS**

7. Council Member Adams tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,280,885.68 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION CO.** for City Wide Overlay / Rehabilitation Project Package #16 (Work Order Contract) - 4.60% over the original contract amount and under the 5% contingency amount - **DISTRICTS C - COHEN; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**

8. Motion 2013-0124

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,596,263.16 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Texas Avenue Lift Station Upgrade and Force Main Replacement - 1.38% under the original contract amount - **DISTRICTS B - DAVIS and H - GONZALEZ**

PROPERTY - NUMBERS 9 and 10

9. Motion 2013-0125

RECOMMENDATION from City Attorney to settle eminent domain proceeding styled City of Houston v. Perzetta Hurd, et al., Cause No. 992,498; for acquisition of Parcel AY10-068; for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Little York - W. Gulf Bank) - DISTRICT B - DAVIS**

10. Motion 2013-0121

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John English, Rekha Engineering, Inc., on behalf of Lilly Grove Missionary Baptist Church (Reginald Mack, Trustee), for abandonment and sale of Tierwester Street, from Alice Street south ± 280 feet; Alice Street, from Tierwester Street west to its terminus; and South Lawn Avenue, from the east property line of Lot 17, Block 3 west ± 214 feet; in exchange for the conveyance to the City of a $\pm 13,251$ -square-foot fee-owned parcel for the realignment of Tierwester Street, a ± 585 -square-foot fee-owned parcel for the realignment of Tierwester Street, and construction of the realignment of Tierwester Street, all within the South Lawn Addition, out of the Louis Gladitch Survey, A-304, Parcels SY13-012A, SY13-012B, SY13-012C, AY13-089A and AY13-089B - **DISTRICT D - ADAMS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 13A

11. Ordinance 2013-0114

ORDINANCE appropriating \$3,508,106.00 out of Equipment Acquisition Consolidated Fund for purchase of Firefighting Trucks for Houston Fire Department

a. Motion 2013-0122

METRO FIRE APPARATUS SPECIALISTS, INC for Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department

12. Motion 2013-0123

ALL BUSINESS MACHINES, INC for Two Gas Chromatograph/Mass Spectrometer Systems from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$228,702.22 - Grant Fund

13. Council Member Brown tagged

ORDINANCE appropriating \$335,579.11 out of Equipment Acquisition Consolidated Fund for purchase of Light-, Medium- and Heavy-Duty, Cabs & Chassis Mounted with Truck Bodies for Various Departments - \$5,019,739.20 - Enterprise and Other Funds

a. Council Member Brown tagged

RUSH TRUCK CENTERS OF TEXAS, L.P. - \$3,724,482.68, **HOUSTON FREIGHTLINER, INC** - \$157,070.00, **TEXAS UNDERGROUND, INC** - \$441,288.00, **GAP VAX, INC** - \$471,875.00, **CHASTANG ENTERPRISES, INC d/b/a CHASTANG BAYOU CITY FORD** - \$84,101.85 and **PHILPOTT MOTORS LTD. d/b/a PHILPOTT FORD** - \$476,500.78 for Light-, Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative (BuyBoard) for Various Departments

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 36

14. Council Member Adams tagged

RESOLUTION supporting the Texas Department of Transportation's delivery of the SH288 managed lanes and direct connectors for access to the Texas Medical Center - **DISTRICT D - ADAMS**

15. Ordinance 2013-0115

ORDINANCE **AMENDING ARTICLE III, CHAPTER 39 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**; relating to the composition of the Houston Clean City Commission

16. Council Member Brown tagged

ORDINANCE **AMENDING SECTIONS OF CHAPTERS 1, 5, 7 AND 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to criminal background check requirements and results for the consideration and issuance of certain licenses and permits

17. Ordinance 2013-0123

ORDINANCE approving and authorizing Professional Services Agreement between the City of Houston and the **SCIENCE APPLICATIONS INTERNATIONAL CORPORATION** for Regional Catastrophic Preparedness Planning, Training, and Exercise Services - \$983,115.00 - Grant Fund

18. Ordinance 2013-0124

ORDINANCE approving and authorizing agreement between the City of Houston and **WILLIAM MARSH RICE UNIVERSITY ("RICE")** for Research and Training Services associated with the enhancement of a Storm Risk Calculator - \$194,077.00 - Grant Fund

19. Ordinance 2013-0125

ORDINANCE approving and authorizing Subgrant Contract between the City of Houston and **HARRIS COUNTY** for a reimbursable grant from **HARRIS COUNTY**, on behalf of the Harris County Judge's Office to support the Coastal Impact Assistance Program Grant for Willow Waterhole Greenspace Project - **DISTRICT K - GREEN**

20. Ordinance 2013-0126

ORDINANCE appropriating \$11,829,092.52 out of Transportation Security Administration Other Transaction Agreement Funds and approving and authorizing Amendment No. 1 to the Construction Management-At-Risk Agreement between the City of Houston and **MANHATTAN CONSTRUCTION COMPANY** for Advanced Surveillance Program at George Bush Intercontinental Airport/Houston and William P. Hobby Airport (Project No. 612V; Contract No. 4600011577); providing funding for contingencies - **DISTRICT B - DAVIS**

21. Ordinance 2013-0127

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **CENTRAL HELICOPTER SERVICE, INC** for certain premises at William P. Hobby Airport **DISTRICT I - RODRIGUEZ**

22. Ordinance 2013-0128

ORDINANCE approving and authorizing Amendment No. 1 to second amended and restated Special Facilities Lease Agreement at George Bush Intercontinental Airport/Houston between the City of Houston and **CONTINENTAL AIRLINES, INC** - **DISTRICT B - DAVIS**

23. Ordinance 2013-0129

ORDINANCE approving and authorizing an Airport Use and Lease Agreement at William P. Hobby Airport between the City of Houston and **SOUTHWEST AIRLINES CO.** - **DISTRICT I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

24. Ordinance 2013-0130

ORDINANCE authorizing the sale by the City of Houston, Texas, Seller, to **TRELLEBORG OFFSHORE US, INC, Purchaser**, of the Former North Water Lab, 1822 Rankin Road, Houston, Texas, for a purchase price of \$706,500.00 - **DISTRICT B - DAVIS**

25. Ordinance 2013-0116

ORDINANCE authorizing the sale by the City of Houston, Texas, Seller, to **LUIS AMADOR and MICHAEL TA, Purchaser**, of the Former Child Care Center, 3611 Drew Street, Houston, Texas, for a purchase price of \$10,000.00 - **DISTRICT D - ADAMS**

26. Council Member Costello tagged

ORDINANCE appropriating \$3,450,000.00 out of Fire Consolidated Construction Fund, \$2,100,000.00 out of Police Consolidated Construction Fund and \$100,000.00 out of Public Health Consolidated Construction Fund to the In-House Renovation Revolving Fund for the Renovation and Office Build-out Projects for various City facilities during Fiscal Year 2013

27. Ordinance 2013-0117

ORDINANCE approving and authorizing Professional Weatherization Home Inspection Contract between the City of Houston and **THE GAIA GROUP INC** for the General Services Department Residential Energy Efficiency Program, contingent on contractor's submission of all required contract documents; providing a maximum contract amount - 1 Year - \$75,000.00 - Residential Energy Efficiency Program Fund

28. Ordinance 2013-0118

ORDINANCE approving and authorizing contract between the City and **COMPSYCH CORPORATION** for Employee Assistance Program Services for the Human Resources Department; providing a maximum contract amount - 3 Years with two one-year options \$1,256,832 - Health Benefits Fund

29. Ordinance 2013-0131

ORDINANCE approving and authorizing various contracts between the City of Houston and 1) **LINEBARGER GOGGAN BLAIR & SAMPSON LLP, ("LINEBARGER") GILA LLC d/b/a MUNICIPAL SERVICES BUREAU ("MSB"), GC SERVICES LIMITED PARTNERSHIP ("GC SERVICES"),** and **PROFESSIONAL ACCOUNT MANAGEMENT LLC, A DUNCAN SOLUTIONS INC COMPANY ("DUNCAN SOLUTIONS")** for Unpaid Account Collection Services for the Finance Department; 2) **DUNCAN SOLUTIONS, MSB and GC SERVICES** for Unpaid Parking Citation Collection Services for the Administration and Regulatory Affairs Department; and 3) **MSB and GC SERVICES** for unpaid Utility Account Collection Services for the Public Works & Engineering Department; authorizing the addition of a collection fee of thirty percent (30%) to delinquent accounts owed to the City, as provided under §103.0031(c) of the Texas Code of Criminal Procedure; authorizing the Mayor to add additional contractors who meet criteria approved by City Council - Revenue

30. Ordinance 2013-0132

ORDINANCE appropriating \$3,200,000.00 out of Equipment Acquisition Consolidated Fund as an additional appropriation for the Municipal Courts Case Management System; approving and authorizing third amendment to contract between the City and **SOGETI USA, LLC**; and amending Ordinance 2009-863 to increase the maximum contract amount

31. Ordinance 2013-0119

ORDINANCE amending Ordinance No. 2012-259 (Passed March 28, 2012) to increase the maximum contract amount for contract between the City of Houston and **PCS MOBILE, INC** for the Mobile Data Strategy of the Houston Police Department

RESOLUTIONS AND ORDINANCES - continued

32. Ordinance 2013-0133

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 0.2486 acre commonly known as 2606 West Dallas Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C - COHEN**

33. Ordinance 2013-0120

ORDINANCE approving and authorizing an agreement between the City of Houston and **THE CO-PARTICIPANTS OF THE CHELFORD CITY MUNICIPAL UTILITY DISTRICT** for the Regional Wastewater Treatment Plant to expand the plant's service area - **DISTRICTS F - HOANG and G - PENNINGTON**

34. Ordinance 2013-0134

ORDINANCE appropriating \$110,485.00 out of Metro Projects Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **MIDTOWN ENGINEERS, LLC** for Silber Paving and Drainage from IH-10 to Hartland; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction Fund - **DISTRICT A - BROWN**

35. Ordinance 2013-0121

ORDINANCE appropriating \$2,150,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **ADS ENVIRONMENTAL SERVICES** for Citywide Wastewater Hydraulic Modeling Support (Approved by Ordinance No. 2012-0595)

36. Ordinance 2013-0122

ORDINANCE appropriating \$2,895,846.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, 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 (4235-62)

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez 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

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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

2/12/2013 - Council Member Noriega out of the City on personal business
2/13/2013 - All Present