

AGENDA - COUNCIL MEETING - WEDNESDAY - JULY 6, 2011 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2011-0537 to 2011-0554
ORDINANCES - 2011-0580 to 2011-0598
RESOLUTIONS – 2011-0019 to 2011-0020

2011-0536-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Lovell

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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 2011-0546 – Procedural motion
Motion 2011-0547 – Procedural motion
Motion 2011-0548 – Procedural motion

Motion 2011-0537 – Procedural motion
Motion 2011-0538 – Accept report

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 - Julia Ideson Renovation Update

CONSENT AGENDA NUMBERS 1 through 23

MISCELLANEOUS - NUMBERS 1 through 2-1

1. Motion 2011-0539

CONFIRMATION of the appointment of **MR. DOUGLAS ELLIOTT** to Position 11 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two-year term

2. Motion 2011-0540

RECOMMENDATION from Director Finance Department to approve the Fiscal Year 2012-2016 Capital Improvement Plan and establish a charge of \$75.00 plus postage for the adopted CIP documents (\$5.00 plus postage for CD version)

MISCELLANEOUS - continued

2-1 Council Members Sullivan, Jones and Bradford tagged

RECOMMENDATION from the Director Department of Public Works & Engineering for approval of the Municipal Drainage Utility System Appeal Process

ACCEPT WORK - NUMBER 3

3. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,812,129.96 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Drainage Improvements at Grade Separations, Package III - 7.80% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 8

4. Motion 2011-0541

HOUSTON FREIGHTLINER, INC - \$87,500.00 and **VAC-CON, INC** - \$245,151.98 for Sewer Cleaning Truck through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Airport System - Enterprise Fund

5. Motion 2011-0542

ALLSTATES COATINGS COMPANY (Option #2) for Paint, Airfield Marking for the Houston Airport System - 5 Years - \$1,683,027.75 - Enterprise Fund

6. Motion 2011-0543

EVERBRIDGE, INC for Emergency Notification System, Implementation and Training from the General Services Administration Schedule 70 contract through the Cooperative Purchasing Program for the Houston Airport System - \$134,500.00 - Enterprise Fund

7. Motion 2011-0544

STANBIO LABORATORY for Hemoglobin Analyzers and Microvette Test Strips for the Houston Department of Health & Human Services - \$606,250.00 - Grant Fund

8. Motion 2011-0545

PUMPS & EQUIPMENT OF TEXAS, INC to Repair Two 48" Fairbanks Morse Pumps for Department of Public Works & Engineering - \$262,884.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 9 through 23

9. Resolution 2011-0019

RESOLUTION designating certain properties within the City of Houston as landmarks and protected landmarks:

Edward Weil House	308 Avondale Street
Henry W. Stude House	14 Remington Lane
Sterne Building	300 Main Street
Stuart Building	304 Main Street
Last Concert Café Complex	1403 Nance Street

DISTRICT D - ADAMS
DISTRICT C - CLUTTERBUCK
DISTRICT I - RODRIGUEZ
DISTRICT I - RODRIGUEZ
DISTRICT H - GONZALEZ

RESOLUTIONS AND ORDINANCES - continued

10. Resolution 2011-0020

RESOLUTION designating certain properties within the City of Houston as landmarks:

C. B. & Roberta Delhomme House	2232 Looscan Lane	<u>DISTRICT G - PENNINGTON</u>
Egbert & Fay Spencer House	2440 Inwood Drive	<u>DISTRICT G - PENNINGTON</u>
George D. Stevens House	2404 Brentwood Drive	<u>DISTRICT G - PENNINGTON</u>
Cook Paint & Varnish		
Company Building	2500 Summer Street	<u>DISTRICT H - GONZALEZ</u>
Raymond & Daisy Powell House	3640 Piping Rock	<u>DISTRICT G - PENNINGTON</u>

11. Ordinance 2011-0580

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

12. Ordinance 2011-0588

ORDINANCE appropriating \$5,000,000.00 out of Airports Improvement Fund and approving and ratifying the issuance of an emergency purchase order to **COMFORT SYSTEMS USA, SOUTH CENTRAL, INC** for Emergency Construction of Bypass Chiller Water Lines at George Bush Intercontinental Airport/Houston (Project No. 622) - **DISTRICT B - JOHNSON**

13. Ordinance 2011-0589

ORDINANCE approving and authorizing first amended and restated agreement between the City of Houston and **HARRIS COUNTY HEALTHCARE ALLIANCE** for the provision of Telephone Healthcare Assessment and Triage for Non-Emergency 9-1-1 Callers; establishing a maximum contract amount - 5 Years - \$1,137,389.00 - Contractor Responsibility Fund

14. Ordinance 2011-0581

ORDINANCE approving and authorizing Grant Agreement between the City of Houston and **THE OFFICE OF NATIONAL DRUG CONTROL POLICY** for the FY2011 High Intensity Drug Trafficking Area Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$1,713,318.00 - Grant Fund

15. Ordinance 2011-0590

ORDINANCE relating to the Retail Gas Utility Rates of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Entex and as CenterPoint Energy Texas Gas; approving an interim rate adjustment subject to refund and otherwise maintaining current rates in effect until changed

16. Ordinance 2011-0582

ORDINANCE approving amendment to the Economic Development Agreement between the City of Houston, Texas, and **INDEPENDENT ARTS COLLABORATIVE** approved by Ordinance No. 2011-546 - **DISTRICT D - ADAMS**

17. Ordinance 2011-0591

ORDINANCE appropriating \$15,082,898.36 out of Tax Increment Funds for Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Ten, City of Houston, (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), and Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), for administrative expenses, payment of project costs, reimbursement for unexpended project costs, payment to **HUMBLE INDEPENDENT SCHOOL DISTRICT**, and payments to certain redevelopment authorities as provided herein

RESOLUTIONS AND ORDINANCES - continued

18. Ordinance 2011-0583

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath one tract of land containing 20.6397 acres commonly known as 9800 Clinton Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ**

19. Council Member Jones tagged

ORDINANCE amending Ordinance No. 2010-0502 (Passed on June 23, 2010) to increase the maximum contract amount for contract between the City of Houston and **AT&T MOBILITY NATIONAL ACCOUNTS, LLC (Formerly NEW CINGULAR WIRELESS NATIONAL ACCOUNTS, LLC)** and **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS** by San Antonio MTA, L.P., its General Partner, by Verizon Wireless Texas, LLC, its General Partner and **SAN ANTONIO MTA, LP, d/b/a VERIZON WIRELESS**, by Verizon Wireless Texas, LLC, its General Partner, for Wireless Voice and Data Telecommunications Equipment and Services for Various Departments - \$1,000,000.00 - Central Service Revolving Fund

20. Ordinance 2011-0584

ORDINANCE appropriating \$27,306.00 out of Public Health Consolidated Construction Fund as an additional appropriation to the contract between the City of Houston and **JOHNSON CONTROLS, INC** (Approved by Ordinance No. 2008-122) for Heating Ventilation and Air Conditioning Repairs and Preventative Maintenance for the Department of Health & Human Services - **DISTRICT D - ADAMS**

21. Ordinance 2011-0585

ORDINANCE appropriating \$450,000.00 out of Public Health Consolidated Construction Fund as an additional appropriation to the New Health Department Laboratory under an existing Design/Build Contract with **GILBANE BUILDING COMPANY** (Approved by Ordinance No. 2010-479); providing funding for testing laboratory services and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT D - ADAMS**

22. Ordinance 2011-0586 – Passed first reading

ORDINANCE granting to **ROBERT E. JENKO, INC d/b/a RELIABLE PIPE CLEANING, 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

23. Ordinance 2011-0587 – Passed first reading

ORDINANCE granting to **THE DUMPSTER GUYS, 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 - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 24

MISCELLANEOUS

24. Motion 2011-0549

SELECT AND CONFIRM the appointment of **MR. R. MAVERICK WELSH, III** or **MS. KIMBERLY F. WEILL** to Position 13 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two-year term
Council Member Pennington withdrew nomination of Ms. Kimberly F. Weill
Mr. R. Maverick Welsh, III appointed

MATTERS HELD - NUMBERS 25 through 35

25. Ordinance 2011-0592

ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION & VISITORS BUREAU** for the promotion of tourism and the solicitation of Convention business - 3 Years - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 8 on the Agenda of June 29, 2011

26. Ordinance 2011-0593

ORDINANCE appropriating \$400,000.00 from the TIRZ Affordable Housing Fund (2409); approving and authorizing Grant Agreement between the City of Houston and **JACKSON HINDS GARDENS, INC** ("Owner") to assist owner to restructure its senior loan and thus continue the development and operation of a 111-unit single room occupancy complex to house very-low income residents - **DISTRICT H - GONZALEZ** - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 10 on Agenda of June 29, 2011

27. Ordinance 2011-0594

ORDINANCE awarding contract to **FCC ENVIRONMENTAL, LLC**, for Parts Immersion Cleaning Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one year options - \$782,969.25 - General, Enterprise and Fleet Management Funds
TAGGED BY COUNCIL MEMBER JONES
This was Item 13 on Agenda of June 29, 2011

28. Motion 2011-0550 – Postpone two (2) weeks

WRITTEN Motion by Council Member Costello to amend Item 28A below to amend Section 4 of the ordinance to reduce the maximum contract amount from \$20 million to \$13.5 million

a. Motion 2011-0551 – Postpone two (2) weeks

ORDINANCE awarding contract to **SPRINT SOLUTIONS, INC** for Next Generation Wireless Devices and Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$20,000,000.00 - Central Service Revolving Fund
TAGGED BY COUNCIL MEMBERS STARDIG; CLUTTERBUCK; ADAMS; SULLIVAN; HOANG; PENNINGTON; HOANG; RODRIGUEZ; COSTELLO, LOVELL, NORIEGA, BRADFORD and JONES
This was Item 14 on Agenda of June 29, 2011

29. Motion 2011-0552 – Postpone one (1) week

ORDINANCE consenting to the addition of 30.831 acres of land to **NORTHPOINTE WATER CONTROL AND IMPROVEMENT DISTRICT**, for inclusion in its district
TAGGED BY COUNCIL MEMBER SULLIVAN
This was Item 27 on Agenda of June 29, 2011

MATTERS HELD - continued

30. Ordinance 2011-0595

ORDINANCE consenting to the addition of 7.9326 acres of land to **PORTER MUNICIPAL UTILITY**, for inclusion in its district - **TAGGED BY COUNCIL MEMBER SULLIVAN**
This was Item 28 on Agenda of June 29, 2011

31. Ordinance 2011-0596

ORDINANCE appropriating \$858,400.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HALFF ASSOCIATES, INC** for Pleasantville and Glendale Area Drainage and Paving (Sub-Project I); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 31 on Agenda of June 29, 2011

32. Ordinance 2011-0597

ORDINANCE appropriating \$1,977,940.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Rehabilitation of Grit Removal Systems at Southwest and Upper Braes Wastewater Treatment Plants and New Grit Removal System and Bar Screen Repair / Replacement at Almeda Sims Wastewater Treatment Plant; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and G - PENNINGTON** - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 36 on Agenda of June 29, 2011

33. Ordinance 2011-0598

ORDINANCE appropriating \$1,438,700.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for a Safe Sidewalk Project; 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 Street & Bridge Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBER JONES
This was Item 40 on Agenda of June 29, 2011

34. Motion 2011-0553 – Refer back to the Administration

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ABITIBI-CONSOLIDATED CORPORATION** (Approved by Ordinance No. 2005-0736) for the purchase of Comingled Recyclable Materials
POSTPONED BY MOTION #2011-534, 6/29/11
This was Item 52 on Agenda of June 29, 2011

35. Motion 2011-0554 – Refer back to the Administration

ORDINANCE approving and authorizing second amendment to Lease Agreement between the City of Houston and **CHAMPION RECYCLING CORPORATION** (Approved by Ordinance Nos. 92-0391 and 98-0361) for the construction and operation of a Waste Paper Processing Plant
POSTPONED BY MOTION #2011-535, 6/29/11
This was Item 53 on Agenda of June 29, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Noriega 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

**7/6/2011 – Council Member Clutterbuck absent due to being ill
Council Member Hoang absent on personal business**