

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 27, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2011-0739 to 2011-0747
ORDINANCES - 2011-0828 to 2011-0846
RESOLUTIONS – 2011-0026 to 2011-0027

2011-0738-1

PRAYER 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

Motion 2011-0739 – Procedural motion
Motion 2011-0740 – Procedural motion
Motion 2011-0741 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 28, 2011 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 25

MISCELLANEOUS - NUMBER 1

1. **Motion 2011-0745**
RECOMMENDATION from Director Finance Department for approval of proposed Equipment Acquisition Plan for FY2012

ACCEPT WORK - NUMBER 2

2. Motion 2011-0742

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$15,067.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.** for Asbestos Abatement and Demolition at Tidwell Park and Glover Park - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

PROPERTY - NUMBER 3

3. Motion 2011-0743

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joel McMullen of BEC-LIN Engineering, L.P., on behalf of 16400 Partners, LLC., (Michael E. Montgomery, Managing Member), declining the acceptance of, rejecting, and refusing the dedication of a ±10-foot-wide utility easement and the attendant ±15-foot-wide aerial easement, in the Park Ten Section One Subdivision, out of the Washington County Railroad Company Block 3 Survey, A-902 and the David Middleton Survey, A-535, Parcel SY11-113 - **DISTRICT A - STARDIG**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 and 4A

4. Ordinance 2011-0828

ORDINANCE appropriating \$316,992.90 out of Water & Sewer System Consolidated Construction Fund for Plugging of Decommissioned Water Wells for Public Works & Engineering Department

a. Motion 2011-0744

WEISINGER INCORPORATED for Plugging of Decommissioned Water Wells for Department of Public Works & Engineering - \$301,898.00 and contingencies for a total amount not to exceed \$316,992.90 - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK and E - SULLIVAN**

RESOLUTIONS AND ORDINANCES - NUMBERS 5 through 25

5. Resolution 2011-0026

RESOLUTION designating a certain property within the City of Houston as a landmark and protected landmark - (Colburn House, 301 E 8th Street) - **DISTRICT H - GONZALEZ**

6. Resolution 2011-0027

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

Early Republic House	3260 Chevy Chase Drive	<u>DISTRICT G - PENNINGTON</u>
Baker-Jones House	22 Courtlandt Place	<u>DISTRICT D - ADAMS</u>
Murray-Bertrand House	3720 Inwood Drive	<u>DISTRICT G - PENNINGTON</u>
Wahlberg House	816 Arlington Street	<u>DISTRICT H - GONZALEZ</u>
Eugene Rolfs House	67 Tiel Way	<u>DISTRICT G - PENNINGTON</u>
Ernest L. Shult-John B.	2411 River Oaks Boulevard	<u>DISTRICT G - PENNINGTON</u>
Connally Jr. House		

7. Ordinance 2011-0829

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a right-of-way easement over a portion of Robin Street; vacating and abandoning the easement, and selling a portion of the easement to Antioch Missionary Baptist Church of Christ, "owner", in consideration of owner's conveyance to the City of owner's fee interest in a portion of the street; approving a Lease Agreement and consent to encroach, and designating a utility corridor, all in the Senechal Addition, South Side Buffalo Bayou - **DISTRICT I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

8. Ordinance 2011-0843

ORDINANCE appropriating \$30,000.00 out of General Improvement Consolidated Construction Fund, \$100,000.00 out of Public Library Consolidated Construction Fund, and \$60,000.00 out of Police Consolidated Construction Fund; approving and authorizing first amendment to the Citywide Roof Consulting Services Task Order Contract between the City of Houston and **BUILDING ENVELOPE CONSULTANTS, LLC** (Approved by Ord. No. 2008-0890) for various City Departments

9. Ordinance 2011-0830

ORDINANCE approving and authorizing Interlocal Agreement by and among the City, **HARRIS COUNTY**, and the **MENTAL HEALTH MENTAL RETARDATION AUTHORITY OF HARRIS COUNTY** for the Operation of the Crisis Intervention Response Team Program

10. Ordinance 2011-0831

ORDINANCE approving and authorizing Continuation Grant Application and Contract (Contract No. 2012-039146) with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the HIV Rapid Testing Program; declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services Department to accept and expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant

11. Ordinance 2011-0832

ORDINANCE appropriating \$595,210.59 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/Alameda 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 Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), and Reinvestment Zone Number Twenty-Two, City of Houston Texas (Leland Woods Zone) for administrative expenses, payment of project costs, payment to Houston Independent School District, and payments to certain redevelopment authorities as provided herein

12. Ordinance 2011-0844

ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services related to Tourism and Economic Development on behalf of the City of Houston - 3 Years - \$150,000.00 - General Fund

RESOLUTIONS AND ORDINANCES - continued

13. Ordinance 2011-0846

ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services for the Houston Airport 3 Years - \$150,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

14. Council Member Costello tagged

ORDINANCE authorizing the issuance of purchase order(s) to **DRC EMERGENCY SERVICES, LLC** for Emergency Tree Removal Services relating to drought disaster relief for the City of Houston - \$4,500,000.00 - General Fund

15. Ordinance 2011-0833

ORDINANCE approving and authorizing the first amendment to the agreement for relocation and maintenance of Engine 982 and the first amendment to the agreement to consent to encroach to be entered into by the City of Houston and **HOUSTON JUNIOR CHAMBER OF COMMERCE ("JAYCEES")** - **DISTRICT I - RODRIGUEZ**

16. Ordinance 2011-0834

ORDINANCE issuing a permit to **HOUSTON PIPELINE COMPANY LP** to operate, maintain, improve, repair and replace an existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON and I - RODRIGUEZ**

17. Ordinance 2011-0835

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **THE TEXAS MEDICAL CENTER** to fund a portion of a transportation study in the Texas Medical Center - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and I - RODRIGUEZ**

18. Ordinance 2011-0836

ORDINANCE consenting to the addition of 12.23 acres of land to **KINGS MANOR MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

19. Ordinance 2011-0837

ORDINANCE appropriating \$1,887.00 out of Street & Bridge Consolidated Construction Fund and \$12,827.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the replacement of Wynnwood Lane Bridge at Harris County Flood Control District; providing funding for CIP Cost Recovery and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG**

20. Ordinance 2011-0838

ORDINANCE appropriating \$180,000.00 out of Water & Sewer System Consolidated Construction Fund; \$102,500.00 out of Drainage Improvement Commercial Paper Series F Fund; and \$102,500.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to the Professional Construction Management and Inspection Services Contract between the City of Houston and **MDA ENGINEERS, INC** (Approved by Ordinance No. 2009-419) for the Water Line Grid Extensions along Bellfort, Richmond, Reed, West Tidwell, Griggs & Brock and to Provide Project Coordination Services

RESOLUTIONS AND ORDINANCES - continued

21. Ordinance 2011-0839

ORDINANCE approving and authorizing second amendment to Professional Construction Management and Inspection Services Agreement between the City of Houston and **OMEGA ENGINEERS, INC** for Emergency Repairs of water service connection breaks - \$1,388,000.00 Enterprise Fund

22. Ordinance 2011-0840

ORDINANCE appropriating \$546,250.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TLC ENGINEERING, INC** for Work Order Engineering Services associated with Wastewater Facilities Safety and Security Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

23. Ordinance 2011-0841

ORDINANCE appropriating \$4,119,450.70 out of Street & Bridge Consolidated Construction Fund and \$1,294,807.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LLC** for Neighborhood Street Reconstruction Project 450; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

24. Ordinance 2011-0842

ORDINANCE appropriating \$870,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Piping Rock Lift Station Replacement; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT G - PENNINGTON**

RESOLUTIONS AND ORDINANCES - continued

25. Ordinance 2011-0820 – Passed second reading

ORDINANCE No. 2011-820, passed first reading September 21, 2011

ORDINANCE granting to **HERITAGE-CRYSTAL CLEAN, 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**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 26

MISCELLANEOUS

26. Motion 2011-0746

SET A PUBLIC HEARING DATE relative to the creation of **REINVESTMENT ZONE NUMBER TWENTY-THREE, CITY OF HOUSTON, TEXAS (HARRISBURG ZONE) - DISTRICTS B - JOHNSON; H - GONZALEZ and I - RODRIGUEZ**
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - OCTOBER 12, 2011 - SET

MATTERS HELD - NUMBERS 27 and 28

27. Motion 2011-0747

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,283,079.14 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project No. 448 - 3.20% over the original contract amount - **DISTRICTS D - ADAMS and E - SULLIVAN**
TAGGED BY COUNCIL MEMBER ADAMS
This was Item 2 on Agenda of September 21, 2011

28. Ordinance 2011-0845

ORDINANCE providing for the assessment, levying and collection of Ad Valorem Taxes for the City of Houston, Texas for the Year 2011 - **TAGGED BY COUNCIL MEMBER SULLIVAN**
This was Item 7 on Agenda of September 21, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Lovell 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

9/27/2011 – Council Member Noriega absent on personal business

9/28/2011 – Council Member Johnson absent on personal business