

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 14, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2012-0623 to 2012-0637
ORDINANCES - 2012-0704 to 2012-0715
RESOLUTION - 2012-0027

2012-0622-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Parker

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 2012-0623 – Procedural motion
Motion 2012-0624 – Procedural motion
Motion 2012-0625 – Procedural motion
Motion 2012-0626 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 15, 2012 - 9:00 A. M.

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

HEARINGS

1. **Motion 2012-0627 – Close hearing**

PUBLIC HEARING on the re-adoption with changes of Article XII Chapter 32, Code of Ordinances, City of Houston, regarding Standards of Care for the Houston Parks and Recreation Department Youth Recreation Programs

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 24

MISCELLANEOUS - NUMBERS 2 through 7

2. **Motion 2012-0628**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for terms to expire December 31, 2013

Position Five - **MS. MICHELLE MANTOR**, appointment

Position Six - **MS. DEBORAH A. GEBHARDT**, reappointment

3. **Motion 2012-0629**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4 (ENERGY CORRIDOR MANAGEMENT DISTRICT) BOARD OF DIRECTORS**, for terms to expire June 1, 2015

Position Six - **MR. CHUCK B. CERVAS**, reappointment

Position Seven - **MR. ROBERT B. HALICK**, reappointment

Position Eight - **MR. STEVE L. WEST**, reappointment

Position Nine - **MS. DEBBIE FUJIMOTO**, appointment

4. **Motion 2012-0630**

REQUEST from Mayor for confirmation of the appointment of **MS. RACHEL M. SMITH** to Position Two on the **MUNICIPAL EMPLOYEES' CIVIL SERVICE COMMISSION** and the **FIRE FIGHTERS' CIVIL SERVICE COMMISSION**, for the remainder of a three year term to expire on June 14, 2015

5. **Motion 2012-0631**

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **PUBLIC SAFETY ADVISORY COMMITTEE**:

Position One - **MS. JESSICA CASTILLO-HULSEY**, for a term to expire 7/1/2013

Position Two - **MS. JENIFER RENE' POOL**, for a term to expire 7/1/2014

Position Three- **MR. FRANKLIN J. "JAY" HARBERG, JR.**, for a term to expire 7/1/2015

Position Four - **MS. MARY L. RAMOS**, for a term to expire 7/1/2013

Position Five - **MS. SHONDRA E. WYGAL**, for a term to expire 7/1/2014

Position Six - **MR. VERNUS C. SWISHER**, for a term to expire 7/1/2015, and to serve as Chair

6. **Motion 2012-0632**

CONFIRMATION of the appointments from each Council Member for the **PUBLIC SAFETY ADVISORY COMMITTEE BOARD OF DIRECTORS**, for staggered terms from the date of appointment:

District A - **MR. ROSS DOS SANTOS**

District B - **MS. RAMONA TOLIVER**

District C - **MS. PAT NICHOLLS**

District D - **PASTOR MANSON JOHNSON**

District E - **MR. NICK A. CRNKOVIC, SR.**

District F - **MS. SANDY REYES**

District G - **MR. FRANK JONES**

District H - **MR. BLAKE MASTERS**

District I - **MR. JOHNNY SESSUMS**

District J - **MR. SAMUEL BURTON**

District K - **MS. LOVELLA HAYES DICKSON**

Position 1 - **MS. TERI LAROSA**

Position 2 - **MS. VIVIAN KING**

Position 3 - **MS. BEVERLY JO CAGE**

Position 4 - **MR. ROBERT Z. CRANE**

Position 5 - **MR. ART PRONIN**

MISCELLANEOUS - continued

7. Motion 2012-0637

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE)**:

- Position One - **MR. FERNANDO ZAMARRIPA**, appointment, for a term to expire 12/31/2013
- Position Two - **MS. MARY M. LAWLER**, reappointment, for a term to expire 12/31/2012 and to serve as Chair, for a term ending 12/31/2012
- Position Three - **MR. EDWARD (ED) REYES**, reappointment, for a term to expire 12/31/2013
- Position Four - **MS. SYLVIA CAVAZOS**, reappointment, for a term to expire 12/31/2012
- Position Five - **MR. LLOYD BURKE**, reappointment, for a term to expire 12/31/2013
- Position Seven - **MR. RICHARD CANTÚ**, reappointment, for a term to expire 12/31/2013

ACCEPT WORK - NUMBER 8

8. Motion 2012-0633

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$406,416.77 and acceptance of work on contract with **JERDON ENTERPRISES, L.P.** for Reconfiguration of Avenida de Las Americas from Rusk to Texas 10.37% under the original contract amount - **DISTRICT I - RODRIGUEZ**

PROPERTY - NUMBERS 9 through 11

9. Motion 2012-0634

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joshua Wohlstein, on behalf of Rosalind Ng, for abandonment and sale of a ±15-foot-wide alley, from Durham Street west ±135 feet, between Center Street and Nett Street, in exchange for conveyance to the City of a 20-foot-wide alley, located within Block 61, Brunner Addition, out of the John Austin Survey, A-1, Parcels SY12-106 and AY12-176 - **DISTRICT C - COHEN**

10. Motion 2012-0635

RECOMMENDATION from Director Department of Public Works & Engineering for approval of relocation assistance payments related to the purchase of Parcel AY8-309, located at 6319 North Freeway, for the **YALE STREET IMPROVEMENTS PROJECT (from Tidwell to Parker)** \$18,527.00 - **DISTRICT H - GONZALEZ**

11. Motion 2012-0636

RECOMMENDATION from Director Department of Public Works & Engineering for approval of additional relocation assistance payments related to the purchase of Parcel AY8-311, located at 6445 North Freeway, for the **YALE STREET IMPROVEMENTS PROJECT (from Tidwell to Parker)** - \$18,996.00 - **DISTRICT H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 24

12. Resolution 2012-0027

RESOLUTION supporting the request of a Waiver of the Local Match Requirements in the Federal Off-System Bridge Program - **DISTRICTS C - COHEN; H - GONZALEZ and K - GREEN**

13. Ordinance 2012-0709

ORDINANCE approving and authorizing an Economic Development Agreement between the City of Houston, Texas, and **FINGER DEVELOPMENT COMPANY** for the development and operation of a Multi-Family Residential Project located in the 1500 block of Prairie Avenue, Houston, Texas 77027 - **DISTRICT I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

14. Council Member Costello tagged

ORDINANCE establishing an Economic Development Program pursuant to Chapter 380 of the Texas Local Government Code to provide incentives for development of certain qualifying Multi-Family Residential Projects in the Eastern Area of the Central Business District generally bounded by Runnels Street on the north, Chartres Street on the east, Pierce Street on the south and Fannin Street on the west, to be known as the Downtown Living Initiative; authorizing and approving an agreement between the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for administration of the program - **DISTRICT I - RODRIGUEZ**

15. Ordinance 2012-0710

ORDINANCE approving the Second Amended Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE ZONE)**; authorizing the City Secretary to distribute such plans; extending the duration of the Zone to December 31, 2040 - **DISTRICT H - GONZALEZ**

16. Ordinance 2012-0711

ORDINANCE amending City of Houston Ordinance No. 2011-1170 relating to the rescheduling or postponement of certain City Council meetings

17. Ordinance 2012-0712

ORDINANCE approving and authorizing grant agreement between the City of Houston and **THE TEXAS DEPARTMENT OF TRANSPORTATION** for the STEP Comprehensive Commercial Motor Vehicle 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, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

18. Ordinance 2012-0713

ORDINANCE approving and authorizing grant agreement between the City of Houston and **THE TEXAS DEPARTMENT OF TRANSPORTATION** for the STEP Comprehensive Motor Vehicle 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, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

19. Ordinance 2012-0704

ORDINANCE consenting to the creation of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 15** and the inclusion of certain land within the district; consenting to the addition of 160.9285 acres of land for inclusion within the district - **DISTRICTS E - SULLIVAN and ETJ**

20. Ordinance 2012-0705

ORDINANCE appropriating \$176,000.00 out of Parks Special Fund as an additional appropriation for Kingwood Community Center; approving and authorizing first amendment to construction contract between the City of Houston and **HASSELL CONSTRUCTION, INC** (Approved by Ordinance No. 2011-405) - **DISTRICT E - SULLIVAN**

RESOLUTIONS AND ORDINANCES - continued

21. Ordinance 2012-0706

ORDINANCE approving and authorizing eighteen Professional Materials Engineering and Testing Services Laboratory Contracts between the City of Houston and 1) **PROFESSIONAL SERVICE INDUSTRIES, INC**, 2) **FUGRO CONSULTANTS, INC** 3) **HTS, INC. CONSULTANTS**, 4) **ALLIANCE LABORATORIES, INC** 5) **RABA-KISTNER CONSULTANTS, INC**, 6) **QC LABORATORIES, INC**, 7) **PARADIGM CONSULTANTS, INC**, 8) **TOLUNAY-WONG ENGINEERS, INC**, 9) **TERRACON CONSULTANTS, INC**, 10) **ASSOCIATED TESTING LABORATORIES, INC**, 11) **HVJ ASSOCIATES, INC**, 12) **GEOTEST ENGINEERING, INC**, 13) **KENALL INC**, 14) **ATSER, LP**, 15) **AVILES ENGINEERING CORPORATION**, 16) **DAE & ASSOCIATES, LTD., d/b/a GEOTECH ENGINEERING AND TESTING**, 17) **AUSTIN-REED ENGINEERS, LLC**, and 18) **ALL-TERRA ENGINEERING, INC** to support the construction of Capital Improvement Plan Projects managed by the General Services Department

22. Pulled - Not Considered

ORDINANCE appropriating \$220,000.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **CIVIL DESIGN ASSOCIATES (Previously PERSPECTIVA CIVIC DESIGN)** and a Local Match to Texas Department of Transportation for Houston's Heritage Corridor, Bayou Trails west from San Jacinto Street to Stude Park (Approved by Ordinance No. 2002-0073, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT H - GONZALEZ**

23. Ordinance 2012-0707

ORDINANCE awarding contract to **GLM CONTRACTING, INC** for Concrete and Asphalt Restoration 2; 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 services; providing a maximum contract amount for GLM Contracting, Inc, and engineering testing - \$1,650,418.00 Enterprise Fund

24. Ordinance 2012-0708

ORDINANCE appropriating \$2,518,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SCOHIL CONSTRUCTION SERVICES, LLC** for Water Line Replacement in Memorial Plaza Area; 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, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - PENNINGTON**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 25 and 26

25. Ordinance 2012-0714

ORDINANCE ordering an election to be held on November 6, 2012, for the purpose of submitting to the qualified voters of the City of Houston, Texas, certain propositions for the issuance of Public Improvement Bonds for various purposes; designating the location of each polling place and the hours that the polls shall be open - **TAGGED BY COUNCIL MEMBERS GREEN and SULLIVAN**

This was Item 11 on Agenda of August 8, 2012

26. Ordinance 2012-0715

ORDINANCE approving and authorizing agreement between the City of Houston, Texas, and **THE GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for Professional Protocol Services; providing a maximum contract amount - \$685,000.00 - General Fund

TAGGED BY COUNCIL MEMBER SULLIVAN

This was Item 14 on Agenda of August 8, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Cohen 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

8/14/2012 - Council Member Pennington, Rodriguez and Bradford absent on personal business

8/15/2012 - Council Members Hoang and Rodriguez absent on personal business