

AGENDA - COUNCIL MEETING - WEDNESDAY - JULY 7, 2010 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2010-0515 to 2010-0525
ORDINANCES – 2009-0541 to 2009-0555
RESOLUTION – None

2010-0514-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Bradford

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 2010-0524 – Procedural motion
Motion 2010-0525 – Procedural motion

Motion 2010-0515 – 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

CONSENT AGENDA NUMBERS 1 through 22

MISCELLANEOUS - NUMBERS 1 and 2

1. **Motion 2010-0516**
REQUEST from Mayor for confirmation of the reappointment of **MR. DWIGHT E. JEFFERSON** to Position Three on the **BOARD OF THE METROPOLITAN TRANSIT AUTHORITY**, for a term to expire May 1, 2012
2. **Motion 2010-0517**
RECOMMENDATION from Director Finance Department to approve the Fiscal Year 2011-2015 Capital Improvement Plan and establish a charge of \$75.00 plus postage for the adopted CIP documents (\$5.00 plus postage for CD version)

ACCEPT WORK - NUMBERS 3 through 5

3. Motion 2010-0518

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$1,837,502.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Municipal Courts Phase II Renovations - 15.49% over the original contract amount - **DISTRICT H - GONZALEZ**

4. Motion 2010-0519

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$359,868.80 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Rehabilitation of Portwest Lift Station - 1.09% over the original contract amount - **DISTRICT A - STARDIG**

5. Motion 2010-0520

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,625,867.12 and acceptance of work on contract with **REYNOLDS INLINER, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method - 4.82% over the original contract amount - **DISTRICTS D - ADAMS; F - HOANG; H - GONZALEZ and I - RODRIGUEZ**

PURCHASING AND TABULATION OF BIDS - NUMBER 6

6. Motion 2010-0521

COGENT, INC d/b/a COGENT SYSTEMS, INC for Cogent Fingerprint Software and Hardware Equipment for Houston Police Department - \$416,455.67 - AFIS Livescan and AFIS Mobile Equipment Grant Funds

ORDINANCES - NUMBERS 7 through 22

7. Ordinance 2010-0541

ORDINANCE approving the issuance of bonds by the Old Spanish Trail/Almeda Corridors Redevelopment Authority; containing other provisions related to the foregoing subject; providing for severability - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

8. Ordinance 2010-0554

ORDINANCE approving and authorizing contract between the City of Houston and **MIKE PIETSCH, P.E. CONSULTING SERVICES, INC** for services related to the upcoming Public Protection Classification Evaluation Process for the Houston Fire Department; establishing a maximum contract amount - \$125,000.00 - General Fund

9. Ordinance 2010-0543

ORDINANCE approving and authorizing contract between the City of Houston and **PUBLIC CONSULTING GROUP, INC** for Design and Implementation of EMS Supplemental Medicaid Payment Program Services for the Houston Fire Department - Revenue

10. Ordinance 2010-0548

ORDINANCE amending Ordinance #2009-980 to increase the maximum contract amount for the fourth amended and restated SafeClear Freeway Towing and Emergency Road Service Agreements of the Safe Clear Major Freeway Towing Program - \$4,254,160.00 - Police Special Services Fund

ORDINANCES - continued

11. Ordinance 2010-0555

ORDINANCE appropriating \$8,354,376.03 out of Equipment Acquisition Fund; approving and authorizing contract with **KRONOS, INC** for Implementation of an Automated Time and Attendance System; establishing a maximum contract amount; authorizing the issuance of purchase order(s) for timekeeping software and hardware through the United States Government General Services Administration Schedule 70 Contract Cooperative Purchasing Program; allocating \$4,472,845.98 out of various funds, all for expenses relating to the implementation of the Automated Time and Attendance System; providing funding for contingencies relating thereto Enterprise and Central Services Revolving Funds

12. Ordinance 2010-0549

ORDINANCE approving and authorizing Lease Agreement between **AIRLINES PARTNERS, LTD., as landlord**, and the City of Houston, Texas, as tenant, for space at 5990 Airline Drive, Houston, Texas, for sixty months, for use as a facility for Women, Infants and Children Nutrition Program of the Health & Human Services Department - **DISTRICT H - GONZALEZ**

13. Ordinance 2010-0543

ORDINANCE appropriating \$67,686.00 out of Parks Special Fund and \$72,000.00 out of Parks & Recreation Dedication Fund and approving and authorizing issuance of a purchase order to **K. HANES INCORPORATED dba BJ'S PARK & RECREATION PRODUCTS** and **ALL PLAY** for Playground Equipment for the Stewart Park - **DISTRICT I - RODRIGUEZ**

14. Ordinance 2010-0544

ORDINANCE appropriating \$79,625.10 out of Parks & Recreation Dedication Fund and \$165,118.90 out of General Improvement Consolidated Construction Fund and approving and authorizing issuance of a purchase order to **T.F. HARPER & ASSOCIATES, L.P.**, for Playground Equipment and site improvements for the West End Park and Woodruff Park; providing funding for engineering and materials testing services and contingencies relating to construction of facilities financed by Parks & Recreation Dedication Fund and the General Improvement Consolidated Construction Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

15. Ordinance 2010-0545

ORDINANCE appropriating \$49,200.00 out of Parks Special Fund and \$9,600.00 out of Parks Consolidated Construction Fund and approving and authorizing issuance of a purchase order to **PLAYCORE WISCONSIN, INC dba GAMETIME** for Playground Equipment and site preparation for the Braeburn Glen Park - **DISTRICT F - HOANG**

16. Council Member Johnson tagged

ORDINANCE appropriating \$46,432,124.69 out of Airport Improvement Fund and awarding construction contract to **W.W. WEBBER, LLC** for Rehabilitation of Taxiways "WA", "WB" and New West Vault at George Bush Intercontinental Airport/Houston (Project 648); 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 the Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON**

ORDINANCES - continued

17. Ordinance 2010-0546

ORDINANCE appropriating \$177,322.00 out of Parks Consolidated Construction Fund, awarding construction contract to **GULF COAST LANDSCAPE SERVICES, INC** for Hermann Park Lake Picnic Area Phase II; 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, construction management services and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT D - ADAMS**

18. Ordinance 2010-0434 – Passed second and final reading

ORDINANCE No. 2010-0434, passed first reading on June 2, 2010

ORDINANCE annexing to the City of Houston, Texas territory located in the vicinity of Aldine Westfield and Farrell Roads, in Harris County, Texas; extending the corporate limits of the City of Houston, Texas, to embrace and include territory within such boundaries; instituting proceedings to annex to its corporate limits the territory included in such boundaries; adopting a service plan for certain areas in the vicinity of Aldine Westfield and Farrell Roads; assigning annexed areas to adjacent district from which District Council Member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter - **SECOND AND FINAL READING**

a. Ordinance 2010-0547

ORDINANCE consenting to the addition of 37.847 acres of land to **NORTHWOOD MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district - **DISTRICT B - JOHNSON**

19. Ordinance 2010-0490 – Passed third and final reading

ORDINANCE No. 2010-0490, passed second reading on June 30, 2010

ORDINANCE granting to **TEXAS ENVIRONMENTAL CONTROL, INC, 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 **THIRD AND FINAL READING**

20. Ordinance 2010-0491 – Passed third and final reading

ORDINANCE No. 2010-0491, passed second reading on June 30, 2010

ORDINANCE granting to **FPF DEMOLITION, LLC, A Texas Limited Liability Company, dba FERNANDEZ & SONS**, 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 - **THIRD AND FINAL READING**

21. Ordinance 2010-0492 – Passed third and final reading

ORDINANCE No. 2010-0492, passed second reading on June 30, 2010

ORDINANCE granting to **AMERIWASTE SERVICES, LLC, A Texas Limited Liability Company**, 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 **THIRD AND FINAL READING**

ORDINANCES - continued

22. Ordinance 2010-0493 – Passed third and final reading

ORDINANCE No. 2010-0493, passed second reading on June 30, 2010

ORDINANCE granting to **TWISTER WASTE INC, 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 23 through 27

23. Motion 2010-0522 – Adopt

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$10,179,760.00 and acceptance of work on contract with **PRIME CONTRACTORS, INC** for The African American Library at the Gregory School - 19.59% over the original contract amount - **DISTRICT I - RODRIGUEZ**

TAGGED BY COUNCIL MEMBER HOANG

This was Item 4 on Agenda of June 30, 2010

24. Ordinance 2010-0550

ORDINANCE appropriating \$742,350.00 out of General Improvement Consolidated Construction Fund for Parking Lot Improvements under the Pierce Elevated, for the General Services Department

a. Motion 2010-0523 – Adopt

RECOMMENDATION from Purchasing Agent to award to **CARRERA CONSTRUCTION, INC** for Parking Lot Improvements under the Pierce Elevated for General Services Department \$707,000.00 and contingencies for a total amount not to exceed \$742,350.00 - **DISTRICT I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER CLUTTERBUCK**

These were Items 15 and 15A on Agenda of June 30, 2010

25. Ordinance 2010-0551

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, CHAPTER 14**, relating to the payment of holiday compensation to eligible employees who have a regularly scheduled day off on a holiday; containing findings and other provisions relating to the foregoing subject, providing for severability

TAGGED BY COUNCIL MEMBERS BRADFORD, JONES and ADAMS

This was Item 22 on Agenda of June 30, 2010

MATTERS HELD - continued

26. Ordinance 2010-0553

ORDINANCE appropriating \$16,238,886.43 out of Tax Increment Funds for 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 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, (Lake Houston Zone), and Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone) for administrative expenses, payment of project costs, payment to Humble Independent School District, and payments to certain redevelopment authorities as provided herein - **DISTRICTS B - JOHNSON; D - ADAMS; E - SULLIVAN;**

H - GONZALEZ and I - RODRIGUEZ

TAGGED BY COUNCIL MEMBER JOHNSON

This was Item 28 on Agenda of June 30, 2010

27. Ordinance 2010-0552

ORDINANCE relating to Water Conservation Incentive Program for rent restricted apartment units; containing provisions related to the subject

POSTPONED BY MOTION #2010-513, 6/30/10

This was Item 59 on Agenda of June 30, 2010

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

7/7/2010 – All Present