

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 19, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2011-0295 to 2011-0331
ORDINANCES - 2011-0273 to 2011-0285
RESOLUTION – 2011-0009

2011-0294-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Adams

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 2011-0295 – Procedural motion
Motion 2011-0296 – Procedural motion
Motion 2011-0297 – Procedural motion
Motion 2011-0298 – Procedural motion
Motion 2011-0299 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 20, 2011 - 9:00 A. M.

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

HEARINGS

Motion 2011-0308 – Procedural motion
Motion 2011-0309 – Procedural motion
Motion 2011-0310 – Procedural motion
Motion 2011-0311 – Procedural motion
Motion 2011-0312 – Procedural motion

1. **Motion 2011-0318 – Close hearing**
PUBLIC HEARING relative to establishment of Council Member district boundaries as required by Article V, Section 3 of the Charter of the City of Houston, Texas - **9:00 A.M.**
2. **Motion 2011-0318 – Close hearing**
PUBLIC HEARING relative to establishment of Council Member district boundaries as required by Article V, Section 3 of the Charter of the City of Houston, Texas - **7:00 P.M.**

MAYOR'S REPORT

Motion 2011-0315 – Procedural motion

Motion 2011-0316 – Procedural motion

Motion 2011-0317 – Suspend rules to remain in session beyond the scheduled noon recess

CONSENT AGENDA NUMBERS 3 through 40

MISCELLANEOUS - NUMBERS 3 through 9

Motion 2011-0300 – Suspend rules to consider Items 3 thru 9 out of order

3. **Motion 2011-0301**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON PARKS BOARD LGC, INC:**

- Position Seven - **MS. MINDY HILDEBRAND**, reappointment, for a term to expire 1/1/2014
- Position Eight - **MS. NINA ZILKHA**, reappointment, for a term to expire 1/1/2014
- Position Nine - **MR. BARRON F. WALLACE**, reappointment, for a term to expire 1/1/2014
- Position Twelve - **MS. DIANA ESPITIA**, reappointment, for a term to expire 1/1/2014
- Position Eighteen - **MR. DON M. WOO**, reappointment, for a term to expire 1/1/2014
- Position Twenty - **MR. THOMAS G. BACON**, appointment, and to serve as Chair, for a term ending 12/31/2011

4. **Motion 2011-0302**

REQUEST from Mayor for confirmation of the appointment of **MR. ROBERT GRAHAM**, to Position Five of the **HOUSTON ZOO DEVELOPMENT CORPORATION BOARD OF DIRECTORS**, for a term to expire June 30, 2013, and to serve as Chair for a term ending December 31, 2011

5. **Motion 2011-0303**

REQUEST from Mayor for confirmation of the reappointment of the following to serve as **MUNICIPAL COURT ADJUDICATION HEARING OFFICERS**, for two year terms:
MS. SYLVIA G. CASTILLO
MS. ANGELA L. DIXON

6. **Motion 2011-0304**

REQUEST from Mayor for confirmation of the reappointment of the following as **Municipal Court Judges** for two year terms:
JUDGE JOHN SAUNDERS CHASE, JR.
JUDGE MARGARET MUNOZ HARKINS

7. **Motion 2011-0305**

REQUEST from Mayor for confirmation of the reappointment of the following as **Municipal Court Associate Judges** for two year terms:

CHERYL ALSANDOR	ARTHUR M. LINCOLN
ALICE J. O'NEILL	KATHRYN DIAZ GARCIA
THERESA W. CHANG	NJERI MATHIS RUTLEDGE
TRACIE J. JACKSON	DENNIS M. SLATE
TOLA ORESUSI	JOE VILLARREAL
GERARDO S. MONTALVO	

8. **Motion 2011-0306**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE:**
Position One - **MS. ALGENITA SCOTT DAVIS**, for a term to expire 5/6/2013

AGENDA - APRIL 20, 2011 - PAGE 3

- Position Two - **MR. JAMES. J. SMITH**, for a term to expire 5/6/2012
Position Three - **THE HONORABLE ZINETTA A. BURNEY**, for a term to expire 5/6/2013;
and to serve as Chair for a term ending 12/31/2011
Position Four - **MR. BRIAN SMITH**, for a term to expire 5/6/2012
Position Five - **MR. ALFRED H. BENNETT**, for a term to expire 5/6/2013

9. Motion 2011-0307

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **COASTAL WATER AUTHORITY BOARD OF DIRECTORS**, for terms to expire March 31, 2013:

- Position Three- **MR. TONY L. COUNCIL**
Position Four - **MR. D. WAYNE KLOTZ**

ACCEPT WORK - NUMBERS 10 and 11

10. Motion 2011-0319

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$96,098.43 and acceptance of work on contract with **FLORIDA TRAFFIC CONTROL DEVICES, INC** for Underpass Lighting Rehabilitation Project - 4.98% over the original contract amount - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

ACCEPT WORK - continued

11. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,092,886.07 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Shady Oaks - 9.77% under the original contract amount - **DISTRICT B - JOHNSON**

PROPERTY - NUMBERS 12 and 13

12. Motion 2011-0320

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Kness, Windrose Land Services, Inc, on behalf of New Hope Housing, Inc, (Joy Horak-Brown, Executive Director), Linda Flanagan and Elmo Flanagan, Jr., for the abandonment and sale of Eastwood Street, from Perry Street north to its terminus, in the Belmont Addition Number Two, out of the John E. Durkee Survey, A-1013, Parcels SY11-023, SY11-061 and SY11-065 - **DISTRICT D - ADAMS**

13. Motion 2011-0321

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, for abandonment and sale of a ±153-foot-long portion of a 14-foot-wide alley, in exchange for the conveyance to the City of right-of-way for and construction of a 16-foot-wide alley, both located between McKee Street and Hardy Street, within Block 13, Cascara Addition, and a right of entry for Houston Independent School District, Parcels SY11-025 and AY11-044 - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 21

14. Motion 2011-0322

VIDACARE CORPORATION for EZ-IO® Needle Sets for the Fire Department - 5 Years
\$723,125.00 - General Fund

15. Motion 2011-0328

BOUND TREE MEDICAL, LLC (Bid No. 1) for EMS Gloves for the Fire Department - 5 Years
\$835,571.50 - General Fund

16. Motion 2011-0323

AIR FLITE, INC for Schweizer/Sikorsky 269 Series Helicopter Replacement Parts and Repair Services for the Houston Police Department - 5 Years - \$180,000.00 - General Fund

17. Motion 2011-0324

FORT BEND MECHANICAL LTD. for Air Cooled Chillers from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$185,000.00 - Enterprise Fund

18. Motion 2011-0325

DOGGETT HEAVY MACHINERY SERVICES for Equipment Trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Department of Public Works & Engineering - \$127,692.00 - Enterprise Fund

19. Motion 2011-0326

VOLVO CONSTRUCTION EQUIPMENT & SERVICES for Trailer-Mounted Air Compressors and Generators through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Department of Public Works & Engineering - \$198,540.00 - Enterprise Fund

20. Motion 2011-0327

ABMI, INC for Various Types of Water Testing Equipment from the Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$289,333.71 - Enterprise Fund

21. Council Member Jones tagged

CONSOLIDATED ELECTRICAL DISTRIBUTORS, ASTRO (Bid #1) - \$375,937.76, **TURTLE AND HUGHES, INC** - \$258,080.06 and **GRAYBAR ELECTRIC** - 5 Years - \$84,289.36 for Electrical Lighting for Various Departments - General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 22 through 40

22. Resolution 2011-0009

RESOLUTION amending Resolution No. 2010-0051 approving and authorizing the nomination of **INVESCO MANAGEMENT GROUP, INC** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT C - CLUTTERBUCK**

23. Council Member Jones tagged

ORDINANCE **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Joint City/County Commission on Children; containing other provisions relating to the foregoing subject; containing a repealer; providing for severability

24. Ordinance 2011-0275

ORDINANCE authorizing sale of excess fee-owned street right-of-way on West Bellfort Avenue, Section 34 of the James Hamilton Survey, A-887, Houston, Harris County, Texas, to Americor Partners, Ltd., in consideration of its payment to the City of \$105,393.00 and other consideration **DISTRICT C - CLUTTERBUCK**

25. Ordinance 2011-0276

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a utility easement in Block 1, George Rich Subdivision, A. C. Reynolds Survey, A-61, Houston, Texas; abandoning said easement to Original, Inc, owner, in consideration of owner's dedication of a utility easement in the same subdivision, payment of \$32,110.00 and other consideration to the City; authorizing and approving a conveyance instrument - **DISTRICT C - CLUTTERBUCK**

26. Ordinance 2011-0277

ORDINANCE approving and authorizing Supplemental Agreement No. 1 to Lease No. DTFASW-09-L-00056 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, in connection with Terminal Radar Approach Control Facility at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

27. Council Member Jones tagged

ORDINANCE approving and authorizing contract for Professional Consulting Services by and between the City of Houston and the **GREATER HOUSTON PARTNERSHIP, INC** for Houston Airport System - \$376,500.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

28. Pulled - Not Considered

ORDINANCE approving and authorizing Amendment No. 1 to contract for Professional Consulting Services between the City of Houston and **DEREK CONSULTING GROUP, INC** for Professional Information Technology Services for the Houston Airport System (Project 409T) - \$1,854,396.00 Enterprise and Grant Funds - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

29. Ordinance 2011-0281

ORDINANCE approving and authorizing City of Houston to submit the 2011 Annual Action Plan to the United States Department of Housing and Urban Development, including the following 2011 grant applications: 1) 37th Program Year Community Development Block Grant in the amount of \$29,287,233 (which amount includes \$3,071,711 in program income); 2) Home Investment Partnerships Grant in the amount of \$11,412,478 (which amount includes \$159,378 in program income); 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$6,235,155; and 4) Emergency Solutions Grant, formerly known as the Emergency Shelter Grants, in an amount to be determined by HUD; to accept the aforementioned grant funds, if awarded

Motion 2011-0313 – Suspend rules to consider Items 30 and 33 out of order

30. Ordinance 2011-0273

ORDINANCE approving and authorizing agreement between the City of Houston and **556 LINDA VISTA, L.P.** providing a Performance Based Loan of Federal Community Development Block Grant Disaster Relief Program Funds in an amount up to \$12,500,000.00 for the rehabilitation of 488 units at a 556 unit apartment property located in the 5500 block of DeSoto Street, Houston, Texas, of which 284 units will be restricted to occupancy by households with incomes at or below 80% of area median income - **DISTRICT B - JOHNSON**

Motion 2011-0314 – Suspend rules to extend time for remarks by Council Member Johnson

RESOLUTIONS AND ORDINANCES - continued

31. Ordinance 2011-0282

ORDINANCE approving and authorizing Contingency Agreement between the City of Houston and **MARKETING ON HOLD, INC d/b/a SOUTHWESTERN TARIFF ANALYST** for Fee Auditing Services; and approving a contingency allocation of funds - 30 Months - \$750,000.00 - General Fund

32. Ordinance 2011-0278

ORDINANCE awarding contract to **BOYER, INC** for Electrical Maintenance, Repair, Automation Support and Technical Services for the City's Water and Wastewater Treatment Facilities for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$3,240,542.00 - Enterprise Fund

33. Ordinance 2011-0274

ORDINANCE approving and authorizing contract between the City and **FIRST SOUTHWEST COMPANY** for Financial Advisory Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$4,030,609.00 - General and Enterprise Funds

34. Ordinance 2011-0279

ORDINANCE approving and authorizing Sanitary Sewer Agreement between the City of Houston and **WEST HOUSTON AIRPORT CORPORATION**

35. Ordinance 2011-0283

ORDINANCE approving and authorizing Joint Funding Agreement between the City of Houston and the **UNITED STATES GEOLOGICAL SURVEY** for Water Resource Investigation and Monitoring; providing a maximum contract amount - 1 Year - \$806,000.00 - Enterprise Fund

36. Ordinance 2011-0280

ORDINANCE granting to **SUN COAST RESOURCES, INCORPORATED, 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; and making certain findings related thereto - **FIRST READING**

37. Ordinance 2011-0281 – Passed first reading

ORDINANCE NO. 2011-0268, passed first reading April 13, 2011

ORDINANCE granting to **HOA VINH TRAN dba A-EVERGREEN VACUUM SERVICE, A Texas Sole Proprietorship**, 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; and making certain findings related thereto - **SECOND READING**

38. Ordinance 2011-0269 – Passed second reading

ORDINANCE NO. 2011-0269, passed first reading April 13, 2011

ORDINANCE granting to **FRANCISCO R. PADILLA dba FRP TRUCKING, A Texas Sole Proprietorship**, 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; and making certain findings related thereto - **SECOND READING**

39. Ordinance 2011-0270 – Passed second reading

ORDINANCE NO. 2011-0270, passed first reading April 13, 2011

ORDINANCE granting to **PIPELINE VIDEO INSPECTION LLC, A Foreign For-Profit 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; and making certain findings related thereto - **SECOND READING**

40. Ordinance 2011-0249 – Passed third and final reading

ORDINANCE NO. 2011-249, passed second reading as amended April 13, 2011

ORDINANCE granting to **DAVID R. PATTERSON d/b/a DUMPSTER DAVE, INC, A Texas Sole Proprietorship**, 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; and making certain findings related thereto - **THIRD AND FINAL READING**

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

41. Pulled - Not Considered

RECEIVE nominations for City Council Appointees to the **REBUILD HOUSTON OVERSIGHT COMMITTEE**

MATTERS HELD - NUMBERS 42 through 44

42. Motion 2011-0329 – Adopt

RECOMMENDATION from Purchasing Agent to award to **HAHN EQUIPMENT CO., INC** - \$850,515.00, **JERSEY EQUIPMENT COMPANY OF HOUSTON, INC** - \$161,269.00, **JDC FLUID EQUIPMENT** - \$236,789.00, **NEWMAN REGENCY GROUP** - \$82,864.00, **PUMP SOLUTIONS, INC** - \$863,605.00, **PUMPS & EQUIPMENT OF TEXAS** - \$90,718.00 and **SMITH PUMP CO.** - \$60,266.00 for Various Types and Size Pumps for Department of Public Works & Engineering \$2,346,026.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 7 on Agenda of April 13, 2011

43. Ordinance 2011-0284

ORDINANCE **AMENDING RULE 6 OF SECTION 2-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to a code of conduct applicable to council members; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 10 on Agenda of April 13, 2011

44. Ordinance 2011-0285

ORDINANCE amending Ordinance No. 2007-0127 (Passed on January 31, 2007) to increase the maximum contract amount for contract between the City of Houston and **HOUMA ARMATURE WORKS HOUSTON, LLC (Formerly GHX POWER SYSTEMS, LLC)** for Electric Motor Repair Services for the Public Works & Engineering Department - \$654,593.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBER JONES

This was Item 15 on Agenda of April 13, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Stardig 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

4/19/2011 – Council Member Bradford absent due to being ill

4/20/2011 – Council Member Bradford absent due to being ill