

**AGENDA - COUNCIL MEETING - TUESDAY - APRIL 26, 2011 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS – 2011-0332 to 2011-0346  
ORDINANCES - 2011-0286 to 2011-0306  
RESOLUTION – None

2011-0331-1

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Clutterbuck

**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 2011-0332 – Procedural motion  
Motion 2011-0333 – Procedural motion  
Motion 2011-0334 – Procedural motion

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - APRIL 27, 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 35**

**MISCELLANEOUS** - NUMBERS 1 and 2

1. **Motion 2011-0335**  
REQUEST from Mayor for confirmation of the appointment of **MR. KEITH EDWARD HAMM, (Houston Independent School District Representative)**, to Position Six of the **BOARD OF DIRECTORS OF THE DOWNTOWN REDEVELOPMENT AUTHORITY (a/k/a MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY)**, for a term to expire December 31, 2012
2. **Motion 2011-0336**  
REQUEST from Mayor for confirmation of the appointment of **MS. ELAINE JEFFERSON** to serve as **MUNICIPAL COURT ADJUDICATION HEARING OFFICER**, for a two year term

**ACCEPT WORK** - NUMBERS 3 through 7

3. **Motion 2011-0342**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$2,597,881.00 and acceptance of work on contract with **SPAWGLASS CIVIL CONSTRUCTION, INC** for Memorial Park Pedestrian Bridge - 13.05% over the original contract amount - **DISTRICT G - PENNINGTON**

4. **Motion 2011-0337**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,075,708.91 and acceptance of work on contract with **INDUSTRIAL TX, CORP.** for White Oak Wastewater Treatment Plant Improvements - 6.49% under the original contract amount - **DISTRICT A - STARDIG**

5. **Motion 2011-0338**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$716,312.47 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods (4257-112) - 0.31% under the original contract amount

6. **Motion 2011-0339**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,223,356.85 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Holcombe Area - 4.90% over the original contract amount - **DISTRICT C - CLUTTERBUCK**

7. **Motion 2011-0340**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,367,993.60 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Woodlawn Area - 0.04% over the original contract amount - **DISTRICT A - STARDIG**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 and 9

8. **Motion 2011-0343**

**HOV SERVICES, INC** for Mail Processing Services from the Texas Procurement and Support Services Contract through the Texas Procurement and Support Services Cooperative Purchasing Program for the Department of Public Works & Engineering - \$362,400.03 - Enterprise and Storm Water Funds

9. **Motion 2011-0341**

**JERZY INDUSTRIES, INC dba JERZY SUPPLY** for Hoses and Fittings for Various Departments 5 Years - \$693,589.35 - General and Enterprise Funds

**ORDINANCES** - NUMBERS 10 through 35

10. **Council Members Hoang and Bradford tagged**

ORDINANCE **AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to a charge for SafeClear towing; containing findings and other provisions relating to the foregoing subject; providing for severability

**ORDINANCES** - continued

**11. Council Members Hoang, Jones, Bradford and Johnson tagged**

ORDINANCE approving and authorizing amendments to the fourth amended and restated SafeClear Freeway Towing and Emergency Road Service Agreements between the City of Houston and **ALLIED COLLISION CENTER, INC, CANNINO WEST, INC, CORPORATE AUTO SERVICES, INC, C-MAS, INC, d/b/a FIESTA WRECKER SERVICE, KTL ENTERPRISES, INC, MILAM STREET AUTO STORAGE, INC, NORTH HOUSTON MOTORS, INC, T & T MOTORS, UNIFIED AUTO WORKS PAINT & BODY, INC, d/b/a UNIFIED AUTO WORKS AND WESTSIDE WRECKER SERVICE, INC** to add City's Contractor's Pay or Play Program and to provide for collection of Tow Service Fees; and authorizing and approving first amendments to SafeClear Towing Services Agreements with **RBEX, INC, d/b/a APPLE TOWING CO., STERLING INTEREST INVESTMENTS, INC, d/b/a ELITE COLLISION CENTER AND HOUSTON AUTO TECH INC, d/b/a HOUSTON AUTO TECH** to provide for the collection of Tow Services Fees; establishing a maximum contract amount for and authorizing a Temporary Assistance Program; authorizing the City Attorney to establish guidelines for eligibility for such Temporary Assistance Program

**12. Ordinance 2011-0296**

ORDINANCE approving and authorizing first amendment to the Interlocal Agreement among the City of Houston, Texas, **HARRIS COUNTY, REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**, and the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY** relating to the participation of Harris County in Reinvestment Zone Number Fifteen - **DISTRICT I - RODRIGUEZ**

**13. Council Member Clutterbuck tagged**

ORDINANCE approving the issuance of Bonds by the **MIDTOWN REDEVELOPMENT AUTHORITY** - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and I - RODRIGUEZ**

**14. Ordinance 2011-0297**

ORDINANCE approving and authorizing contract for Professional Consulting Services by and between the City of Houston and **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the Houston Airport System - \$395,800.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**15. Ordinance 2011-0286**

ORDINANCE approving Lease Agreement with option to purchase with **MANAGEMENT ACCOUNTABILITY CORPORATION, as tenant**, and concerning land and improvements at 2903 Jensen Drive - **DISTRICT D - ADAMS**

**16. Ordinance 2011-0298**

ORDINANCE amending City of Houston Ordinance Nos. 2009-420, passed on May 13, 2009, and 2010-372, passed on May 12, 2010, which approved and authorized the submission of the 2009 and 2010 Consolidated Action Plans, respectively, to the United States Department of Housing and Urban Development, including Community Development Block Grant Program Applications for the 35th and 36th Program Years, among others

**17. Ordinance 2011-0287**

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC**, providing up to \$995,000.00 in Housing Opportunities for Persons With AIDS Funds for a Tenant-Based Rental Assistance Program along with supportive services

**ORDINANCES** - continued

**18. Ordinance 2011-0288**

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON HELP, INC**, providing up to \$310,000.00 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Community Residence - **DISTRICT D - ADAMS**

**19. Ordinance 2011-0289**

ORDINANCE approving and authorizing contract between the City of Houston and **THE CENTER SERVING PERSONS WITH MENTAL RETARDATION** to provide \$182,831.00 in Community Development Block Grant Funds for Vocational Training and Medical and Dental Services to Persons with Mental Illness

**20. Ordinance 2011-0290**

ORDINANCE approving and authorizing contract between the City of Houston and **A CARING SAFE PLACE, INC**, to provide \$389,938.00 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Community Residence located at 1804 Carr Street, along with supportive services - **DISTRICT B - JOHNSON**

**21. Ordinance 2011-0291**

ORDINANCE approving and authorizing contract between the City of Houston and **BRENTWOOD COMMUNITY FOUNDATION** providing up to \$470,346.00 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Community Residence and the administration of a Short-term Rent, Mortgage and Utility Assistance Program, along with supportive services - **DISTRICT D - ADAMS**

**22. Ordinance 2011-0292**

ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, to provide \$150,000.00 in Community Development Block Grant Funds to assist in the administration and operation of the Emergency Mobile Outreach Program

**23. Ordinance 2011-0299**

ORDINANCE approving and authorizing second amendment to Grant Agreement between the City of Houston and **NHDC SUNFLOWER TERRACE, LLC** to provide an additional \$1,100,000.00 of Federal HOME Funds; to revise the scope of work for eligible costs to be covered thereby; to extend the time to complete the work and to increase the number of units subject to occupancy restrictions in connection with the renovation of a 160 unit apartment complex located at 5050 Sunflower Street to house low and very low income families - **DISTRICT D - ADAMS**

**24. Ordinance 2011-0293**

ORDINANCE approving and authorizing application to the Office of the Governor, Criminal Justice Division, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**25. Ordinance 2011-0300**

ORDINANCE awarding contract to **OCLC ONLINE COMPUTER LIBRARY CENTER, INC** for Online Library Bibliographic Subscription Services for the Houston Public Library; providing a maximum contract amount - 5 Years with 3 one-year options - \$350,000.00 - General Fund

**ORDINANCES** - continued

**26. Ordinance 2011-0306**

ORDINANCE appropriating \$6,000.00 out of Parks Consolidated Construction Fund for issuance of purchase order for Demolition Services at Braeburn Glen Park - **DISTRICT F - HOANG**

**27. Ordinance 2011-0301**

ORDINANCE appropriating \$450,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract between the City of Houston and **DEREK CONSULTING GROUP, INC** for Professional Consulting Services for the Houston Airport System (Project 409T) - \$1,404,396.00 Enterprise and Grant Funds - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**28. Ordinance 2011-0302**

ORDINANCE approving and authorizing contract between the City of Houston and **ESPEY CONSULTANTS, INC** for Water Resource Management Services - \$126,000.00 - Enterprise Fund

**29. Ordinance 2011-0294**

ORDINANCE appropriating \$230,000.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation to contract between the City of Houston and **ROBERT REID CONSULTING ENGINEER, INC** for Local Drainage Projects Negotiated Work Orders and On-Call Design (Approved by Ordinance No. 2010-0320); providing funding for CIP Cost Recovery relating to construction of facilities financed by Drainage Improvement Commercial Paper Series F Fund

**30. Ordinance 2011-0295**

ORDINANCE appropriating \$608,741.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for Almeda Road Reconstruction from MacGregor to Old Spanish Trail; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT D - ADAMS**

**31. Ordinance 2011-0303**

ORDINANCE appropriating \$752,360.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SHRADER ENGINEERING INC** for E. Coli Compliance Projects - Chlorination Systems for Turkey Creek, Westway and Kingwood West Wastewater Treatment Plants; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; E - SULLIVAN and G - PENNINGTON**

**32. Ordinance 2011-0280 – Passed second reading**

ORDINANCE NO. 2011-0280, passed first reading April 20, 2011  
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 - **SECOND READING**

**ORDINANCES** - continued

**33. Ordinance 2011-0268 – Passed third and final reading**

ORDINANCE NO. 2011-0268, passed second reading April 20, 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 - **THIRD AND FINAL READING**

**34. Ordinance 2011-0269 – Passed third and final reading**

ORDINANCE NO. 2011-0269, passed second reading April 20, 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 - **THIRD AND FINAL READING**

**35. Ordinance 2011-0270 – Passed third and final reading**

ORDINANCE NO. 2011-0270, passed second reading April 20, 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 - **THIRD AND FINAL READING**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA** - NUMBER 36

**MISCELLANEOUS**

**36. Motion 2011-0346**

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

**Accept receipt of nominations for Positions 1 and delay for one (1) week any further nominations**

**MATTERS HELD** - NUMBERS 37 through 40

**37. Motion 2011-0344 – Adopt**

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** - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 11 on Agenda of April 20, 2011

**MATTERS HELD** - continued

**38. Motion 2011-0345 – Adopt**

RECOMMENDATION from Purchasing Agent to award to **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 - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 21 on Agenda of April 20, 2011

**39. Ordinance 2011-0304**

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

**TAGGED BY COUNCIL MEMBER JONES**

This was Item 23 on Agenda of April 20, 2011

**40. Ordinance 2011-0305**

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** - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 27 on Agenda of April 20, 2011

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Pennington 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

**4/26/2011 – All Present**

**4/27/2011 – All Present**