

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 22, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2011-0124 to 2011-0143
ORDINANCES - 2011-0119 to 2011-0144
RESOLUTION – None

2011-0123-1

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 2011-0124 – Procedural motion
Motion 2011-0125 – Procedural motion
Motion 2011-0126 – Procedural motion
Motion 2011-0127 – Procedural motion
Motion 2011-0128 – Procedural motion
Motion 2011-0129 – Procedural motion
Motion 2011-0130 – Procedural motion
Motion 2011-0131 – Procedural motion
Motion 2011-0132 – Procedural motion
Motion 2011-0133 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 23, 2011 - 9:00 A. M.

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

MAYOR'S REPORT - Historic Preservation Reconsideration Results

CONSENT AGENDA NUMBERS 1 through 31

ACCEPT WORK - NUMBERS 1 through 3

1. Motion 2011-0139

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$20,487.50 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal at Bureau of Animal Regulation and Care - 17.39% under the original contract amount - **DISTRICT B - JOHNSON**

2. Motion 2011-0134

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,660,811.00 and acceptance of work on contract with **D. L. MEACHAM, L.P.** for construction services at Sylvester Turner Park - 9.98% over the original contract amount **DISTRICT A - STARDIG**

ACCEPT WORK - continued

3. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$881,046.46 and acceptance of work on contract with **MCKINNEY CONSTRUCTION, INC** for FY09 Water Distribution System Rehabilitation and Renewal - 28% under the original contract amount

PROPERTY - NUMBER 4

4. Motion 2011-0136

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chris McCall, on behalf of University of Houston, Downtown, for abandonment and sale of Steam Mill Street, from San Jacinto Street ±176.99 feet to its terminus, in exchange for the conveyance to the City of a full-width utility easement, all located in North Side Buffalo Bayou, out of the John Austin Survey, A-1, Parcels SY10-030, SY10-053 and VY10-037 - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 9A

5. Motion 2011-0137

FORD AUDIO VIDEO SYSTEMS, INC for Audio Control System Replacement Parts for the Houston Airport System - \$1,250,000.00 - Enterprise Fund

6. Ordinance 2011-0132

ORDINANCE appropriating \$1,064,620.00 out of Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Houston Fire Department

a. Motion 2011-0140

STRYKER CORPORATION - \$301,290.00, **ORR SAFETY CORPORATION** - \$527,964.00 and **CON SPACE COMMUNICATION, INC** - \$195,880.00 for Purchase of Capital Equipment for the Houston Fire Department

7. Ordinance 2011-0120

ORDINANCE appropriating \$6,996,593.37 out of Water & Sewer System Consolidated Construction Fund for Emergency Repairs to the 84" Sanitary Sewer Overflow Line at the Northside Wastewater Treatment Plant for the Public Works & Engineering Department; providing funding for Project Management and Construction Oversight Services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2011-0138**

REPIPE CONSTRUCTION, LTD for Emergency Repairs to the 84" Sanitary Sewer Overflow Line at the Northside Wastewater Treatment Plant for the Department of Public Works & Engineering \$6,406,279.40 and contingencies for a total amount not to exceed \$6,726,593.37 - Enterprise Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

8. **Council Members Noriega, Jones and Adams tagged**

INFOR GLOBAL SOLUTIONS - \$605,440.44, **RFD & ASSOCIATES, INC** - \$1,694,195.37 and **GLOBALNET SERVICES, INC** - \$132,642.56 for Drainage Charge Customer Service System Software and Installation Services from the General Services Administration Advantage Contract, the State of Texas Procurement & Support Services Contract and the City's Master Agreement with the Texas Department of Information Resources for the Department of Public Works & Engineering - Stormwater Fund

9. **Pulled - Not Considered**

ORDINANCE appropriating \$679,470.20 out of Equipment Acquisition Consolidated Fund for the Purchase of Earth Moving Equipment for Various Departments - \$729,316.78 - Enterprise Fund

a. **Pulled - Not Considered**

JOHN DEERE COMPANY- A Division of Deere & Company - \$178,367.98 and **HI-WAY EQUIPMENT COMPANY** - \$615,919.00 for Purchase of Earth Moving and Street Maintenance Equipment through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for Various Departments

ORDINANCES - NUMBERS 10 through 31

10. **Ordinance 2011-0121**

ORDINANCE approving first amendment to Credit Agreement relating to City of Houston, Texas, Combined Utility System First Lien Refunding Bonds, Series 2004B-1; approving and authorizing certain officers and employees to act on behalf of the City with respect to the Series 2004B Bonds; resolving other matters incident and related thereto; authorizing a Bond Counsel Agreement; and declaring an emergency

11. **Ordinance 2011-0133**

ORDINANCE amending Ordinance Nos. 2009-0208, 2009-0288, 2009-0526 and 2009-0689 (original ordinances) to revise the maximum contract amount; authorizing first amendments to contracts with **RONALD L. NORSWORTHY, INC d/b/a HOME HELPERS FORT BEND** and **DINSMORE MEDICAL SYSTEMS, LLC**; and second amendments to contracts with **PERRYLEE HOME HEALTH CARE SERVICES, INC** and **THE SHELTERING ARMS, HOUSTON, TEXAS** to extend the terms of the contracts for elderly services

12. **Ordinance 2011-0134**

ORDINANCE amending City of Houston Ordinance No. 2010-372 to include the Neighborhood Stabilization Program - Round Three Proposed Action Plan in the 2010 Consolidated Plan, also referred to as the 2010-2014 Consolidated Plan & 2010 Action Plan; authorizing the submission of a grant application for the third round of funding for the Neighborhood Stabilization Program in the amount of \$3,389,035.00 and the acceptance of the aforementioned grant funds, if awarded **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ**

ORDINANCES - continued

13. Ordinance 2011-0122

ORDINANCE approving amendment to third amended and restated Strategic Partnership Agreement between the City and **CY-CHAMP PUBLIC UTILITY DISTRICT** authorized by Ordinance No. 2010-0975

a. Ordinance 2011-0123

ORDINANCE approving amendment to annexation for limited purposes of a certain area located within **CY-CHAMP PUBLIC UTILITY DISTRICT**, authorized by Ordinance No. 2009-1174

14. Omitted

15. Ordinance 2011-0124

ORDINANCE relating to prescribing the standards for installing fire hydrants by Public Utilities in residential areas within the City

16. Council Member Jones tagged

ORDINANCE approving and authorizing contracts for Professional Independent Internal Audit and Consulting Services between the City of Houston and 1) **HORN SOLUTIONS, INC**, 2) **MCCONNELL & JONES, L.L.P.**, 3) **JEFFERSON WELLS INTERNATIONAL, INC**, 4) **PROTIVITI INC**, 5) **NULL-LAIRSON, P.C.**, 6) **WEAVER AND TIDWELL, L.L.P.**, 7) **MGT OF AMERICA, INC**, 8) **MFR, P.C.**, and 9) **UHY ADVISORS TX, LLC**; providing a maximum contract amount - \$3,000,000.00 - General, Enterprise and Grant Funds

17. Ordinance 2011-0135

ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, as Landlord, and **SOUTH CENTRAL HOUSTON ACTION COUNCIL, INC dba CENTRAL CARE COMMUNITY HEALTH CENTER, as tenant**, for space at 3315 Delano, Houston, Texas, for use as a facility to provide health care services to low-income City residents for the Health and Human Services Department - **DISTRICT I - RODRIGUEZ**

18. Council Member Hoang tagged

ORDINANCE appropriating \$28,075.00 out of Parks Consolidated Construction Fund for issuance of Purchase Order to **PAUL E. ALLEN COMPANY, INC** for Picnic Tables for Hermann Park **DISTRICT D - ADAMS**

19. Ordinance 2011-0125

ORDINANCE appropriating \$60,599.10 out of Parks & Recreation Dedication Fund and approving and authorizing issuance of Purchase Order to **PLAYCORE WISCONSIN, INC dba GAMETIME** for Purchase of Playground Equipment for Jaycee Park - **DISTRICT A - STARDIG**

20. Ordinance 2011-0136

ORDINANCE amending License Agreement with **AMERICAN TOWERS, INC, Licensor**, and the City of Houston, Texas, Licensee, approved by Ordinance No. 2009-0881, to allow for the payment of \$20,000.00 for remediation costs associated with structural improvements to accommodate additional equipment in connection with a new Public Safety Radio System, located at 12411 Dawn, Houston, Texas

21. Council Members Jones, Adams and Hoang tagged

ORDINANCE appropriating \$3,761,243.00 out of FY11 Equipment Acquisition Consolidated Fund as an additional appropriation to the Court System Management and Resources Technology Implementation Project for the Municipal Courts Department

ORDINANCES - continued

22. Ordinance 2011-0137

ORDINANCE amending Ordinance No. 2011-70 to expand the purposes for which funds appropriated may be expended in support of the design and implementation of the Houston Permitting Center

23. Ordinance 2011-0126

ORDINANCE approving and authorizing an agreement between the City of Houston and the **EAST ALDINE MANAGEMENT DISTRICT** for Right-of way Improvements - **DISTRICT B - JOHNSON**

24. Ordinance 2011-0127

ORDINANCE authorizing Harris County Municipal Utility District No. 407 to issue bonds for certain Recreational Facilities subject to certain terms and conditions - **DISTRICT G - PENNINGTON**

25. Ordinance 2011-0128

ORDINANCE consenting to the addition of 27.5274 acres of land to **CINCO MUNICIPAL UTILITY DISTRICT NO. 8**, for inclusion in its district

26. Ordinance 2011-0129

ORDINANCE consenting to the addition of 145.883 acres of land to **HARRIS-MONTGOMERY COUNTIES MUNICIPAL UTILITY DISTRICT NO. 386**, for inclusion in its district

27. Ordinance 2011-0138

ORDINANCE approving and authorizing the execution of an Untreated Water Supply Contract between the City of Houston and **KINDER MORGAN LIQUID TERMINALS**

28. Ordinance 2011-0130

ORDINANCE appropriating \$3,395,153.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

29. Ordinance 2011-0131

ORDINANCE appropriating \$3,010,988.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Busting Methods; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

30. Ordinance 2011-0139

ORDINANCE appropriating \$126,216.20 out of Parks Consolidated Construction Fund; awarding construction contract to **AAR INCORPORATED** for Soil Remediation, Removal and Replacement at Tony Marron Park Property; 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 project management and construction oversight, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

ORDINANCES - continued

31. Ordinance 2011-0102 – Passed third and final reading

ORDINANCE No. 2011-102 passed second reading February 16, 2011

ORDINANCE granting to **SOS LIQUID WASTE HAULERS, LTD, 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; and making certain findings related thereto - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 32 through 40

32. Motion 2011-0141 – Close hearing and refer to City Council for further action

CONTINUATION OF HEARING for **JUSTICE TRAX** to protest award to Porter Lee Corporation for Laboratory Information Management System for the Police Department

RECESSED BY MOTION # 2011-118, 2/16/11

This was Item 1 on Agenda of February 16, 2011

33. Motion 2011-0142 – Adopt

MOTION by Council Member Lovell/Seconded by Council Member Gonzalez to adopt recommendation from Director General Services Department for approval of final contract amount of \$392,745.00 and acceptance of work on contract with **ARC ABATEMENT, INC** for Asbestos Abatement at 1200 Travis Parking Garage - 4.90% over the original contract amount - **DISTRICT I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 3 on Agenda of February 16, 2011

34. Motion 2011-0143 – Adopt

MOTION by Council Member Lovell/Seconded by Council Member Gonzalez to adopt recommendation from Director General Services Department for approval of final contract amount of \$137,167.60 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Fuel System Upgrade at Solid Waste Maintenance Facilities 2.42% over the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK and H - GONZALEZ**

TAGGED BY COUNCIL MEMBER JONES

This was Item 4 on Agenda of February 16, 2011

35. Ordinance 2011-0140

ORDINANCE amending Ordinance No. 2009-1359 to increase the maximum contract amount for contract between the City and **RON SMITH & ASSOCIATES, INC** for Latent Print Support services - \$300,000.00 - General Fund - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 13 on Agenda of February 16, 2011

36. Ordinance 2011-0141

ORDINANCE amending Ordinance No. 2010-0223 (Passed by City Council on March 24, 2010) to increase the maximum contract amount; approving and authorizing first amendment to contract between the City of Houston and **BUSINESS ENTERPRISE MAPPING, INC** for Consulting Services to attain ISO 9001:2008 Certification for the Houston Police Department Emergency Communications and Property and Supply Divisions - \$35,900.00 - General Fund

TAGGED BY COUNCIL MEMBER JONES

This was Item 14 on Agenda of February 16, 2011

MATTERS HELD - continued

Motion 2011-0135 – Suspend rules to consider Item 37 out of order

37. Ordinance 2011-0119

ORDINANCE approving Tri-Party Development Agreement between **BUFFALO BAYOU PARTNERSHIP, HARRIS COUNTY FLOOD CONTROL DISTRICT** and the City of Houston concerning the Greenway on Buffalo Bayou Project - **DISTRICTS D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and RODRIGUEZ**

This was Item 15 on Agenda of February 16, 2011

38. Ordinance 2011-0142

ORDINANCE appropriating \$175,000.00 out of Street & Bridge Consolidated Construction Fund and \$132,000.00 out of Water & Sewer System Consolidated Construction Fund and awarding contract to **SET ENVIRONMENTAL, INC** for Handling and Disposal of Hazardous Materials for Various Departments; establishing a maximum contract amount - 3 Years with two one-year options - \$2,194,454.19 - General, Enterprise and Revolving Funds

TAGGED BY COUNCIL MEMBER JONES

This was Item 17 on Agenda of February 16, 2011

39. Ordinance 2011-0143

ORDINANCE appropriating \$1,601,325.00 out of Parks Consolidated Construction Fund; awarding construction contract to **CARRERA CONSTRUCTION, INC** for Sagemont Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and materials testing services, air monitoring services, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund and Texas Parks and Wildlife Department Fund \$1,000,000.00 - Grant Fund - **DISTRICT E - SULLIVAN**

TAGGED BY COUNCIL MEMBER CLUTTERBUCK

This was Item 19 on Agenda of February 16, 2011

40. Ordinance 2011-0144

ORDINANCE appropriating \$545,200.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RESICOM, INC** for Chemical Feed Station Repairs and Containment Walls at Dollywright, Garden Villas and Eddington Lift Stations; 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 - **DISTRICTS B - JOHNSON and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 23 on Agenda of February 16, 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

02/22/2011 – Council Member Clutterbuck out of the City

**02/23/2011 – Council Member Clutterbuck out of the City
Council Member Costello absent on personal business**