

AGENDA - COUNCIL MEETING - TUESDAY - JULY 12, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2011-0555 to 2011-0569
ORDINANCES - 2011-0599 to 2011-0609
RESOLUTIONS - None

2011-0554-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Johnson

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 13, 2011 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **Motion 2011-0555 - Close Hearing**
PUBLIC HEARING regarding the proposed amendment of Chapter 40, Code of Ordinances to extend the provisions of the Civility Ordinance to an area within the **EAST DOWNTOWN MANAGEMENT DISTRICT - DISTRICT I - RODRIGUEZ**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 25

Motion 2011-0556 – Suspend rules to consider Items 2, 2-1 and 3 out of order

MISCELLANEOUS - NUMBERS 2 through 4

2. Motion 2011-0557

REQUEST from Mayor for confirmation of the appointment of the following to the **BUILDING AND STANDARDS COMMISSION**:

Panel 1:

- Position A1 - **MR. WARD W. ARENDT**, for a term to expire 12/31/2012
- Position A2 - **MS. MARY L. RAMOS**, for a term to expire 12/31/2011
- Position A3 - **MR. JACKSON CHANG**, for a term to expire 12/31/2012
- Position A4 - **MS. JENIFER RENÉ POOL**, for a term to expire 12/31/2011
- Position A5 - **MR. MARK ALAN PARTHIE**, for a term to expire 12/31/2012

Panel 2:

- Position B1 - **MR. WATTS T. MCKEE, JR.**, for a term to expire 12/31/2012
- Position B2 - **MS. EILEEN SUBINSKY**, for a term to expire 12/31/2011
- Position B3 - **MR. MARK T. O. MOLER**, for a term to expire 12/31/2012
- Position B4 - **MR. MICHAEL E. CRAMER**, for a term to expire 12/31/2011
- Position B5 - **MS. VIRGINIA LEE DUKE**, for a term to expire 12/31/2012

Alternates:

- Position 1 - **MR. MOISES MONTEZ**, for a term to expire 12/31/2012
- Position 2 - **MR. VICTOR L. CARDENAS, JR.**, for a term to expire 12/31/2011
- Position 3 - **MR. CHUCK (CHARLES) A. DAVIDSON**, for a term to expire 12/31/2012
- Position 4 - **MR. PETER EICHENLAUB**, for a term to expire 12/31/2011
- Position 5 - **MR. THOMAS E. BRENTS**, for a term to expire 12/31/2012
- Position 6 - **MR. DOUGLAS E. HAMMEL**, for a term to expire 12/31/2011
- Position 7 - **MR. JOE H. MORENO**, for a term to expire 12/31/2012
- Position 8 - **MR. JEFFREY E. COOMER**, for a term to expire 12/31/2011

2-1 Motion 2011-0558

REQUEST from Mayor for confirmation of the appointment of the following to serve as **ADJUDICATION HEARING OFFICERS**, for two year terms:

- MR. DENNIS R. ALENIK** - Part-Time
- MR. JOHN C. ARANDA** - Full-Time

3. Motion 2011-0559

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS**, also known as the **FOURTH WARD TIRZ BOARD**:

- Position Three - **MS. MARIAN MICHELLE DAVENPORT**, appointment, for a term to expire 6/8/2013
- Position Four - **REVEREND OWEN B. BROWN**, reappointment, for a term to expire 6/8/2013
- Position Five - **MS. JACQUELINE BOSTIC**, reappointment, for a term to expire 6/8/2013, and to serve as Chair beginning 1/1/2012
- Position Six - **MR. ANTHONY W. HALL, III**, appointment, for a term to expire 6/8/2012
- Position Seven - **MR. JESSE SAENZ**, appointment, for a term to expire 6/8/2012

3-1 Motion 2011-0567

RECOMMENDATION from the City Controller for payment of \$3,643,510.98 to the **INTERNAL REVENUE SERVICE** for Arbitrage Rebate Liability on Combined Utility System First Lien Revenue and Refunding Bonds, Series 2006 and Series 2006A - Enterprise Fund

4. Council Member Jones tagged

RECOMMENDATION from Director Planning & Development Department to designate an Honorary Street Marker for **MS. HAZEL MAE TATE** located at the intersection of Memel Street and West Huntington Street - **DISTRICT B - JOHNSON**

ACCEPT WORK - NUMBERS 5 and 6

5. **Motion 2011-0560**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$2,236,794.84 and acceptance of work on contract with **THE GONZALEZ GROUP, LP** for the Forestry Complex Relocation - 11.07% over the original contract amount - **DISTRICT A - STARDIG**

6. **Motion 2011-0561**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$148,796.50 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for 12-inch Sanitary Sewer along Bastrop Street 1.77% over the original contract amount - **DISTRICT I - RODRIGUEZ**

PROPERTY - NUMBER 7

7. **Motion 2011-0562**

RECOMMENDATION from Director General Services Department that City Council declare surplus Parcel SY11-069, 6901 Brownwood - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 11A

8. **Motion 2011-0563**

GT DISTRIBUTORS, INC for Tactical Breaching Kits through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department - \$122,430.00 - Grant Fund

9. **Motion 2011-0564**

LEXISNEXIS RISK SOLUTIONS FL, INC for Accurint® for Law Enforcement Investigative Services from the State of Texas Council of Competitive Government Contract for the Houston Police Department - \$61,200.00 - General Fund

10. **Motion 2011-0565**

SOUTHERN IONICS INCORPORATED for Chemical, Liquid Sodium Bisulfite for the Department of Public Works & Engineering - 5 Years - \$5,685,900.00 - Enterprise Fund

11. **Ordinance 2011-0599**

ORDINANCE appropriating \$218,035.00 out of Street & Bridge Consolidated Construction Fund for the purchase of Intelligent Transportation System Equipment for the Public Works and Engineering Department - **DISTRICTS A - STARDIG; C - CLUTTERBUCK and G - PENNINGTON**

a. **Motion 2011-0566**

COHU, INC - \$76,575.00 and **TWINCREST TECHNOLOGIES** - \$119,760.00 for Intelligent Transportation System Traffic Management Equipment through the Interlocal Agreements for Cooperative Purchasing with the Texas Department of Information Resources and the Houston-Galveston Area Council for the Department of Public Works & Engineering

ORDINANCES - NUMBERS 12 through 25

12. **Council Members Johnson and Hoang tagged**

ORDINANCE appropriating \$12,069,827.00 out of Airports Improvement Fund; amending Manual Purchase Order No. SPR-SRD-040511-001 to **COMFORT SYSTEMS USA, SOUTH CENTRAL, INC** for Construction of Chilled Water Lines at George Bush Intercontinental Airport (ratified by Ordinance No. 2011-588) to increase the maximum spending authority to \$17,068,827.00 and to incorporate the construction addendum thereto as on file in the Houston Airport System **DISTRICT B - JOHNSON**

ORDINANCES - continued

13. Council Member Hoang tagged

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **SUMMIT SEAFOOD SUPPLY, INC** for certain premises at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**

14. Ordinance 2011-0600

ORDINANCE appropriating \$4,250,000.00 out of Airports Improvement Fund as an additional appropriation and approving a supplemental allocation in the amount of \$5,000,000.00 for the contract between the City of Houston and **CH2M HILL, INC**, approved by Ordinance No. 2010-1038 for Professional On-Call Planning Consulting Services for the Houston Airport System (Project No. 677) - \$750,000.00 Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

15. Ordinance 2011-0601

ORDINANCE approving and authorizing Sub-Grantee Award Agreement between **HARRIS COUNTY, TEXAS** and the City of Houston to accept FY2008 Port Security Grant Program funding for Radio System Antenna Sites

16. Ordinance 2011-0602

ORDINANCE approving and authorizing Sub-Grantee Award Agreement between **HARRIS COUNTY, TEXAS** and the City of Houston to accept FY2009 Port Security Grant Program funding for Radio System Antenna Sites, Phase II

17. Ordinance 2011-0603

ORDINANCE approving and authorizing Sub-Grantee Award Agreement between **HARRIS COUNTY, TEXAS** and the City of Houston to accept FY2009 Port Security Grant Program funding for Port Area Responders Mobile Data Computers

18. Council Members Johnson, Clutterbuck and Stardig

ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the enhancement of Protocol Services and mutual coordination efforts in the promotion of tourism and the solicitation of Convention business - \$420,000.00 - General Fund

19. Pulled - Not Considered

ORDINANCE approving and authorizing agreement between **HOUSTON INDEPENDENT SCHOOL DISTRICT** and the City of Houston to manage and produce a Back to School Festival

20. Ordinance 2011-0606

ORDINANCE approving and authorizing License Agreement between the City of Houston and **SMG** as manager of Reliant Park, for the use of Reliant Park Facilities by the Department of Health and Human Services as site to conduct the Fifth Annual Hip Hop for HIV Awareness Campaign and providing \$68,607.92 of Federal Grant Funds for such event - **DISTRICT D - ADAMS**

21. Ordinance 2011-0604

ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **TRAVIS STREET PLAZA, LP, as owner**, and **CANTWELL-ANDERSON, INC, as borrower**, to provide \$3,828,598 of Federal "HOME" Funds to assist with the construction of the Travis Street Plaza Apartments, a 192-unit single resident occupancy facility at 4500 Travis Street in Houston, Texas - **DISTRICT D - ADAMS**

ORDINANCES - continued

22. Ordinance 2011-0605

ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 406** and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 321** for Treated Water Supply

23. Council Member Sullivan tagged

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath one tract of land containing 6.5040 acres commonly known as 18310 Market Street Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality

24. Ordinance 2011-0586 – Passed second reading

ORDINANCE No. 2011-586, passed first reading July 6, 2011

ORDINANCE granting to **ROBERT E. JENKO, INC d/b/a RELIABLE PIPE CLEANING, 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

SECOND READING

25. Ordinance 2011-0587 – Passed second reading

ORDINANCE No. 2011-587, passed first reading July 6, 2011

ORDINANCE granting to **THE DUMPSTER GUYS, LLC 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

SECOND READING

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 26 through 29

26. Council Member Clutterbuck tagged

MOTION by Council Member Lovell/Seconded by Council Member Gonzalez to adopt the recommendation from the Director Department of Public Works & Engineering for approval of the Municipal Drainage Utility System Appeal Process

TAGGED BY COUNCIL MEMBERS SULLIVAN, JONES and BRADFORD

This was Item 2-1 on Agenda of July 6, 2011

27. Motion 2011-0568

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,812,129.96 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Drainage Improvements at Grade Separations, Package III - 7.80% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**

TAGGED BY COUNCIL MEMBER JONES

This was Item 3 on Agenda of July 6, 2011

MATTERS HELD - continued

28. Ordinance 2011-0607

ORDINANCE amending Ordinance No. 2010-0502 (Passed on June 23, 2010) to increase the maximum contract amount for contract between the City of Houston and **AT&T MOBILITY NATIONAL ACCOUNTS, LLC (Formerly NEW CINGULAR WIRELESS NATIONAL ACCOUNTS, LLC)** and **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS** by San Antonio MTA, L.P., its General Partner, by Verizon Wireless Texas, LLC, its General Partner and **SAN ANTONIO MTA, LP, d/b/a VERIZON WIRELESS**, by Verizon Wireless Texas, LLC, its General Partner, for Wireless Voice and Data Telecommunications Equipment and Services for Various Departments - \$1,000,000.00 - Central Service Revolving Fund - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 19 on Agenda of July 6, 2011

29. Ordinance 2011-0608

ORDINANCE consenting to the addition of 30.831 acres of land to **NORTHPOINTE WATER CONTROL AND IMPROVEMENT DISTRICT**, for inclusion in its district

POSTPONED BY MOTION #2011-552, 7/6/11

This was Item 29 on Agenda of July 6, 2011

Motion 2011-0569 - Motion to override tag on Item 30

30. Ordinance 2011-0609

ORDINANCE amending Ordinance No. 2011-577, relating to an Interlocal Agreement between the City of Houston, Texas, and **HOUSTON INDEPENDENT SCHOOL DISTRICT**, for the development and use of a tract of land near 1011 Taft Street, Houston, Texas, for field and related facilities - **DISTRICTS D - ADAMS and I – RODRIGUEZ**

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Adams 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

**7/12/2011 – Mayor Parker absent on personal business
Council Member Noriega absent due to being ill
Vice Mayor Pro Tem Gonzalez presiding**

**7/13/2011 – Mayor Parker absent on personal business
Vice Mayor Pro Tem Gonzalez presiding**