

AGENDA - COUNCIL MEETING - TUESDAY - JULY 19, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2011-0570 to 2011-0580
ORDINANCES - 2011-0610 to 2011-0631
RESOLUTION – None

2011-0569-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Gonzalez

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 2011-0570 – Procedural motion
Motion 2011-0571 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 20, 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 32

MISCELLANEOUS - NUMBERS 1 and 2

1. **Council Member Bradford tagged**

RECOMMENDATION from Director Finance Department for approval of FY2012 Budgets submitted by the **HOUSTON ARTS ALLIANCE, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, MILLER THEATRE ADVISORY BOARD, INC,** and **THEATER DISTRICT IMPROVEMENT, INC** for the support, advancement and promotion of the Arts

2. **Council Member Bradford tagged**

RECOMMENDATION from Director Finance Department for approval of Supplemental Budgets submitted by the **HOUSTON ARTS ALLIANCE, MILLER THEATRE ADVISORY BOARD, INC, THE MUSEUM DISTRICT ASSOCIATION,** and the **THEATER DISTRICT IMPROVEMENT, INC** for the promotion of the Arts

ACCEPT WORK - NUMBERS 3 and 4

3. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,566,523.50 and acceptance of work on contract with **TRIPLE B SERVICES, L.L.P.** for Trinity Houston Gardens Drainage Improvements - 0.08% under the original contract amount - **DISTRICT B - JOHNSON**

4. Motion 2011-0572

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,825,027.79 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Concrete Pavement Management and Improvement Program (Kashmere Project) - 3.05% over the original contract amount - **DISTRICT B - JOHNSON**

PROPERTY - NUMBER 5

5. Pulled - Not Considered

RECOMMENDATION from Director General Services Department to authorize the sealed bid sale of Parcel SY11-110, the former HPD Property Room, located at 1300 Morin and to appoint Michael Urban and David Ambrose independent appraisers and Andrea Fahrenthold alternate appraiser to establish the value - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 and 7

6. Council Member Jones tagged

HEWLETT PACKARD COMPANY for Technology Hardware through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department - \$720,668.67 - Equipment Acquisition Consolidated Fund

7. Motion 2011-0573

S & S WORLDWIDE, INC for Recreational, Educational and Miscellaneous Supplies for the Parks & Recreation Department - 5 Years - \$380,000.00 - General Fund

ORDINANCES - NUMBERS 8 through 32

8. Ordinance 2011-0610

ORDINANCE finding and determining that public convenience and necessity no longer require the continued of a sewer, pipe and conduit easement; vacating and abandoning said easement to John P. and Theresa A. Havens owners in consideration of their dedication of an alternate easement, all within Tract E, River Oaks Homewoods Addition, payment to the City of \$2,100.00, and other consideration; approving an easement conveyance - **DISTRICT G - PENNINGTON**

9. Ordinance 2011-0625

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2011-88 by adding four Engineer/Operator Positions and one Deputy Chief Position and by deleting one Shop Supervisor Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance

10. Ordinance 2011-0611

ORDINANCE approving the issuance of bonds and notes by the **UPPER KIRBY REDEVELOPMENT AUTHORITY** - **DISTRICTS C - CLUTTERBUCK and G - PENNINGTON**

ORDINANCES - continued

11. Council Member Bradford tagged

ORDINANCE approving and authorizing second amendment to contract (Approved by Ordinance No. 2002-0952) between the City of Houston and **ACS STATE AND LOCAL SOLUTIONS, INC** for EMS Ambulance Fee Collection Services - 5 Years - Revenue

12. Ordinance 2011-0612

ORDINANCE approving and authorizing the submission of application to the **UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES** for grant assistance from the Centers for Disease Control and Prevention for the Affordable Care Act - Building Epidemiology Lab and Health Info Systems Capacity for Infectious Disease Grant; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee 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 - \$2,179,893.00 - Grant Fund

13. Ordinance 2011-0613

ORDINANCE approving and authorizing the submission of application to the **UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES** for grant assistance from the Centers for Disease Control and Prevention for the Emerging Infections Sentinel Network Project; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee 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 - \$2,250,000.00 Grant Fund

14. Omitted

15. Ordinance 2011-0614

ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **THE MEN'S CENTER, INCORPORATED, as borrower**, to provide \$3,000,000 of Federal "HOME" Funds to assist with the construction of a 64 unit Transitional Housing Facility to be located at 1108 Alabama and San Jacinto in Houston, Texas, that will provide affordable housing to low and moderate income persons - **DISTRICT I - RODRIGUEZ**

16. Ordinance 2011-0615

ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **VN TEAMWORK, INC, as borrower**, and **GOLDEN BAMBOO III, LTD, as owner**, to provide \$828,450 of Federal "HOME" Funds (CHDO set aside) to assist with the land acquisition and related costs for a 130 unit Senior Housing Community to be located at Synott Road and Bellaire Boulevard in Houston, Texas, that will provide affordable housing to low and moderate income persons - **DISTRICT F - HOANG**

17. Ordinance 2011-0616

ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **RE-WARD THIRD WARD, as borrower**, and **ZION GARDENS, LTD, as owner**, to provide \$1,398,750 of Federal "HOME" Funds to assist with the construction of a 70 unit Multifamily Development to be located at 2500 Webster in Houston, Texas, that will provide affordable housing to low and moderate income persons - **DISTRICT I - RODRIGUEZ**

ORDINANCES - continued

18. Council Member Jones tagged

ORDINANCE establishing the City-YMCA Joint Homeless Housing Fund in the Housing Special Revenue Fund; establishing the sources and uses of the Fund therein for Homeless Housing Programs funded jointly by the City and the YMCA; authorizing the deposit into the fund under the Fund of the \$285,293 reimbursed by the YMCA pursuant to the grant agreement approved by Ordinance No. 98-476; approving and amendment to the grant agreement approved by Ordinance No. 98-476

19. Ordinance 2011-0617

ORDINANCE approving and authorizing amendments to the 1993 and 1994 Final Statement of Community Development objectives and projected use of funds and the 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2005 and 2008 Consolidated Plans, including the grant applications for the Community Development Block Grant Program, submitted to the United States Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended

20. Ordinance 2011-0618

ORDINANCE approving and authorizing the submission of a joint application for grant assistance from the Bureau of Justice Assistance to fund the FY2011 Edward Byrne Memorial Justice Assistance Grant Program and approving an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** as joint applicants for such grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department, or Acting Chief, or any designated Assistant Chief of the Police Department, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the application

21. Ordinance 2011-0626

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **NATIONAL INSTITUTE OF JUSTICE** to fund the FY11 Forensic DNA Backlog Reduction Program; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

22. Council Member Jones tagged

ORDINANCE approving and authorizing contract between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** for Research Services pertaining to a National Institute of Justice Grant Award for a project titled Action Research to enhance investigations and prosecutions of sexual assaults in Houston; establishing a maximum contract amount \$80,890.03 - Grant Fund

23. Council Members Jones and Bradford tagged

ORDINANCE amending Ordinance No. 2009-1359, as amended, to increase the maximum contract amount for contract between the City of Houston and **RON SMITH & ASSOCIATES, INC** (Contract #4600009345) for Latent Print Support Services - \$2,832,036.00 - General Fund

ORDINANCES - continued

24. Council Members Jones and Sullivan tagged

ORDINANCE awarding ten Job Order Contracts between the City of Houston and **VANCE INSTALLATION, LLC, DSW HOMES, LLC, CBIC CONSTRUCTION AND DEVELOPMENT, LLC, GREAT AMERICAN INSULATION, INC, BROWN STERLING BUILDERS, INC, TLC ENGINEERING, INC, HORIZON INTERNATIONAL GROUP, LLC, PEDRAZA HVAC, INC, EXCELSIOR DEVELOPMENT, INC, and LONE STAR ROOFING HOME REPAIR SERVICES, INC** for the General Services Department Residential Energy Efficiency Program, contingent on contractor's submission of all required contract documents; providing a maximum contract amount 1 Year - \$5,000,000.00 per contract

25. Ordinance 2011-0619

ORDINANCE appropriating \$48,840.00 out of Parks Consolidated Construction Fund as an additional appropriation for Professional Architectural Services Contract between the City of Houston and **HARRISON KORNBERG ARCHITECTS, LLC** for Renovation to the Parks and Recreation Department Campus and Park (Approved by Ordinance No. 2006-0086) - **DISTRICT I - RODRIGUEZ**

26. Ordinance 2011-0620

ORDINANCE appropriating \$98,485.00 out of Airports Improvement Fund and approving and ratifying the Manual Purchase Order No. SPD-MLK-051111-002 issued to **BURNS & MCDONNELL** for Professional Consulting Services related to Design and Construction of Bypass Chilled Water Lines at George Bush Intercontinental Airport (Project No. 622) - **DISTRICT B - JOHNSON**

27. Ordinance 2011-0621

ORDINANCE appropriating \$2,600,000.00 out of Airports Improvement Fund and approving and supplemental allocation to contract for Professional Consulting Services by and between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Airport Spatial Information System Development and Management Services for the Houston Airport System (Project No. 584A); Contract No. 4600007373) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

28. Ordinance 2011-0622

ORDINANCE appropriating \$1,562,860.00 out of Water & Sewer System Consolidated Construction Fund for the Chelford City MUD Regional Treatment Facility Improvement Project **DISTRICTS F - HOANG and G - PENNINGTON**

29. Ordinance 2011-0623

ORDINANCE consenting to the addition of 12.54 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district

30. Ordinance 2011-0624 – Passed first reading

ORDINANCE granting to **FCC ENVIRONMENTAL, 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 - **FIRST READING**

31. Ordinance 2011-0586 – Passed third and final reading

ORDINANCE No. 2011-586, passed first reading July 13, 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

THIRD AND FINAL READING

ORDINANCES - continued

32. Ordinance 2011-0587 – Passed third and final reading

ORDINANCE No. 2011-587, passed second reading July 13, 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

THIRD AND FINAL READING

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 33

MISCELLANEOUS

33. Motion 2011-0574

SET A HEARING DATE regarding amendments to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NO. 17 (MEMORIAL CITY ZONE) - DISTRICTS**

A - STARDIG and G - PENNINGTON

HEARING DATE - 9:00 A.M. - WEDNESDAY - AUGUST 3, 2011 - Set

MATTERS HELD - NUMBERS 34 through 40

Motion 2011-0575 – Postpone Item 34 for two (2) weeks – “FAILED”

34. Motion 2011-0576 – Adopt

WRITTEN Motion by Council Member Costello to amend Item 28A below to amend Section 4 of the ordinance to reduce the maximum contract amount from \$20 million to \$13.5 million

POSTPONED BY MOTION #2011-550, 7/6/11

This was Item 28 on Agenda of July 6, 2011

Motion 2011-0577 – Written motion by Council Member Costello to amend Item 34a to provide the following:

“I move to amend Section 12 of Exhibit A-1 Basic Services; Attachment A – Wireless Services Term and Volume Discount and Section 2.11 of Exhibit A-1; Attachment A-2 – Nationwide Sprint Network Custom Business Plans and Policies of the Contract between the City and Sprint Solutions, Inc. to provide Wireless Communications Equipment and Services for various City of Houston Departments, Item 34a on the July 20, 2011 Agenda, by substituting the document attached to this Motion, Exhibit A-1 Basic Services; Attachment A – Wireless Services Term and Volume Discount and Exhibit A-1; Attachment A-2 – Nationwide Sprint Network Custom Business Plans and Policies for the contract submitted to Council as Item 14 on the June 28, 2011 Agenda.” - ADOPTED

MATTERS HELD - continued

Motion 2011-0578 – Postpone Item 34a to the next council meeting (Aug 3, 2011) – “FAILED”

a. Ordinance 2011-0627 – Adopt as amended

ORDINANCE awarding contract to **SPRINT SOLUTIONS, INC** for Next Generation Wireless Devices and Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$20,000,000.00 - Central Service Revolving Fund

POSTPONED BY MOTION #2011-551, 7/6/11

This was Item 28A on Agenda of July 6, 2011

35. Motion 2011-0579 – Adopt

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**

TAGGED BY COUNCIL MEMBER JONES

This was Item 4 on Agenda of July 13, 2011

36. Ordinance 2011-0628

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** - **TAGGED BY COUNCIL MEMBERS JOHNSON and HOANG**

This was Item 12 on Agenda of July 13, 2011

37. Ordinance 2011-0629

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** - **TAGGED BY COUNCIL MEMBER HOANG**

This was Item 13 on Agenda of July 13, 2011

38. Ordinance 2011-0630

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

TAGGED BY COUNCIL MEMBERS JOHNSON, CLUTTERBUCK and STARDIG

This was Item 18 on Agenda of July 13, 2011

39. Ordinance 2011-0631

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 - **TAGGED BY COUNCIL MEMBER SULLIVAN**

This was Item 23 on Agenda of July 13, 2011

40. Motion 2011-0580 – Adopt

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 MEMBER CLUTTERBUCK

This was Item 26 on Agenda of July 13, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Clutterbuck 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

**7/19/2011 - Council Member Sullivan absent on City business
Council Member Hoang absent on personal business
7/20/2011 - Council Member Hoang absent on personal business**