

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 4, 2011 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS – 2011-0748 to 2011-0763  
ORDINANCES - 2011-0847 to 2011-0861  
RESOLUTION – 2011-0028

2011-0747-1

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

**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 2011-0748 – Procedural motion  
Motion 2011-0749 – Procedural motion  
Motion 2011-0750 – Procedural motion  
Motion 2011-0751 – Procedural motion  
Motion 2011-0752 – Procedural motion  
Motion 2011-0753 – Procedural motion  
Motion 2011-0754 – Procedural motion  
Motion 2011-0755 – Procedural motion  
Motion 2011-0756 – Procedural motion

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

**RECONVENE**

**WEDNESDAY - OCTOBER 5, 2011 - 9:00 A. M.**

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

**Motion 2011-0757 – Accept report**

**9:00 A.M.** - **REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

**MAYOR'S REPORT** - Proposed Noise Ordinance Update

**AGENDA - OCTOBER 5, 2011 - PAGE 2**

**CONSENT AGENDA NUMBERS 1 through 22**

**MISCELLANEOUS - NUMBER 1**

**1. Motion 2011-0760**

RECOMMENDATION from the Mayor's Office of Intergovernmental Relations for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$71,244.00 - General Fund

**PURCHASING AND TABULATION OF BIDS - NUMBERS 2 and 3**

**2. Motion 2011-0761**

**BASELINE PAVING AND CONSTRUCTION, INC** for Construction Services for Roof System Replacements at Fire Station Nos. 38 & 57 through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for General Services Department **DISTRICTS A - STARDIG and G - PENNINGTON**

**3. Motion 2011-0762**

**PRIME TREES, INC** for Spending Authority to Address Emergency Tree Removal Services for the Parks & Recreation Department - \$50,000.00 - General Fund

**RESOLUTIONS AND ORDINANCES - NUMBERS 4 through 22**

**4. Resolution 2011-0028**

RESOLUTION designating certain properties within the City of Houston as historic landmarks:

Ben Johnston House	3325 Chevy Chase Drive	<b><u>DISTRICT G - PENNINGTON</u></b>
Scurry-Bybee House	1912 Larchmont Road	<b><u>DISTRICT G - PENNINGTON</u></b>
Westwood-Millikin-Frucht House	3120 South MacGregor Way	<b><u>DISTRICT D - ADAMS</u></b>
Hill-Perry House	3602 South MacGregor Way	<b><u>DISTRICT D - ADAMS</u></b>
William D. Royston House	2224 Looscan Lane	<b><u>DISTRICT G - PENNINGTON</u></b>
Marion L. Martin House	2521 Stanmore Drive	<b><u>DISTRICT G - PENNINGTON</u></b>

**5. Council Members Jones, Bradford, Rodriguez, Gonzalez, Noriega, Adams, Hoang, Stardig and Pennington tagged**

ORDINANCE **AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to noise and sound level regulation; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability

**RESOLUTIONS AND ORDINANCES** - continued

**6. Ordinance 2011-0855**

ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on: proposed amendments to the Strategic Partnership Agreements between the City of Houston and **FALLBROOK UTILITY DISTRICT; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 412; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 166; HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109;** and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 280; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed amendments to Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 36; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 230; HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3; BRIDGESTONE MUNICIPAL UTILITY DISTRICT; REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris and Fort Bend Counties; proposed Strategic Partnership Agreements between the City of Houston and **BARKER CYPRESS MUNICIPAL UTILITY DISTRICT; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 494; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 143; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 96; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 364; REID ROAD MUNICIPAL UTILITY DISTRICT NO. 2; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 238; HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 89; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 215; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 205; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 183; SOUTHERN MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT; MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 19; SPRING CREEK UTILITY DISTRICT;** and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 30** and on proposals for the City of Houston to annex for limited purpose certain territory located within and in the vicinity of such districts in Harris, Fort Bend and Montgomery Counties; proposals for the City of Houston to impose the City of Houston's sales and use tax in such territory; providing for the publication of notice of such hearings  
**HEARING DATES - WEDNESDAY - 9:00 A.M. - NOVEMBER 9 and 16, 2011**

**7. Pulled - Not Considered**

ORDINANCE appropriating \$187,700.00 out of C&E - GRB Consolidated Construction Fund; approving and authorizing the commission of an art installation entitled "A Timeline of Jones Hall" to be located at Jesse H. Jones Hall for the Performing Arts; approving and authorizing Professional Artist Services Agreement between the City and **CORE STUDIO, LLC, d/b/a CORE DESIGN STUDIO;** and de-accessioning a work of art known as the "Gazebo Roof" located in the Root Square Memorial Park - **DISTRICT I - RODRIGUEZ**

**8. Ordinance 2011-0856**

ORDINANCE approving and authorizing agreement between the **HERMANN PARK CONSERVANCY** and the City of Houston for the provision and acceptance of Local Matching Funds for the Construction of the Fannin/Main Esplanades in Hermann Park - **DISTRICT D - ADAMS**

**RESOLUTIONS AND ORDINANCES** - continued

a. **Ordinance 2011-0857**

ORDINANCE approving and authorizing agreement between the **TEXAS DEPARTMENT OF TRANSPORTATION** and the City of Houston for the Fannin/Main Esplanades in Hermann Park Transportation Enhancement Project - **DISTRICT D - ADAMS**

9. **Ordinance 2011-0858**

ORDINANCE approving and authorizing grant agreement between the **U. S. SOCCER FOUNDATION** and the City of Houston for Soccer for Success After School for Houston's Economically Disadvantaged Urban Communities - **DISTRICTS A - STARDIG; B - JOHNSON; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ**

10. **Council Member Jones tagged**

ORDINANCE awarding sole source contract to **IDEA INTEGRATION dba IDEA** for Software and Hardware Technical Support and Maintenance Services for the City's Data Collection Mobile Unit for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$419,418.00 - Dedicated Drainage & Street Renewal Fund

11. **Council Members Jones and Hoang tagged**

ORDINANCE amending Ordinance No. 2006-0975 to increase the maximum contract amount for contract between the City of Houston and **OIL PATCH-BRAZOS VALLEY, INC** for Fuel Transportation Services for Various Departments - \$240,000.00 - Fleet Management Fund

12. **Ordinance 2011-0859**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential lots within the **FAIRWAY LANDING SUBDIVISION and GREENWAY SUBDIVISION, SECTIONS 1-4** and certain improved single-family residential lots in the **PARK PLACE SUBDIVISION and LUM TERRACE SUBDIVISION AND REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**

13. **Ordinance 2011-0860**

ORDINANCE approving and authorizing amendment to Operations and Maintenance Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** (Approved by Ordinance No. 2003-1320) for the Metro Light Rail System for the Main Street Corridor Advanced Train Management System - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**

14. **Ordinance 2011-0861**

ORDINANCE appropriating \$449,133.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **INFRASTRUCTURE ASSOCIATES, INC** for Lift Station Renewal/ Replacement (Approved by Ordinance No. 2005-0362); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; B - JOHNSON; E - SULLIVAN; G - PENNINGTON and I - RODRIGUEZ**

15. **Ordinance 2011-0848**

ORDINANCE appropriating \$575,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVILTECH ENGINEERING, INC** for Work Order for Wastewater System/Substitute Service Support; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**RESOLUTIONS AND ORDINANCES** - continued

**16. Ordinance 2011-0849**

ORDINANCE appropriating \$4,178,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Multiple Satellite Wastewater Treatment Plant Improvements; 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; D - ADAMS and I - RODRIGUEZ**

**17. Ordinance 2011-0850**

ORDINANCE appropriating \$2,763,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Sims South Wastewater Treatment Plant Improvements; 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 - **DISTRICT I - RODRIGUEZ**

**18. Ordinance 2011-0851**

ORDINANCE appropriating \$947,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **GIN-SPEN, INC** for Legend Lane Lift Station Replacement; 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 - **DISTRICT G - PENNINGTON**

**19. Ordinance 2011-0852**

ORDINANCE appropriating \$1,777,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Jim Lee Park Area; 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 - **DISTRICT A - STARDIG**

**20. Ordinance 2011-0853**

ORDINANCE appropriating \$5,837,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **HUFF & MITCHELL, INC** for North 60-Inch Condition Assessment Support Package; 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 - **DISTRICT I - RODRIGUEZ**

**21. Ordinance 2011-0854 – Passed first reading**

ORDINANCE granting to **JIANQI AN d/b/a GREENLAND WASTE COLLECTION, 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 **FIRST READING**

**RESOLUTIONS AND ORDINANCES** - continued

**22. Ordinance 2011-0820 – Passed third and final reading**

ORDINANCE No. 2011-820, passed second reading September 28, 2011

ORDINANCE granting to **HERITAGE-CRYSTAL CLEAN, 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 23

**MISCELLANEOUS**

**23. Motion 2011-0763**

**SET A PUBLIC HEARING DATE** relative to the fifth amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER FIVE (MEMORIAL HEIGHTS ZONE) - DISTRICTS A - STARDIG; D - ADAMS; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - OCTOBER 19, 2011**

**MATTERS HELD** - NUMBER 24

**Motion 2011-0758 – Suspend rules to consider Item 24 out of order**

**Motion 2011-0759 – Suspend rules to hear a representation of DRC on recycling capabilities**

**24. Ordinance 2011-0847**

ORDINANCE authorizing the issuance of purchase order(s) to **DRC EMERGENCY SERVICES, LLC** for Emergency Tree Removal Services relating to drought disaster relief for the City of Houston - \$4,500,000.00 - General Fund - **TAGGED BY COUNCIL MEMBER COSTELLO**

This was Item 14 on Agenda of September 29, 2011

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

**10/4/2011 – All Present**

**10/5/2011 – All Present**