

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 13, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2011-0719 to 2011-0732
ORDINANCES - 2011-0785 to 2011-0800
RESOLUTION – None

2011-0718-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Jones

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 2011-0719 – Procedural motion
Motion 2011-0720 – Procedural motion
Motion 2011-0721 – Procedural motion
Motion 2011-0722 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 14, 2011 - 9:00 A. M.

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

MAYOR'S REPORT - Clear Lake - Ellington Economic Development Projects

CONSENT AGENDA NUMBERS 1 through 21

MISCELLANEOUS - NUMBERS 1 through 4

Motion 2011-0723 – Suspend rules to consider Item 1 out of order

1. Motion 2011-0724

REAPPOINTMENT of Mr. Kase L. Lawal for Position 3 on the **PORT OF HOUSTON
AUTHORITY OF HARRIS COUNTY**, for a two year term

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MISCELLANEOUS - continued

2. **Motion 2011-0725**

RECOMMENDATION from the Director of the Finance Department to place the proposed 2011 tax rate of \$.63875 on each \$100 of taxable value on the September 21, 2011 Council Agenda

3. **Motion 2011-0730**

RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2010 Major Thoroughfare and Freeway Plan

4. **Motion 2011-0726**

RECOMMENDATION from Director of the Mayor's Office of Business Opportunity for MBE and WBE participation goals for contracts funded under Environmental Protection Agency grants or loans

ACCEPT WORK - NUMBER 5

5. **Motion 2011-0727**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,466,534.20 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, CO.** for Water Lines along Tidewater, S. Post Oak, W. Orem, Croquet, and Existing Easements from Candleshade to Sims Bayou Pump Station, and Westheimer Rd. - 5.09% under the original contract amount - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and G - PENNINGTON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 and 7

6. **Motion 2011-0728**

HELI MART, INC for MD Helicopter Replacement Parts for the Houston Police Department - 3 years with two one-year options - \$1,725,000.00 - General Fund

7. **Motion 2011-0729**

W. W. GRAINGER, INC for Industrial Supplies & Equipment, Janitorial Supplies & Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - 29 month period \$6,067,193.10 - Various Funds

ORDINANCES - NUMBERS 8 through 21

8. **Ordinance 2011-0791**

ORDINANCE authorizing the Mayor to continue a proclamation of local state of disaster for longer than seven days; containing findings related to the foregoing subject; providing for severability

9. **Ordinance 2011-0792**

ORDINANCE **AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to emergency management; containing findings related to the foregoing subject; providing for severability, providing for severability; containing a savings clause

ORDINANCES - continued

10. Ordinance 2011-0793

ORDINANCE authorizing the issuance of City of Houston, Texas Public Improvement Refunding Bonds in one or more Series or Subseries (Tax Exempt and Taxable) as may be further designated and described herein and providing for the payment thereof; authorizing the Mayor, the City Controller and/or certain other designated city officials to approve the sale, par amount, interest rates, prices and terms thereof; authorizing such officials to determine the outstanding obligations to be refunded and/or defeased and to approve certain other procedures, provisions and agreements related thereto; authorizing the execution and delivery of one or more Purchase Contracts, Paying Agent/Registrar Agreements, Escrow Agreements, and other Agreements relating to one or more Series and Subseries of Refunding Bonds and the Security of the same; approving the use of a Preliminary Official Statement and authorizing the Preparation and Distribution of an Official Statement to be used in connection with the sale of such Refunding Bonds; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; and making certain findings and other declarations necessary and incidental to the issuance of such Refunding Bonds

11. Council Member Johnson tagged

ORDINANCE appropriating \$4,395,000.00 out of the Equipment Acquisition Consolidated Fund for the Municipal Courts Case Management System Developed by the Information Technology Department

12. Ordinance 2011-0794

ORDINANCE approving and authorizing an amended and restated economic development agreement between the City of Houston and **HOUSTON BUSINESS DEVELOPMENT, INC, formerly known as THE CITY OF HOUSTON SMALL BUSINESS DEVELOPMENT CORPORATION**, for the continuing administration of a Small Business Revolving Loan Fund Program, the ownership, operation, and maintenance of the Palm Center Business and Technology Center, and the performance of other Economic Development Activities authorized under the Community Development Block Grant Program

13. Ordinance 2011-0795

ORDINANCE approving and authorizing agreements between the City of Houston and the Houston First Foundation for (1) adoption of the City's Employee Health Benefit Plan by the Houston First Foundation and (2) adoption of the City of Houston Employees' Section 125 Plan by the Houston First Foundation; and letter amendment 4 to the administrative Services Agreement between the City of Houston and **CONNECTICUT GENERAL LIFE INSURANCE COMPANY**

14. Council Members Stardig and Gonzalez tagged

ORDINANCE approving and authorizing a Joint Use Agreement between the City of Houston, the Texas Department of Transportation, and the Union Pacific Railroad Company for the Reconstruction of Washington Avenue and to Construct Storm Sewer and Detention Ponds **DISTRICTS A - STARDIG and H - GONZALEZ**

15. Ordinance 2011-0785

ORDINANCE appropriating \$230,000.00 out of Street & Bridge Consolidate Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **ENTECH CIVIL ENGINEERS, INC** for On-Call Citywide Rehabilitation and Replacement of Bridge Structures/Roadways (Approve by Ordinance No. 2011-0112); providing funding for CIP Cost Recover relating to construction of facilities financed by the Street & Bridge Consolidate Construction Fund

ORDINANCES - continued

16. Ordinance 2011-0786

ORDINANCE appropriating \$614,409.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; 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

17. Pulled - Not Considered

ORDINANCE awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sewer Stoppage Cleaning and Television Inspection; 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 Operating Fund - 2 years with a one year option to renew - \$3,361,600.00 Enterprise Fund

18. Ordinance 2011-0787

ORDINANCE appropriating \$1,896,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Bissonnet No. 2 and Belle Park No. 3 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT F - HOANG**

19. Ordinance 2011-0788

ORDINANCE appropriating \$2,203,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **RESICOM, INC** for Water Line Replacement in Oakwood 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

20. Ordinance 2011-0789

ORDINANCE appropriating \$2,717,000.00 out of Water & Sewer System Consolidate Construction Fund; awarding contract to **RESICOM, INC** for Water Line Replacement in Atherton 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

ORDINANCES - continued

21. Ordinance 2011-0790

ORDINANCE appropriating \$2,798,100.00 out of Water & Sewer System Consolidate Construction Fund; awarding contract to **DCE CONSTRUCTION, INC** for Water Line Replacement in Janowski 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 22 and 23

PURCHASING AND TABULATION OF BIDS

22. Motion 2011-0731

MOTION to reconsider a contract award for Jail Food Services

a. Ordinance 2011-0796

ORDINANCE awarding contract to **ARAMARK CORRECTIONAL SERVICES, LLC** for Jail Food Services for the Houston Police Department; providing a maximum contract amount - 3 years with two one-year options

23. Motion 2011-0732

RECOMMENDATION from Purchasing Agent to make the following awards for Plumbing Supplies for Various Departments - \$2,387,192.25 - Enterprise, General and In-House - 5 years Renovation Revolving Funds

TEXAS PLUMBING SUPPLY - \$1,155,983.85

CITY SUPPLY CO., INC - \$1,187,878.40

COUNCIL DRAW LOTS

ITEM NO. 2 due to receiving identical bids from **TEXAS PLUMBING SUPPLY** and **CITY SUPPLY CO., INC** in the amount of \$43,330.00 - **TEXAS PLUMBING SUPPLY** drawn

MATTERS HELD - NUMBERS 24 through 27

24. Ordinance 2011-0797

ORDINANCE **AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to corrections necessary to keep the Code of Ordinances current and updated; authorizing the City Attorney to direct the publisher of the Code to make non-substantive amendments, correct typographical errors and effect similar changes without the necessity of further action of the City Council - **TAGGED BY COUNCIL MEMBERS JONES and NORIEGA**

This was Item 13 on Agenda of September 7, 2011

MATTERS HELD - continued

25. Ordinance 2011-0798

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two parcels of excess Wirtcrest Lane right-of-way located in the John Flowers Survey, A-269, Harris County, Texas; abandoning the parcels to Jose and Ysmari Barcena and Hammerly Longpoint Joint Ventures, L.L.C., owners, in consideration of their payment to the City of \$74,700.00 and other consideration - **DISTRICT A - STARDIG**

TAGGED BY COUNCIL MEMBER STARDIG

This was Item 17 on Agenda of September 7, 2011

26. Ordinance 2011-0799

ORDINANCE approving and authorizing contract between the City of Houston and **UR INTERNATIONAL, INC**, for Maintenance, Tracking and Reporting of Mobile Food Units as regulated under the Houston Food Ordinance; establishing a maximum contract amount - 2 Years

TAGGED BY COUNCIL MEMBERS STARDIG and ADAMS

This was Item 23 on Agenda of September 7, 2011

27. Ordinance 2011-0800

ORDINANCE appropriating \$1,147,183.65 out of Miscellaneous Capital Projects/Acquisitions Commercial Paper Series E Fund; approving and authorizing contract between the City of Houston and **ALVAREZ & MARSAL BUSINESS CONSULTING, LLC** for Consulting Services for Citywide Accounts Receivables and Collections Improvement for the Finance Department; approving a maximum contract amount - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 24 on Agenda of September 7, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez 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

9/13/2011 - Council Members Adams and Jones out of the City on City business

9/14/2011 - Council Member Lovell absent on personal business