

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 20, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2011-0733 to 2011-0738
ORDINANCES - 2011-0801 to 2011-0827
RESOLUTION – None

2011-0732-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Costello

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 - SEPTEMBER 21, 2011 - 9:00 A. M.

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

MAYOR'S REPORT - Drought conditions update

CONSENT AGENDA NUMBERS 1 through 31

MISCELLANEOUS - NUMBER 1

Motion 2011-0733 – Suspend rules to consider Item 1 out of order

1. Motion 2011-0734

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**:

Position One - **MS. PHILAMENA BAIRD**, appointment, for a term to expire 8/31/2012
Position Two - **MR. MARK D. LEE**, reappointment, for a term to expire 8/31/2012
Position Four - **MR. MATTHEW ROGERS, JR.**, appointment, for a term to expire 8/31/2013
Position Five - **MR. GREGORY D. COMPEAN**, appointment, for a term to expire 8/31/2013
Position Eleven - **MR. STEPHEN M. FRAGA**, reappointment, for a term to expire 8/31/2013

ACCEPT WORK - NUMBER 2

2. Council Member Adams tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,283,079.14 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project No. 448 - 3.20% over the original contract amount - **DISTRICTS D - ADAMS and E - SULLIVAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 5

3. Motion 2011-0735

EMSYSTEM, LLC for Maintenance and Support Services of the EMTrack Patient Tracking System for the Office of Emergency Management of the Mayor's Office - 1 Year - \$63,571.32 Grant Fund

4. Ordinance 2011-0801

ORDINANCE appropriating \$1,879,000.00 out of Water & Sewer System Consolidated Construction Fund for Sole Source Purchase of Three Centrifuge Systems for the Public Works & Engineering Department

a. Motion 2011-0736

ALFA LAVAL, INC for Three Centrifuge Systems for the Department of Public Works & Engineering

5. Motion 2011-0737

APPROVE spending authority to Address Emergency Repair of Water Line Breaks in an amount not to exceed \$4,700,000.00 for the Department of Public Works & Engineering, to **REYTEC CONSTRUCTION RESOURCES, INC** - \$1,400,000.00, **RESICOM, INC** - \$1,400,000.00, **REPIPE CONSTRUCTION LLC** - \$1,300,000.00 and **WACHS WATER SERVICES** - \$600,000.00 Enterprise Fund

ORDINANCES - NUMBERS 6 through 31

6. Ordinance 2011-0821

ORDINANCE authorizing dedication to the public of two recreational easements in the Westchase District, out of the Henry Woodruff Survey, A-844, and the Fort Smith Survey, A-1308, Harris County, Texas; authorizing dedication of Easement and Maintenance Agreement, and a dedication of Easement and Maintenance and Indemnity Agreement - **DISTRICTS F - HOANG and G - PENNINGTON**

7. Council Member Sullivan tagged

ORDINANCE providing for the assessment, levying and collection of Ad Valorem Taxes for the City of Houston, Texas for the Year 2011

8. Ordinance 2011-0802

ORDINANCE approving and authorizing Interlocal Agreements between the City of Houston and the **TEXAS DEPARTMENT OF PUBLIC SAFETY, THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** and **FORT BEND COUNTY**; for their participation in the Houston Auto Crimes Task Force Grant/20 Program

9. Ordinance 2011-0803

ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, providing up to \$133,883 in General Funds to assist in the administration and operation of the Emergency Mobile Outreach Program

ORDINANCES - continued

10. Ordinance 2011-0804

ORDINANCE approving and authorizing agreement between the City of Houston and the **HOUSTON KOREAN SCHOOL**, to provide \$500,000.00 in Community Development Block Grant Funds for acquisition of a building at 1809 Hollister Road to be used to provide comprehensive social, health care and educational services to low and moderate income persons - **DISTRICT A - STARDIG**

11. Ordinance 2011-0805

ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, as landlord, and **EL CENTRO DE CORAZON**, as tenant, for space at 7037 Capital, Houston, Texas, for use as a facility to provide health care services to low-income City residents for the Health & Human Services Department - **DISTRICT I - RODRIGUEZ**

12. Ordinance 2011-0806

ORDINANCE approving and authorizing grant application and contract with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the FY 2012 Current Population Statistics Cities Readiness Initiative Grant (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services to expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$523,603.00 - Grant Fund

13. Ordinance 2011-0807

ORDINANCE approving and authorizing grant application and contract with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the FY 2012 Current Population Statistics-Laboratory Response Network-Public Health and Preparedness Grant (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services to expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant \$208,125.00 - Grant Fund

14. Ordinance 2011-0808

ORDINANCE approving and authorizing grant application and contract with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the FY 2012 Public Health Emergency Preparedness Grant (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services to expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$1,271,937.00 - Grant Fund

15. Ordinance 2011-0822

ORDINANCE approving and authorizing contract between the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the City's Immunization Program (2012-039053); approving the acceptance and disbursement of funds thereunder - \$673,154.00 - Grant Fund

16. Ordinance 2011-0823

ORDINANCE approving and authorizing the Director of the City of Houston Department of Health & Human Services to accept grant funds from the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the Women, Infant and Children Program; declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services Department to expend the grant funds, to sign contracts relating to the grant with the approval of the City Attorney and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$5,693,646.00 - Grant Fund

ORDINANCES - continued

17. Pulled - Not Considered

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

18. Ordinance 2011-0826

ORDINANCE awarding contract to **CONOCOPHILLIPS COMPANY** for Unleaded Gasoline for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$88,075,000.00 - Fleet Management Fund

19. Ordinance 2011-0827

ORDINANCE awarding contract to **MOTIVA ENTERPRISES, LLC** for Low Emission Diesel Fuel for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$47,425,000.00 - Fleet Management Fund

20. Ordinance 2011-0809

ORDINANCE amending Ordinance No. 2006-918, as amended, to increase the maximum contract amount for contract between the City of Houston and **BFI WASTE SERVICES OF TEXAS, LP dba ALLIED WASTE SERVICES OF HOUSTON** for Non-Hazardous Waste Collection; Transportation and Disposal Services for Various Departments - \$335,773.80 General, Enterprise and Other Funds

21. Ordinance 2011-0810

ORDINANCE appropriating \$762,768.00 out of Water & Sewer System Consolidated Construction Fund and awarding Construction Contract to **INLAND ENVIRONMENTS, LTD.** for Asbestos/Lead Abatement and Demolition at Department of Public Works & Engineering Water Plants, 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 Water & Sewer System Consolidated Construction Fund

22. Ordinance 2011-0811

ORDINANCE appropriating \$225,067.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing agreement between the City of Houston and Texas Department of Transportation for the Rehabilitation of sanitary sewer and water main lines on Farther Point Bridge at Buffalo Bayou; providing funding for CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT G - PENNINGTON**

23. Ordinance 2011-0812

ORDINANCE appropriating \$1,917,400.00 out of Metro Projects Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Project; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund WBS N-00610A-0109-4 - **DISTRICTS A - STARDIG; E - SULLIVAN and H - GONZALEZ**

ORDINANCES - continued

24. Ordinance 2011-0813

ORDINANCE appropriating \$1,409,000.00 out of Metro Projects Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Project; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund - WBS N-00610A-0118-4 - **DISTRICTS A - STARDIG; B - JOHNSON and H - GONZALEZ**

25. Ordinance 2011-0814

ORDINANCE appropriating \$1,048,000.00 out of Metro Projects Construction Fund, awarding contract to **RESICOM, INC** for Safe Sidewalk Project; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund - WBS N-00610A-0119-4 - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; F - HOANG and G - PENNINGTON**

26. Ordinance 2011-0815

ORDINANCE appropriating \$1,723,200.00 out of Metro Projects Construction Fund, awarding contract to **RESICOM, INC** for Safe Sidewalk Project; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund - WBS N-00610A-0120-4 - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ**

27. Ordinance 2011-0816

ORDINANCE appropriating \$532,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R J CONSTRUCTION COMPANY, INC** for Fuqua Lift Station 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, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**

28. Ordinance 2011-0817

ORDINANCE appropriating \$800,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R J CONSTRUCTION COMPANY, INC** for Quail Glen Lift Station Renewal; 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 D - ADAMS**

ORDINANCES - continued

29. Ordinance 2011-0818

ORDINANCE appropriating \$918,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PELTIER BROTHERS CONSTRUCTION, LTD.** for Pump and Lift Station Replacement for Westway Utility District; 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**

30. Ordinance 2011-0819

ORDINANCE appropriating \$2,949,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Crane-Englewood 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 B - JOHNSON**

31. Ordinance 2011-0820 – Passed first reading

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 **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 32 and 33

32. Ordinance 2011-0824

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 - **TAGGED BY COUNCIL MEMBER JOHNSON**
This was Item 11 on Agenda of September 14, 2011

Motion 2011-0738 – Written motion by Council Member Gonzalez to amend Item 33 as follows:

- "1. Adding a new Section 2 as follows and renumbering the remaining Sections that follows accordingly:
Section 2. Nothing in the attached Agreement is intended to yield any ownership rights of the City in the affected property or to modify any intended use of the property by the City as described in Ordinance #2007-1175 for a hike and bike trail and related purposes." – adopted

MATTERS HELD - continued

33. Ordinance 2011-0825 – Adopt as amended

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

TAGGED BY COUNCIL MEMBERS STARDIG and GONZALEZ

This was Item 14 on Agenda of September 14, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Sullivan 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

- 9/20/2011 - Council Member Johnson absent on personal business
Council Member Bradford out of the City on City business**
- 9/21/2011 - Council Member Noriega absent on personal business
Council Member Bradford out of the City on City business**