

**AGENDA - COUNCIL MEETING - TUESDAY - APRIL 3, 2012 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

MOTIONS – 2012-0206 to 2012-0272  
ORDINANCES – 2012-0264 to 2012-0282  
RESOLUTION – None

2012-0205-1

**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 2012-0206** – Procedural motion  
**Motion 2012-0207** – Procedural motion  
**Motion 2012-0208** – Procedural motion  
**Motion 2012-0209** – Procedural motion  
**Motion 2012-0210** – Procedural motion  
**Motion 2012-0211** – Procedural motion  
**Motion 2012-0212** – Procedural motion  
**Motion 2012-0213** – Procedural motion  
**Motion 2012-0214** – Procedural motion  
**Motion 2012-0215** – Procedural motion  
**Motion 2012-0216** – Procedural motion  
**Motion 2012-0217** – Procedural motion  
**Motion 2012-0218** – Procedural motion  
**Motion 2012-0219** – Procedural motion  
**Motion 2012-0220** – Procedural motion  
**Motion 2012-0221** – Procedural motion  
**Motion 2012-0222** – Procedural motion  
**Motion 2012-0223** – Procedural motion  
**Motion 2012-0224** – Procedural motion  
**Motion 2012-0225** – Procedural motion  
**Motion 2012-0226** – Procedural motion  
**Motion 2012-0227** – Procedural motion  
**Motion 2012-0228** – Procedural motion

**Motion 2012-0229** – Procedural motion  
**Motion 2012-0230** – Procedural motion  
**motion 2012-0231** – Procedural motion  
**Motion 2012-0232** – Procedural motion  
**Motion 2012-0233** – Procedural motion  
**Motion 2012-0234** – Procedural motion  
**Motion 2012-0235** – Procedural motion  
**Motion 2012-0236** – Procedural motion  
**Motion 2012-0237** – Procedural motion  
**Motion 2012-0238** – Procedural motion  
**Motion 2012-0239** – Procedural motion  
**Motion 2012-0240** – Procedural motion  
**Motion 2012-0241** – Procedural motion  
**Motion 2012-0242** – Procedural motion  
**Motion 2012-0243** – Procedural motion  
**Motion 2012-0244** – Procedural motion  
**Motion 2012-0245** – Procedural motion  
**Motion 2012-0246** – Procedural motion  
**Motion 2012-0247** – Procedural motion  
**Motion 2012-0248** – Procedural motion  
**Motion 2012-0249** – Procedural motion  
**Motion 2012-0250** – Procedural motion

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

**RECONVENE**

**WEDNESDAY - APRIL 4, 2012 - 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 2012-0252 – Close hearing**

**PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts:

1. Harris County Utility District No. 6
2. Fort Bend County Municipal Utility District No. 50
3. West Harris County Municipal Utility District No. 9
4. Lake Forest Utility District
5. Fort Bend County Municipal Utility District No. 34
6. Harris County Municipal Utility District No. 119
7. Harris County Municipal Utility District No. 162
8. Harris County Municipal Utility District No. 168
9. West Harris County Municipal Utility District No. 16
10. Fort Bend County Municipal Utility District No. 146
11. Kleinwood Municipal Utility District
12. Harris County Municipal Utility District No. 150
13. Fort Bend County Municipal Utility District No. 35
14. Bissonnet Municipal Utility District
15. Castlewood Municipal Utility District
16. Northwest Harris County Municipal Utility District No. 6
17. Northwest Harris County Municipal Utility District No. 36

**Motion 2012-0251 – Accept report**

**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**

**CONSENT AGENDA NUMBERS 2 through 43**

**MISCELLANEOUS - NUMBERS 2 through 5**

**2. Motion 2012-0253**

REQUEST from Mayor for confirmation of the appointment of **MR. KARUN SREERAMA, HOUSTON INDEPENDENT SCHOOL DISTRICT REPRESENTATIVE** to Position Six of the **MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2013

**3. Motion 2012-0254**

REQUEST from Mayor for confirmation of the appointment of **MR. C. GIOVANNI GARIBAY, HOUSTON INDEPENDENT SCHOOL DISTRICT REPRESENTATIVE** to Position Eight of the **BOARD OF DIRECTORS OF THE MIDTOWN REDEVELOPMENT AUTHORITY**, for a term to expire December 31, 2013

**MISCELLANEOUS** - continued

**4. Motion 2012-0255**

REQUEST from Mayor for confirmation of the appointment of **MS. MONICA SAVINO, HOUSTON INDEPENDENT SCHOOL DISTRICT REPRESENTATIVE** to Position Eight of the **BOARD OF DIRECTORS OF THE OLD SIXTH WARD REDEVELOPMENT AUTHORITY**, for a term to expire December 31, 2013

**5. Motion 2012-0267**

RECOMMENDATION from Director Department of Public Works & Engineering authorizing the City to support Coastal Water Authority's submittal of a State Participation Program Application to the **TEXAS WATER DEVELOPMENT BOARD** for financing of the Luce Bayou Inter-Basin Transfer Project

**ACCEPT WORK** - NUMBERS 6 through 8

**6. Council Member Green tagged**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$27,151,316.00 and acceptance of work on contract with **J.E. DUNN CONSTRUCTION, INC f/k/a J.E. DUNN SOUTH CENTRAL, INC** for Right-of-way and Fleet Maintenance Facilities Expansion - 1.41% over the original guaranteed maximum price **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

**7. Motion 2012-0268**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,574,592.00 and acceptance of work on contract with **STATEWIDE TRAFFIC SIGNAL COMPANY** for Reconstruction traffic signals at various locations in the downtown area - 8.84% under the original contract amount - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

**8. Motion 2012-0256**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$610,412.30 and acceptance of work on contract with **ROZCO CONSTRUCTION, INC** for Repair of Little White Oak Drive at Little White Oak Bayou 2.85% under the original contract amount - **DISTRICT H - GONZALEZ**

**PROPERTY** - NUMBER 9

**9. Motion 2012-0269**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Gabriel J. Matos, Metropolitan Transit Authority of Harris County, Texas (METRO), (David W. Couch, Senior Vice President, Capital Programs), on behalf of METRO and Houston Armature Works, Inc., (James Woolley, President), for abandonment and sale of (1) Linwood Street, from Texas Avenue to North Capitol Avenue; (2) North Capitol Avenue, from Norwood Street to Linwood Street; (3) Norwood Street, from Texas Avenue to North Capitol Avenue; (4) four utility easements; (5) four general utility easements; (6) two prescriptive utility easements; (7) three prescriptive sanitary sewer easements; and (8) a prescriptive water line easement, in exchange for the conveyance to the City of (1) a 25-foot-wide storm sewer easement; (2) a 25-foot-wide sanitary sewer easement; and (3) a 20-foot-wide water line easement, all located in Young Mens Addition, out of the S.M. Williams Survey, A-87, Parcels SY11-055A through SY11-055N, SY12-028A through SY12-028D, LY12-010, DY12-019 and KY12-043 - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 10 through 13

**10. Ordinance 2012-0271**

ORDINANCE appropriating \$664.63 out of Equipment Acquisition Consolidated Fund and \$15,782.50 out of Fleet/Equipment Special Revenue Fund for Purchase of Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments

**a. Motion 2012-0270**

**PHILPOTT MOTORS LTD. dba PHILPOTT FORD** for Automobiles and Vans through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department

**11. Motion 2012-0271**

**AMEND MOTION #2011-737, 9/21/11, TO INCREASE** the not to exceed spending authority amount from \$600,000.00 to \$1,600,000.00 to Address Emergency Repair of Water Line Breaks for the Department of Public Works, award in part to **WACHS WATER SERVICES**

**12. Ordinance 2012-0264**

ORDINANCE appropriating \$948,380.49 out of Water & Sewer System Consolidated Construction Fund for Emergency Sanitary Sewer Force Main Repairs at the Northwest Wastewater Treatment Plant for the Public Works & Engineering Department

**a. Motion 2012-0257**

**BRH-GARVER CONSTRUCTION, L.P.** for Emergency Sanitary Sewer Force Main Repairs at the Northwest Wastewater Treatment Plant for the Department of Public Works & Engineering

**13. Motion 2012-0272**

**HOME DEPOT U.S.A., INC** for Purchase of Retail Maintenance, Repair, and Operating Supplies and related services through the Master Intergovernmental Cooperative Purchasing Agreement with U. S. Communities for Various Departments - 3 Years with two one-year options \$2,338,999.29 - General, Enterprise and Other Funds

**ORDINANCES** - NUMBERS 14 through 43

**14. Council Member Brown tagged**

ORDINANCE authorizing the issuance of City of Houston, Texas, Convention & Entertainment Facilities Department Hotel Occupancy Tax and Special Revenue Refunding Bonds, Series 2012; authorizing the Mayor and City Controller to approve certain terms thereof and certain other procedures relating thereto; providing for the payment thereof; authorizing the defeasance, final payment, and discharge of Certain Outstanding Bonds; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the Bonds; approving a Preliminary Official Statement and authorizing distribution thereof; approving preparation and distribution of a Final Official Statement; authorizing a Bond Purchase Agreement, an Escrow Agreement and a Paying Agent/Registrar Agreement; and declaring an emergency

**ORDINANCES** - continued

**15. Ordinance 2012-0265**

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; and declaring an emergency

**16. Ordinance 2012-0266**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public right-of-way of Ledbetter Street, from Byrd Avenue north to its terminus, and Hogue Street, from Fairlawn Avenue south to its terminus; vacating and abandoning the rights-of-way to Faulk Properties, Ltd, owner, in consideration of its payment to the City of \$20,873.00 and other consideration - **DISTRICT I - RODRIGUEZ**

**17. Pulled - Not Considered**

ORDINANCE allocating \$606,573.00 as a Cash Match; approving and authorizing contract between the City and the Department of State Health Services for Family Planning Services General and Grant Funds

**18. Ordinance 2012-0272**

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC**, providing up to \$2,404,752.00 in Housing Opportunities for Persons With AIDS Funds for the administration of a Tenant-Based Rental Assistance Program and Short Term Rent, Mortgage and Utility Assistance Program, along with supportive services **DISTRICT C - COHEN**

**Motion 2012-0266** – Suspend rules to consider Item 19 out of order

**19. Ordinance 2012-0270**

ORDINANCE approving and authorizing contract between the City of Houston and **BRENTWOOD COMMUNITY FOUNDATION** providing up to \$463,117.00 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Community Residence and the administration of a Short-Term Rent, Mortgage and Utility Assistance Program, along with supportive services - **DISTRICT K - GREEN**

**20. Council Member Brown tagged**

ORDINANCE appropriating \$220,000.00 out of Public Library Consolidated Construction Fund for Purchase of Equipment for the Nena E. Stanaker Neighborhood Library - **DISTRICT I - RODRIGUEZ**

**ORDINANCES** - continued

**21. Ordinance 2012-0273**

ORDINANCE approving and authorizing submission of an application for grant assistance to the **TEXAS DEPARTMENT OF AGRICULTURE** for the Houston Parks and Recreation Department's Summer Food Service Program; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation 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. Ordinance 2012-0274**

ORDINANCE approving and authorizing contract between the City of Houston and **DEAN'S NUTRITIONAL FOOD SERVICE INC** for the Houston Parks and Recreation Department's Summer Food Service Program, subject to the receipt of sufficient grant funds from the Texas Department of Agriculture; providing a maximum contract amount

**23. Council Member Brown tagged**

ORDINANCE appropriating \$49,424.00 out of General Improvement Consolidated Construction Fund to fund a contract to **AIA GENERAL CONTRACTORS, INC** for Removal of Underground Storage Tank at 2200 Patterson Street, Public Works & Engineering Traffic and Transportation Facility - **DISTRICT H - GONZALEZ**

**24. Ordinance 2012-0275**

ORDINANCE deappropriating \$280,646.26 from Reimbursement of Equipment/Projects Fund (Approved by Ordinance 2010-0334) and approving and authorizing Restated and Amended Professional Architectural Services Contract between the City of Houston and **SMITH & COMPANY ARCHITECTS** for Fifth Ward Deluxe Theater Renovation - **DISTRICT B - DAVIS**

**25. Ordinance 2012-0276**

ORDINANCE awarding construction contract to **INLAND ENVIRONMENTS, LTD.**, for Asbestos Abatement and Demolition at Deluxe Theater Buildings; 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 out of the Federal Government - Grant Funded - \$144,829.00 **DISTRICT B - DAVIS**

**26. Ordinance 2012-0277**

ORDINANCE appropriating \$1,578,300.00 out of Metro Projects Construction Fund for the Local Match for Keegan's Bayou Trail Joint Bikeway Project between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** (Approved by Ordinance No. 2002-0809, as amended); providing funding for CIP Cost Recovery relating to construction financed by the Metro Projects Construction Fund - **DISTRICTS F - HOANG; J - LASTER and K - GREEN**

**27. Omitted**

**28. Ordinance 2012-0267**

ORDINANCE appropriating \$29,666.02 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the relocation of water mains, sanitary sewer lines and appurtenances within the Southwest Freeway (US 59) and Spur 527 right-of-way from Mandell Street to Smith Street (Approved by Ordinance No. 2002-0769) **DISTRICTS C - COHEN and D - ADAMS**

**ORDINANCES** - continued

**29. Council Member Rodriguez tagged**

ORDINANCE appropriating \$967,900.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **R. G. MILLER ENGINEERS, INC** for Wirt Road Drainage and Paving Sub-Project II; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT A - BROWN**

**30. Ordinance 2012-0278**

ORDINANCE appropriating \$991,600.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ZARINKELK ENGINEERING SERVICES, INC** for Cullen Boulevard (Loop 610 to Old Spanish Trail) area drainage and paving improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT D - ADAMS**

**31. Ordinance 2012-0279**

ORDINANCE appropriating \$845,900.00 out of Street & Traffic Control and Storm Drainage DDSRF Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **TRANSYSTEMS CORPORATION** for Clinton Drive Reconstruction from Hirsch Street to Harvey Wilson Drive (Approved by Ordinance No. 2011-0068); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF Fund - **DISTRICTS B - DAVIS and H - GONZALEZ**

**32. Ordinance 2012-0268**

ORDINANCE appropriating \$579,263.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES, 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

**33. Ordinance 2012-0280**

ORDINANCE appropriating \$3,231,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Lockwood 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 - **DISTRICTS B - DAVIS and H - GONZALEZ**

**34. Ordinance 2012-0281**

ORDINANCE appropriating \$519,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Substitute Services Program: Backlot Water Service Lines and Meter Relocation; setting a deadline for the bidders' 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 A - BROWN; H - GONZALEZ and I - RODRIGUEZ**

**ORDINANCES** - continued

35. **Ordinance 2012-0250** – Passed second reading  
ORDINANCE No. 2012-250, passed first reading March 28, 2012  
ORDINANCE granting to **DANIEL RODRIGUEZ d/b/a A-HAWK GREASE TRAP, 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 **SECOND READING**
36. **Ordinance 2012-0251** – Passed second reading  
ORDINANCE No. 2012-251, passed first reading March 28, 2012  
ORDINANCE granting to **TRUE BLUE SOLUTIONS, L.L.C., 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**
37. **Ordinance 2012-0252** – Passed second reading  
ORDINANCE No. 2012-252, passed first reading March 28, 2012  
ORDINANCE granting to **COMBS INDUSTRIAL SERVICES, INC dba ONSITE ENVIRONMENTAL, A Tennessee 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**
38. **Ordinance 2012-0230** – Passed third and final reading  
ORDINANCE No. 2012-230, passed second reading March 28, 2012  
ORDINANCE granting to **MTI SERVICES, LLC dba ENERGY CLEAN 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**
39. **Ordinance 2012-0231** – Passed third and final reading  
ORDINANCE No. 2012-231, passed second reading March 28, 2012  
ORDINANCE granting to **ANDERSON POLLUTION CONTROL, INC, 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**
40. **Ordinance 2012-0232** - Passed third and final reading  
ORDINANCE No. 2012-232, passed second reading March 28, 2012  
ORDINANCE granting to **CONSOLIDATED WASTE LLC dba LIQUID WASTE SOLUTIONS 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**
41. **Ordinance 2012-0233** – Passed third and final reading  
ORDINANCE No. 2012-233, passed second reading March 28, 2012  
ORDINANCE granting to **SET ENVIRONMENTAL, INC, An Illinois 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

**42. Ordinance 2012-0234 – Passed third and final reading**

ORDINANCE No. 2012-234, passed second reading March 28, 2012

ORDINANCE granting to **ENVIROWASTE SERVICES GROUP, INC, A Florida 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**

**43. Ordinance 2012-0235 – Passed third and final reading**

ORDINANCE No. 2012-235, passed second reading March 28, 2012

ORDINANCE granting to **CLEANER EARTH GROUP, 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**

**MATTERS HELD** - NUMBERS 44 and 45

**Motion 2012-0258 – Suspend rules to consider Item 44 out of order**

**Motion 2012-0259 – Written motion by Council Member Sullivan to amend Item 44 as follows:**

- “a. Ordinance is limited to the Central Business District (CBD) as defined by Section 40-361 of the Code of Ordinances
- **“FAILED”**

**Motion 2012-0260 – Written Motion by Council Member Sullivan to amend Item 44 to require for the addition of the following:**

- “a. Ordinance exempts all churches and religious institutions”
- **“FAILED”**

**Motion 2012-0261 – Motion by Council Member Burkes/seconded by Council Member Green to amend Item 44 to add at the end of Section 20-254 in Section 2 of the proposed ordinance a new paragraph to read as follows:**

“An individual or organization providing charitable food services with the consent of the property owner but without participating in the program established by this article shall not be deemed in violation of this article”

**Motion 2012-0262 – Written motion by Council Member Sullivan to amend Item 44 to require for the addition of the following:**

- “a. Ordinance will expire on December 31<sup>st</sup> of every year”
- **“FAILED”**

**Motion 2012-0263 – Call the question on Item 44**

**Motion 2012-0264 – Motion by Council Member Adams/seconded by Council Member Rodriguez to amend Item 44 to provide July 1, 2012 as the effective date and that the matter be brought to committee in six months**

**MATTERS HELD** - continued

**Motion 2012-0265** – Call the question on Item 44

**44. Ordinance 2012-0269 – Adopt as amended**

**ORDINANCE AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to feeding those in need

This is a substitute for Item 51A previously posted on Agenda of March 21, 2012 and postponed by Motion #2012-188, 3/21/12

**45. Ordinance 2012-0282**

ORDINANCE appropriating \$2,526,500.00 out of Water & Sewer System Consolidated Construction Fund; rejecting the apparent low bid; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for US 290 Program IH-610 Interchange Crossing at 72-inch water line along West 12th Street; 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 - BROWN**

**TAGGED BY COUNCIL MEMBER SULLIVAN**

This was Item 17 on Agenda of March 28, 2012

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

**4/3/2012 – All Present**

**4/4/2012 – All Present**