

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 17, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2012-0291 to 2012-0311
ORDINANCES – 2012-0318 to 2012-0350
RESOLUTION – None

2012-0290-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Adams

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 2012-0291 – Procedural motion
Motion 2012-0292 – Procedural motion
Motion 2012-0293 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 18, 2012 - 9:00 A. M.

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

MAYOR'S REPORT - MWBE Program Update

CONSENT AGENDA NUMBERS 1 through 45

MISCELLANEOUS - NUMBERS 1 through 3

1. **Motion 2012-0304**
RECOMMENDATION from Fire Chief to approve the sale of Decommissioned Firefighting Bunker Gear and equipment to the "Sister City" Tampico, Mexico
2. **Motion 2012-0294**
RECOMMENDATION from Director Parks & Recreation Department for approval to change the name of **SCOTTCREST PARK** to **MARGARET JENKINS PARK** - **DISTRICT D - ADAMS**

MISCELLANEOUS - continued

3. Motion 2012-0295

RECOMMENDATION from Director Parks & Recreation Department to establish rental rates for new cabins and adjust rental rates for existing cabins at Lake Houston Wilderness Park
DISTRICT E - SULLIVAN

ACCEPT WORK - NUMBERS 4 through 8

4. Motion 2012-0296

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,151,267.19 and acceptance of work on contract with **TOTAL SITE, INC** for Neighborhood Street Reconstruction Project 457 - 2.40% under the original contract amount - **DISTRICTS C - COHEN; D - ADAMS and I - RODRIGUEZ**

5. Motion 2012-0297

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$429,533.08 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Project - 1.16% under the original contract amount - **DISTRICTS G - PENNINGTON and H - GONZALEZ**

6. Motion 2012-0298

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,670,865.68 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Southwest Wastewater Treatment Plant Improvements (Package 2) - 16.56% under the original contract amount - **DISTRICT C - COHEN**

7. Motion 2012-0299

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,316,699.47 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 3.60% over the original contract amount and under the 5% contingency (4257-97) - **DISTRICTS D - ADAMS; E - SULLIVAN; G - PENNINGTON and H - GONZALEZ**

8. Motion 2012-0300

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,159,051.06 and acceptance of work on contract with **ALSAY INCORPORATED** for Rehabilitation of Existing Water Wells 4.50% over the original contract amount and under the 5% contingency - **DISTRICTS A - BROWN; C - COHEN; D - ADAMS; F - HOANG and G - PENNINGTON**

PROPERTY - NUMBER 9

9. Motion 2012-0305

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Susan Adelman, on behalf of 5803 Richmond, Ltd., (David Greenberg, President), for abandonment and sale of Rosewood Street, from Main Street to Travis Street, in exchange for the conveyance to the City of a full-width utility easement, both within the MacGregor's Blodgett Addition, Section 2, out of the Obedience Smith Survey, Parcels SY12-024, SY12-047, VY12-020 and VY12-031 - **DISTRICTS C - COHEN and D - ADAMS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 15

10. Motion 2012-0306

ESI ACQUISITION, INC for Purchase of an enhancement to the Emergency Management Crisis WebEOC Software and Support Services for the Office of Emergency Management - \$159,666.00 Grant Fund

11. Motion 2012-0307

VWR INTERNATIONAL, LLC for Laboratory Furnishings and Equipment through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for the Houston Police Department - \$230,359.69 - General Fund

12. Ordinance 2012-0318

ORDINANCE appropriating \$1,608,359.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Groundwater Collection Well Inspection, Evaluation and Repair Services for the Public Works & Engineering Department

a. Motion 2012-0301

ALSAY INCORPORATED for Emergency Groundwater Collection Well Inspection, Evaluation and Repair Services for the Department of Public Works & Engineering

13. Motion 2012-0302

BEVCO COMPANY, INC for Heavy Duty Centrifugal Pumps for Department of Public Works & Engineering - \$203,536.00 - Enterprise Fund

14. Motion 2012-0303

BEVCO COMPANY, INC to Remove the Existing Belt Conveyor and Compactors Systems and associated equipment and furnish and install new Belt Conveyor Systems and associated equipment for the Department of Public Works & Engineering - \$197,600.00 and contingencies for a total amount not to exceed \$207,480.00 - Enterprise Fund

15. Motion 2012-0308

CHEMICAL LIME, LTD. for Chemical Fine Quicklime and Calcium Hydroxide Slurry for the Department of Public Works & Engineering - 5 Years - \$12,800,000.00 - Enterprise Fund

ORDINANCES - NUMBERS 16 through 45

16. Ordinance 2012-0330

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Meyer Park Boulevard, from Meyer Forest Drive west to its terminus, and an adjacent sanitary sewer easement; vacating and abandoning the right-of-way and easement to Luel Partnership, Ltd., Owner, upon the satisfaction of certain conditions and in consideration of payment to the City for the right-of-way and easement, conveyance of a sanitary sewer easement and other consideration - **DISTRICT K - GREEN**

17. Ordinance 2012-0319

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two sanitary sewer easements; vacating and abandoning the easements to Crane/Willis Properties, LLC, Willis Real Estate Investments, LLC, and Susan Duke, owners, in consideration of their payment to the City of \$103,176.00 and other consideration - **DISTRICT G - PENNINGTON**

ORDINANCES - continued

18. Ordinance 2012-0331

ORDINANCE amending City of Houston Ordinances Nos. 2004-685 passed June 30, 2004, 2009-420 passed May 31, 2009, and 2010-372 passed May 12, 2010, which approved and authorized the submission to the United States Department of Housing and Urban Development of the 2004, 2009, and 2010 Consolidated annual Plans, including the Community Development Block Grant applications for the 30th, 35th and 36th program years

19. Ordinance 2012-0332

ORDINANCE amending City of Houston Ordinances Nos. 1993-851 passed July 7, 1993, 1996-665 passed June 26, 1996, 1997-848 passed July 1, 1997, 1998-874 passed June 17, 1998, 1999-487 passed May 19, 1999, 2000-395 passed May 17, 2000, 2003-620 passed June 25, 2003, 2004-685 passed June 30, 2004, 2005-607 passed May 11, 2005, 2006-628 passed June 14, 2006, 2007-648 passed June 6, 2007, 2008-385 passed April 30, 2008, 2009-420 passed May 13, 2009, and 2010-372 passed May 12, 2010, which approved and authorized the submission to the United States Department of Housing and Urban Development of the 1993, 1996, 1997, 1998, 1999, 2000, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010 Consolidated Annual Plans, including the Community Development Block Grant applications for the 19th, 22nd, 23rd, 24th, 25th, 26th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th and 36th program years

a. Ordinance 2012-0333

ORDINANCE approving and authorizing a first amendment to the 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, to provide \$3,000,000 in Community Development Block Grant Funds for a working capital advance in connection with the expansion of economic development activities

20. Ordinance 2012-0334

ORDINANCE appropriating the sum of \$500,000 out of the TIRZ Affordable Housing Fund (Fund 2409) and approving and authorizing a repair agency agreement between the City of Houston and **REBUILDING TOGETHER HOUSTON**, as repair agency for performance of minor critical emergency repairs to homes owned by qualified households; approving administrative guidelines for the minor critical emergency home repair program

21. Ordinance 2012-0335

ORDINANCE approving and authorizing a contract between the City of Houston and **A CARING SAFE PLACE, INC**, to provide \$389,940.00 in Housing Opportunities for Persons With Aids Funds for the administration and operation of a community residence located at 1804 Carr Street, along with supportive services - **DISTRICT B - DAVIS**

22. Ordinance 2012-0336

ORDINANCE approving and authorizing a contract between the City of Houston and **A CARING SAFE PLACE, INC**, to provide \$179,460.00 in Housing Opportunities for Persons With Aids Funds for the administration and operation of a community residence located at 2417 Glasgow Street, along with the provision of supportive services - **DISTRICTS B - DAVIS and H - GONZALEZ**

23. Ordinance 2012-0337

ORDINANCE approving and authorizing a contract between the City of Houston and **HOUSTON HELP, INC**, providing up to \$311,067.15 in Housing Opportunities for Persons With Aids Funds for the administration and operation of a community residence along with the provision of other supportive services - **DISTRICT D - ADAMS**

ORDINANCES - continued

24. Ordinance 2012-0320

ORDINANCE approving a third amendment to office space lease agreement with **HINES LOUISIANA WALKER ONE, L.P.**, at 900 Louisiana Street, Houston, Texas, for the Radio Communications Division of the Information Technology, Fire and Police Departments
DISTRICT I - RODRIGUEZ

25. Ordinance 2012-0338

ORDINANCE authorizing the purchase of part of lot one of the subdivision of lot fifteen, Holman Outlots, J.S. Holman Survey, A-323, south side of Buffalo Bayou, Houston, Harris County, Texas (2211 Tuam) at a price, including due diligence and closing costs, of \$126,476.00, using Texas Parks and Wildlife Department Grant Funds, for the expansion of Emancipation Park for the Parks and Recreation Department; approving a purchase and sale agreement with the owner of the land (Dolores Rodgers) - **DISTRICT D - ADAMS**

26. Ordinance 2012-0339

ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and **HOUSTON SHIP CHANNEL SECURITY DISTRICT** to support the operational costs of the Houston Police Department's Helicopter Patrol Operations - \$270,600.00 - Grant Fund

27. Ordinance 2012-0340

ORDINANCE appropriating \$23,539,154.22 out of Houston Airport System Consolidated 2004AMT Construction Fund; \$6,000,000.00 out of Houston Airport Improvement Fund and awarding Construction Contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Terminal B South Apron Reconstruction Package 3 at George Bush Intercontinental Airport/Houston (Project 643C); 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 services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - DAVIS**

Motion 2012-0309 – Motion to amend Item 28 to strike the 3rd contractor – “FAILED”

28. Ordinance 2012-0341

ORDINANCE appropriating \$115,000.00 out of Public Health Consolidated Construction Fund and \$200,000.00 out of Parks Consolidated Construction Fund, approving and authorizing three Task Order Construction Contracts between the City of Houston and **ARC ABATEMENT, INC, AAR INCORPORATED** and **CHERRY MOVING COMPANY, INC dba CHERRY DEMOLITION** for Environmental Abatement and Demolition Services including Asbestos/Mold/Lead Abatement and Soil Remediation for the City of Houston Dangerous Buildings and other City facilities; providing maximum contract amounts

29. Ordinance 2012-0342

ORDINANCE appropriating \$100,000.00 out of Metro Projects Construction DDSRF and authorizing the approval of a Master Agreement between the City of Houston and the **FEDERAL TRANSIT AUTHORITY** for Transportation Study in the Texas Medical Center (Approved by Ordinance No. 2011-0835) - **DISTRICTS C - COHEN; D - ADAMS and K - GREEN**

30. Ordinance 2012-0321

ORDINANCE appropriating \$170,761.00 from Fund 4040 Metro Projects Construction DDSRF; approving and authorizing a New Public Highway Overpass Agreement between the City of Houston, Texas, and **UNION PACIFIC RAILROAD COMPANY** for the Hirsch Road paving and drainage: Kelley to East Crosstimbers Project - **DISTRICTS B - DAVIS and H - GONZALEZ**

ORDINANCES - continued

31. Ordinance 2012-0343

ORDINANCE approving and authorizing an agreement between the City of Houston and **SPRING BRANCH MANAGEMENT DISTRICT** for Reimbursement of Brick Pavers Installation Cost **DISTRICT A - BROWN**

32. Ordinance 2012-0322

ORDINANCE appropriating \$113,533.00 out of Street & Traffic Control and Storm Drainage DDSRF for the removal of a pipeline for the Ley Road Reconstruction Project; approving a pipeline adjustment reimbursement agreement with **BP PIPELINES (NORTH AMERICA) INC**; providing funding for construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT B - DAVIS**

33. Ordinance 2012-0344

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Brittmoore Road Reconstruction from Hammerly Boulevard to Clay Road Project; authorizing the acquisition of Fee Simple Title Interest in or easement to 12 Parcels of land required for the project and situated in the Christiana Williams Survey, Abstract No. 834 and the J.R. Curl Survey, Abstract No. 1163; in Harris County, Texas, said parcels of land being along the east and west lines of Brittmoore Road from Hammerly Boulevard to Clay Road in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and expert witness fees in connection with the acquisition of fee Simple Title Interest in or easement to the 12 Parcels of land required for the project - **DISTRICT A - BROWN**

34. Ordinance 2012-0323

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Holmes Road Reconstruction from Main Street to Kirby Drive Project; authorizing the acquisition of Fee Simple Title Interest in or easement to 10 Parcels of land required for the project and situated in the B.B.B.&C. R.R. Co. Survey, Abstract No. 179; in Harris County, Texas, said parcels of land being along the south line of Holmes Road from Main street to Kirby Drive in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 10 Parcels of land required for the project - **DISTRICT K - GREEN**

35. Ordinance 2012-0324

ORDINANCE consenting to the addition of 2.9742 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 82**, for inclusion in its district

36. Ordinance 2012-0325

ORDINANCE consenting to the addition of 1.8051 acres of land to **HORSEPEN BAYOU MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS**, for inclusion in its district

37. Ordinance 2012-0345

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath property containing 9.9574 acres commonly known as 308 and 320 Hughes Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by The Texas Commission On Environmental Quality - **DISTRICT I - RODRIGUEZ**

ORDINANCES - continued

38. Ordinance 2012-0346

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath property containing 5.028 acres commonly known as 1304 Blalock Road, Suite F, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT A - BROWN**

39. Ordinance 2012-0347

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath property containing 3.490 acres commonly known as 600 Hughes Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ**

40. Ordinance 2012-0348

ORDINANCE appropriating \$3,535,113.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Fire Hydrant 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 and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

41. Ordinance 2012-0349

ORDINANCE amending Ordinance No. 2008-438 (Passed on May 14, 2008) to increase the maximum contract amount for contract between the City of Houston and **LETGO GROUP, LLC** for Wood Waste Removal Services for the Solid Waste Management Department - \$485,925.00 General Fund

42. Ordinance 2012-0326

ORDINANCE establishing the north side of the 3700 block of Parkwood Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**

43. Ordinance 2012-0327

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within the **ADRIAN'S PLACE SUBDIVISION, FOREST HILL SUBDIVISION, LAWNSDALE ESTATES SUBDIVISION, SECTIONS 1 & 2, MASON PARK SUBDIVISION, SECTIONS A & B, MASON PARK TERRACE SUBDIVISION, SECTIONS A, B, C, E & F** and **MASON PARK TERRACE SUBDIVISION, SECTION D** Replat to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**

44. Ordinance 2012-0328

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within the **MARLO PLACE SUBDIVISION, SECTIONS 1 & 2** and **RAINBOW PLACE SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**

ORDINANCES - continued

45. Ordinance 2012-0329

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within the **POST OAK VILLAGE SUBDIVISION, SECTIONS 1-3** and **HEATHERCREST SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT K - GREEN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 46 through 47A

46. Motion 2012-0310 – Refer back to the Administration

ORDINANCE appropriating \$3,132,304.24 out of Equipment Acquisition Consolidated Fund and \$134,718.76 out of Fleet/Equipment Special Revenue Fund for Purchase of Firefighting Trucks for the Houston Fire Department

a. Motion 2012-0310 – Refer back to the Administration

Motion by Council Member Gonzalez/Seconded by Council Member Bradford to adopt recommendation from Purchasing Agent to award to **METRO FIRE APPARATUS SPECIALISTS, INC** - \$758,313.00 and **SIDDONS MARTIN EMERGENCY GROUP, LLC** - \$2,508,710.00 for Purchase of Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department

TAGGED BY COUNCIL MEMBER BROWN

These were Items 8 and 8A on Agenda of April 11, 2012

47. Ordinance 2012-0350

ORDINANCE appropriating \$3,877,893.39 out of Equipment Acquisition Consolidated Fund, \$276,022.61 out of Fleet/Equipment Special Revenue Fund and \$808,533.00 out of Reimbursement Equipment / Projects Fund for Purchase of Refuse and Recycling Trucks and Self -Propelled Road Sweepers for the Solid Waste Management Department

a. Motion 2012-0311 – Adopt

RECOMMENDATION from Purchasing Agent to award to **HOUSTON FREIGHTLINER, INC** - \$382,777.00, **WACO FREIGHTLINER, INC** - \$2,338,100.00, **TEXAN WASTE EQUIPMENT, INC d/b/a HEIL OF TEXAS** - \$691,368.00, **EAST TEXAS MACK SALES, LLC d/b/a B & C BODY CO** - \$78,964.00, **MCNEILUS COMPANIES** - \$1,418,404.00 and **R.B. EVERETT** - \$52,836.00 for Purchase of Refuse and Recycling Trucks, and Self-Propelled Road Sweepers through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and BuyBoard for the Solid Waste Management Department

TAGGED BY COUNCIL MEMBER RODRIGUEZ

These were Items 10 and 10A on Agenda of April 11, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Christie 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

- 4/17/2012 - Mayor Parker out of the City on City business
Vice Mayor Pro-tem Gonzalez presiding**
- 4/18/2012 - All Present**