

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 21, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2012-0638 to 2012-0648
ORDINANCES - 2012-0716 to 2012-0741
RESOLUTION - 2012-0028

2012-0637-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Noriega

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

NOTE: If a translator is required, please advise when reserving time to speak

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 22, 2012 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 36

MISCELLANEOUS - NUMBERS 1 and 2

1. Motion 2012-0642

RECOMMENDATION from Director of Finance Department to approve the competitive sealed proposal method for the procurement of natural gas for City facilities

2. Motion 2012-0638

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2012 City of Houston Floodplain Management Plan

ACCEPT WORK - NUMBERS 3 through 4A

3. **Motion 2012-0639**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$981,305.00 and acceptance of work on contract with **BUTCH'S WATERPROOFING L.P.** for 611 Walker Exterior Renovations and Repair - 1.67% under the original contract amount **DISTRICT I - RODRIGUEZ**

4. **Ordinance 2012-0724**

ORDINANCE appropriating \$196,500.98 out of Metro Projects Construction DDSRF as an additional appropriation to contract between the City of Houston and **TEXAS STERLING CONSTRUCTION CO.** for North MacGregor Way Relocation from MacGregor Drive to Alameda Road (Approved by Ordinance No. 2008-1008)

a. **Motion 2012-0643**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 3 in the amount of \$196,500.98 and approval of final contract amount of \$5,935,760.68 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION CO.** for North MacGregor Way Relocation from MacGregor Drive to Alameda Road - 8.60% over the original contract amount - **DISTRICT D - ADAMS**

PROPERTY - NUMBER 5

5. **Motion 2012-0644**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY11-137, located at 10202 Jensen Drive, owned by A & M Mattress Company, a Texas corporation, for the **PARKER ROAD PAVING AND DRAINAGE PROJECT (from Hardy Toll Road to US/59 Eastex Freeway)** - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 8

6. **Motion 2012-0640**

NWN CORPORATION for purchase of Citywide Cisco® SMARTnet™ Maintenance Agreement through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department - \$1,322,165.78 - Central Service Revolving Fund

7. **Ordinance 2012-0716**

ORDINANCE appropriating \$17,020.00 out of Equipment Acquisition Consolidated Fund for the purchase of a Forklift for the General Services Department

a. **Motion 2012-641**

BRIGGS EQUIPMENT, INC for Forklifts and Manlifts for the ~~General Services~~ Department of Public Works & Engineering - \$180,365.09 - Enterprise Fund

8. **Motion 2012-0645**

AMEND MOTION #2009-681, 9/16/09, TO INCREASE spending authority from \$472,704.33 to \$590,880.41 for Janitorial Supplies for Various Departments, awarded to **BUCKEYE CLEANING CENTER-HOUSTON** - \$118,176.08 - General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 9 through 36

9. **Resolution 2012-0028**

RESOLUTION supporting other Entergy Service Area Cities in a settlement in principle regarding the transfer of operational control of Entergy Texas Inc's Transmission System to the Midwest Independent Transmission System Operator, Inc in Public Utility Commission Docket No. 40346 **DISTRICT E - SULLIVAN**

RESOLUTIONS AND ORDINANCES - continued

Motion 2012-0646 - Postpone Item 10 for two weeks - "FAILED"

10. Council Member Brown tagged

ORDINANCE AMENDING RULE 6 OF SECTION 2-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to the Code of Conduct applicable to Council Members

11. Council Member Sullivan tagged

ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Ethics and Financial Disclosure; declaring certain conduct to be unlawful and providing penalties therefore

12. Ordinance 2012-0717

ORDINANCE AMENDING VARIOUS SECTIONS OF AND READOPTING ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, regarding Standards of Care for Houston Youth Recreation Programs; containing findings and other provision related to the subject; providing an effective date; providing for severability

13. Ordinance 2012-0725

ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **AERO HOUSTON CENTRAL, LP**, for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS**

14. Ordinance 2012-0726

ORDINANCE approving and authorizing agreement between the City of Houston and the **SCIENCE APPLICATIONS INTERNATIONAL CORPORATION** for Professional Services for the drafting for Regional Catastrophic Preparedness Planning for the Mayor's Office of Public Safety and Homeland Security; providing a maximum contract amount - \$124,438.00 - Grant Fund

15. Ordinance 2012-0740

ORDINANCE appropriating \$1,000,000.00 out of Homeless and Housing Consolidated Fund and approving and authorizing fourth amendment to Loan Agreement between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC**, to provide up to a \$1,000,000.00 grant to acquire a minimum of an additional eleven distressed properties for demolition and/or rehabilitation or redevelopment and provide home ownership opportunities to qualified individuals/families under the Neighborhood Stabilization Program - **DISTRICT B - DAVIS**

16. Ordinance 2012-0727

ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston and **TEJANO CENTER FOR COMMUNITY CONCERNS, INC** for the sale of 0.3067 acres of land and improvements located at 6901 Brownwood Street, for the purchase price of \$38,000.00 (Parcel SY11-069) - **DISTRICT H - GONZALEZ**

17. Ordinance 2012-0728

ORDINANCE authorizing the sale by the City of Houston, Texas, Seller, to **IMPACT HEALTH SERVICES P.L.L.C., Purchaser**, of the former Frank Branch Library, 6440 West Bellfort Street, Houston, Texas, for a purchase price of \$162,000.00 - **DISTRICT K - GREEN**

18. Ordinance 2012-0729

ORDINANCE authorizing the sale by the City of Houston, Texas, Seller, to the **NATIONAL ASSOCIATION OF MINORITY MINERAL OWNERS, INC, Purchaser**, of the former Vinson Branch Library, 3100 West Fuqua Street, Houston, Texas, for a purchase price of \$150,000.00 - **DISTRICT K - GREEN**

RESOLUTIONS AND ORDINANCES - continued

19. Ordinance 2012-0741

ORDINANCE amending Ordinance No. 2010-0555 (Passed on July 7, 2010) to increase the maximum contract amount for contract between the City of Houston and **KRONOS, INC** for Automated Time and Attendance System for Various Departments - \$510,150.40 - Central Service Revolving Fund

20. Ordinance 2012-0730

ORDINANCE approving and authorizing contract between the City of Houston and **THE LONE STAR COLLEGE SYSTEM** to provide Paramedic Training Services to the Houston Fire Department; establishing a maximum contract amount - 1 Year with two one-year options \$162,000.00 - General Fund

21. Omitted

22. Did not receive - Not considered

ORDINANCE approving and authorizing the execution of an agreement between the City of Houston and **GENESYS WORKS HOUSTON** for Participation of High School Student Interns in Various City Departments - 2 Years with three automatic one-year renewals - \$100,000.00 General Fund

23. Ordinance 2012-0718

ORDINANCE approving and awarding contract between the City of Houston and **COURTVIEW JUSTICE SOLUTIONS INC** for the Maintenance, Modification and Service of the Municipal Courts Department's Integrated Case Management System (Approved by Ordinance No. 2008-806, Motion 2011-0645) - 1 Year with two one-year options \$2,355,000.00 - General and Technology Fee Funds

24. Ordinance 2012-0731

ORDINANCE approving and authorizing contract between the City of Houston and **ROGERS, MORRIS & GROVER, L.L.P.** for Legal Services relating to Civil Action No. 4:11-cv-01592; Young, et al. v. Green and City of Houston; in the United States District Court for the Southern District of Texas, Houston Division; establishing a maximum contract amount - \$100,000.00 Property and Casualty Fund

25. Ordinance 2012-0719

ORDINANCE approving and authorizing second amendment to agreement between the City of Houston and **G4S SECURE SOLUTIONS (USA) CORP. (Formerly the WACKENHUT CORPORATION)** for Security Guard Services for the General Services Department (Ordinance 2007-572)

26. Ordinance 2012-0732

ORDINANCE awarding contract to **STRUCTURAL TECHNOLOGY, INC** for Aerial and Ground Ladder Inspection and Testing Services for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$244,941.20 - General Fund

27. Ordinance 2012-0733

ORDINANCE approving and authorizing contract between the City of Houston and **BRAINFUSE, INC** for Live Homework Assistance for the Houston Public Library Department; establishing a maximum contract amount - 3 Years with two one-year options - \$855,000.00 General Fund

RESOLUTIONS AND ORDINANCES - continued

28. Ordinance 2012-0720

ORDINANCE amending Ordinance No. 2007-0813 (Passed on July 3, 2007) to increase the maximum contract amount for contract between the City of Houston and **PUMPS OF HOUSTON, INC** for Submersible Pump Repair Services for the Public Works & Engineering Department - \$500,040.00 - Enterprise Fund

29. Ordinance 2012-0734

ORDINANCE granting the petition of **LM DEVELOPMENT L.P.** to include approximately 107.53 acres near Fort Bend County Municipal Utility District No. 146 in Fort Bend County, Texas within the extraterritorial jurisdiction of the City of Houston; expanding and extending the extraterritorial jurisdiction of the City of Houston to include all of such land in accordance with Section 42.022(B) of the Texas Local Government Code

a. Ordinance 2012-0735

ORDINANCE consenting to the addition of 131.6733 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146**, for inclusion in its district

30. Ordinance 2012-0721

ORDINANCE consenting to the addition of 10.7508 acres of land to **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61**, for inclusion in its district

31. Ordinance 2012-0722

ORDINANCE consenting to the addition of 5.3345 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 65**, for inclusion in its district

32. Ordinance 2012-0723

ORDINANCE consenting to the addition of 10.2179 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 65**, for inclusion in its district

33. Ordinance 2012-0736

ORDINANCE appropriating \$220,000.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **CIVIC DESIGN ASSOCIATES (Previously PERSPECTIVA CIVIC DESIGN)** and a Local Match to Texas Department of Transportation for Houston's Heritage Corridor, Bayou Trails west from San Jacinto Street to Stude Park (Approved by Ordinance No. 2002-0073, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT H - GONZALEZ**

34. Council Member Davis tagged

ORDINANCE appropriating \$18,314,084.00 out of Street & Traffic Control & Storm Drainage DDSRF, \$4,417,346.00 out of Metro Projects Construction DDSRF and \$3,999,570.00 from Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION CO.** for Hirsch Road Paving and Drainage: Kelley to East Crosstimbers; 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 Street & Traffic Control & Storm Drainage DDSRF, Metro Projects Construction DDSRF and Water & Sewer System Consolidated Construction Fund **DISTRICTS B - DAVIS and H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - continued

35. Ordinance 2012-0737

ORDINANCE awarding contract to **T CONSTRUCTION, LLC** for FY13 Water Distribution System Rehabilitation and 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 and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - \$1,799,904.00 - Enterprise Fund

36. Ordinance 2012-0738 - Passed first reading

ORDINANCE annexing to the City of Houston, Texas territory located in the vicinity of the Commons of Lake Houston near Kingwood Drive on the east side of Lake Houston, in Harris County, Texas; extending the corporate limits of the City of Houston, Texas, to embrace and include territory within such boundaries; instituting proceedings to annex to its corporate limits the territory included in such boundaries; adopting a service plan for certain areas in the vicinity of the Commons of Lake Houston near Kingwood Drive on the east side of Lake Houston; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter - **DISTRICT E - SULLIVAN - FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 37 and 38

MISCELLANEOUS

37. Motion 2012-0647 - Set to receive nominations August 29, 2012

MOTION to set a date not less than seven days from August 22, 2012, to receive nominations for Positions 10 and 12 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term

38. Motion 2012-0648 - Set to receive nominations August 29, 2012

MOTION to set a date not less than seven days from August 22, 2012, to receive nominations for appointments to Positions One through Four for the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for the remainder of a two year term that will end December 31, 2013

MATTERS HELD - NUMBER 39

39. Ordinance 2012-0739

ORDINANCE establishing an Economic Development Program pursuant to Chapter 380 of the Texas Local Government Code to provide incentives for development of certain qualifying Multi-Family Residential Projects in the Eastern Area of the Central Business District generally bounded by Runnels Street on the north, Chartres Street on the east, Pierce Street on the south and Fannin Street on the west, to be known as the Downtown Living Initiative; authorizing and approving an agreement between the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for administration of the program

DISTRICT I - RODRIGUEZ

TAGGED BY COUNCIL MEMBER COSTELLO

This was Item 14 on Agenda of August 15, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Cohen 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

- 8/21/2012 - Council Members Adams and Pennington absent on personal business
Council Member Noriega out of the City on personal business**
- 8/22/2012 - Council Members Adams and Pennington absent on personal business
Council Member Noriega out of the City on personal business**