

**AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 4, 2012 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS - 2012-0820 to 2012-0833  
ORDINANCES - 2012-1022 to 2012-1047  
RESOLUTIONS – 2012-0036 to 2012-0043

2012-0819-1

**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**

Motion 2012-0820 – Procedural motion  
Motion 2012-0821 – Procedural motion  
Motion 2012-0822 – Procedural motion  
Motion 2012-0823 – Procedural motion

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

**RECONVENE**

**WEDNESDAY - DECEMBER 5, 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 44**

**MISCELLANEOUS** - NUMBER 1

1. **Motion 2012-0827**

RECOMMENDATION from Director Department of Public Works & Engineering for payment to **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for Annual Water System Fees for 2013 - \$2,298,356.25 - Enterprise Fund

**ACCEPT WORK** - NUMBERS 2 through 4

**2. Motion 2012-0825**

RECOMMENDATION from Director Houston Airport System for the approval of final contract amount of \$468,000.00 and acceptance of work on contract with **R & B GROUP, INC** for Sanitary Sewer Lift Station Upgrade at Gate C-45 at George Bush Intercontinental Airport/Houston, Project 638 - 4.37% under the original contract amount - **DISTRICT B - DAVIS**

**3. Ordinance 2012-1046**

ORDINANCE appropriating \$67,783.11 out of Metro Projects Construction DDSRF as an additional appropriation for a Work Order Contract between the City of Houston and **TIKON GROUP, INC** for the Safe Sidewalk Program Work Authorization Project (Approved by Ordinance No. 2010-0360) - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ and K - GREEN**

**a. Motion 2012-0833**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$693,785.24 and acceptance of work on contract with **TIKON GROUP, INC** for Safe Sidewalk Program Work Authorization Project - 16.37% over the original contract amount - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ and K - GREEN**

**4. Motion 2012-0826**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,388,725.04 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 8.35% over the original contract amount and within the approved contingency (4257-98) - **DISTRICTS B - DAVIS; F - HOANG and K - GREEN**

**PROPERTY** - NUMBER 5

**5. Motion 2012-0828**

RECOMMENDATION from Director Department of Public Works & Engineering to **AMEND ITEM #8 OF MOTION #2012-571, 7/3/12**, which authorized abandonment and sale of the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J. O. Ross Subdivision, out of the H. C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387, Parcels SY12-040A through SY12-040E, SY12-089 and AY12-092; **TO REPLACE** Robert Stanley with Tom N. Edmonds, Jr. as a replacement independent appraiser **DISTRICT E - SULLIVAN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 through 9

**6. Motion 2012-0829**

**AMEND MOTION #2009-311, 6/3/09, TO INCREASE** spending authority from \$1,006,100.00 to \$1,231,100.00 for Rapid Diagnostic HIV Test Kits for the Houston Department of Health and Human Services, on award to **ORASURE TECHNOLOGIES, INC** - \$225,000.00 - Grant Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**7. Motion 2012-0830**

**APPROVE** spending authority to Address Emergency Dewatered Sludge Transportation and Landfill Disposal Services for the Department of Public Works & Engineering to **SPRINT WASTE SERVICES, LP** - \$4,500,000.00, **SYNAGRO OF TEXAS-CDR, INC** - \$4,500,000.00 and **MAGNA FLOW ENVIRONMENTAL** - \$2,700,000.00 for a total amount not to exceed \$11,700,000.00 Enterprise Fund

**8. Motion 2012-0831**

**BASF CORPORATION** on its best value bid in an amount not to exceed \$11,497,617.12 for Chemical, Liquid Polymer Flocculent (Part II) for the Department of Public Works & Engineering and authorize payment of emergency purchase in an amount not to exceed \$1,149,880.00 Enterprise Fund

**9. Pulled - Not Considered**

**AMEND MOTION #2012-272, 4/4/12, TO INCREASE** spending authority from \$2,338,999.29 to \$2,609,484.36 for Retail Maintenance, Repair, and Operating Supplies and related services through the Master Intergovernmental Cooperative Purchasing Agreement with U. S. Communities for Various Departments, awarded to **HOME DEPOT U.S.A., INC** - General and Grant Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 10 through 44

**10. Resolution 2012-0036**

RESOLUTION approving and authorizing the nomination and submission of six projects for funding consideration in the 2012 Transportation Enhancement Program Call for projects administered by the Texas Department of Transportation

**11. Resolution 2012-0037**

RESOLUTION designating the **R. L. JOLLEY HOUSE** at 2527 Pelham Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**12. Resolution 2012-0038**

RESOLUTION designating the **JAMES W. and LELLA D. CAIN HOUSE** located at 3015 Del Monte Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**13. Resolution 2012-0039**

RESOLUTION designating the **DOW and HELEN HAMM HOUSE** located at 3412 Piping Rock Lane within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**14. Resolution 2012-0040**

RESOLUTION designating the **TOMLINSON-BLUNDELL HOUSE** located at 2187 Troon Road within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**15. Resolution 2012-0041**

RESOLUTION designating the **WILLIAM and HAZEL KNIGHT HOUSE** located at 3405 Piping Rock Lane within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**16. Resolution 2012-0042**

RESOLUTION designating the **SALVATORE and LILY ANN MUSCANERE HOUSE** located at 7843 Santa Elena Street within the City of Houston as a historic landmark - **DISTRICT I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**Motion 2012-0832 - Amend Item 17 amending Section 26-711(a) to add the following language:**

“City Council hereby designates the Washington Avenue Corridor as a parking benefit district for a period ending on the 180<sup>th</sup> day following the first anniversary of the effective date of this ordinance, provided that the parking benefit district shall continue after the expiration of this period unless city council takes action to terminate the district. The administration shall present an item for council consideration to affirm, modify, or terminate the district within 60 days following the foregoing period.”

**17. Council Members Pennington and Sullivan tagged**

**ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to create a Parking Benefit District within the Washington Avenue Corridor as a Pilot Program - **DISTRICT C - COHEN**

**18. Ordinance 2012-1022**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a storm sewer easement in the H. Tierwester Survey, Harris County, Texas; abandoning the easement to Yuri A. Perez, abutting owner, in consideration of his dedication to the City of a storm sewer easement, payment to the City of \$2,100.00 and other consideration; approving an easement conveyance - **DISTRICT D - ADAMS**

**19. Ordinance 2012-1036**

ORDINANCE relating to the development of the Midtown “Superblock” located between Travis Street, McGowen Avenue, Main Street and Anita Street; containing findings and other provisions relating to the foregoing subject; repealing Ordinance No. 73-617 - **DISTRICT C - COHEN**

**20. Ordinance 2012-1037**

ORDINANCE approving an agreement between the City of Houston and **HARRIS COUNTY** accepting a FY 2010 Port Security Grant for the Public Safety Video Initiative’s Helicopter Downlink and Video Sharing Project in accordance with the FY 2010 Security Grant Program Investment Justification; declaring the City’s eligibility for such grant; authorizing the Director to execute any subsequent documents necessary to secure the City’s allocations throughout the life of this grant program - \$793,000.00 - Grant Fund

**21. Ordinance 2012-1038**

ORDINANCE approving an agreement between the City of Houston and **HARRIS COUNTY** accepting a FY 2011 Port Security Grant for Protective Commercial Vehicle Screening in accordance with the FY 2011 Security Grant Program Investment Justification; declaring the City’s eligibility for such grant; authorizing the Director to execute any subsequent documents necessary to secure the City’s allocations throughout the life of this grant program \$1,019,642.00 - Grant Fund

**22. Ordinance 2012-1039**

ORDINANCE amending City of Houston Ordinance No. 2012-353 passed April 25, 2012, which approved and authorized submission of the 2012 Annual Action Plan to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**23. Ordinance 2012-1040**

ORDINANCE approving and authorizing agreement to reimburse **HOUSTON GATEWAY ACADEMY** for payment of School Crossing Guards from the Child Safety Fund - **DISTRICT I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**24. Ordinance 2012-1023**

ORDINANCE approving and authorizing Automobile Rental Concession Agreements at William P. Hobby Airport by and between the City of Houston and **AVIS RENT A CAR SYSTEM, LLC; BUDGET RENT A CAR SYSTEM, LLC; DTG OPERATIONS, INC, dba DOLLAR RENT A CAR; EAN HOLDINGS, LLC, dba ENTERPRISE RENT-A-CAR; THE HERTZ CORPORATION; EAN HOLDINGS, LLC, dba NATIONAL CAR RENTAL; EAN HOLDINGS, LLC dba ALAMO RENT A CAR; DTG OPERATIONS, INC dba THRIFTY CAR RENTAL** and **SIMPLY WHEELZ, LLC dba ADVANTAGE RENT A CAR - DISTRICT I - RODRIGUEZ**

**25. Ordinance 2012-1024**

ORDINANCE appropriating \$23,019.20 out of Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Fleet Management Department

**26. Ordinance 2012-1025**

ORDINANCE appropriating \$1,048,300.00 out of Public Library Consolidated Construction Fund as an additional appropriation for the Construction Management At Risk Contract between the City of Houston and **BALFOUR BEATTY CONSTRUCTION, LLC fka SPAWMAXWELL COMPANY, L.P.** (Approved by Ordinance No. 2007-1471) for Electrical Switchgear in the Julia Ideson Building - **DISTRICT I - RODRIGUEZ**

**27. Ordinance 2012-1041**

ORDINANCE approving and authorizing contracts to **TIBH INDUSTRIES, INC, JEFFERSON MOWING, LLC, GEORGE MEEKS LANDPRO, INC, FAS INDUSTRIES, LLC,** and **THR ENTERPRISES, INC** for Weed Mowing and Debris Removal Services for the Department of Neighborhoods; providing a maximum contract amount - 3 Years with two one-year options \$5,000,000.00 - General Fund

**28. Ordinance 2012-1026**

ORDINANCE consenting to the addition of 1.455 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, for inclusion in its district

**29. Ordinance 2012-1027**

ORDINANCE consenting to the addition of 4.6824 acres of land to **KLEINWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**30. Ordinance 2012-1028**

ORDINANCE consenting to the addition of 17.430 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 60 OF MONTGOMERY COUNTY, TEXAS**, for inclusion in its district

**31. Ordinance 2012-1029**

ORDINANCE consenting to the addition of 99.5466 acres of land to the **WOODLANDS ROAD UTILITY DISTRICT NO. 1 OF MONTGOMERY COUNTY, TEXAS**, for inclusion in its district

**32. Ordinance 2012-1030**

ORDINANCE consenting to the addition of 42.647 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district

**33. Ordinance 2012-1031**

ORDINANCE consenting to the addition of 4.7210 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district

**RESOLUTIONS AND ORDINANCES** - continued

**34. Ordinance 2012-1032**

ORDINANCE consenting to the addition of 3.2840 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district

**35. Ordinance 2012-1047**

ORDINANCE calling a public hearing at which interested persons will be given an opportunity to be heard on a proposal for the City of Houston to adopt Land Use Assumptions and a Capital Improvement Plan for the possible adoption of Impact Fees for drainage in accordance with Chapter 395 of the Texas Local Government Code

**HEARING DATE - 9:00 A.M. - WEDNESDAY - JANUARY 16, 2013**

**36. Ordinance 2012-1033**

ORDINANCE approving and authorizing first amendment to an agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** (Approved by Ordinance No. 2012-0285) for the Installation of Traffic Signal System - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; H - GONZALEZ; I - RODRIGUEZ and J - LASTER**

**37. Pulled - Not Considered**

ORDINANCE appropriating \$52,000.00 out of Water & Sewer System Consolidated Construction Fund and \$78,000.00 out of Street & Traffic Control and Storm and Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **IDS ENGINEERING GROUP (Formerly PATE ENGINEERS)** for Pre-Engineering of Street and Paving Improvements (Approved by Ordinance No. 2011-0508) - **DISTRICT D - ADAMS**

**38. Ordinance 2012-1042**

ORDINANCE appropriating \$3,339,352.00 out of the Metro Projects Construction DDSRF, awarding contract to **DURWOOD GREENE CONSTRUCTION CO.** for City Wide Overlay / Rehabilitation Project Package #18 (Work Order Contract) 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 Metro Projects Construction DDSRF

**39. Ordinance 2012-1034**

ORDINANCE appropriating \$2,660,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Oak Estate II 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 C - COHEN and G - PENNINGTON**

**40. Ordinance 2012-1035**

ORDINANCE appropriating \$1,415,425.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AMANI ENGINEERING, INC** for Design of Water Line Replacements in Sharpstown II Area and Bellaire-Beltway 8 Area; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - HOANG and J - LASTER**

**RESOLUTIONS AND ORDINANCES** - continued

**41. Ordinance 2012-1016 – Passed second reading**

ORDINANCE No. 2012-1019, passed first reading November 28, 2012

ORDINANCE granting to **SEWER AND STORM MAINTENANCE, L.L.C., A Texas Limited Liability Company**, 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**

**42. Ordinance 2012-1008 – Passed second reading**

ORDINANCE No. 2012-1008, passed first reading November 28, 2012

ORDINANCE granting to **RDA JUNK, LLC, A Texas Limited Liability Company**, 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**

**43. Ordinance 2012-1009 – Passed second reading**

ORDINANCE No. 2012-1009, passed first reading November 28, 2012

ORDINANCE granting to **SORTO'S TRUCKING, 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 - **SECOND READING**

**44. Ordinance 2012-1010 – Passed second reading**

ORDINANCE No. 2012-1010, passed first reading November 28, 2012

ORDINANCE granting to **S & S PORTABLE SERVICES INC dba CAIN RENTALS, A Delaware 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**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**MATTERS HELD** - NUMBERS 45 through 47A

**45. Resolution 2012-0043**

RESOLUTION designating the **GERMANTOWN AREA** of the City of Houston as a historic district **DISTRICT H - GONZALEZ** - **TAGGED BY COUNCIL MEMBER BURKS**

This was Item 20 on Agenda of November 28, 2012

**46. Ordinance 2012-1043**

ORDINANCE approving and authorizing the Mayor to accept Federal Aviation Administration Grant offers up to \$65,000,000.00 for projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Airport; declaring this City's eligibility for such grants **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ**

**TAGGED BY COUNCIL MEMBER DAVIS**

This was Item 23 on Agenda of November 28, 2012

**MATTERS HELD** - continued

**47. Ordinance 2012-1044**

ORDINANCE disannexing approximately 71 acres of undeveloped land in East Houston in the vicinity of the intersection of Industrial Road and Federal Road located within the municipal boundaries of the City of Houston in Harris County, Texas - **DISTRICT E - SULLIVAN**

**a. Ordinance 2012-1045**

ORDINANCE authorizing the creation and execution of a first amended and restated Industrial District Agreement by and between the City of Houston, Texas, and **GREENSPORT SHIP CHANNEL PARTNERS, LP, WATCO DOCK AND RAIL, LLC and WATCO DOCK AND RAIL II, LLC** for area in and around the Ship Channel Navigation District within the extraterritorial jurisdiction of the City - **TAGGED BY COUNCIL MEMBER SULLIVAN**  
These were Items 31 and 31A on Agenda of November 28, 2012

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

**12/4/2012 - All Present**

**12/5/2012 - All Present**