

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 7, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2012-0068 to 2012-0083
ORDINANCES – 2012-0098 to 2012-0123
RESOLUTIONS – 2012-0003 to 2012-0004

2012-0067-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Christie

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 2012-0068 – Procedural motion
Motion 2012-0069 – Procedural motion
Motion 2012-0070 – Procedural motion
Motion 2012-0071 – Procedural motion
Motion 2012-0072 – Procedural motion
Motion 2012-0073 – Procedural motion
Motion 2012-0074 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 8, 2012 - 9:00 A. M.

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

MAYOR'S REPORT - Long Range Financial Management Task Force Report

CONSENT AGENDA NUMBERS 1 through 31

MISCELLANEOUS - NUMBERS 1 through 3

Motion 2012-0075 – Suspend rules to consider Items 1 and 2 prior to the Mayor’s Report and Items 32 and 33 after the Mayor’s Report

1. Motion 2012-0076

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**, for terms to expire June 1, 2015:

- Position Eight - **MR. BOLIVAR M. FRAGA**, reappointment
- Position Nine - **MS. NORY ANGEL**, reappointment
- Position Ten - **DR. DANIEL E. JENKINS, III**, reappointment
- Position Eleven - **MS. TARYN SIMS**, appointment
- Position Twelve - **MR. ROBERT D. TANNER**, reappointment
- Position Thirteen - **MR. VIRGIL H. COX**, reappointment
- Position Fourteen - **MS. MARJORIE (MARGIE) PEÑA**, reappointment
- Position Fifteen - **MR. CARLOS DE ALDECOA BUENO**, appointment

2. Motion 2012-0077

REQUEST from Mayor for confirmation of the appointment or reappointment to the **GREATER NORTHSIDE MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for terms to expire June 1, 2015:

- Position One - **MS. CARMEN SILGUERO**, reappointment
- Position Two - **MR. JOSE A. GALINDO**, reappointment
- Position Three - **MS. SANDRA R. CLARK**, appointment
- Position Four - **MR. DUY BUI**, reappointment
- Position Five - **MS. MARY M. LAWLER**, appointment

3. Council Member Sullivan tagged

RECOMMENDATION from Director Department Public Works & Engineering to accept the January 2012 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$9,995,462.74 to the Combined Utilities System Operating Fund for Revenue Bond Debt Service as recommended in the Report

ACCEPT WORK - NUMBERS 4 through 6

4. Motion 2012-0081

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$61,588,236.00 and acceptance of contract with **SPAWGLASS CONSTRUCTION CORPORATION** for Renovation of all levels of Terminal C and adjacent curbsides at George Bush Intercontinental Airport/Houston, Project No. 490K - 8.31% over the original contract amount **DISTRICT B - DAVIS**

5. Motion 2012-0079

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$4,564,363.40 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** completed by the Surety, **ST. PAUL FIRE AND MARINE INSURANCE COMPANY** for North Apron Environmental Protection System/South Ramp Drainage Improvements at William P. Hobby Airport No. 563 0.26% over the original contract amount - **DISTRICT B - DAVIS**

ACCEPT WORK - continued

6. Motion 2012-0080

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,523,888.36 and acceptance of work on contract with **CONRAD CONSTRUCTION CO., LTD.**, for 11th Street Rehabilitation from West of Heights Boulevard to Studewood Drive - 2.92% under the original contract amount - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 and 8

7. Motion 2012-0082

SIERRA NEVADA CORPORATION for Electronic Counter Measure System for the Houston Police Department - \$109,451.00 - Grant Fund

8. Motion 2012-0083

QINETIQ NORTH AMERICA, INC TECHNOLOGY SOLUTIONS GROUP for Dragon Runner Robot System for Houston Police Department - \$111,143.00 - Grant Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 9 through 31

9. Resolution 2012-0003

RESOLUTION designating the property located at 309 East 32nd Street within the City of Houston as a landmark and protected landmark - (The Carroll House) - **DISTRICT H - GONZALEZ**

10. Resolution 2012-0004

RESOLUTION designating the property located at 3626 Overbrook Lane within the City of Houston as a historic landmark - (The Donig House) - **DISTRICT G - PENNINGTON**

11. Ordinance 2012-0100

ORDINANCE authorizing the issuance of City of Houston, Texas Airport System Subordinate Lien Revenue Bonds and Revenue Refunding Bonds in one or more series 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 amount, interest rates, prices, and terms thereof, to determine the outstanding bonds or other obligations to be refunded and/or defeased; approving other related procedures, provisions and agreements pertaining to such refunding and/or defeasance; authorizing the refunding and/or defeasance of certain Outstanding Airport System Bonds and other obligations relating to Special Facilities Bonds; authorizing the execution and delivery of one or more Bond Purchase Agreements, Paying Agent/Registrar Agreements, Escrow Agreements, and such other agreements relating to the bonds or the security thereof; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; authorizing an official to declare intent to reimburse; approving the Form of Credit Enhancement Agreements with any Bond Insurer and Debt Service Reserve Fund Policy Provider; and making certain findings and other declarations necessary and incidental to the issuance of the bonds; and declaring an emergency

12. Ordinance 2012-0117

ORDINANCE approving and authorizing contract between the City of Houston and **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC**, to provide \$280,595.53 in Community Development Block Grant Funds for the administration and operation of the H.E.A.R.T. Program, a program that will provide job training and placement for developmentally disabled low and moderate income adult individuals - **DISTRICT H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - continued

13. Ordinance 2012-0101

ORDINANCE approving and authorizing substantial amendments to the Annual Action Plans for 2002, 2007, 2008, and 2009, relating to the Housing Opportunities for Persons With AIDS applications submitted to the United States Department of Housing and Urban Development under the authority of the AIDS Housing Opportunities Act as amended by the Housing and Community Development Act of 1992, as amended

14. Ordinance 2012-0102

ORDINANCE approving and authorizing amendment to the 2008 Consolidated Action Plan relating to the Community Development Block Grant Recovery Program under the American Recovery and Reinvestment Act of 2009 ("CDBG-R"), as amended

15. Ordinance 2012-0103

ORDINANCE approving and authorizing substantial amendments to the Annual Action Plans for 2005, 2006, 2008, 2009, 2010, and 2011, under the 2005-2009 and 2010-2014 Consolidated Plans, relating to the Community Development Block Grant Program applications submitted to the United States Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended

a. Ordinance 2012-0104

ORDINANCE approving and authorizing amendments to the Annual Action Plans for 2002, 2005, 2007, 2008, and 2010 relating to the Community Development Block Grant Program applications submitted to the United States Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended - **DISTRICT B - DAVIS**

16. Ordinance 2012-0118

ORDINANCE approving and authorizing submission of an application for grant assistance to **THE TEXAS PARKS AND WILDLIFE DEPARTMENT** - Recreation Grants Branch to support a Recreational Trails Grant, administered by the Texas Parks and Wildlife Department, for a Pedestrian Trail in Avenue Place; 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 - \$165,894.00 - Grant Fund - **DISTRICT H - GONZALEZ**

17. Ordinance 2012-0105

ORDINANCE establishing the north and south sides of the 1100 block of Willard Avenue within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN**

18. Ordinance 2012-0106

ORDINANCE establishing the north and south sides of the 1200-1300 block of Willard Avenue within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN**

19. Ordinance 2012-0107

ORDINANCE approving and authorizing Amendment No. 4 to Engagement Letter between the City of Houston and **ZUCKERT, SCOUTT & RASENBERGER, L.L.P.** for the provision of Specialized Legal Services for the Houston Airport System - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

20. Pulled - Not Considered

ORDINANCE amending Ordinance No. 2009-1231 (Passed on December 2, 2009) to contract between the City of Houston and **SPEEDPAY, INC** for Western Union Speedpay Service for an Interactive Voice Response and Call Center Payment Processing Portal for the Municipal Courts Administration Department

21. Ordinance 2012-0108

ORDINANCE appropriating \$51,500.00 out of HAS Consolidated 2001 NON-AMT Construction Fund; authorizing purchase of Lots 1 and 2, Block 4 Greenview Manor Section Two, Houston, Harris County, Texas for a Noise Compatibility Program at George Bush Intercontinental Airport; approving Purchase and Sale Agreement with the owners of the land (Michael Lynn Parks, R.W. Turner, and H.T. Ayers, Jr.) - **DISTRICT B - DAVIS**

22. Ordinance 2012-0109

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath property containing 14.585 acres commonly known as 411 Jackson Hill, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C - COHEN**

23. Ordinance 2012-0119

ORDINANCE consenting to the addition of 118.2965 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194**, for inclusion in its district

24. Ordinance 2012-0120

ORDINANCE appropriating an amount not to exceed \$100,000,000 from the Combined Utility System General Purpose Fund and authorizing the transfer of such amount to the Water & Sewer System Consolidated Construction Fund for Combined Utility System Capital Expenditures; declaring the Combined Utility System's intent to reimburse the General Purpose Fund with bond proceeds; making various findings and provisions related thereto; and declaring an emergency

25. Ordinance 2012-0110

ORDINANCE issuing a permit to **ETC NGL TRANSPORT, LLC** to operate, maintain, improve, repair, and replace an existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS D - ADAMS and E - SULLIVAN**

26. Ordinance 2012-0111

ORDINANCE issuing a permit to **KINDER MORGAN TEJAS PIPELINE LLC** to operate, maintain, improve, repair, and replace an existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICTS A - BROWN; B - DAVIS; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON and - K - GREEN**

27. Ordinance 2012-0112

ORDINANCE issuing a permit to **KINDER MORGAN TEXAS PIPELINE LLC** to operate, maintain, improve, repair, and replace an existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; I - RODRIGUEZ and K - GREEN**

RESOLUTIONS AND ORDINANCES - continued

28. Ordinance 2012-0113

ORDINANCE appropriating \$632,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AECOM TECHNICAL SERVICES, INC** for WCID #47 Wastewater Treatment Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

29. Ordinance 2012-0114

ORDINANCE appropriating \$1,517,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Rehabilitation of Distribution Pumps, Motors, Valves, Piping, Pump Station Buildings and Conversion from Chlorine Gas to Liquid Bleach Chlorination at Various Facilities; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - BROWN; C - COHEN; E - SULLIVAN; F - HOANG; G - PENNINGTON; J - LASTER and K - GREEN**

30. Ordinance 2012-0115

ORDINANCE appropriating \$572,499.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, 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 (4277-57)

31. Ordinance 2012-0116

ORDINANCE appropriating \$566,169.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SEWER AND STORM MAINTENANCE, LLC** 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 (4277-58)

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 32 through 36

Motion 2012-0078 – Call the question on Item 32

32. Ordinance 2012-0098

ORDINANCE approving and authorizing Compromise and Settlement Agreement for Civil Action No. 4:10CV4545, styled City of Houston v. **AMERICAN TRAFFIC SOLUTIONS, INC.** and the amendment and restatement of Contract No. C62248 with American Traffic Solutions, Inc to provide support services relating to collection of fines and penalties associated with delinquent citations (“DARLEP Collections”); authorizing the Mayor to enter into agreements with third parties for related services, all of such agreements to be paid for out of DARLEP Collections; appropriating \$2,720,000 out of General Fund Fund Balance as contingent stand-by funding in the event that DARLEP Collections are not sufficient

POSTPONED BY MOTION #2012-53, 1/25/12

This was Item 39 on Agenda of January 25, 2012

33. Ordinance 2012-0099

ORDINANCE appropriating \$1,889,281.89 out of DARLEP Fund Fund Balance for Compromise and Settlement Agreement between the City of Houston and **AMERICAN TRAFFIC SOLUTIONS, INC - TAGGED BY COUNCIL MEMBERS SULLIVAN, BRADFORD, ADAMS, HOANG, PENNINGTON, DAVIS, COHEN and BROWN**

This was Item 9 on Agenda of February 1, 2012

34. Ordinance 2012-0121

ORDINANCE appropriating \$977,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAROLLO ENGINEERS, INC** for Project Advisor/Technical Consultant for the City’s future expansion of the Northeast Water Purification Plant; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

TAGGED BY COUNCIL MEMBER SULLIVAN

This was Item 16 on Agenda of February 1, 2012

35. Ordinance 2012-0122

ORDINANCE appropriating \$2,802,277.00 out of Metro Projects Construction Fund awarding construction contract to **TRAF-TEX, INC** for Citywide Traffic Signal Rebuild Package #2; 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 contingencies, CIP Cost Recovery and engineering testing relating to construction of facilities financed by the Metro Projects Construction Fund **DISTRICTS A - BROWN; C - COHEN; D - ADAMS; E - SULLIVAN; F - HOANG; H - GONZALEZ; I - RODRIGUEZ; J - LASTER and K - GREEN**

TAGGED BY COUNCIL MEMBER BROWN

This was Item 17 on Agenda of February 1, 2012

36. Ordinance 2012-0123

ORDINANCE appropriating \$7,123,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BRH-GARVER CONSTRUCTION, L.P.** for proposed 48-inch / 42-inch water line along existing easements, West Orem, Chimney Rock, River Bluff, Summit Ridge, Wood River and Coachcreek from Sims Bayou Pump Station to Hillcroft and Southwest Pump Station Chlorine Building Improvements; 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 - **DISTRICTS G - PENNINGTON and K - GREEN**

TAGGED BY COUNCIL MEMBER BROWN

This was Item 23 on Agenda of February 1, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gonzalez 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

2/7/2012 – All Present

2/8/2012 - All Present