

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 24, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2012-0041 to 2012-0059
ORDINANCES – 2012-0057 to 2012-0078
RESOLUTION – None

2012-0028-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Brown

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 2012-0041 – Procedural motion
Motion 2012-0042 – Procedural motion
Motion 2012-0043 – Procedural motion
Motion 2012-0044 – Procedural motion
Motion 2012-0045 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 25, 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 29

MISCELLANEOUS - NUMBERS 1 through 5

Motion 2012-0046 – Suspend rules to consider Items 1 and 2 prior to the Mayor's Report

1. Motion 2012-0047

REQUEST from Mayor for confirmation of the appointment of **MR. KENNETH HOGLUND, P.E.** as Director of the **FLEET MANAGEMENT DEPARTMENT**

MISCELLANEOUS - continued

2. Motion 2012-0048

REQUEST from Mayor for confirmation of the appointment of **MR. CHARLES THOMPSON** as Director of the **INFORMATION TECHNOLOGY DEPARTMENT**

Motion 2012-0049 – Suspend rules to consider Item 3, 4 and 5 at this time

3. Motion 2012-0050

CONFIRMATION of the appointment of the following to the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one year terms to expire December 31, 2012:

Position One - Council Member Oliver Pennington

Position Two - Mayor Annise D. Parker

Alternate At-Large Position No. 1 - Council Member Ellen R. Cohen

Alternate At-Large Position No. 2 - Council Member Jerry Davis

4. Motion 2012-0051

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER TWO (also known as the MIDTOWN ZONE) BOARD OF DIRECTORS**:

Position Three - **MR. ROBERT D. SELLINGSLOH**, reappointment, to serve as Chair, for a term to expire 12/31/2012

Position Four - **MS. PAMELA NGO TRANPARK**, appointment, for a term to expire 12/31/2012

Position Five - **MR. DERRICK M. MITCHELL**, reappointment, for a term to expire 12/31/2012

Position Six - **MR. ABE S. GOREN**, reappointment, for a term to expire 12/31/2013

Position Seven - **MR. BILLY J. BRISCOE**, appointment, for a term to expire 12/31/2013

5. Motion 2012-0052

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

Position Seven - **MS. LEESHAN CHUANG BIRNEY**, reappointment

Position Eight - **MR. STEPHEN H. LE**, reappointment

Position Nine - **MR. RICHARD A. VAUGHAN**, appointment

Position Ten - **MR. VICAN TAN SUN**, reappointment

Position Eleven - **MR. WEA LEE**, reappointment

ACCEPT WORK - NUMBERS 6 and 7

6. Motion 2012-0055

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,723,997.09 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Academy Street (Aberdeen to Gramercy) Storm Sewer Project Segment 2 - 2.73% over the original contract amount - **DISTRICT D - ADAMS**

7. Motion 2012-0056

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,772,960.77 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION L.P.** for Monroe Paving from Fuqua to Almeda Genoa 4.84% over the original contract amount - **DISTRICT D - ADAMS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 10A

8. Motion 2012-0057

GILBREATH COMMUNICATIONS, INC for Community/Disaster Preparedness Education/ Outreach Programs and Companion Marketing through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council - \$1,228,441.00 - Grant Fund

9. Motion 2012-0054

AMEND MOTION #2011-774, 10/12/11, TO INCREASE spending authority to Address Emergency Repair of Water Line Breaks for the Department of Public Works & Engineering, awarded to **TIKON GROUP, INC** from \$209,872.64 to \$270,433.62 and **BOND RESTORATION, INC** from \$71,510.00 to \$121,443.98 - \$110,494.96 - Enterprise Fund

10. Ordinance 2012-0061

ORDINANCE appropriating \$540,469.85 out of Equipment Acquisition Consolidated Fund for purchase of Automated Refuse Containers and additional equipment for the Solid Waste Management Department

a. Motion 2012-0058

R, INCORPORATED for Automated Refuse Containers through the Interlocal Agreement for Cooperative Purchasing with the City of Tucson, Arizona for Solid Waste Management Department \$499,409.60 - Equipment Acquisition Consolidated Fund

ORDINANCES - NUMBERS 11 through 29

11. Ordinance 2012-0062

ORDINANCE approving and authorizing submission of an application for grant assistance to the **FEDERAL EMERGENCY MANAGEMENT AGENCY**, for the Assistance to Firefighters Grant Award Program; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Fire 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 - \$268,000.00 - Grant and Private Funds

12. Ordinance 2012-0063

ORDINANCE approving and authorizing grant application and contract with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the FY2012 Prevention and Control of HIV/STD and Viral Hepatitis Grant; declaring the City's eligibility for such grant; authorizing the Director of the Houston Health and Human Services Department or his designees to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, to expend the grant funds and to apply for and accept all subsequent awards, if any pertaining to the program - \$1,644,701.00 - Grant Fund

13. Ordinance 2012-0064

ORDINANCE approving and authorizing contract between the City of Houston and **CATHEDRAL HEALTH AND OUTREACH MINISTRIES**, to provide up to \$110,194.72 in Texas Homeless Housing and Services Program ("THHSP") Funds for the administration, implementation, oversight and delivery of a THHSP - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

14. Ordinance 2012-0065

ORDINANCE approving and authorizing contract between the City of Houston and **BREAD OF LIFE, INC**, to provide up to \$110,194.72 in Texas Homeless Housing and Services Program ("THHSP") Funds for the administration, implementation, oversight and delivery of a THHSP **DISTRICT I - RODRIGUEZ**

ORDINANCES - continued

15. Ordinance 2012-0057

ORDINANCE approving and authorizing contract between the City of Houston and **SEARCH HOMELESS SERVICES**, to provide up to \$110,194.72 in Texas Homeless Housing and Services Program ("THHSP") Funds for the administration, implementation, oversight and delivery of a THHSP - **DISTRICT I - RODRIGUEZ**

16. Council Members Green and Sullivan tagged

ORDINANCE approving and authorizing contract between the City of Houston and **DIGITAL PAYMENT TECHNOLOGIES, INC** for Multi-Space, Solar Pay Station Warranties, Spare Parts and Pay Station Purchase Price Option for the Administration and Regulatory Affairs Department Parking Management Division; providing a maximum contract amount - \$7,279,501.00 - Parking Management Operating Fund

17. Ordinance 2012-0066

ORDINANCE approving and authorizing an Economic Development Agreement between the City of Houston, Texas, and **CH2M HILL, INC** for the establishment and operation of a Global Energy Group - **DISTRICT G - PENNINGTON**

18. Ordinance 2012-0067

ORDINANCE approving and authorizing third amendment to contract between the City and **JPMORGAN CHASE BANK, N.A.** to provide Web-based Processing Services specific to the Municipal Courts Department - Revenue

19. Ordinance 2012-0068

ORDINANCE appropriating \$1,036,793.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing agreement between the City of Houston and **DELL FINANCIAL SERVICES, LLP** for Microsoft Software and License Maintenance Services for the fleet of City desktops; providing a maximum agreement amount

20. Ordinance 2012-0058

ORDINANCE approving and authorizing first amendment to Contract No. C70271/4600007607 between the City of Houston and **PROPERTY ROOM .COM, INC** to extend the contract term from February 7, 2012 to June 8, 2012 for sale and disposal of abandoned personal property for the Houston Police Department

21. Ordinance 2012-0069

ORDINANCE approving and authorizing the City of Houston to enter into contracts with **HOUSTON INDEPENDENT SCHOOL DISTRICT** and **YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA**, to administer an After School Achievement Program - \$270,000.00 - Grant Fund - **DISTRICTS B - DAVIS; D - ADAMS; I - RODRIGUEZ; J - LASTER and K - GREEN**

22. Ordinance 2012-0070

ORDINANCE amending Ordinance No. 2008-0260 (Passed March 26, 2008) to increase the maximum contract amount under the Professional Services Contract for Weatherization Consulting for the Residential Energy Efficiency Program with **ESPA CORPORATION**

23. Ordinance 2012-0059

ORDINANCE approving and authorizing contract between the City and **SWA GROUP** for Professional Landscape Architectural Services for Fannin/Main Esplanades at Hermann Park \$487,577.94 - Grant Fund - **DISTRICT D - ADAMS**

ORDINANCES - continued

24. Council Member Brown tagged

ORDINANCE approving and authorizing Professional Services Agreement between the City of Houston and **KIMLEY-HORN AND ASSOCIATES, INC** for a Drainage Impact Fee Study \$679,500.00 - Stormwater Fund

25. Ordinance 2012-0060

ORDINANCE appropriating \$7,424,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **HUFF & MITCHELL, INC** for proposed 42-inch Waterline along Hillcroft, Dublin, Dunlap, Easements, Haviland, Minetta, Canemont and Sandpiper from Coachcreek to West Airport; 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 - **DISTRICT K - GREEN**

26. Ordinance 2012-0044 – Passed second reading

ORDINANCE No. 2012-0044, passed first reading January 18, 2012

ORDINANCE granting to **UNIQUE SANITATION, 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**

27. Ordinance 2012-0045 – Passed second reading

ORDINANCE No. 2012-0045, passed first reading January 18, 2012

ORDINANCE granting to **CTJ VACUUM SERVICE, 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 **SECOND READING**

28. Ordinance 2012-0026 – Passed third and final reading

ORDINANCE No. 2012-0026, passed second reading January 18, 2012

ORDINANCE granting to **JAT INTERESTS, LLC, A Texas Limited Liability Corporation d/b/a ABC VACUUM SERVICES**, 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**

29. Ordinance 2012-0027 - Passed third and final reading

ORDINANCE No. 2012-0027, passed second reading January 18, 2012

ORDINANCE granting to **CHING YI LO d/b/a A. URANU SERVICE, 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 **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 30 through 38

30. Motion 2012-0059 – Adopt

MOTION by Council Member Gonzalez/Seconded by Council Member Bradford to award to **PROGRESSIVE EMERGENCY PRODUCTS, LLC** for Decontamination Shelters for the Houston Emergency Center - 3 Years with two one-year options - \$400,347.00 - Grant Fund
TAGGED BY COUNCIL MEMBER BROWN
This was Item 8 on Agenda of January 18, 2012

31. Ordinance 2012-0071

ORDINANCE **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Houston READ Commission - **TAGGED BY COUNCIL MEMBER BROWN**
This was Item 13 on Agenda of January 18, 2012

32. Ordinance 2012-0072

ORDINANCE allocating \$975,000.00 as a Cash Match; approving and authorizing the submission of a grant application to the **U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** for the Lead-Hazard Reduction Demonstration Grant Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's representative in the application process; authorizing the Director of Health & Human Services Department to accept the grant and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant
TAGGED BY COUNCIL MEMBER SULLIVAN
This was Item 22 on Agenda of January 18, 2012

33. Ordinance 2012-0073

ORDINANCE establishing the north and south sides of the 1900 block of West 14½ Street 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 A - BROWN**
TAGGED BY COUNCIL MEMBER BROWN
This was Item 28 on Agenda of January 18, 2012

34. Ordinance 2012-0074

ORDINANCE de-appropriating \$30,000.00 out of Reimbursement of Equipment/Projects Fund (Approved by Ordinance No. 2011-0021) for the Energy Savings Performance Contract for Energy Conservation Measures with **SIEMENS INDUSTRY, INC**; appropriating \$30,000.00 out of Reimbursement of Equipment/Projects Fund, \$35,000.00 out of Fire Consolidated Construction Fund, \$800,000.00 out of Parks Consolidated Construction Fund, \$160,000.00 out of Solid Waste Consolidated Construction Fund, \$350,000.00 out of Police Consolidated Construction Fund, \$350,000.00 out of Public Library Consolidated Construction Fund, \$250,000.00 out of General Improvement Consolidated Construction Fund, and \$490,000.00 out of Public Health Consolidated Construction Fund, for reimbursable project management costs for FY12 Capital Improvement Plan Projects for City Departments
TAGGED BY COUNCIL MEMBER BROWN
This was Item 33 on Agenda of January 18, 2012

MATTERS HELD – continued

35. Ordinance 2012-0075

ORDINANCE appropriating \$456,147.70 out of Parks & Recreation Dedication Fund, awarding construction contract to **JERDON ENTERPRISE, L.P.**, for Open Space Projects at Various Parks; 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 Parks & Recreation Dedication Fund - **DISTRICTS C - COHEN; D - ADAMS; F - HOANG and H - GONZALEZ**
TAGGED BY COUNCIL MEMBER BROWN
This was Item 34 on Agenda of January 18, 2012

36. Ordinance 2012-0076

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$1,987,424 (Emergency Solutions Grants Funds - \$1,327,628/Community Development Block Grant Funds - \$659,796) for the administration of an Emergency Solutions Grants Program
TAGGED BY COUNCIL MEMBER BROWN
This was Item 43 on Agenda of January 18, 2012

37. Ordinance 2012-0077

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$478,155.00 in Community Development Block Grant Funds for the implementation, oversight and delivery of a Child Care Program
TAGGED BY COUNCIL MEMBER BROWN
This was Item 44 on Agenda of January 18, 2012

38. Ordinance 2012-0078

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$498,762.00 in Community Development Block Grant Funds for the implementation, oversight and delivery of a Juvenile Delinquency Prevention Program - **TAGGED BY COUNCIL MEMBER BROWN**
This was Item 45 on Agenda of January 18, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez 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

1/24/2012 - All Present
1/25/2012 - All Present

SUPPLEMENTAL NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Houston at its regular meeting Wednesday, January 25, 2012, which will convene at 9:00 a.m. in the City Council Chamber, Second Floor, City Hall, 901 Bagby, Houston, Texas, will consider the following item:

39. Motion 2012-0053 – Consider Item 39 out of order and postpone two (2) weeks

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

City Secretary