

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

MOTIONS – 2012-0590 to 2012-0603  
ORDINANCES – 2012-0649 to 2012-0670  
RESOLUTIONS – 2012-0022 to 2012-0024

2012-0589-1

**INVOCATION AND PLEDGE OF ALLEGIANCE** - Council Member Rodriguez

**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 - JULY 25, 2012 - 9:00 A. M.**

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

**HEARING - 9:00 A.M.**

1. **Motion 2012-0590 – Close hearing**

**PUBLIC HEARING** on a proposal for the City of Houston to annex certain territory in the vicinity of the Commons of Lake Houston near Kingwood Drive on the east side of Lake Houston, in Harris County, Texas - **DISTRICT E - SULLIVAN**

**MAYOR'S REPORT**

CONSENT AGENDA NUMBERS 2 through 39

MISCELLANEOUS - NUMBERS 2 through 4

2. **Motion 2012-0591**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON COMMISSION ON DISABILITIES**, for terms to expire July 26, 2014:

Position Two - **MR. LOUIS J. MAHER**, appointment  
Position Four - **MR. STEVE KOLOGINCZAK**, appointment  
Position Six - **MS. KATHY LADELL WALTERS**, reappointment  
Position Eight - **MR. CHARLES H. A. LADAY**, appointment  
Position Twelve - **MS. CLAUDIA MAGALLAN**, appointment  
Alternate Position Two - **MS. JAZMIN ALMLIE-RYAN**, reappointment  
Alternate Position Four - **MR. CORNELIUS K. BOOKER**, appointment

3. **Motion 2012-0598**

RECOMMENDATION from Director Finance Department for approval of FY2013 Budgets submitted by the **HOUSTON ARTS ALLIANCE, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, MILLER THEATRE ADVISORY BOARD, INC, and THEATER DISTRICT IMPROVEMENT, INC** for the support, advancement and promotion of the Arts

4. **Motion 2012-0592**

RECOMMENDATION from Director Department Public Works & Engineering to accept the July 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 \$6,872,788.55 for Revenue Bond Debt Service as recommended in the Report

ACCEPT WORK - NUMBERS 5 and 6

5. **Motion 2012-0599**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$240,220.35 and acceptance of work on contract with **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Blackhawk Park Phase III - 4.79% over the original contract amount and under the 5% contingency - **DISTRICT D - ADAMS**

6. **Motion 2012-0593**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$245,966.40 and acceptance of work on contract with **REPUBLIC ELECTRIC** for LED Retrofit Traffic Signal Upgrades in Downtown, Midtown, Texas Medical Center and other various locations - 18.01% under the original contract amount - **DISTRICTS C - COHEN; D - ADAMS; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and J - LASTER**

PROPERTY - NUMBERS 7 through 10

7. **Motion 2012-0600**

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court and withdraw objections to the award in connection with eminent domain proceeding styled City of Houston v. NCNB Texas National Bank, et al., Cause No. 1002569; for acquisition of Parcel AY9-428; for the **LONG POINT RECONSTRUCTION PROJECT (Pech - Hollister)**  
**DISTRICT A - BROWN**

**PROPERTY** - continued

**8. Motion 2012-0601**

RECOMMENDATION from City Attorney to purchase Parcel AY11-124, pay the costs of Court in connection with the eminent domain proceedings styled City of Houston v. DePriest Evangelistic Baptist Church, a Texas non-profit corporation, et al., Cause No. 1011367; for the **RECONSTRUCTION OF PARKER ROAD PROJECT (HARDY TOLL ROAD - EASTEX FWY) DISTRICT B - DAVIS**

**9. Motion 2012-0594**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mark Kirkland, on behalf of American General Life Insurance Company and Knickerbocker Corporation (William Larry Mask, Vice President), for abandonment and sale of Wilkinson Street, from West Dallas Street north to its terminus, and West Lamar Avenue, from Wilkinson Street west ±203 feet, all located in the American General Center Section One Addition, out of the John Austin Survey, A-1, Parcels SY12-076A, SY12-076B and SY12-094 - **DISTRICT C - COHEN**

**10. Motion 2012-0595**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joe Turner, Director, City of Houston Parks & Recreation Department, for the declining of the acceptance of, rejecting, and refusing the dedication of Alvin Avenue (±8,200 square feet) and Maggie Avenue (±8,200 square feet), from Comal Street west to their termini into Sunnyside Park, located within the Sunnyside Extension South Subdivision, out of the B.H. Freeling Survey, Parcels IT12-005A and IT12-005B **DISTRICT D - ADAMS**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 through 13

**11. Ordinance 2012-0660**

ORDINANCE appropriating \$298,601.45 out of Parks Consolidated Construction Fund for purchase of Field Lighting Equipment through the Texas Local Government Purchasing Cooperative for the General Services Department - **DISTRICT E - SULLIVAN**

**a. Motion 2012-0602**

**MUSCO SPORTS LIGHTING, LLC** for Sports Field Lighting Equipment through the Interlocal Agreement for Cooperative Purchasing with Buyboard for the General Services Department \$295,645.00 and contingencies for a total amount not to exceed \$298,601.45 - **DISTRICT E - SULLIVAN**

**12. Motion 2012-0596**

**LEXISNEXIS RISK SOLUTIONS FL, INC** for Accurant® for Law Enforcement Investigative Services from the State of Texas Council of Competitive Government Contract for the Houston Police Department - 1 Year - \$75,600.00 - General Fund

**13. Motion 2012-0597**

**AMERICAN MECHANICAL SERVICES OF HOUSTON, LLC** to Remove, Furnish and Install a New Air-Cooled Chiller and associated equipment for the Department of Public Works & Engineering - \$159,900.00 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 14 through 39

**14. Resolution 2012-0024**

RESOLUTION designating the **WALTER F. DALY HOUSE** located at 2938 Del Monte Drive and the **HELM-MCDONOUGH HOUSE** located at 2107 Looscan Lane and the **D.W. HOVEY HOUSE** located at 3395 Del Monte Drive within the City of Houston as historic landmarks - **DISTRICT G - PENNINGTON**

**RESOLUTIONS AND ORDINANCES** - continued

**15. Resolution 2012-0022**

RESOLUTION amending Resolution No. 2011-31, a resolution supporting the request of a waiver of the local match requirements in the Federal Off-System Bridge Program - **DISTRICTS A - BROWN and I - RODRIGUEZ**

**16. Resolution 2012-0023**

RESOLUTION supporting the City of Houston's request to place a segment of Aldine Bender/FM525 between Lee Road and US 59 on the Texas Department of Transportation's Road Log - **DISTRICT B - DAVIS**

**17. Ordinance 2012-0649**

ORDINANCE ordering and giving notice of a Special Election to be held on November 6, 2012, for the purpose of filling a vacancy in the office of Council Member, District E, on the Houston City Council

**18. Ordinance 2012-0661**

ORDINANCE amending City of Houston Ordinance No. 2011-1170 relating to the rescheduling or postponement of certain City Council meetings

**19. Ordinance 2012-0650**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 12.4-foot-wide alley, from Florida Street north to its terminus, in the Fifth Ward Place Subdivision, S.M. Harris Survey, A-327, Harris County, Texas; vacating and abandoning the alley to Small Steps Nurturing Center, Inc, and Prince Complex, Inc, abutting owners, in consideration of payment to the City of \$26,334.00 and other consideration - **DISTRICT B - DAVIS**

**20. Ordinance 2012-0662**

ORDINANCE relating to the Retail Gas Utility Rates of Centerpoint Energy Resources Corp. d/b/a Centerpoint Energy Entex and as Centerpoint Energy Texas Gas; opening a formal Gas Utility Rate Inquiry; maintaining current rates in effect until changed

**21. Council Members Bradford, Rodriguez and Adams tagged**

ORDINANCE approving and authorizing contract between the City and **RETIREMENT HORIZONS INC** for Pension Actuarial Consulting Services; providing a maximum contract amount - 2 Years with one option year - \$395,000.00 - General Fund

**22. Ordinance 2012-0663**

ORDINANCE amending Ordinance No. 2012-383, relating to the annexation to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 168 in Harris County, Texas, imposing the Sales and Use Tax of the City of Houston in the said area, and 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

**23. Ordinance 2012-0664**

ORDINANCE approving and authorizing contract with the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**, for the City's Air Pollution Control Program; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative for the program

**RESOLUTIONS AND ORDINANCES** - continued

**24. Ordinance 2012-0665**

ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **APV REDEVELOPMENT CORPORATION**, to provide \$1,000,000.00 of Federal "HOME" Funds to assist with property acquisition and development of a 148 unit Affordable Housing Community, to be located in the vicinity of 4000 Wilmington, Houston, Texas - **DISTRICT D - ADAMS**

**25. Ordinance 2012-0651**

ORDINANCE appropriating \$57,078.45 out of Affordable Housing Fund 2409 for payment to **HARRIS COUNTY COMMUNITY SERVICES DEPARTMENT** for Harris County's Homeless Housing Program as authorized by the Interlocal Agreement approved by Ordinance No. 2011-74

**26. Council Member Adams tagged**

ORDINANCE authorizing the City of Houston to submit a request to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** to borrow up to \$1,800,000.00 of Section 108 Guaranteed Loan Funds and to allocate up to \$5,550,000.00 of EDI Grant Funds to partially finance the redevelopment of the building located at 806 Main Street, Houston, Texas **DISTRICT I - RODRIGUEZ**

**27. Ordinance 2012-0666**

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **U.S. DEPARTMENT OF JUSTICE** for the 2012 Byrne Criminal Justice Innovation Program Grant Fund; declaring the City's eligibility for such grant; authorizing the Director of the Department of Neighborhoods 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

**28. Ordinance 2012-0652**

ORDINANCE authorizing amendment to an Interlocal Agreement between the City of Houston and **MENTAL HEALTH and MENTAL RETARDATION AUTHORITY of HARRIS COUNTY** to increase the maximum contract amount for the Chronic Consumer Stabilization Initiative - 4 Years \$1,023,532.32 - General Fund

**29. Ordinance 2012-0653**

ORDINANCE establishing the south side of the 3400-3500 block of South MacGregor Way 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**

**30. Ordinance 2012-0654**

ORDINANCE establishing the south side of the 3600-3700 block of South MacGregor Way 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**

**31. Ordinance 2012-0655**

ORDINANCE consenting to the addition of 2.186 acres of land to **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district

**32. Ordinance 2012-0656**

ORDINANCE consenting to the addition of 19.810 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 249**, for inclusion in its district

**33. Ordinance 2012-0667**

ORDINANCE consenting to the addition of 38.8874 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383**, for inclusion in its district

**RESOLUTIONS AND ORDINANCES** - continued

**34. Ordinance 2012-0668**

ORDINANCE amending Ordinance No. 2007-864 to increase the maximum contract amount between the City and the **TEXAS DEPARTMENT of INFORMATION RESOURCES** for Telecommunications Services for Various Departments

**35. Ordinance 2012-0657**

ORDINANCE amending Ordinance No. 2002-695, as amended, to extend the term of the contract, increase the maximum contract amount and approve and authorize second amendment to contract between the City of Houston and **PHYSIO-CONTROL, INC, Formerly known as MEDTRONIC PHYSIO-CONTROL, INC**, for Defibrillator Maintenance and Repair Service for Various Departments - \$743,408.00 - General Fund

**36. Ordinance 2012-0669**

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 (2213 and 2215 Tuam) at a price, including due diligence and closing costs, of \$230,258.00, 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 (George Saji) - **DISTRICT D - ADAMS**

**37. Ordinance 2012-0670**

ORDINANCE appropriating \$4,661,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **AECOM USA GROUP, INC** for services associated with the Storm Drainage Program Support (Approved by Ordinance No. 2003-1195, as amended); and as additional funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF

**38. Ordinance 2012-0658**

ORDINANCE appropriating \$1,150,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **DODSON AND ASSOCIATES, INC (A Walter P. Moore and Associates, Inc. Company)** for Mitigation Program for Capital Improvement Projects (Approved by Ordinance No. 2007-0815) and approving and authorizing first amendment to the contract; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF

**39. Ordinance 2012-0659**

ORDINANCE appropriating \$1,821,840.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **CIVILTECH ENGINEERING, INC** for Memorial Drive Paving Improvements from North Kirkwood Road to North Eldridge Parkway (Approved by Ordinance No. 2009-1332); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT G - PENNINGTON**

**END OF CONSENT AGENDA**

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

**MISCELLANEOUS**

**40. Motion 2012-0603**

**SET A PUBLIC HEARING DATE** for the second amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TWENTY-ONE (HARDY/NEAR NORTHSIDE ZONE) - DISTRICT H - GONZALEZ**  
**HEARING DATE - WEDNESDAY - AUGUST 8, 2012 - 9:00 A.M.**

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

- 7/24/2012 - Mayor Parker out of the City on City business  
Council Members Laster and Burks absent on personal business  
Council Member Noriega absent due to being ill  
Council Member Christie absent on City business**
- 7/25/2012 - Mayor Parker out of the City on City business  
Council Members Laster and Burks absent on personal business  
Council Member Christie absent on personal business**