

AGENDA - COUNCIL MEETING - TUESDAY - MARCH 27, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2012-0189 to 2012-0205
ORDINANCES – 2012-0247 to 2012-0263
RESOLUTION – 2012-0011

2012-0188-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Sullivan

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 2012-0189 – Procedural motion
Motion 2012-0190 – Procedural motion
Motion 2012-0191 – Procedural motion
Motion 2012-0192 – Procedural motion
Motion 2012-0193 – Procedural motion
Motion 2012-0194 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MARCH 28, 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 26

MISCELLANEOUS - NUMBER 1

1. Motion 2012-0195

REQUEST from Mayor for confirmation of the appointment of the following individual to the
INDEPENDENT POLICE OVERSIGHT BOARD:

Name	District	Panel	Term
Frank Watson, Sr.	B	B4	2 years

ACCEPT WORK - NUMBERS 2 and 3

2. Motion 2012-0196

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,182,866.53 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION L.P.** for Generic City Wide Overlay Package #15 (Work Order Contract) - 4.72% over the original contract amount - **DISTRICTS A - BROWN; D - ADAMS; E - SULLIVAN; H - GONZALEZ; I - RODRIGUEZ and J - LASTER**

3. Motion 2012-0197

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,413,662.30 and acceptance of work on contract with **PELTIER BROTHERS CONSTRUCTION, LTD.**, for Easthaven Wastewater Treatment Plant - Lift Station Replacement - 0.62% over the original contract amount - **DISTRICT E - SULLIVAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 6A

4. Motion 2012-0199

PHILPOTT MOTORS LTD. for Utility Bucket Truck through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department - \$100,891.09 - Grant Fund

5. Motion 2012-0200

AMEND MOTION #2009-889, 12/9/09, TO INCREASE spending authority from \$1,583,182.00 to \$2,216,454.80 for Chemical, Inorganic Metal Salt Coagulant (Ferric Sulfate) for the Department of Public Works & Engineering, awarded to **KEMIRA WATER SOLUTIONS, INC**

6. Ordinance 2012-0247

ORDINANCE appropriating \$418,223.56 out of Equipment Acquisition Consolidated Fund for purchase of Grounds Maintenance Equipment for Parks & Recreation Department and Houston Airport System - \$269,963.16 - Enterprise Fund

a. Motion 2012-0198

PROFESSIONAL TURF PRODUCTS, LP - \$407,198.31, **TIGER CORPORATION** - \$103,606.80 and **DEERE AND COMPANY** - \$166,356.36 for Grounds Maintenance Equipment through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and BuyBoard for Various Departments

ORDINANCES - NUMBERS 7 through 26

7. Ordinance 2012-0253

ORDINANCE approving and authorizing four Sub-Grantee Award Agreements between **HARRIS COUNTY, TEXAS** and the City of Houston to accept FY2011 Port Security Grant Program funding for Police Dive Team Equipment, Public Safety Video Equipment, Specialized Police Marine Deployment Vehicles and Police Helicopter Operational Support - \$1,608,817.00 - Grant Fund

8. Ordinance 2012-0254

ORDINANCE approving and authorizing deposit of all revenue generated from the Geriatric Dental Program, including Medicaid fee-for-services payments and other fees generated from the operation and administration of the program, into the Health Special Revenue Fund to be used exclusively to defray the costs associated with the administration and operation of the program

ORDINANCES - continued

9. Ordinance 2012-0248

ORDINANCE approving and authorizing submission of an application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the **General Juvenile Justice and Delinquency Prevention Program**; 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 - \$44,560.00 - Grant Fund

10. Ordinance 2012-0255

ORDINANCE approving and authorizing submission of an application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the **Juvenile Accountability Block Grant Program**; 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 approve, accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

11. Ordinance 2012-0256

ORDINANCE approving and authorizing Child Care Local Match Certification Agreement between the City of Houston and **GULF COAST WORKFORCE BOARD** for the Certification of After School Achievement Program Expenditures to obtain additional federal funding for child care services

12. Ordinance 2012-0257

ORDINANCE approving and authorizing the City of Houston to enter into first contract amendment with the **HOUSTON INDEPENDENT SCHOOL DISTRICT** to add two school sites and to provide an additional \$40,000.00 to administer an After School Achievement Program **DISTRICT I - RODRIGUEZ**

13. Ordinance 2012-0258

ORDINANCE allocating \$154,962.50 out of SECO ARRA Grant Fund and approving and authorizing contract between the City of Houston and **ZIPCAR, INC** for an Automated Motor Pool System for the Fleet Management Department; providing a maximum contract amount - 3 years with two one-year options

Motion 2012-0201 – Suspend rules to hear Mr. Joe Finnigan, Finance Officer of HPD

14. Ordinance 2012-0259

ORDINANCE appropriating \$897,900.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **PCS MOBILE, INC** for the Mobile Data Strategy for the Houston Police Department; providing a maximum contract amount \$9,292,899.99 - Equipment Acquisition Consolidated and Grant Funds

15. Ordinance 2012-0260

ORDINANCE appropriating \$37,547.00 out of Public Health Consolidated Construction Fund; awarding construction contract to **HALLMARK CAPITAL GROUP, LLC dba HALLMARK FARRELL ROOFING COMPANY** for Sunnyside Multi-Service Center Roof; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by Public Health Consolidated Construction Fund and American Recovery and Reinvestment Act (ARRA) Fund \$478,005.00 ARRA Fund - **DISTRICT D - ADAMS**

ORDINANCES - continued

16. Ordinance 2012-0249

ORDINANCE appropriating \$150,300.00 out of Street & Traffic Control and Storm Drainage DDSRF Fund and approving and authorizing agreement between the City of Houston and **WILLIAM MARSH RICE UNIVERSITY** for Research Services for White Oak Bayou Cottage Grove Subdivision Low Impact Development Demonstration Project; providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF Fund - **DISTRICT C - COHEN**

17. Council Member Sullivan tagged

ORDINANCE appropriating \$2,526,500.00 out of Water & Sewer System Consolidated Construction Fund; rejecting the apparent low bid; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for US 290 Program IH-610 Interchange Crossing at 72-inch water line along West 12th Street; 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 - **DISTRICT A - BROWN**

18. Ordinance 2012-0250 – Passed first reading

ORDINANCE granting to **DANIEL RODRIGUEZ d/b/a A-HAWK GREASE TRAP, 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 **FIRST READING**

19. Ordinance 2012-0251 – Passed first reading

ORDINANCE granting to **TRUE BLUE SOLUTIONS, L.L.C., 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 **FIRST READING**

20. Ordinance 2012-0252 – Passed first reading

ORDINANCE granting to **COMBS INDUSTRIAL SERVICES, INC dba ONSITE ENVIRONMENTAL, A Tennessee 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 - **FIRST READING**

21. Ordinance 2012-0230 – Passed second reading

ORDINANCE No. 2012-230, passed first reading March 21, 2012
ORDINANCE granting to **MTI SERVICES, LLC dba ENERGY CLEAN 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**

22. Ordinance 2012-0231 – Passed second reading

ORDINANCE No. 2012-231, passed first reading March 21, 2012
ORDINANCE granting to **ANDERSON POLLUTION CONTROL, 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**

ORDINANCES - continued

23. Ordinance 2012-0232 – Passed second reading

ORDINANCE No. 2012-232, passed first reading March 21, 2012

ORDINANCE granting to **CONSOLIDATED WASTE LLC dba LIQUID WASTE SOLUTIONS 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**

24. Ordinance 2012-0233 – Passed second reading

ORDINANCE No. 2012-233, passed first reading March 21, 2012

ORDINANCE granting to **SET ENVIRONMENTAL, INC, An Illinois 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**

25. Ordinance 2012-0234 – Passed second reading

ORDINANCE No. 2012-234, passed first reading March 21, 2012

ORDINANCE granting to **ENVIROWASTE SERVICES GROUP, INC, A Florida 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**

26. Ordinance 2012-0235 – Passed second reading

ORDINANCE No. 2012-235, passed first reading March 21, 2012

ORDINANCE granting to **CLEANER EARTH GROUP, 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**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 27 and 27A

PURCHASING AND TABULATION OF BIDS

27. Ordinance 2012-0261

ORDINANCE appropriating \$108,924.00 out of Equipment Acquisition Consolidated Fund for purchase of additional Ambulance Cabs & Chassis for the Houston Fire Department

Motion 2012-0202 – Procedural motion

Motion 2012-0203 – Procedural motion

a. Motion 2012-0204 – Amend

AMEND MOTION #2012-9, 1/4/12, TO PURCHASE additional Ambulance Cabs & Chassis for a total increase of \$108,924.00 for the Houston Fire Department, awarded to **CALDWELL COUNTRY CHEVROLET** - **REQUIRES THREE MOTIONS**

MATTERS HELD - NUMBERS 28 through 31

28. Motion 2012-0205 – Refer back to the Administration

RESOLUTION supporting and approving the proposed construction of the **CAMPANILE ON BRIAR FOREST**, a Multi-Family Affordable Housing Development, to be located at the northeast corner of Briar Forest and Highway 6 in Houston, Texas and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT G - PENNINGTON**
TAGGED BY COUNCIL MEMBER PENNINGTON
This was Item 12 on Agenda of March 21, 2012

29. Resolution 2012-0011

RESOLUTION supporting and approving the proposed construction of the **ZION BAYOU**, a Multi-Family Affordable Housing Development, to be located at 5200-5300 Airport Boulevard in Houston, Texas, and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT D - ADAMS** - **TAGGED BY COUNCIL MEMBER ADAMS**
This was Item 15 on Agenda of March 21, 2012

30. Ordinance 2012-0262

ORDINANCE relating to the Retail Electric Rates of Entergy Texas, Inc within the City of Houston, Texas; ordering reimbursement of all rate case expenses incurred on behalf of all Entergy Texas, Inc ratepayers within the City of Houston, Texas; denying rate increase request and maintaining the current Entergy Texas, Inc rates in effect - **DISTRICT E - SULLIVAN**
TAGGED BY COUNCIL MEMBER BROWN
This was Item 21 on Agenda of March 21, 2012

31. Ordinance 2012-0263

ORDINANCE appropriating \$2,195,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHESTER ENGINEERS, INC** for Design of Southeast Water Purification Plant Sedimentation Basins A & B Improvements (Treatment Module 1), Flocculators Rehabilitation Basins A & B (Treatment Module 1), Rehabilitation of Transfer and Distribution Pumps & Motors and Miscellaneous Engineering Services; 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 BROWN**
This was Item 42 on Agenda of March 21, 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

AGENDA - MARCH 28, 2012 - PAGE 7

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

- 3/27/2012 - Mayor Parker and Council Member Christie out of the City on City business
Mayor Pro-tem Gonzalez presiding**
- 3/28/2012 - Mayor Parker and Council Member Christie out of the City on City business
Mayor Pro-tem Gonzalez presiding**