

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 16, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2012-0734 to 2012-0752
ORDINANCES - 2012-0901 to 2012-0913
RESOLUTIONS – 2012-0030 to 2012-0031

2012-0733-1

INVOCATION 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

NOTE: If a translator is required, please advise when reserving time to speak

Motion 2012-0734 – Procedural motion

Motion 2012-0735 – Procedural motion

Motion 2012-0736 – Procedural motion

Motion 2012-0737 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 17, 2012 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. Motion 2012-0738 – Close hearing

PUBLIC HEARING on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts:

1. Cypress Forest Public Utility District
2. Harris County Municipal Utility District No. 468
3. Cornerstones Municipal Utility District
4. Harris County Municipal Utility District No. 118
5. Fort Bend County Municipal Utility District No. 133
6. Harris County Municipal Utility District No. 221
7. Harris County Municipal Utility District No. 53
8. Montgomery County Municipal Utility District No. 119
9. Harris County Municipal Utility District No. 239
10. Harris County Municipal Utility District No. 374
11. West Harris County Municipal Utility District No. 11
12. Northwest Harris County Municipal Utility District No. 24
13. Harris County Fresh Water Supply District No. 47
14. Northwest Harris County Municipal Utility District No. 32
15. West Harris County Municipal Utility District No. 2

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 32

MISCELLANEOUS - NUMBER 2

2. Motion 2012-0747

RECOMMENDATION from the Mayor's Office of Intergovernmental Relations for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$72,577.00 - General Fund

ACCEPT WORK - NUMBERS 3 through 7

3. Motion 2012-0739

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,170,316.36 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Project - 3.18% under the original contract amount - **DISTRICTS C - COHEN; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and K - GREEN**

4. Motion 2012-0740

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,030,121.24 and acceptance of work on contract with **STATEWIDE TRAFFIC SIGNAL COMPANY** for Traffic Signal Construction Work Order Contract - 10.94% under the original contract amount - **DISTRICTS D - ADAMS; I - RODRIGUEZ and J - LASTER**

ACCEPT WORK - continued

5. Motion 2012-0741

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$494,123.56 and acceptance of work on contract with **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation (4277-39) - 2.30% over the original contract amount and under the 5% contingency amount **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and K - GREEN**

6. Motion 2012-0748

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$424,257.55 and acceptance of work on contract with **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation (4277-40) - 5.66% under the original contract amount - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ; J - LASTER and K - GREEN**

7. Motion 2012-0742

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,115,480.04 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for 69th Street Wastewater Treatment Plant Improvements (Package 3) - 3.43% under the original contract amount - **DISTRICT H - GONZALEZ**

PROPERTY - NUMBER 8

8. Motion 2012-0743

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 in connection with eminent domain proceeding styled City of Houston v. Yakoob Z. Moton, et al., Cause No. 1003657; for acquisition of Parcel AY8-313; for the **YALE STREET PAVING & DRAINAGE PROJECT (Tidwell - W. Parker)** - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 14

9. Motion 2012-0749

AMERICAN PARKS COMPANY - \$227,979.55, **ALL PLAY, INC** - \$80,931.20 and **PLAYPOWER LT FARMINGTON, INC** - \$116,185.50 for Playground Equipment for the Parks & Recreation Department - General Fund

10. Motion 2012-0750

HARRIS CORPORATION for RayFish Covert Surveillance Equipment Software and Annual Maintenance for the Houston Police Department - \$100,200.00 - General and Asset Forfeiture Funds

11. Motion 2012-0751

AZTECA SYSTEMS, INC for Software Maintenance and Support Services Agreement for the Infrastructure Management System for the Department of Public Works & Engineering - 1 Year \$133,295.00 - Enterprise Fund

12. Ordinance 2012-0901

ORDINANCE appropriating \$463,780.80 out of Equipment Acquisition Consolidated Fund for purchase of Automated Refuse Containers for Solid Waste Management Department

PURCHASING AND TABULATION OF BIDS - continued

a. Motion 2012-0744

TOTER, INCORPORATED for Automated Refuse Containers from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department

13. Motion 2012-0745

SAFEWARE, INC for Two Portable Infrared Chemical Identifiers through the Master Intergovernmental Cooperative Purchasing Agreement with U. S. Communities for the Houston Fire Department - \$142,500.00 - Grant Fund

14. Motion 2012-0746

CAMPBELL CONCRETE MATERIALS, LLC dba GULF COAST STABILIZED MATERIALS - \$207,345.00 and **216 RESOURCES, INC** - \$130,806.50 for Sand, Washed Gravel and Stabilized Cement for Various Departments - General and Other Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 32

15. Resolution 2012-0030

RESOLUTION supporting the request of a waiver of the Local Match Requirements in the Federal Off-System Bridge Program (for Westerland Road HCFCD Ditch) - **DISTRICT F - HOANG**

16. Ordinance 2012-0031

RESOLUTION supporting the request of a waiver of the Local Match Requirements in the Federal Off-System Bridge Program (for Windfern Road at Cole Creek) - **DISTRICT A - BROWN**

17. Ordinance 2012-0908

ORDINANCE **AMENDING ARTICLE XV OF CHAPTER 2 AND OTHER SECTIONS OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Information Technology Department

18. Council Member Burks tagged

ORDINANCE amending Ordinance No. 2009-1343 (Passed by City Council December 16, 2009) to increase the maximum contract amount for Professional Services Agreement with **CRAIG T. MASON** for pension related consulting services for the Finance Department - \$100,900.96 General Fund

19. Ordinance 2012-0913

ORDINANCE appropriating \$1,216,617.00 from TIRZ Affordable Housing Fund (2409); approving and authorizing the fifth of five repayment installments in the amount of \$3,101,439 (\$1,216,617.00 - Fund 2409; \$1,884,822 General Fund) to the United States Department of Housing and Urban Development for the resolution of outstanding issues raised in HUD Monitoring Reports from 2004 and 2005 relating to the City's HOME, CDBG, and HOPWA Programs

20. Council Member Brown tagged

ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL CITY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS (MEMORIAL CITY ZONE)**; approving the Fiscal Year 2013 Operating Budget for the Authority and the Fiscal Years 2013-2017 Capital Improvements Budget for the Zone - **DISTRICTS A - BROWN and G - PENNINGTON**

RESOLUTIONS AND ORDINANCES - continued

21. Ordinance 2012-0909

ORDINANCE approving and authorizing contract Parking Agreement between the **HOBBY CENTER FOUNDATION, the Licensor**, and the City of Houston, Texas, the Licensee, for three years, for use of 509 parking spaces at 800 Bagby Street, Houston, Texas - **DISTRICT I - RODRIGUEZ**

22. Ordinance 2012-0902

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION** for the Internet Crimes Against Children Task Force: Houston Metropolitan Area - Equipment Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police 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

23. Ordinance 2012-0910

ORDINANCE appropriating \$6,500,000.00 out of Equipment Acquisition Consolidated Fund for the Records Management System for the Houston Police Department (Approved by Ordinance No. 2009-0392)

24. Council Member Sullivan tagged

ORDINANCE appropriating \$3,744,400.00 out of Airports Improvement Fund and approving and authorizing contract for Professional Architecture/Engineering Services between the City of Houston and **WALKER PARKING CONSULTANTS/ENGINEERS, INC** for New Parking Garage at William P. Hobby Airport (Project No. 597A); providing funding for the Civic Art Program **DISTRICT I - RODRIGUEZ**

25. Ordinance 2012-0911

ORDINANCE authorizing the sale by the City of Houston, Texas, Seller, to **MISSION CENTERS OF HOUSTON, Purchaser**, of the property located at 1522 Fulton Street, Houston, Texas, for a purchase price of \$100,000.00 - Revenue - **DISTRICT H - GONZALEZ**

26. Ordinance 2012-0903

ORDINANCE appropriating \$65,300.00 out of Metro Projects Construction DDSRF as an additional appropriation to an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for services associated with the Montrose Neighborhood Pedestrian Improvements Project (Approved by Ordinance No. 2010-0465, as amended); providing funding for CIP Salary Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT C - COHEN**

27. Ordinance 2012-0904

ORDINANCE appropriating \$3,058,846.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; 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 (4235-60)

RESOLUTIONS AND ORDINANCES - continued

28. Ordinance 2012-0905

ORDINANCE appropriating \$5,687,627.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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 (4257-129)

29. Ordinance 2012-0906

ORDINANCE appropriating \$3,743,191.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; 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 (4258-52)

30. Ordinance 2012-0907

ORDINANCE appropriating \$3,695,130.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; 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 (4258-54)

31. Ordinance 2012-0873 – Passed third and final reading

ORDINANCE No. 2012-0873, passed second reading October 10, 2012

ORDINANCE granting to **EVERETT DEE HENLEY dba SERVICE FIRST GREASE RECYCLING/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 - **THIRD AND FINAL READING**

32. Ordinance 2012-0874 – Passed third and final reading

ORDINANCE No. 2012-0874, passed second reading October 10, 2012

ORDINANCE granting to **ENVIROLINK, 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 33 and 34

33. Motion 2012-0752 – Adopt

MOTION by Council Member Gonzalez/Seconded by Council Member Bradford to adopt recommendation from Director Mayor's Office of Intergovernmental Relations and Deputy Chief of Staff for adoption of the City of Houston Legislative Principles for the 83rd Session of the Texas Legislature - **TAGGED BY COUNCIL MEMBER SULLIVAN**

This was Item 5 on Agenda of October 10, 2012

34. Ordinance 2012-0912

ORDINANCE approving and authorizing Memorandum of Understanding No. 1 between the City and **HOUSTON FORENSIC SCIENCE LGC, INC**; containing a savings clause

TAGGED BY COUNCIL MEMBER GREEN

This was Item 13 on Agenda of October 10, 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

10/16/2012 - All Present

10/17/2012 - All Present