

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 2, 2013 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2013-0001 to 2013-0011
ORDINANCES – 2013-0001 to 2013-0011
RESOLUTION – None

2013-0000-1

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

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Adams

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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

MAYOR'S REPORT - CenterPoint Gas Rate Filing

CONSENT AGENDA NUMBERS 1 through 19

MISCELLANEOUS - NUMBER 1

Motion 2013-0001 – Suspend rules to consider Item 1 out of order

1. Motion 2013-0002

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER NINE, CITY OF HOUSTON, TEXAS (SOUTH POST OAK ZONE) BOARD OF DIRECTORS**:

Position Three - **ALGENITA SCOTT DAVIS**, reappointment, for a term to expire 12/31/2013, and as Chair, for a term ending 12/31/2013

Position Four - **EZEKIEL MOORE, JR.**, appointment, for a term to expire 12/31/2013

Position Five - **TANDELYN ATKINSON WEAVER**, appointment, for a term to expire 12/31/2013

Position Six - **GEORGE E. JOHNSON, III**, appointment, for a term to expire 12/31/2014

Position Seven - **WILLIE BELLE BOONE**, reappointment, for a term to expire 12/31/2014

PURCHASING AND TABULATION OF BIDS - NUMBERS 2 through 7

2. Motion 2013-0007

DIGITAL SANDBOX, INC for purchase of additional modules for the Digital Sandbox Risk Management Software System for the Mayor's Office of Public Safety & Homeland Security \$278,547.79 - Grant Fund

3. Motion 2013-0008

INTEX FLOORING, LLC for Porcelain Tile and Installation Services from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the General Services Department on behalf of the Houston Fire Department \$75,647.31 - In-House Renovation Revolving Fund

4. Motion 2013-0005

MACAULAY CONTROLS COMPANY for Replacement Parts for Metering Pumps and Analyzers for the Department of Public Works & Engineering - \$650,000.00 - Enterprise Fund

5. Motion 2013-0006

PHILPOTT MOTORS, LTD, dba PHILPOTT FORD for Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Department of Public Works & Engineering - \$171,030.70 - Enterprise Fund

6. Motion 2013-0009

CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET - \$360,542.00, **SAM PACK'S FIVE STAR FORD, LTD.** - \$846,544.85, **CHASTANG ENTERPRISES, INC d/b/a CHASTANG FORD** - \$101,256.00, **PHILPOTT MOTORS, LTD d/b/a PHILPOTT FORD** - \$158,868.15 and **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** - \$32,388.00 for Light Duty Vehicles through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and BuyBoard for Various Departments - \$1,499,599.00 - Equipment Acquisition Consolidated and Other Funds

7. Council Member Brown tagged

VWR INTERNATIONAL, LLC for Scientific Products for Various Departments - \$4,294,287.00 General, Enterprise and Other Funds

ORDINANCES - NUMBERS 8 through 19

8. Ordinance 2013-0005

ORDINANCE AMENDING SECTION 110 OF THE VOLUME OF THE CITY OF HOUSTON CONSTRUCTION CODE known as the **CITY OF HOUSTON RESIDENTIAL ENERGY CONSERVATION CODE** regarding increased standards; containing findings; providing an effective date; providing for severability

9. Ordinance 2013-0001

ORDINANCE authorizing the granting by the City of Houston, Texas, Seller, to Targa Downstream LLC, Purchaser, of a 50-foot-wide subsurface pipeline easement at the East Water Purification Plant, Harris and Wilson Survey, A-31, Harris County, Texas, for a purchase price of \$105,166.00

ORDINANCES - continued

10. Council Member Rodriguez tagged

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public street right-of-way of an 18.5-foot-wide portion of excess Dahlia Street, Harrisburg Addition, Harris County, Texas; vacating and abandoning the right-of-way to Houston Gateway Academy, Inc. and Broadway Baptist Church of Houston, abutting owners, in consideration of their payment of \$17,580.00 to the City and other consideration - **DISTRICT I - RODRIGUEZ**

11. Ordinance 2013-0006

ORDINANCE appropriating \$3,000,000.00 out of Street & Traffic Control and Storm Drainage DDSRF; approving and authorizing the purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations, with associated costs for Appraisal Fees, Title Policies and Services, expenses associated with removing improvements from the right-of-way, relocation expenses, Recording Fees and other services, in connection with negotiations to settle purchases, Court Costs and Expert Witness Fees for and in connection with construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF

12. Ordinance 2013-0007

ORDINANCE appropriating \$54,783.00 out of Tax Increment Funds for Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), and Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone) for affordable housing, payments to Houston Independent School District, and payments to certain Redevelopment Authorities as provided herein

13. Council Member Burkes tagged

ORDINANCE approving and authorizing contract between the City of Houston and **DEAN'S NUTRITIONAL FOOD SERVICE INC** for the Houston Parks & Recreation Department's After-School Meal Program; subject to the receipt of sufficient grant funds from the Texas Department of Agriculture Child and Adult Care Food Program; providing a maximum contract amount 6 Months with 4 one-year options - \$3,350,160.00 - Grant Fund - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN; F - HOANG; H - GONZALEZ; I - RODRIGUEZ; J - LASTER and K - GREEN**

14. Ordinance 2013-0008

ORDINANCE amending Ordinance No. 2010-446, as amended, to increase the maximum contract amount; approving and authorizing second amendment to an agreement between the City of Houston and **MORRIS & MCDANIEL, INC** for Promotional Testing Services for the Houston Fire Department - \$410,000.00 - General Fund

15. Council Member Green tagged

ORDINANCE appropriating \$2,500,000.00 out of Dangerous Building Consolidated Fund for Demolition

16. Ordinance 2013-0002

ORDINANCE consenting to the addition of 6.2652 acres of land to **FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 2**, for inclusion in its district

ORDINANCES - continued

17. Ordinance 2013-0009

ORDINANCE approving and authorizing agreement between the **GULF COAST RAIL DISTRICT** and the City of Houston for the West Belt Grade Crossing Safety Improvements within the boundaries of the City of Houston - **DISTRICTS B - DAVIS; H - GONZALEZ and I - RODRIGUEZ**

18. Ordinance 2013-0010

ORDINANCE appropriating \$230,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, L.P.** for Work Order Bridge Rehabilitation Design / Replacement; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF

19. Ordinance 2013-0003

ORDINANCE appropriating \$2,013,505.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **T CONSTRUCTION, 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 (4235-63)

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 20

MISCELLANEOUS

20. Motion 2013-0010

MOTION to set a date not less than seven days from January 2, 2013, to receive nominations for Positions One, Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one year terms to expire December 31, 2013

MATTERS HELD - NUMBERS 21 through 23

21. Motion 2013-0011 – Adopt

RECOMMENDATION from Director Department of Public Works & Engineering for purchase of Parcel LY10-045, located at the 7400 block of Northline Drive, owned by Turning Point Center, Inc., a Texas corporation f/k/a Rehab Mission, Inc., a Texas corporation, Isha Desselle, President, for the **NORTHLINE RECONSTRUCTION PROJECT from Parker to Canino - DISTRICT H - GONZALEZ** - TAGGED BY COUNCIL MEMBER SULLIVAN
This was Item 12 on Agenda of December 19, 2012

22. Motion 2013-0004 – Postpone two (2) weeks

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; requiring a rate filing; maintaining current rates in effect until changed - **TAGGED BY COUNCIL MEMBER SULLIVAN**
This was Item 20 on Agenda of December 19, 2012

MATTERS HELD - continued

23. Ordinance 2013-0011

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **SOGETI USA, LLC** for Software Design and Development Services (Approved by Ordinance No. 2009-863) - **TAGGED BY COUNCIL MEMBER BRADFORD**
This was Item 30 on Agenda of December 19, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Christie 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

**1/2/2013 - Council Members Cohen and Laster absent on personal business
Council Member Hoang absent on City business**

SUPPLEMENTAL NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Houston at its regular meeting Wednesday, January 2, 2013, 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 items:

6. Ordinance 2013-0004

ORDINANCE appropriating \$915,102.99 out of Equipment Acquisition Consolidated Fund for purchase of Light Duty Vehicles for Various Departments

a. Motion 2013-0009

CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET - \$360,542.00, **SAM PACK'S FIVE STAR FORD, LTD.** - \$846,544.85, **CHASTANG ENTERPRISES, INC d/b/a CHASTANG FORD** - \$101,256.00, **PHILPOTT MOTORS, LTD d/b/a PHILPOTT FORD** - \$158,868.15 and **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** - \$32,388.00 for Light Duty Vehicles through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and BuyBoard for Various Departments - \$1,499,599.00 Equipment Acquisition Consolidated and Other Funds

NOTE: This adds Item 6 and rennumbers Item 6 listed on the Agenda as 6A