

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 1, 2013 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

MOTIONS – 2013-0656 to 2013-0666  
ORDINANCES – 2013-0879 to 2013-0888  
RESOLUTION - None

2013-0655-1

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

**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 - OCTOBER 2, 2013 - 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 2013-0656 – Close hearing**  
**PUBLIC HEARING** relating to the Proposed 2013 Tax Rate of \$.63875/\$100 of value

**Motion 2013-0657 – Accept report**

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 21**

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**MISCELLANEOUS** - NUMBER 2

**2. Council Member Green tagged**

RECOMMENDATION from Director Houston Information Technology Services for approval of Change Order No. 9 for contract with **SAP PUBLIC SERVICES INC** for purchase of Strategy Management Software Module for Various Departments in the amount of ~~\$261,188.08~~ \$152,000.00 General and Central Services Chargeback Funds

**ACCEPT WORK** - NUMBERS 3 and 3A

**3. Ordinance 2013-0879**

ORDINANCE deappropriating \$550,897.10 appropriated out of the Water & Sewer Contributed Capital Fund ("The Fund") by Ordinance No. 2008-0186 from a contract with **PEPPER LAWSON/OSCAR RENDA, JV** for Construction of the Southeast Water Treatment Plant Expansion and re-appropriating the same amount out of The Fund for Contract No. C39963 with **CDM** (now CDM Smith, Inc.) for Design of the Southeast Plant Expansion (approved by Ordinance No. 1999-0001) as reimbursement for creation of an operating manual - **DISTRICT E - MARTIN**

**a. Motion 2013-0658**

RECOMMENDATION from Director Department of Public Works and Engineering for approval of final contract amount of \$168,161,517.43 and acceptance of work on contract with **PEPPER LAWSON/OSCAR RENDA, JV** for Southeast Water Purification Plant - Phase I-80 MGD Expansion - 0.07% under the original contract amount - **DISTRICT E - MARTIN**

**PROPERTY** - NUMBER 4

**4. Motion 2013-0659**

RECOMMENDATION from Director of the Houston Parks & Recreation Department to appoint Ambrose Appraisal Company and Tom Edmonds independent appraisers and Nation Realty Consultants as alternate appraiser to determine the fair market value of 2.1748 acre tract of land and an approximately 8,900 square foot tract of land at 3801 Eastside known as Levy Park **DISTRICT C - COHEN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 5 through 10

**5. Motion 2013-0660**

**TEXAS COMMISSION ON FIRE PROTECTION** for payment of Annual Certification and Re-certification fees for Firefighters for Fire Department - \$372,215.00 - General Fund

**6. Motion 2013-0661**

**PHILPOTT MOTORS LTD., d/b/a PHILPOTT FORD** for purchase of Intermediate Hybrid 4-Door Sedans through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (Buyboard) for the Houston Housing & Community Development Department - \$200,926.00 - Grant Funds

**7. Pulled-Not Considered**

ORDINANCE appropriating \$1,022,305.00 out of Police Consolidated Construction Fund to Fabricate and Install Hurricane Shutters for the General Services Department on behalf of the Houston Police Department

**a. Pulled-Not Considered**

**PHOENIX ARCHITECTURAL PRODUCT, INC** to Fabricate and Install Hurricane Shutters for the General Services Department on behalf of the Houston Police Department - \$933,000.00 and contingencies for a total amount not to exceed \$1,012,305.00

**PURCHASING AND TABULATION OF BIDS** - continued

**8. Motion 2013-0662**

**WAUKESHA-PEARCE INDUSTRIES, INC** for purchase of a Generator System and Associated Equipment through Interlocal Agreement for Cooperative Purchasing with Houston Galveston Area Council for the General Services Department on behalf of the Houston Police Department - \$73,711.00 - In-House Renovation Revolving Fund

**9. Ordinance 2013-0880**

ORDINANCE appropriating \$3,971,250.00 out of Reimbursement of Equipment/Projects Fund for the purchase of Automated Recycling Carts for Solid Waste Management Department - General and Other Funds

**a. Motion 2013-0663**

**TOTER, LLC** for purchase for Automated Recycling Carts through the Cooperative Purchasing Agreement with the City of Tucson for the Solid Waste Management Department

**10. Motion 2013-0664**

**AMEND MOTION #2012-272, 4/4/12, TO INCREASE** spending authority from \$2,338,999.29 to \$5,577,209.29 for Retail Maintenance, Repair, and Operating Supplies and Related Services through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for Various Departments, awarded to **HOME DEPOT U.S.A., INC** - \$3,238,210.00 - General and Other Funds

**ORDINANCES** - NUMBERS 11 through 21

**11. Ordinance 2013-0881**

ORDINANCE approving and authorizing a contract between the City of Houston and **HARRIS COUNTY** relating to the joint election to be held on November 5, 2013; providing a maximum contract amount - \$850,000.00 - General Fund

**12. Ordinance 2013-0882**

ORDINANCE establishing City of Houston election precincts and designating polling places for the City of Houston General Election to be held on November 5, 2013; containing findings and other provisions related to the subject; providing for severability

**13. Ordinance 2013-0883**

ORDINANCE awarding contract to **EAN HOLDINGS, LLC** for Vehicle Leasing Services for the Houston Police Department; providing a maximum contract amount - \$7,300,000.00 - 3 years with two one-year options - General and Other Funds

**14. Council Member Bradford Tagged**

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **NATIONAL INSTITUTE OF JUSTICE**, pursuant to the FY2013 DNA Backlog Reduction Program, to fund training, technical review and technology to build capacity in the area of DNA testing; 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

**15. Ordinance 2013-0884**

ORDINANCE approving and authorizing a funding agreement between the City of Houston and the **HERITAGE SOCIETY** for the Repair and Preservation of the Kellum Noble House in Sam Houston Park - \$100,000.00 - Historic Preservation Fund - **DISTRICT I RODRIGUEZ**

**ORDINANCES** - continued

**16. Ordinance 2013-0885**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Berry Street from Milam Street west 158.96 feet; vacating and abandoning the street to most Reverend Daniel Cardinal Dinardo, Archbishop of Galveston-Houston, his successors in office or assigns, for the use and benefit of Holy Rosary Parish, abutting owner, in consideration of owner's payment of \$149,450.00 to the City, conveyance to the City of a storm sewer easement and an access easement, and other consideration - **DISTRICT C - COHEN**

**17. Ordinance 2013-0886**

ORDINANCE approving and authorizing a second amendment to an agreement between the City of Houston and the **CHECKFREEPAY CORPORATION** for Automated Bill Collection and Processing System for the Department of Public Works & Engineering (approved by Ordinance 2007-1072); amending the same Ordinance 2007-1072 to increase the maximum contract amount \$300,000.00 Enterprise Fund

**18. Ordinance 2013-0887**

ORDINANCE appropriating \$2,059,702.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHARLES D. GOODEN CONSULTING ENGINEERS, INCORPORATED** for Engineering Services Associated with the Design of Water Line Replacements in Glen Iris Area, Harrisburg Area and Westchester II Area; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - ADAMS; E - MARTIN; G - PENNINGTON; I - RODRIGUEZ and K - GREEN**

**19. Ordinance 2013-0888**

ORDINANCE appropriating \$2,812,467.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; setting 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 - (4235-69)

**20. See ordinances below**

ORDINANCES Nos. 2013-861 to 2013-865, passed first reading September 25, 2013 for Ordinances granting to the following listed as A through E, 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 and making certain findings related thereto **SECOND READING**

- A. **Ordinance 2013-0861 - VEOLIA ES TECHNICAL SOLUTIONS, L.L.C.**, a Delaware Limited Liability Company – Passed second reading
- B. **Ordinance 2013-0862 - WASTE CORPORATION OF TEXAS, L.P.**, a Delaware Limited Partnership – Passed second reading
- C. **Ordinance 2013-0863 - BAY AREA VACUUM SERVICE**, a Texas Limited Liability Company – Passed second reading
- D. **Ordinance 2013-0864 - MZ TECH, INC. DBA UTS ENVIRONMENTAL**, a Texas Corporation – Passed second reading
- E. **Ordinance 2013-0865 - COAL CITY COB COMPANY INC.**, an Illinois Corporation – Passed second reading

**ORDINANCES** - continued

**21. See ordinances below**

ORDINANCE Nos. 2013-821 to 2013-842, passed second reading September 25, 2013 for Ordinances granting to the following listed as A through V, 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 and making certain findings related thereto

**THIRD AND FINAL READING**

- A. **Ordinance 2013-0821 - HERITAGE-CRYSTAL CLEAN, LLC**, an Indiana Limited Liability Company – Passed third and final reading
- B. **Ordinance 2013-0822 - LIQUID ENVIRONMENTAL SOLUTIONS OF TEXAS, LLC**, a Texas Limited Liability Company – Passed third and final reading
- C. **Ordinance 2013-0823 - INLAND ENVIRONMENTS LTD.**, a Texas Limited Liability Company – Passed third and final reading
- D. **Ordinance 2013-0824 - CONSOLIDATED WASTE LLC DBA LIQUID WASTE SOLUTIONS**, a Texas Limited Liability Company – Passed third and final reading
- E. **Ordinance 2013-0825 - TREE EXPERTS INC. DBA DEMOLITION EXPERTS**, A Texas Corporation – Passed third and final reading
- F. **Ordinance 2013-0826 - ANTONIO VALVERDE JR., DBA SOUTHERN DISCOUNT VACUUM SERVICE**, a Texas Sole Proprietorship – Passed third and final reading
- G. **Ordinance 2013-0827 - A. G. RADCLIFF DBA I.G.S. ENVIRONMENTAL**, a Texas Sole Proprietorship – Passed third and final reading
- H. **Ordinance 2013-0828 - PAMELA BUSSEY DBA 1ST CHOICE GREASE SERVICE**, a Texas Sole Proprietorship – Passed third and final reading
- I. **Ordinance 2013-0829 - CHIEF SOLUTIONS, INC.**, a Texas Corporation – Passed third and final reading
- J. **Ordinance 2013-0830 - HUFF & MITCHELL, INC.**, a Texas Corporation – Passed third and final reading
- K. **Ordinance 2013-0831 - POT-O-GOLD RENTALS, LLC**, a Louisiana Limited Liability Company – Passed third and final reading
- L. **Ordinance 2013-0832 - EZ WASTE INC.**, a Texas Corporation – Passed third and final reading
- M. **Ordinance 2013-0833 - SONJA BERTRAN DBA ANITA'S VACUUM SERVICE**, a Texas Sole Proprietorship – Passed third and final reading
- N. **Ordinance 2013-0834 - PORTLAND UTILITIES CONSTRUCTION COMPANY, LLC**, a Tennessee Limited Liability Company – Passed third and final reading
- O. **Ordinance 2013-0835 - TEXAS DISPOSAL SYSTEMS**, a Texas Corporation – Passed third and final reading
- P. **Ordinance 2013-0836 - CAMINO SERVICES, LLC**, a Texas Limited Liability Company – Passed third and final reading
- Q. **Ordinance 2013-0837 - WASTE MANAGEMENT OF TEXAS, INC.**, a Texas Corporation – Passed third and final reading
- R. **Ordinance 2013-0838 - SUPERIOR SEPTIC SERVICES, LLC**, a Texas Limited Liability Company – Passed third and final reading
- S. **Ordinance 2013-0839 - PROGRESSIVE ENVIRONMENTAL SERVICES, INC. D/B/A SWS ENVIRONMENTAL SERVICES**, a Texas Corporation – Passed third and final reading
- T. **Ordinance 2013-0840 - TEXAS GREASE ACQUISITIONS, LLC DBA A-AFFORDABLE VACUUM SERVICE**, a Texas Limited Liability Company – Passed third and final reading
- U. **Ordinance 2013-0841 - HOUSTON WASTE SOLUTIONS, LLC**, a Texas Limited Liability Company – Passed third and final reading
- V. **Ordinance 2013-0842 - EXCEL WASTE PARTNERS, LLC**, a Texas Limited Liability Company – Passed third and final reading

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 22 and 23

**22. Motion 2013-0665 - Adopt**

MOTION by Council Member Gonzalez/Seconded by Council Member Adams to adopt recommendation from Director Department of Public Works and Engineering for approval of final contract amount of \$5,316,612.50 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Groundwater Treatment Plants Improvements Package 1; Jersey Village, District 123, Acres Homes and Sims Bayou - 1.31% under the original contract amount - **DISTRICTS B - DAVIS, F - HOANG and K - GREEN** –  
**TAGGED BY COUNCIL MEMBER DAVIS**  
This was Item 3 on Agenda of September 25, 2013

**23. Motion 2013-0666 - Adopt**

MOTION by Council Member Gonzalez/Seconded by Council Member Adams to adopt recommendation from Director Department of Public Works and Engineering for approval of final contract amount of \$7,936,180.19 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Aldine Westfield Paving and Drainage: Tidwell to Little York 0.67% under the original contract amount - **DISTRICTS B - DAVIS and H - GONZALEZ**  
**TAGGED BY COUNCIL MEMBER DAVIS**  
This was Item 5 on Agenda of September 25, 2013

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

10/1/2013 - Council Member Martin absent on personal business  
10/2/2013 - Council Member Martin absent on personal business