

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 24, 2013 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

MOTIONS – 2013-0646 to 2013-0655
ORDINANCES – 2013-0851 to 2013-0878
RESOLUTION - None

2013-0645-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Green

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 2013-0646 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

TUESDAY - SEPTEMBER 24, 2013 - 6:00 P. M.

HEARING - 6:00 P.M.

1. Motion 2013-0647 – Close hearing
PUBLIC HEARING relating to the Proposed 2013 Tax Rate of \$.63875/\$100 of value

RECONVENE

WEDNESDAY - SEPTEMBER 25, 2013 - 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 2 through 33

MISCELLANEOUS - NUMBER 2

2. Motion 2013-0648
REQUEST from Mayor for confirmation of the reappointment of **J. KENT FRIEDMAN** as Chair of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY**, for a term to expire August 31, 2015

ACCEPT WORK - NUMBERS 3 through 5

3. Council Member Davis tagged

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**

4. Pulled-Not Considered

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, INC** 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 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. Pulled-Not Considered

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, INC** for Southeast Water Purification Plant - Phase I-80 MGD Expansion 0.07% under the original contract amount - **DISTRICT E - MARTIN**

5. Council Member Davis tagged

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**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 11

6. Motion 2013-0649

CANBERRA INDUSTRIES, INC for purchase of Personal Radiation Monitors for the Houston Police Department - \$83,700.00 - Grant Funds

7. Pulled-Not Considered

EAN HOLDINGS, LLC for Vehicle Leasing Services for the Houston Police Department \$7,300,000.00 - 3 years with two one-year options - General and Other Funds

Motion 2013-0652 – Suspend rules to consider Item 34 before Item 8

8. Motion 2013-0653

DATA VOX, INC for purchase of Professional Services and Equipment through the Texas Department of Information Resources for the Houston Information Technology Services Department - \$13,500,000.00 - Equipment Acquisition Consolidated Fund

9. Motion 2013-0654

AMEND MOTION #2013-97, 2/6/13, as previously amended by MOTION #2013-0255, 4/17/13 to purchase additional Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for the Department of Public Works & Engineering awarded to **TOMBALL DODGE, INC** - \$1,006,358.00; **RON CARTER AUTOMOTIVE** - \$57,392.00; **CALDWELL AUTOMOTIVE PARTNER, LLC, DBA CALDWELL COUNTRY FORD, LLC** \$498,212.00 - \$1,561,962.00 - Various Funds

PURCHASING AND TABULATION OF BIDS - continued

10. Ordinance 2013-0851

ORDINANCE appropriating \$1,000,288.94 out of Water & Sewer System Consolidated Construction Fund for the Purchase of Heavy Duty Electrical Motors for the Public Works & Engineering Department

a. Motion 2013-0650

AMEND MOTION #2012-702, 9/26/12, to purchase additional Heavy Duty Electrical Motors for the Public Works & Engineering Department awarded to **EVANS ENTERPRISES, INC**

11. Motion 2013-0651

LEOTEK ELECTRONICS USA CORPORATION - \$199,422.50; **REPUBLIC INTELLIGENT TRANSPORTATION SERVICES, INC** - \$158,700.00; **GENERAL TRAFFIC EQUIPMENT CORP.** \$154,000.00; **GLOBE ELECTRIC CO., INC** - \$540,384.75 for Traffic Signal Control Hardware for the Department of Public Works & Engineering - \$1,052,507.25 - Dedicated Drainage and Street Renewal Fund - 3 years with two one-year options

ORDINANCES - NUMBERS 12 through 33

12. Ordinance 2013-0867

ORDINANCE authorizing the issuance of City of Houston, Texas Tax and Revenue Certificate of Obligation (QECB – Direct Pay to Issuer), Series 2013Q; prescribing the terms and conditions thereof; providing for the payment of Principal and Interest thereon; authorizing execution of a Purchase Agreement and a Paying Agent/Registrar Agreement; making other provisions and findings; and declaring an emergency

13. Ordinance 2013-0868

ORDINANCE approving and authorizing Six Professional Materials Engineering Laboratory Agreements between the City of Houston and **GEOTEST ENGINEERING, INC, TOLUNAY-WONG ENGINEERS, INC, GEOTECH ENGINEERING AND TESTING, AVILES ENGINEERING CORPORATION, PARADIGM CONSULTANTS, INC AND HVJ ASSOCIATES** for Engineering Materials Testing Services for the Houston Airport System **DISTRICT B - DAVIS; E - MARTIN and I - RODRIGUEZ**

14. Ordinance 2013-0869

ORDINANCE appropriating \$1,010,000.00 out of Woodlands Regional Participation Fund; awarding construction contact to **MENADE, INC** for Lake Houston Wilderness Park – Phase Two; 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 engineering and materials testing services, Civic Art Program and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - \$80,000.00 - Special Revenue Fund

15. Ordinance 2013-0870

ORDINANCE amending Ordinance No. 2010-0316 (passed by City Council April 28, 2010) to increase the maximum contract amount for legal services contract between the City of Houston and **OLSON & OLSON, L.L.P** relating to Cause No. 799233; Trail Enterprises, Inc. d/b/a Wilson Oil Company, et al. v. The City of Houston, Texas; in the County Civil Court at Law No. One of Harris County, Texas - \$25,000.00 - Enterprise Fund - **DISTRICT E - MARTIN**

ORDINANCES - continued

16. Ordinance 2013-0871

ORDINANCE approving and authorizing contract between the City and **BAYLOR COLLEGE OF MEDICINE** for Tuberculosis Physician Services; providing maximum contract amount \$221,000.00 - 1 year with four one-year renewal terms - Grant Fund

17. Ordinance 2013-0872

ORDINANCE approving and authorizing contract between the City and **THE UNITED WAY OF TARRANT COUNTY** for Consumer Health Insurance Marketplace Enrollment Services; approving the acceptance and disbursement of funds thereunder - \$1,132,931.00 - Grant Fund

18. Ordinance 2013-0852

ORDINANCE approving and authorizing the submission of an application for and acceptance of a U.S. Department of Transportation FY14 Federal Motor Carrier Safety Assistance Program High Priority 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

19. Ordinance 2013-0873

ORDINANCE approving and authorizing first amendment to loan agreement among the City of Houston, Houston North Apartment Homes I LLC and Houston North Apartment Homes, LP for Northline Apartments, an affordable rental housing community located in the vicinity of 7211 Northline Drive, Houston, Texas - **DISTRICT H - GONZALEZ**

20. Ordinance 2013-0853

ORDINANCE appropriating \$834,595.77 out of Equipment Acquisition Consolidated Fund for purchase of Capital Equipment for the Houston Police Department

21. Ordinance 2013-0874

ORDINANCE appropriating \$22,519.83 out of Police Consolidated Construction Fund for Emergency Remediation and Cleanup of hazardous waste for the General Services Department on behalf of the Houston Police Department - **DISTRICT B - DAVIS**

22. Ordinance 2013-0854

ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on: Strategic Partnership Agreements between the City of Houston and **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21** and on proposals for the City of Houston to annex for limited purposes certain territory located within such district in Harris County; proposed Strategic Partnership Agreements between the City of Houston and **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 98** and **LOUETTA ROAD UTILITY DISTRICT** and on proposals to annex for limited purposes territory located within and in the vicinity of such districts in Harris and Montgomery Counties; proposed amendments to the Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36**, **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**, **MEMORIAL HILLS UTILITY DISTRICT**, **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 2** and on proposals for the City of Houston to annex for limited purposes certain territory located within such district in Harris County; proposed amendments to the Strategic Partnership Agreements between the City of Houston and **SPRING CREEK UTILITY DISTRICT**, **HARRIS COUNTY FRESHWATER SUPPLY DISTRICT NO. 61**, **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5**, AND **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368** and on proposals for the City of Houston to annex for limited purposes territory within and in the vicinity of such districts in Harris and Montgomery, and Fort Bend Counties; proposals for the City of Houston to impose the City of Houston's sales and use tax in such territory; providing for the publication of notice of such hearings **HEARING DATES WEDNESDAY - 9:00 A.M. - OCTOBER 16 and 23, 2013**

ORDINANCES - continued

23. Ordinance 2013-0855

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Hughes Road Reconstruction Project from Beltway 8 to the city limits; authorizing the acquisition of fee simple title interest in or easement to 4 parcels of land required for the project and situated in the Dickinson Putnam Survey, Abstract No. 638 and the A. M. Gentry Survey, Abstract No. 292; in Harris County, Texas, said parcels of land being along the north-westerly and south-easterly lines of Hughes Road from Beltway 8 to the city limits in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of fee simple title interest in or easement to the 4 parcels of land required for the project - **DISTRICT D - ADAMS**

24. Ordinance 2013-0856

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Martin Luther King Boulevard Reconstruction Project from IH-610 south to Bellfort Street; authorizing the acquisition of fee simple title interest in or easement to 7 parcels of land required for the project and situated in the Chauncey Goodrich Survey, Abstract No. 306 and the W. C. R. R. Survey, Section 1, Abstract No. 936 in Harris County, Texas, said parcels of land being along the westerly and easterly lines of Martin Luther King Boulevard from IH-610 south to Bellfort Street in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of fee simple title interest in or easement to the 7 parcels of land required for the project - **DISTRICT D - ADAMS**

25. Ordinance 2013-0857

ORDINANCE consenting to the addition of 17.53 acres of land to **NORTHWOOD MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district - **DISTRICT B - DAVIS**

26. Ordinance 2013-0858

ORDINANCE consenting to the addition of 42.5446 acres of land to **TIMBER LANE UTILITY DISTRICT**, for inclusion in its district

27. Ordinance 2013-0859

ORDINANCE appropriating the sum of \$1,554,994.90 out of Water & Sewer System Consolidated Construction Fund and \$3,465,945.64 out of the Street & Traffic Control and Storm Drainage DDSRF; approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Reconstruction of South Shaver Road from Interstate Highway 45 to State Highway 3; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and the Street & Traffic Control and Storm Drainage DDSRF **DISTRICT E - MARTIN**

28. Ordinance 2013-0860

ORDINANCE appropriating \$585,000.00 out of Metro Projects Construction DDSRF; awarding contract to **ISI CONTRACTING, INC** for Work Order Bridge Rehabilitation/Replacement Citywide; setting deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract document to City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, CIP Cost Recovery and contingencies relating to construction of facilities financed by Metro Project Construction DDSRF

ORDINANCES - continued

29. Ordinance 2013-0875

ORDINANCE appropriating \$2,865,970.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **T CONSTRUCTION, 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 document to 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 Water & Sewer System Consolidated Construction Fund (4235-68)

30. Ordinance 2013-0876

ORDINANCE appropriating \$1,004,684.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **T CONSTRUCTION, LLC** for New Front Easement Reconnections; setting deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract document to 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 Water & Sewer System Consolidated Construction Fund (5159)

31. Ordinance 2013-0877

ORDINANCE appropriating \$1,715,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **T CONSTRUCTION, LLC** for Work Order Contract for Small Diameter Water Lines; setting deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract document to 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 Water & Sewer System Consolidated Construction Fund

32. See ordinances below

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 **FIRST READING**

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

ORDINANCES - continued

33. See ordinances below

ORDINANCE Nos. 2013-821 to 2013-842, passed first reading September 18, 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

SECOND READING

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

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 34 through 36

34. Ordinance 2013-0866

ORDINANCE appropriating \$13,500,000 out of Equipment Acquisition Consolidated Fund for the purpose of Professional Services and Equipment for the Houston Information Technology Services Department - **TAGGED BY COUNCIL MEMBER BURKS**
This was Item 22 on Agenda of September 18, 2013

35. Ordinance 2013-0878

ORDINANCE appropriating \$45,538,562.92 out of Houston Airport Improvement Fund and awarding construction contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Reconstruction of Taxiway NB at George Bush Intercontinental Airport/Houston (Project No. 647); 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 contingencies relating to construction of facilities financed by such funds - **DISTRICT B - DAVIS** - **TAGGED BY COUNCIL MEMBER GREEN and DAVIS**
This was Item 30 on Agenda of September 18, 2013

36. Motion 2013-0655 - Refer back to Administration

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2013-722 by adding one Deputy Chief position; adding three District Chief positions; adding four Senior Captain positions; adding one Assistant Arson Investigator position; and deleting four Captain positions; substituting the amended Exhibit as part of the current Fire Department Classified Personnel Ordinance
TAGGED BY COUNCIL MEMBER RODRIGUEZ
This was Item 33 on Agenda of September 18, 2013

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Martin 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

09/24/2013 - All Present
09/25/2013 - All Present