

AGENDA - COUNCIL MEETING - TUESDAY - JULY 10, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2012-0576 to 2012-0589
ORDINANCES – 2012-0631 to 2012-0648
RESOLUTION – None

2012-0575-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Costello

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 2012-0576 – Procedural motion
Motion 2012-0577 – Procedural motion
Motion 2012-0578 – Procedural motion
Motion 2012-0579 – Procedural motion
Motion 2012-0580 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 11, 2012 - 9:00 A. M.

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

MAYOR'S REPORT - City Bond Election

CONSENT AGENDA NUMBERS 1 through 22

MISCELLANEOUS - NUMBERS 1 through 4

Motion 2012-0581 – Suspend rules to consider Items 1 and 2 out of order

1. Motion 2012-0582

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF THE HOUSTON ARTS ALLIANCE**:

Position Two - **MR. DAVID LADUCA**, appointment, for a term to expire 6/30/2013

Position Three- **MS. GIGI L. MYUNG**, appointment, for a term to expire 6/30/2014

Position Four - **MS. LEIGH MCCRANIE SMITH**, appointment, for a term to expire 6/30/2014

Position Five - **MS. SHANNON BUGGS**, reappointment, for a term to expire 6/30/2015

Position Six - **MR. DAVID ASHLEY WHITE**, reappointment, for a term to expire 6/30/2015

2. Motion 2012-0583

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE HOUSTON FIRST CORPORATION**:

Class B terms to expire December 31, 2013

Position One - **MR. RICHARD J. CAMPO**, and to serve as Chair

Position Two - **MS. KATY CALDWELL**

Position Three - **MR. THOMAS DEON WARNER**

Position Four - **MR. DAVID W. ARPIN**

Class A terms to expire December 31, 2012

Position Five - **MR. JOE TING**

Position Six - **MR. HASMUKH D. PATEL**

Position Seven - **MS. DESRYE M. MORGAN**

Position Eight - **MR. DAVID L. SOLOMON**

Position Nine - **MR. RICHARD A. RABINOW**

3. Motion 2012-0586

RECOMMENDATION from Director Administration & Regulatory Affairs for the designation of residential parking permit areas in the Super Neighborhoods of University Place and River Oaks/Afton Oaks - **DISTRICTS C - COHEN and G - PENNINGTON**

Motion 2012-0584 – Suspend rules to consider Item 4 out of order

4. Motion 2012-0585

REQUEST for consideration of letter of resignation to be submitted by Council Member Sullivan

ACCEPT WORK - NUMBERS 5 and 5A

5. Ordinance 2012-0632

ORDINANCE appropriating \$201,914.18 out of Water & Sewer System Consolidated Construction Fund, \$210,399.20 out of the Metro Projects Construction DDSRF and \$583.36 out of Street and Traffic Control and Storm Drainage DDSRF as an additional appropriation to Construction Award Contract between the City of Houston and **TEXAS STERLING CONSTRUCTION COMPANY** for the Paving Extension of Buffalo Speedway and Willowbend from West Bellfort to Holmes Road (Approved by Ordinance No. 2009-0552); providing funding for construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, the Metro Projects Construction DDSRF and Street and Traffic Control and Storm Drainage DDSRF - **DISTRICT K - GREEN**

ACCEPT WORK - continued

a. Motion 2012-0588

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 4 in the amount of \$412,896.74, final contract amount of \$5,547,386.56 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION COMPANY** for Paving Extension of Buffalo Speedway and Willowbend from West Bellfort to Holmes Road - 13.46% over the original contract amount - **DISTRICT K - GREEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 and 7

6. Pulled - Not Considered

SCOTT TECHNOLOGIES, INC dba SCOTT SAFETY for Thermal Imaging Cameras for the Houston Fire Department - 3 Years with two one year options - \$672,425.20 - General Fund

7. Motion 2012-0587

APPROVE spending authority in an amount not to exceed \$1,432,485.00 for Chemical, Liquid Polymer Flocculant for Department of Public Works & Engineering, on award to **POLYDYNE, INC**

ORDINANCES - NUMBERS 8 through 22

8. Ordinance 2012-0633

ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the Issuance of Combined Utility System First Lien Revenue Refunding Bonds, Series 2012 in one or more Series or Subseries as may be further designated and described herein to refund the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2010B; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds including the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement and matters incident thereto; awarding the sale of the Bonds; authorizing the defeasance, final payment, and discharge of Certain Outstanding Combined Utility System First Lien Revenue Bonds; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of and subscription for Certain Escrowed Securities; authorizing Escrow Verification and Engagement of an Escrow Agent, authorizing a Co-Bond Counsel Agreement and a Special Disclosure Counsel Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement, a Remarketing Agreement and other related documents; making other provisions regarding such bonds; and declaring an emergency

9. Ordinance 2012-0634

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 **CENTER FOR TEXAS CULTURAL HERITAGE**; authorizing the acquisition of Fee Simple Title Interest in two tracts of land required for the project and situated in Block 161, South Side of Buffalo Bayou; in Harris County, Texas, said tracts of land being along the east line of Chenevert Street between Capitol Avenue and Texas Avenue 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 Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in the two tracts of land required for the Center for Texas Cultural Heritage; providing a maximum amount to be expended - \$2,500,000.00 - Enterprise Fund - **DISTRICT I - RODRIGUEZ**

ORDINANCES - continued

9-1 Pulled - Not Considered

ORDINANCE approving and authorizing contract between the City and **RETIREMENT HORIZONS INC** for Pension Actuarial Consulting Services

10. Ordinance 2012-0635

ORDINANCE approving and authorizing agreement between the City of Houston and **HARRIS COUNTY** for a Port Security Grant in accordance with terms of FY2009 Justification Template Confidential Document on file with the Mayor's Office of Public Safety and Homeland Security

11. Ordinance 2012-0636

ORDINANCE approving and authorizing fourth amendment to agreement between the City of Houston and the **CNA CORPORATION** for Professional Services for the Drafting of a Regional Catastrophic Preparedness Plan for the Mayor's Office of Public Safety and Homeland Security (Ordinance 2009-0220)

12. Ordinance 2012-0637

ORDINANCE approving and authorizing contract between the City of Houston and **AIDS COALITION OF COASTAL TEXAS, INC**, providing up to \$322,060.00 in Housing Opportunities for Persons With AIDS Funds for the administration of a Tenant-Based Rental Assistance and Short-Term Rent, Mortgage, and Utility Assistance Program, including supportive services

13. Ordinance 2012-0638

ORDINANCE to authorize de-obligation of Community Development Block Grant - Hurricane Ike Disaster Recovery Funds in the amount of \$1,433,924.81 previously obligated to fund a portion of costs to repair damage to an Affordable Housing Community located in the vicinity of 5514 Griggs Road, Houston, Texas - **DISTRICT D - ADAMS**

14. Ordinance 2012-0639

ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **TEMENOS COMMUNITY DEVELOPMENT CORPORATION**, to provide \$3,000,000.00 of Federal "HOME" Funds to assist with construction of an 80 unit Affordable Housing Community, to be located at 2200 Jefferson, Houston, Texas - **DISTRICT I - RODRIGUEZ**

15. Ordinance 2012-0640

ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **VILLAS AT COLT RUN, LP**, to provide \$3,000,000.00 of Federal "HOME" Funds to assist with construction of a 168 unit Affordable Housing Community, to be located in the vicinity of 7600 East Houston Road, Houston, Texas - **DISTRICT B - DAVIS**

16. Ordinance 2012-0641

ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **WATERCREST AT KINGWOOD, LP**, to provide \$3,200,000.00 of Federal "HOME" Funds to assist with construction of a 174 unit Affordable Housing Community, to be located along the west side of Kingwood Place Drive, just south of North Park Drive, Houston, Texas - **DISTRICT E - SULLIVAN**

17. Ordinance 2012-0631

ORDINANCE approving and authorizing second amendment to Lease Agreement between **HOUSTON COMMUNITY COLLEGE SYSTEM, as landlord**, and the City of Houston, Texas, as tenant, for office space located at 3100 Main Street, Houston, Texas - **DISTRICT H - GONZALEZ**

ORDINANCES - continued

18. Ordinance 2012-0642

ORDINANCE approving and authorizing submission of an application for grant assistance to the Texas Parks and Wildlife Department - Recreation Grants Branch to support a Urban Outdoor Recreation - Local Park Grant Program, administered by the Texas Parks And Wildlife Department, for the Shady Lane Park Playground Project; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation 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 - **DISTRICT B - DAVIS**

19. Ordinance 2012-0643

ORDINANCE amending Ordinance No. 2009-1359, as amended, to increase the maximum contract amount for contract between the City and **RON SMITH & ASSOCIATES, INC** (Contract #4600009345) for Latent Print Support Services; approving and authorizing second amendment to the above-mentioned contract to permit the assignment of the City's interests in the contract to **HOUSTON FORENSIC SCIENCE LGC, INC** - \$2,629,000.00 - General Fund

20. Ordinance 2012-0644

ORDINANCE awarding contract to **SET ENVIRONMENTAL, INC** for Mobilization, Collection, Characterization and Packaging of Household hazardous Waste Debris Services for the Solid Waste Management Department

21. Ordinance 2012-0645

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 0.4504 acres commonly known as 6601 Harrisburg Boulevard, Houston, Harris County, Texas, and portions of rights of way of 66th Street and Harrisburg Boulevard; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ**

22. Ordinance 2012-0646

ORDINANCE approving and authorizing Professional Engineering Services Contract between **PARSONS BRINCKERHOFF, INC** and the City of Houston for a Federal Transit Administration Earmarked Transportation Study in the Texas Medical Center (Approved by Ordinance Nos. 2011-835, 2012-342 and Resolution No. 2011-14) - **DISTRICTS C - COHEN; D - ADAMS and K - GREEN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 23 through 24

23. Ordinance 2012-0647

ORDINANCE approving and authorizing contract Addendum No. 2 between the City of Houston, the **STATE OF TEXAS** and the **U.S. BANK NATIONAL ASSOCIATION, ND**, for City participation in the State of Texas Fuel Card for Fleet Services Program

MATTERS HELD - continued

a. Motion 2012-0589

APPROVE spending authority in an amount not to exceed \$39,000,000.00 for Fuel Cards and related services from the Texas State Council on Competitive Government contract through the State of Texas Cooperative Purchasing Program for Fleet Management Department, awarded to **U.S. BANK NATIONAL ASSOCIATION ND**

TAGGED BY COUNCIL MEMBER PENNINGTON

These were Items 11 and 11A on Agenda of July 3, 2012

24. Ordinance 2012-0648

ORDINANCE approving and authorizing amendment to agreement between the City of Houston and **GOWAN, INC** for Backflow Preventers Certification, Testing and Repair Services (Approved by Ordinance No. 2007-1127) - **TAGGED BY COUNCIL MEMBER GREEN**

This was Item 20 on Agenda of July 3, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Pennington 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

- 7/10/2012 - Council Member Davis out of the City on personal business**
Council Member Cohen absent on personal business
Council Members Burks and Noriega absent due to being ill
Council Member Christie absent on City business
- 7/11/2012 - Council Member Cohen absent on personal business**
Council Member Noriega absent due to being ill
Council Member Christie absent on City business