

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

with notes of action taken

**MOTIONS – 2013-0283 to 2013-0295**  
**ORDINANCES – 2013-0365 to 2013-0404**  
**RESOLUTION – 2013-0019**

**2013-0282-1**

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

**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 2013-0283 – Procedural motion**  
**Motion 2013-0284 – Procedural motion**

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - MAY 1, 2013 - 9:00 A. M.**

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

**Motion 2013-0290 – Accept reports**

**9:00 A.M. - 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 and a Quarterly Investment Report by the City Controller

**MAYOR'S REPORT** - Forensic Science LGC Technical Advisory Group (TAG)

**CONSENT AGENDA NUMBERS 1 through 39A**

**MISCELLANEOUS** - NUMBERS 1 through 4

**Motion 2013-0285 – Suspend rules to consider Items 1 thru 4 out of order**

**1. Motion 2013-0286**

REQUEST from Mayor for confirmation of the appointment of **TINA PAEZ** as Director of the Administration & Regulatory Affairs Department

**2. Motion 2013-0287**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **COASTAL WATER AUTHORITY'S BOARD OF DIRECTORS**, for terms to expire March 31, 2015:

Position Three - **TONY L. COUNCIL**

Position Four - **D. WAYNE KLOTZ**

**3. Motion 2013-0288**

REQUEST from Mayor for confirmation of the appointment of reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION OF THE CITY OF HOUSTON**, for terms to expire March 1, 2015:

Position One - **JORGE GARCIA-HERREROS**, reappointment

Position Three - **ANNA MOD**, appointment

Position Five - **DAVID BUCEK**, reappointment

Position Seven - **JOHN COSGROVE**, reappointment

Position Nine - **PAUL HOMEYER**, reappointment

**4. Motion 2013-0289**

REQUEST from Mayor for confirmation of the appointment of reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE HOUSTON DOWNTOWN MANAGEMENT DISTRICT**, for terms to expire June 1, 2016:

Position One - **FRITZ GUTHRIE**, reappointment

Position Two - **JOHN MOOZ**, appointment

Position Three - **ANGUS HUGHES**, appointment

Position Five - **LESLIE GARCIA ASHBY**, reappointment

Position Six - **VALERIE D. WILLIAMS**, reappointment

Position Seven - **STEWART O. ROBINSON**, reappointment

**ACCEPT WORK** - NUMBERS 5 through 8

**5. Motion 2013-0291**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$152,217.73 and acceptance of work on contract with **TRIUMPH CABLING SYSTEMS, LLC** for the Houston Public Library Broadband Technology Opportunities Program 4.95% over the original contract amount and under the approved 10% contingency - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ; J - LASTER and K - GREEN**

**6. Motion 2013-0292**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,279,066.30 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.**, for Reconstruction of Buffalo Speedway from North Braeswood Boulevard to Holcombe Boulevard - 1.88% over the original contract amount and under the 5% contingency - **DISTRICT C - COHEN**

**ACCEPT WORK** - continued

**7. Motion 2013-0293**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,716,756.96 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Neighborhood Sewer System Improvements - Sewer Improvements for AS087, Haskell Avenue and Rehabilitation of West Park Lift Station #3 - 13.90% under the original contract amount - **DISTRICTS C - COHEN and F - HOANG**

**8. Motion 2013-0294**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,290,334.80 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Garden Oaks Phase II Area - 0.21% under the original contract amount - **DISTRICT C - COHEN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 and 9A

**9. Pulled-Not Considered**

ORDINANCE appropriating \$2,315,066.20 out of Equipment Acquisition Consolidated Fund for purchase of Patrol Vehicles for the Houston Police Department

**a. Pulled-Not Considered**

**PHILPOTT MOTORS LTD. d/b/a PHILPOTT FORD** - \$978,470.20 and **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** - \$2,482,804.00 for Patrol Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Police Department - \$1,146,208.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 10 through 39A

**10. Resolution 2013-0019**

RESOLUTION supporting and approving the proposed development for affordable rental housing of Villas At Colt Run, located in the 7600 block of East Houston Road in the City of Houston, Texas, and authorizing the allocation of 2013 Housing Tax Credits to such development **DISTRICT B - DAVIS**

**11. Ordinance 2013-0387**

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2012-926 by deleting one Assistant Fire Chief (Fire Marshall) position and adding one Assistant Fire Chief position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance

**12. Ordinance 2013-0388**

ORDINANCE authorizing Development and Lease Agreement between the City of Houston, Texas, and **MIDTOWN ARTS AND THEATER CENTER HOUSTON** - **DISTRICT C - COHEN**

**13. Ordinance 2013-0389**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC.**, to provide \$467,804.00 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of the Bures Street Apartments and Chupik House, two community residences, along with the provision of supportive services **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**14. Ordinance 2013-0390**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and the **MONTROSE CENTER, Formerly known as MONTROSE COUNSELING CENTER, INC**, providing up to \$608,119.00 in Housing Opportunities for Persons With AIDS Funds for the continuing operation of a Short-Term Rent Mortgage and Utility Assistance Program, along with the provision of supportive services - **DISTRICT C - COHEN**

**15. Motion 2013-0295 – Postpone two (2) weeks**

ORDINANCE enlarging the boundaries of **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)** - **DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER**

**a. Motion 2013-0295 – Postpone two (2) weeks**

ORDINANCE approving fourth amended Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; authorizing the City Secretary to distribute such plans; extending the duration of the zone to December 31, 2040 - **DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER**

**b. Motion 2013-0295 – Postpone two (2) weeks**

ORDINANCE approving the issuance of bonds by the **UPTOWN DEVELOPMENT AUTHORITY** **DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER**

**15-1 Motion 2013-0295 – Postpone two (2) weeks**

ORDINANCE consenting to the addition of land to **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 1, also known as the UPTOWN MANAGEMENT DISTRICT**, for inclusion in its district - **DISTRICT G - PENNINGTON and J - LASTER**

**16. Ordinance 2013-0391**

ORDINANCE approving and authorizing third amendment to contract for Delinquent Collection Services for the Municipal Courts Department between the City and **LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP**

**17. Ordinance 2013-0392**

ORDINANCE awarding contract to **HR GREEN, INC** for a Hosted License and Permit System for the Administration and Regulatory Affairs Department; providing a maximum contract amount 3 Years with two one-year options - \$710,000.00 - General Fund

**18. Ordinance 2013-0365**

ORDINANCE awarding contract to **PHONOSCOPE LIGHTWAVE, INC** for High-Capacity Fiber Circuit Services for the Houston Information Technology Services; providing a maximum contract amount - 3 Years with two one-year options - \$10,480,000.00 - Central Service Revolving Fund

**19. Ordinance 2013-0366**

ORDINANCE approving and authorizing second amendment to Lease Agreement between **BANK OF AMERICA, N.A. (Landlord)** and the City of Houston (Tenant) for the lease space at 8400 Long Point for the Houston Police Department - **DISTRICT A - BROWN**

**20. Ordinance 2013-0367**

ORDINANCE appropriating \$19,831.61 out of General Improvement Consolidated Construction Fund as an additional appropriation for construction contract between the City of Houston and **AIA GENERAL CONTRACTORS, INC** for Services associated with Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup (Approved by Ordinance No. 2012-0426, as amended) and approving and authorizing second amendment to contract **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**21. Ordinance 2013-0368**

ORDINANCE approving and authorizing second amendment to Task Order Architectural Services Contract (Approved by Ordinance No. 2008-0374) between the City of Houston and **BRAVE/ARCHITECTURE, INC** for various City Departments - 6 Months

**22. Ordinance 2013-0369**

ORDINANCE approving and authorizing Professional Landscape Architecture and Engineering Services Contract between the City of Houston and **AIA ENGINEERS, LTD** for the TIGER Project #5 East Downtown: for the Transit/Residential/Commercial Connection - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

**23. Ordinance 2013-0393**

ORDINANCE approving and authorizing the replacement of an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Keegans Bayou Trail (Approved by Ordinance No. 2002-0809) - **DISTRICTS F - HOANG; J - LASTER and K - GREEN**

**24. Ordinance 2013-0394**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 2.228 acres commonly known as 6347 Westheimer Road, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT J - LASTER**

**25. Ordinance 2013-0370**

ORDINANCE appropriating \$750,000.00 out of Street & Traffic Control & Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **COBB, FENDLEY & ASSOCIATES, INC** for Negotiated Work Orders for Pre-Engineering of Storm Water Drainage Improvements

**26. Ordinance 2013-0371**

ORDINANCE appropriating \$1,177,100.00 out of Street & Traffic Control & Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AIA ENGINEERS, LTD.** for Neighborhood Street Reconstruction Project 454; providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control & Storm Drainage DDSRF - **DISTRICT G - PENNINGTON**

**27. Ordinance 2013-0372**

ORDINANCE appropriating \$1,035,000.00 out of Street & Traffic Control & Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BURY + PARTNERS-HOUSTON, INC** for Neighborhood Street Reconstruction Project 456; providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control & Storm Drainage DDSRF - **DISTRICT A - BROWN**

**28. Ordinance 2013-0373**

ORDINANCE appropriating \$509,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **MCDONOUGH ENGINEERING CORPORATION** for City Wide Overlay/Rehabilitation Project; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF

**RESOLUTIONS AND ORDINANCES** - continued

**29. Ordinance 2013-0374**

ORDINANCE amending Ordinance No. 2013-0331 to correct a clerical error in the Outline Agreement Number for the construction contract for City Wide Panel Replacement Project Package #19 (Work Order Contract) relating to the engineering and testing services contract

**30. Ordinance 2013-0395**

ORDINANCE making a general appropriation of certain revenues of the City in support of annual budgets for Fiscal Year 2013; authorizing certain transfers; designating a cash reserve in the Fund Balance

**31. Ordinance 2013-0375**

ORDINANCE approving and authorizing the second amended and restated Strategic Partnership Agreement between the City of Houston and **CINCO MUNICIPAL UTILITY DISTRICT NO. 12**

**a. Ordinance 2013-0376**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CINCO MUNICIPAL UTILITY DISTRICT NO. 12**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**32. Ordinance 2013-0377**

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CORNERSTONES MUNICIPAL UTILITY DISTRICT**

**a. Ordinance 2013-0377**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CORNERSTONES MUNICIPAL UTILITY DISTRICT**, in Harris and Fort Bend Counties, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**33. Ordinance 2013-0379**

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **DOWDELL PUBLIC UTILITY DISTRICT**

**a. Ordinance 2013-0380**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **DOWDELL PUBLIC UTILITY DISTRICT** and certain territory located in the vicinity of district, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of the district; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**RESOLUTIONS AND ORDINANCES** - continued

**34. Ordinance 2013-0396**

ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194**

**a. Ordinance 2013-0397**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**35. Ordinance 2013-0381**

ORDINANCE approving and authorizing the third amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 120**

**a. Ordinance 2013-0382**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 120**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**36. Ordinance 2013-0398**

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 345**

**a. Ordinance 2013-0399**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 345**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**37. Ordinance 2013-0383**

ORDINANCE approving and authorizing the third amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109**

**a. Ordinance 2013-0384**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109** and certain area located in the vicinity of the district in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of the district; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**RESOLUTIONS AND ORDINANCES** - continued

**38. Ordinance 2013-0400**

ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**

**a. Ordinance 2013-0401**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5** and certain area located in the vicinity of the district in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of the district; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**39. Ordinance 2013-0385**

ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **WHITE OAK BEND MUNICIPAL UTILITY DISTRICT**

**a. Ordinance 2013-0386**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WHITE OAK BEND MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 40 through 41

**40. Ordinance 2013-0402**

ORDINANCE designating the CyrusOne LLC Reinvestment Zone for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT A - BROWN** - TAGGED BY COUNCIL MEMBER RODRIGUEZ

**a. Ordinance 2013-0403**

ORDINANCE approving and authorizing Tax Abatement Agreement between the City of Houston, Texas, and **CYRUSONE LLC** for certain property located within the CyrusOne LLC Reinvestment Zone - **DISTRICT A - BROWN** - TAGGED BY COUNCIL MEMBER RODRIGUEZ

These were Items 16 and 16A on Agenda of April 24, 2013

**MATTERS HELD** - continued

**41. Ordinance 2013-0404**

ORDINANCE amending Ordinance No. 2009-1359, as amended, to increase the maximum contract amount for a contract between the City and **RON SMITH & ASSOCIATES, INC** (Contract #4600009345) for Latent Print Support Services - \$4,748,391.00 - General Fund

**TAGGED BY COUNCIL MEMBERS BRADFORD and BROWN**

This was Item 27 on Agenda of April 24, 2013

**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

**4/29/2013 - Council Member Noriega absent on personal business**  
**5/1/2013 - Council Member Adams out of the City on City business**  
**Council Member Green absent due to being ill**



**CERTIFICATE**

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on APRIL 26, 2013 at 5:25 p.m.

by /s/ L. Malbro

for Anna Russell  
City Secretary