

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

with notes of action taken

MOTIONS – 2013-0517 to 2013-0530  
ORDINANCES – 2013-0675 to 2013-0707  
RESOLUTION – 2013-0038

2013-0516-1

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

**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 - JULY 31, 2013 - 9:00 A. M.**

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

**HEARINGS**

1. **Motion 2013-0520 – Close hearing**

**PUBLIC HEARING** regarding the creation of **REINVESTMENT ZONE NUMBER TWENTY-FIVE, CITY OF HOUSTON, TEXAS (HIRAM CLARKE/FORT BEND HOUSTON ZONE) - DISTRICT K - GREEN**

**Motion 2013-0519 – Accept report**

**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**

**CONSENT AGENDA NUMBERS 2 through 47**

**MISCELLANEOUS** - NUMBERS 2 and 3

**Motion 2013-0517 – Suspend rules to consider Items 2, Financial Report, 12 and 1 out of order**

**2. Motion 2013-0518**

REQUEST from Mayor for confirmation of the appointment of **PAMELA J. GARDNER**, to Position Three of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for a term to expire August 31, 2014

**3. Motion 2013-0521**

RECOMMENDATION from Director Department Public Works & Engineering to accept the July 2013 Semiannual Report of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$11,166,468.26 to the Combined Utilities System Operating Fund for Revenue Bond Debt Service as recommended in the Report

**ACCEPT WORK** - NUMBERS 4 and 5

**4. Motion 2013-0522**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,458,290.50 and acceptance of work on contract with **C. F. MCDONALD ELECTRIC, INC** for Upper Brays Wastewater Treatment Plant Electrical Improvements - 10.23% under the original contract amount - **DISTRICT F - HOANG**

**5. Motion 2013-0523**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,475,878.50 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Water Pumping Station Upgrades - 7.82% under the original contract amount - **DISTRICTS A - BROWN; B - DAVIS; F - HOANG; G - PENNINGTON and K - GREEN**

**PROPERTY** - NUMBERS 6

**6. Motion 2013-0524**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jason Baezner, Llewelyn-Davis Shani, on behalf of Houston Community College, for abandonment and sale of Rosalie Street, from Main Street to Travis Street, located within the Fair Ground First Addition, out of the Obedience Smith Survey, A-676, Parcel SY13-065 - **DISTRICT C - COHEN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 10

**7. Motion 2013-0525**

**DELL MARKETING, LP** for purchase of a Microsoft License Agreement through the Texas Department of Information Resources for the Houston Airport System - \$1,278,661.26 Enterprise Fund

**8. Motion 2013-0526**

**COMFORT SYSTEM USA (SOUTH CENTRAL), INC** to furnish and install Heating Ventilation and Air Conditioning Systems and Associated Equipment at Fire Station No. 29 for the General Services Department on behalf of the Houston Fire Department - \$74,944.00 and contingencies for a total amount not to exceed \$82,438.40 - Fire Consolidated Construction Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**9. Motion 2013-0527**

**eCIVIS, INC** for purchase of a Software Master Subscription and Service Agreement for the eCIVIS Grants Network System for Various Departments - 5 years - \$175,000.00 - General Fund

**10. Motion 2013-0528**

APPROVE spending authority for purchase of Automotive Tools and Equipment from the State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program, from **SNAP-ON INDUSTRIAL a Division of IDSC Holdings LLC** - 3 years with two one-year options - \$1,219,800.00 - General, Fleet Management and Enterprise Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 11 through 47

**11. Resolution 2013-0038**

RESOLUTION supporting the proposal by **ENTERGY TEXAS, INC and ITC HOLDING CORP.** regarding the change of ownership and control of transmission business, transfer of certification rights, and related relief upon the guarantee of enumerated conditions in Public Utility Commission Docket No. 41223 - **DISTRICT E - MARTIN**

**12. Ordinance 2013-0675**

ORDINANCE approving and authorizing a naming rights agreement between **SILVER EAGLE DISTRIBUTORS, L.P., BUFFALO BAYOU PARTNERSHIP** and City of Houston for funding construction of improvements in Eleanor Tinsley Park

**13. Ordinance 2013-0701**

ORDINANCE approving and authorizing contract between the City of Houston and **SEARCH HOMELESS SERVICES**, providing up to \$133,883.00 in General Funds to assist in the Administration and Operation of the Engagement Services Program

**14. Ordinance 2013-0702**

ORDINANCE approving and authorizing first amendment to loan agreement between the City of Houston and **HOLLY VIEW APARTMENTS, LLC** for Holly View Apartments, an Affordable Rental Housing Community located in the vicinity of 5555 Holly View Drive, Houston, Texas - **DISTRICT A - BROWN**

**15. Motion 2013-0703**

ORDINANCE approving and authorizing the reconstruction of Six Single Family Homes and providing \$691,350.00 of Community Development Block Grant (Disaster Recovery) Funds and \$138,490.00 out of TIRZ Affordable Housing Fund for the Six Reconstruction Projects; approving and authorizing a Master Contractor Agreement and Reconstruction Agreements between the City and **MAYBERRY HOMES, INC** for the Six Reconstruction Projects; authorizing the Director of the Housing and Community Development Department to select, pursuant to applicable guidelines, replacement properties and to approve plans and budgets for each property to be reconstructed - **DISTRICTS B - DAVIS; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**

**16. Motion 2013-0676**

ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **MENTAL HEALTH MENTAL RETARDATION AUTHORITY OF HARRIS COUNTY FOR HOME AND COMMUNITY BASED MENTAL HEALTH SERVICES**; establishing a maximum contact amount - 1 year with four one-year renewals - \$929,000.00 - Grant Fund

**RESOLUTIONS AND ORDINANCES** - continued

**17. Motion 2013-0704**

ORDINANCE approving and authorizing the submission of an application to **THE UNIVERSITY OF CALIFORNIA, LOS ANGELES** for a grant for the implementation of evidence and practice based strategies to increase healthy eating and physical activity; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services 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 \$449,596.00 - Grant Fund

**18. Motion 2013-0705**

ORDINANCE approving and authorizing lease agreement between the City of Houston and **UNITED AIRLINES, INC** for employee parking areas at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - DAVIS**

**19. Motion 2013-0677**

ORDINANCE approving and authorizing lease agreement between the City of Houston and **ELLINGTON PARTNERS, L.P.**, for certain premises at Ellington Airport; terminating Lease Agreement No. 52752, as amended, by and between the City of Houston and Ellington Partners, L.P. - Revenue - **DISTRICT E - MARTIN**

**20. Council Member Christie tagged**

ORDINANCE approving and authorizing Amendment No. 5 to an Air Show Agreement between the City of Houston and **COMMEMORATIVE AIR FORCE, INC** for Conducting Annual Air Shows at Ellington Airport - Revenue - **DISTRICT E - MARTIN**

**21. Council Members Burks and Adams tagged**

ORDINANCE appropriating \$4,500,000.00 out of Airports Improvement Fund as an additional appropriation to three On-Call Professional Aviation Planning Consulting Services contracts between the City of Houston **HNTB CORPORATION, LEIGHFISHER, INC AND RICONDO & ASSOCIATES, INC** (Project Nos. 688A, 688B and 688C); amending Ordinance No. 2012-677 to increase the maximum contract amount - **DISTRICTS B - DAVIS; E - MARTIN and I - RODRIGUEZ**

**22. Ordinance 2013-0678**

ORDINANCE approving and authorizing first amendment to the lease agreement between **ADMIRAL LINEN SERVICE, INC** as landlord, and the City of Houston, as tenant - **DISTRICT C - COHEN**

**23. Council Members Bradford and Rodriguez tagged**

ORDINANCE approving and authorizing contract between the City and **DIGITECH COMPUTER, INC** for EMS Billing and Collection Fee Services - 4 years with four one-year renewal options

**24. Ordinance 2013-0706**

ORDINANCE awarding contract to **DPN USA, LLC d/b/a HEALTHFAIR** for Employee Biometric Screening Services for the Human Resources Department; providing a maximum contract amount 3 years with two one-year options - \$2,129,000.00 - Health Benefit Fund

**25. Ordinance 2013-0679**

ORDINANCE awarding contract to **COASTAL PUMP SERVICES, INC** for Submersible Pump Repair Services for the Public Works and Engineering Department; providing a maximum contract amount - 3 years with two one-year options to extend - \$5,190,461.62 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - continued

**26. Ordinance 2013-0680**

ORDINANCE awarding contract to **SMITH PUMP COMPANY, INC** for Submersible Pump Repair Services for the Public Works and Engineering Department; providing a maximum contract amount - 3 years with two one-year options to extend - \$4,950,391.75 - Enterprise Fund

**27. Ordinance 2013-0681**

ORDINANCE appropriating \$400,000.00 out of the Fire Consolidated Construction Fund as an additional appropriation to **TIMES CONSTRUCTION, INC** for concrete repair services for Various Departments (approved by Ordinance No. 2012-0515)

**28. Ordinance 2013-0707**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 0.148 acre commonly known as 2500 Shakespeare Road, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C - COHEN**

**29. Ordinance 2013-0682**

ORDINANCE appropriating \$667,631.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; 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 the Water & Sewer System Consolidated Construction Fund (4277-79)

**30. Ordinance 2013-0683**

ORDINANCE awarding contract to **NERIE CONSTRUCTION, LLC** for Waterline Wrap Repairs; 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 testing and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - \$1,079,738.00 Enterprise Fund

**31. Ordinance 2013-0684**

ORDINANCE awarding contract to **ISI CONTRACTING, INC.** for Concrete and Asphalt Restoration 3; setting a deadline for 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 testing and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - 2 years with one one-year option to renew - \$2,642,113.00 - Enterprise Fund -

**32. Ordinance 2013-0685 – Passed first reading**

ORDINANCE granting to **NATION WASTE, INC., A Texas Corporation**, 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 - **FIRST READING**

**33. Ordinance 2013-0686 – Passed first reading**

ORDINANCE granting to **CD SERVICES LLC DBA GENERAL SITE SERVICES, A Texas Limited Liability Company**, 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 - **FIRST READING**

**RESOLUTIONS AND ORDINANCES** - continued

**34. Ordinance 2013-0687 – Passed first reading**

ORDINANCE granting to **DARLING INTERNATIONAL, INC., A Delaware Corporation**, 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 - **FIRST READING**

**35. Ordinance 2013-0688 – Passed first reading**

ORDINANCE granting to **YC DISPOSAL, INC., A Texas Corporation**, 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 - **FIRST READING**

**36. Ordinance 2013-0689 – Passed first reading**

ORDINANCE granting to **BCS RESOURCE, LLC, A Texas Limited Liability Company**, 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 - **FIRST READING**

**37. Ordinance 2013-0690 – Passed first reading**

ORDINANCE granting to **PERFORMANCE CONTRACTING, INC, A Kansas Corporation**, 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 - **FIRST READING**

**38. Ordinance 2013-0691 – Passed first reading**

ORDINANCE granting to **OIL PATCH TRANSPORTATION, INC, A Texas Corporation**, 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 - **FIRST READING**

**39. Ordinance 2013-0692 – Passed first reading**

ORDINANCE granting to **GERARDO BERMUDA DBA GREASE RECYCLERS CO-OP GREASE TRAP & SEPTIC, A Texas Sole Proprietorship**, 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 - **FIRST READING**

**40. Ordinance 2013-0693 – Passed first reading**

ORDINANCE granting to **ARC ABATEMENT, INC, A Texas Corporation**, 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 - **FIRST READING**

**41. Ordinance 2013-0694 – Passed first reading**

ORDINANCE granting to **JIANQI AN DBA GREENLAND WASTE COLLECTION, A Texas Sole Proprietorship**, 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 **FIRST READING**

**RESOLUTIONS AND ORDINANCES** - continued

**42. Ordinance 2013-0695 – Passed first reading**

ORDINANCE granting to **ECO WASTE AND RECYCLING, LLC, A Texas Limited Liability Company**, 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 **FIRST READING**

**43. Ordinance 2013-0696 – Passed first reading**

ORDINANCE granting to **HILARIA DUARTE DBA EAGLE PRENTICE, A Texas Sole Proprietorship**, 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 **FIRST READING**

**44. Ordinance 2013-0697 – Passed first reading**

ORDINANCE granting to **EXPRESS DUMPSTER INC., A Texas Corporation**, 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 - **FIRST READING**

**45. Ordinance 2013-0698 – Passed first reading**

ORDINANCE granting to **OMAR PATRICIA ENTERPRISES, INC. DBA O.P. ENTERPRISE WASTE SERVICES, A Texas Corporation**, 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 - **FIRST READING**

– Passed first reading ORDINANCE granting to **TEXAS PRIDE SEPTIC, INC., A Texas Corporation**, 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 - **FIRST READING**

– Passed first reading ORDINANCE granting to **G.I. ENVIRONMENTAL VACUUM SERVICE, INC., A Texas Corporation**, 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 **FIRST READING**

**END OF CONSENT AGENDA**

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

**MISCELLANEOUS**

**46. Motion 2013-0529 – Close nominations**

RECEIVE nominations for appointments to Positions A, D, G, J, At-Large 2 and At-Large 5 of the **PUBLIC SAFETY ADVISORY COMMITTEE**, for a three-year staggered term ending July 1, 2016

**Position A – Council Member Brown nominated Judi Carlsson**

**Position D – Council Member Adams nominated Rev. Manson B. Johnson**

**Position G – Council Member Pennington nominated Frank Jones**

**Position J – Council Member Laster nominated Samuel Burton**

**At-large 2 – Council Member Burks nominated Vivian R. King**

**At-large 5 – Council Member Christie nominated Erica R. Contreras**

**MATTERS HELD - NUMBER 49**

**47. Motion 2013-0530 – Adopt**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,929,891.83 and acceptance of work on contract with **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD** for US 290 Program IH-610 Interchange Crossing at 72-inch Water line along 12th Street - 12.11% under the original contract amount -

**DISTRICT A - BROWN - TAGGED BY COUNCIL MEMBER GREEN**

This was Item 11 on Agenda of July 24, 2013

**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

**7/30/2013 - Council Members Cohen and Martin absent on personal business**

**Council Member Laster out of the City on personal business**

**7/31/2013 - Council Member Martin absent on personal business**

**Council Member Laster out of the City on personal business**