

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 15, 2013 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

MOTIONS – 2013-0681 to 2013-0696  
ORDINANCES – 2013-0918 to 2013-0950  
RESOLUTION – 2013-0051

2013-0680-1

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

**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 2013-0681 – Procedural motion  
Motion 2013-0682 – Procedural motion  
Motion 2013-0683 – Procedural motion  
Motion 2013-0684 – Procedural motion  
Motion 2013-0685 – Procedural motion  
Motion 2013-0686 – Procedural motion

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

**RECONVENE**

**WEDNESDAY - OCTOBER 16, 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 2013-0687 – Close hearing**

**PUBLIC HEARING** to consider the proposal to take approximately 4,584 square feet of the Cullen Sculpture Garden for an underground vehicular and pedestrian crossing - **DISTRICT C**  
**- COHEN**

**HEARING - 9:00 A.M.** - continued

**2. Motion 2013-0688 – Close hearing**

**PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements or amended and restated strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts:

1. West Harris County Municipal Utility District No. 21
2. Montgomery County Municipal Utility District No. 98
3. Louetta Road Utility District
4. Harris County Water Control and Improvement District No. 36
5. Harris County Municipal Utility District No. 191
6. Memorial Hills Utility District
7. West Harris County Municipal Utility District No. 2
8. Spring Creek Utility District
9. Harris County Freshwater Supply District No. 61
10. Harris-Fort Bend Counties Municipal Utility District No. 5
11. Harris County Municipal Utility District No. 368

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 3 through 31**

**MISCELLANEOUS** - NUMBERS 3 and 4

**3. Motion 2013-0689**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12 BOARD OF DIRECTORS**, for terms to expire June 1, 2017:

- Position Five - **ELISABETH CROSSWELL STONE**
- Position Six - **ASHTON L. TAYLOR**
- Position Seven - **BILLY J. BRISCOE**

**4. Motion 2013-0690**

RECOMMENDATION from Director Administration & Regulatory Affairs for the designation of residential parking permit areas in the Super Neighborhoods of Greater Heights, Neartown-Montrose and University Place - **DISTRICT C - COHEN**

**ACCEPT WORK** - NUMBER 5

**5. Motion 2013-0692**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$925,204.90 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Jadewood Lift Station - 3.43% under the original contract amount - **DISTRICT A - BROWN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 and 6A

**6. Ordinance 2013-0918**

ORDINANCE appropriating \$2,305,498.00 out of Equipment Acquisition Consolidated Fund and \$2,416,034.00 out of Reimbursement Equipment/Projects Fund for the purchase of Refuse and Recycling Trucks for the Solid Waste Management Department

**PURCHASING AND TABULATION OF BIDS** - continued

a. **Motion 2013-0691**

**HOUSTON FREIGHTLINER, INC** - \$138,782.00, **CHASTANG ENTERPRISES, INC. d/b/a CHASTANG'S BAYOU CITY FORD** - \$2,417,452.00, **MCNEILUS FINANCIAL, INC d/b/a MCNEILUS TRUCK AND MANUFACTURING CO.** - \$1,500,128.00 - **TEXAS WASTE EQUIPMENT, INC d/b/a HEIL OF TEXAS** - \$665,170.00 for purchase Refuse and Recycling Trucks through the Interlocal Agreements for Cooperative Purchasing with Houston Galveston Area Council and the Texas Local Government Purchasing Cooperative (Buy Board) for the Solid Waste Management Department

**RESOLUTIONS AND ORDINANCES** - NUMBERS 7 through 31

7. **Resolution 2013-0051**

RESOLUTION approving the creation of the **HARRISBURG REDEVELOPMENT AUTHORITY**; approving the certificate of formation and the bylaws thereof; confirming the appointment of the Initial Directors and Chairperson - **DISTRICT B - DAVIS; H - GONZALEZ and I - RODRIGUEZ**

8. **Ordinance 2013-0919**

ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System Third Lien Revenue Bonds, in one or more series or subseries as may be further designated and described herein to finance projects costs; 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 a Co-Bond Counsel Agreement; authorizing the execution and delivery of a forward delivery Bond Purchase Agreement, Series Bond Purchase Agreement, Paying Agent/Registrar Agreement, a remarketing Agreement and other related documents; making other provisions regarding such bonds; and declaring an emergency

**Written motion by Council Member Brown to amend Item 9 as follows:**

"I move to amend section 2 of the ordinance for agenda item 9, to replace M&O rate "\$0.477085 on each \$100 of taxable value" with "\$0.467085 on each \$100 of taxable value." And amend section 4 based on the new rate. – **FAILED**"

9. **Ordinance 2013-0943**

ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2013

a. **Motion 2013-0693**

RECOMMENDATION from Director Finance Department that Council adopt a motion in conformance with the requirements of Section 26.05(b) of the Texas Tax Code

10. **Council Member Davis tagged**

ORDINANCE approving and authorizing Lease Development Agreement between the City of Houston and **HOUSTON AIRPORT HOTEL OWNER LIMITED PARTNERSHIP**, for certain premises at George Bush Intercontinental Airport/Houston and concurrently terminating Lease Agreement No. 19753, as amended, and a Special Facilities Lease Agreement by and between the City of Houston and Host of Houston 1979 and Host of Houston, Ltd. - **DISTRICT B - DAVIS**

**RESOLUTIONS AND ORDINANCES** - continued

**11. Ordinance 2013-0944**

ORDINANCE approving and authorizing a contract between the City and **DEPARTMENT OF STATE HEALTH SERVICES** (DSHS Contract No. 2014-045059) for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program; declaring the City's eligibility for the contract grant funds; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds, and accept all subsequent awards, if any, pertaining to the WIC Program

**12. Ordinance 2013-0920**

ORDINANCE authorizing the sale of a fifty-foot-wide pipeline easement across Ellington Airport and the Metro Central Wastewater Treatment Plant Site to **SEAWAY CRUDE PIPELINE COMPANY LLC**, for a price of \$687,015.00; authorizing an easement conveyance - **DISTRICT E - MARTIN**

**13. Ordinance 2013-0945**

ORDINANCE approving and creating the Westchase Economic Development Program Pursuant to Chapter 380, Texas Local Government Code; authorizing and approving an Economic Development Agreement by and between the City of Houston, Texas, and **THE WESTCHASE DISTRICT** for administration of the program - **DISTRICTS F - HOANG and G - PENNINGTON**

**14. Ordinance 2013-0946**

ORDINANCE relating to the retail **ELECTRIC RATES OF ENTERGY TEXAS, INC** within the City of Houston, Texas; suspending for ninety days beyond the October 30, 2013 effective date of new rates - **DISTRICT E - MARTIN**

**15. Ordinance 2013-0921**

ORDINANCE relating to the Fiscal Affairs of the **MIDTOWN REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS (MIDTOWN ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvement Projects Budget for the Zone - **DISTRICTS C - COHEN; D - ADAMS and I - RODRIGUEZ**

**16. Ordinance 2013-0922**

ORDINANCE relating to the Fiscal Affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY D/B/A DOWNTOWN REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET/MARKET SQUARE ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICTS C - COHEN; H - GONZALEZ and I - RODRIGUEZ**

**17. Ordinance 2013-0923**

ORDINANCE relating to the Fiscal Affairs of the **OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICT D - ADAMS**

**18. Ordinance 2013-0924**

ORDINANCE relating to the Fiscal Affairs of the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREATER GREENSPPOINT ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICT B - DAVIS**

**RESOLUTIONS AND ORDINANCES** - continued

**19. Council Member Pennington tagged**

ORDINANCE relating to the Fiscal Affairs of the **UPTOWN REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICTS C - COHEN G - PENNINGTON and J - LASTER**

**20. Council Member Pennington tagged**

ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL CITY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS (MEMORIAL CITY ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICTS A - BROWN and G - PENNINGTON**

**21. Council Member Pennington tagged**

ORDINANCE relating to the Fiscal Affairs of the **UPPER KIRBY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone **DISTRICTS C - COHEN and G - PENNINGTON**

**22. Pulled-Not Considered**

ORDINANCE de-appropriating \$54,000.00 out of Equipment Acquisition Consolidated Fund (approved by Ordinance No. 2013-650) for Professional Services Contract with **VIRTUAL INTELLIGENCE PROVIDERS, LLC** supporting the network and telephony project

**23. Ordinance 2013-0947**

ORDINANCE approving and authorizing first amendment to Interlocal Cooperation Contract between City of Houston and the **TEXAS A&M FOREST SERVICE** for Training Courses for the Office of Emergency Management (approved by Ordinance No. 2012-0801) - \$219,020.00 - Grant Fund

**24. Ordinance 2013-0925**

ORDINANCE approving and authorizing a contract between the City of Houston and **DIGITAL HEALTH DEPARTMENT, INC** for Software Product License and Support Services for the Houston Department of Health and Human Services; providing a maximum contract amount \$511,771.31 - 4 years - Special Revenue Fund

**25. Ordinance 2013-0948**

ORDINANCE awarding contract to **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for the Public Works and Engineering Department; providing a maximum contract amount - \$5,006,003.30 - 3 years with two one-year options - Enterprise Fund

**26. Pulled-Not Considered**

ORDINANCE awarding contract to **MCLEMORE BUILDING MAINTENANCE, INC** for Janitorial Cleaning and Associated Services for Various Departments managed by the General Services Department; providing a maximum contract amount - \$11,254,426.83 - 3 years with two one-year options - General, Enterprise and Other Funds

**RESOLUTIONS AND ORDINANCES** - continued

**27. Ordinance 2013-0926**

ORDINANCE appropriating \$11,121.00 out of Public Health Consolidated Construction Fund as an additional appropriation to contract between the City of Houston and **THE FIERRO GROUP, LTD. CO. D/B/A/ FENCEMASTER OF HOUSTON** for Metal Fence Installation at Acres Homes Multi-Service Center (approved by Ordinance No. 2008-0892) - **DISTRICT B - DAVIS**

**27-1 Ordinance 2013-0927**

ORDINANCE approving and authorizing first amendment to the Agreement between the City of Houston and **A. JOE WINTER INVESTIGATIONS CO.** for Professional Background Investigation and Motor Vehicle Reporting Services (approved by Ordinance No. 2008-0887)

**28. Ordinance 2013-0928**

ORDINANCE appropriating \$6,640,650.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PEPPER-LAWSON WATERWORKS, LLC** for New and/or Rehabilitation of Bar Screens and Odor Control for White Oak, Westway MUD, Easthaven Upper Braes, and Beltway Wastewater Treatment Plants; 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, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - BROWN; F - HOANG and I - RODRIGUEZ**

**29. Ordinance 2013-0929**

ORDINANCE appropriating \$7,908,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JFT CONSTRUCTION, INC** for Neighborhood Sewer Systems Improvements – Craigmont, Leeland, and Market Street Force Main; 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, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**30. See ordinances below**

ORDINANCES granting to the following listed as A through M, 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 2013-0930 - STERICYCLE, INC**, a Delaware Corporation – **Passed first reading**
- B. **Ordinance 2013-0931 - ENSOURCE CORPORATION**, a Texas Corporation – **Passed first reading**
- C. **Ordinance 2013-0932 - MILLENNIUM PROJECT SOLUTIONS, INC**, a Texas Corporation – **Passed first reading**
- D. **Ordinance 2013-0933 - EXCELL DISPOSAL WASTE CONTAINERS, INC**, a Texas Corporation – **Passed first reading**
- E. **Ordinance 2013-0934 - SAN MARCOS GREASE SERVICE, LLC**, a Texas Limited Liability Company – **Passed first reading**
- F. **Ordinance 2013-0935 - PULIDO TRUCKING, L.P.**, a Texas Limited Partnership – **Passed first reading**
- G. **Ordinance 2013-0936 - CHERRY CONCRETE REMOVAL, LTD**, a Texas Limited Partnership – **Passed first reading**
- H. **Ordinance 2013-0937 - TEXAS WATER MANAGEMENT, LLC**, a Texas Limited Liability Company – **Passed first reading**
- I. **Ordinance 2013-0938 - GAINSBOROUGH CORPORATION DBA GAINSBOROUGH WASTE**, a Texas Corporation – **Passed first reading**
- J. **Ordinance 2013-0939 - ADAM H. BELMONT DBA BETO'S HYDRO AND SANITATION**, a Texas Sole Proprietorship – **Passed first reading**
- K. **Ordinance 2013-0940 - GARNER ENVIRONMENTAL SERVICES, INC**, a Texas Corporation – **Passed first reading**
- L. **Ordinance 2013-0941 - HIPPO WASTE SYSTEMS, LLC**, a Texas Limited Liability Company – **Passed first reading**
- M. **Ordinance 2013-0942 - A-VAC SEPTIC SERVICE, LLC**, a Texas Limited Liability Company – **Passed first reading**

**RESOLUTIONS AND ORDINANCES** - continued

**31. See ordinances below**

ORDINANCES Nos. 2013-903 to 2013-912, passed first reading October 9, 2013 for Ordinances granting to the following listed as A through J, 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 2013-0903 - CTJ VACUUM SERVICE, LLC**, a Texas Limited Liability Company - Passed second reading
- B. **Ordinance 2013-0904 - GULFCOAST WASTE SERVICES, LLC**, a Texas Limited Liability Company - Passed second reading
- C. **Ordinance 2013-0905 - MAGNA-FLOW INTERNATIONAL, INC DBA MAGNA FLOW ENVIRONMENTAL**, a Texas Corporation - Passed second reading
- D. **Ordinance 2013-0906 - JERRY BRUMFIELD DBA BRUMFIELD SANITATION SERVICES**, a Texas Sole Proprietorship - Passed second reading
- E. **Ordinance 2013-0907 - CIMA SERVICES, L.P.**, a Texas Limited Partnership - Passed second reading
- F. **Ordinance 2013-0908 - SUN COAST RESOURCES, INC**, a Texas Corporation - Passed second reading
- G. **Ordinance 2013-0909 - CAROL JEAN HARGET DBA SEPCO SEPTIC TANK SERVICES**, a Texas Sole Proprietorship - Passed second reading
- H. **Ordinance 2013-0910 - HILL SAND COMPANY, INC DBA HILL WASTE SERVICE**, a Texas Corporation - Passed second reading
- I. **Ordinance 2013-0911 - DARYL SHEPPEARD DBA ACE SEPTIC AND PLUMBING CO.**, a Texas Sole Proprietorship - Passed second reading
- J. **Ordinance 2013-0912 - USA GAIN ENVIRONMENTAL, LLC.**, a Texas Limited Liability Company - Passed second reading

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 32 through 35

**32. Motion 2013-0695**

MOTION by Council Member Gonzalez/Seconded by Council Member Bradford to adopt recommendation from Purchasing Agent to award to **NOVARTIS VACCINES AND DIAGNOSTICS, INC** for Meningococcal Vaccine from State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Department of Health & Human Services - \$138,720.00 - Health Special Revenue

**TAGGED BY COUNCIL MEMBER BROWN**

This was Item 10 on Agenda of October 9, 2013

**33. Motion 2013-0696**

RECOMMENDATION from Purchasing Agent to award **AMEND MOTION #2009-0517, 7/8/09, TO INCREASE** spending authority from \$218,720.14 to \$273,400.14 for Signposts and Associated Hardware for Department of Public Works & Engineering, awarded to **ALLIED TUBE AND CONDUIT CORPORATION** - \$201,721.00 - Enterprise Fund

**TAGGED BY COUNCIL MEMBER COSTELLO**

This was Item 12 on Agenda of October 9, 2013

**MATTERS HELD** - continued

**34. Motion 2013-0949 – Adopt**

ORDINANCE authorizing and approving Economic Development Agreement between the City of Houston, Texas and the **HOUSTON PARKS BOARD, INC** to provide for maintenance of the Bayou Greenways; establishing an economic development program in connection therewith

**TAGGED BY COUNCIL MEMBER GONZALEZ**

This was Item 22 on Agenda of October 9, 2013

**35. Ordinance 2013-0950 – Adopt**

ORDINANCE approving and authorizing a first amendment to an agreement between the City of Houston and **THE SCIENCE APPLICATIONS INTERNATIONAL CORPORATION** for Regional Catastrophic Preparedness Planning, Training, and Exercise Services (approved by Ordinance No. 2013-0123); amending the same Ordinance 2013-0123 to establish a maximum contract amount - \$146,785.00 - Grant Fund - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 26 on Agenda of October 9, 2013

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

**10/15/2013 - Council Member Noriega out of the City on City business**

**10/16/2013 - Council Member Noriega out of the City on City business  
Council Member Bradford absent on personal business**