

AGENDA - COUNCIL MEETING - TUESDAY - JULY 29, 2014 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2014-0717 to 2014-0745
ORDINANCES – 2014-0734 to 2014-0744
RESOLUTION – None

2014-0716-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Robinson

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 2014-0717 – Procedural motion
Motion 2014-0718 – Procedural motion
Motion 2014-0719 – Procedural motion
Motion 2014-0720 – Procedural motion
Motion 2014-0721 – Procedural motion
Motion 2014-0722 – Procedural motion
Motion 2014-0723 – Procedural motion
Motion 2014-0724 – Procedural motion
Motion 2014-0725 – Procedural motion
Motion 2014-0726 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 30, 2014 - 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.

Motion 2014-0728 – Procedural motion

1. Motion 2014-0729 – Close hearing

PUBLIC HEARING to consider a Resolution of No Objection for the 4% tax credit application of **NHH AT REED, LTD.** for New Hope Housing at Reed Road, an affordable housing community to be located at 2620 Reed Road - **DISTRICT D - BOYKINS**

Motion 2014-0726a – Suspend rules to hear financial report first

Motion 2014-0727 – Accept reports

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 - Gus Wortham Golf Course Rehabilitation/Botanic Garden Update

CONSENT AGENDA NUMBERS 2 through 23

MISCELLANEOUS - NUMBERS 2 and 3

Motion 2014-0730 – Suspend rules to consider Items 2 and 3 out of order

2. Motion 2014-0731

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARTS ALLIANCE BOARD OF DIRECTORS**, for terms to expire June 30, 2017:

Position Three - **GIGI L. MYUNG**, reappointment

Position Four - **BRAD BUCHER**, appointment

3. Motion 2014-0732

REQUEST from Mayor for confirmation of the appointment of **WILLIAM (BILL) CURTIN REED** to Position Four of the **BOARD OF DIRECTORS OF HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12**, for an unexpired term ending June 1, 2015

ACCEPT WORK - NUMBERS 4 through 8

4. Motion 2014-0733

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,033,979.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP** for Neighborhood Solid Waste Depository - 7.27% over the original contract amount and under the 10% contingency - **DISTRICT D - BOYKINS**

5. Motion 2014-0734

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,118,319.23 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LLC** for Yale Paving and Drainage from West Tidwell Road to West Parker Road - 4.45% under the original contract amount - **DISTRICT H - GONZALEZ**

6. Motion 2014-0735

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$441,737.45 and acceptance of work on contract with **CONGO LLC**, for Neighborhood Back Lot Wastewater Substitute Service Program - Norhill Heights - 0.72% under the original contract amount - **DISTRICTS C - COHEN; H - GONZALEZ and I - GALLEGOS**

7. Motion 2014-0736

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,819,986.70 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Forest West II Area - 1.54% over the original contract amount - **DISTRICTS A - STARDIG and C - COHEN**

ACCEPT WORK - continued

8. Motion 2014-0737

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,575,916.46 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LLC** for 42-inch Discharge Water Line from Katy Addicks Repump Station to Church Lane - 5.02% under the original contract amount - **DISTRICTS A - STARDIG and K - GREEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 and 10

9. Motion 2014-0738

AMEND MOTION #2007-259, 3/7/07, as previously amended, TO EXTEND the term from April 17, 2015 to April 16, 2018, for Chemical, Inorganic Metal Salt Coagulants for the Department of Public Works & Engineering, awarded to **BRENNTAG SOUTHWEST, INC (Formerly ALTIVIA CORPORATION)**

10. Motion 2014-0739

GLOBE ELECTRIC SUPPLY CO., INC for Purchase of Streaming Current Analyzers for the Department of Public Works & Engineering - \$101,820.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 23

11. Council Members Costello and Stardig tagged

RESOLUTION approving the creation of the Stadium Park Redevelopment Authority; approving the Certificate of Formation and the bylaws thereof; confirming the appointment of the initial directors and chairperson - **DISTRICT K - GREEN**

12. Ordinance 2014-0734

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **EXPEDITE!, INC** for certain premises at George Bush Intercontinental Airport/Houston **DISTRICT B - DAVIS**

13. Ordinance 2014-0735

ORDINANCE appropriating \$3,418,433.22 out of Houston HAS Airport Improvement Fund and awarding construction contract to **ISI CONTRACTING, INC** for Reconstruction of the Concrete Pavement and Improvement of the Drainage and Entry Roadway along Challenger 7 Parkway for Ellington Airport/Houston (Project No. 628/633); 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 services and contingencies relating to construction of facilities financed by such funds **DISTRICT E - MARTIN**

14. Ordinance 2014-0739

ORDINANCE approving and authorizing agreement between the City of Houston, Texas and the **HOUSTON HOUSING AUTHORITY** to establish a procedure for exchanging and transferring properties between them; designating initial parcels to be exchanged

15. Council Members Pennington, Bradford and Kubosh tagged

ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, and **COASTAL WATER AUTHORITY**, Seller, and **ALLIANCE REALTY PARTNERS, LLC**, Purchaser, to sell CWA Gillette Street, a subdivision in Harris County, Texas - **DISTRICT C - COHEN**

RESOLUTIONS AND ORDINANCES - continued

16. Ordinance 2014-0736

ORDINANCE amending Ordinance No. 2010-0140 (Passed by City Council February 17, 2010), as amended, to increase the maximum contract amount; approving and authorizing first amendment between the City of Houston and **SPAY NEUTER ASSISTANCE PROGRAM, INC (SNAP)** to add Spay/Neuter Services at SNAP'S Non-Mobile Facility - \$100,000.00 - BARC Special Revenue Fund

17. Ordinance 2014-0740

ORDINANCE amending Ordinance Number 2013-0809, as amended, to increase the maximum contract amount for an agreement for Legal Services between the City and **SUSMAN GODFREY L.L.P.**, as amended, for representation of the City in pending litigation against Xerox State and Local Solutions, Inc a/k/a and f/n/a ACS State and Local Solutions, Inc in the United States District Court for the Southern District of Texas Case No. 4:13-Cv-026532 - \$500,000.00 General Fund

18. Ordinance 2014-0741

ORDINANCE approving and authorizing settlement, release, and indemnity agreement between the City of Houston, et al. and **LISA BEAN-KEMP, ET AL.** (USDC Civil Action; 4:10-CV-03111) to settle a lawsuit - \$5,000,000.00 - Property and Casualty Fund

19. Ordinance 2014-0742

ORDINANCE amending Ordinance No. 2014-544, an ordinance extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential properties within the **BRAYS FOREST SUBDIVISION, SECTIONS 4 R/P, 5 R/P, AND 6** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - NGUYEN**

20. Ordinance 2014-0737

ORDINANCE approving payment of \$34,550.00 to **TOTAL CONTRACTING LTD.** under contract with the City for Neighborhood Street Reconstruction authorized by Ordinance No. 2004-3010 **DISTRICTS H - GONZALEZ and I - GALLEGOS**

21. Ordinance 2014-0743

ORDINANCE approving and authorizing first amendment to the agreement for Research Services between the City of Houston and **WILLIAM MARSH RICE UNIVERSITY** for White Oak Bayou Cottage Grove Subdivision Low Impact Development Demonstration Project (Approved by Ordinance 2012-0249)

22. Ordinance 2014-0738

ORDINANCE approving and authorizing fourth amendment to the agreement between the City of Houston and **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for Reimbursement for Design and Construction of a Pilot Project to develop Local Data for Storm Water Quality Best Management Practices (Approved by Ordinance No. 2010-0353) - **DISTRICT C - COHEN**

23. Ordinance 2014-0720 – Passed third and final reading

ORDINANCE No. 2014-720, passed second reading July 23, 2014

ORDINANCE granting to **PEDRO CORDOVA dba PEDRO CORDOVA CO., 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

THIRD AND FINAL READING

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 24

MISCELLANEOUS

24. Council Member Cohen tagged

REVIEW on the record and make determination relative to the appeal to the City of Houston from a vote by the Houston Planning Commission to uphold the decision of the Houston Archaeological and Historical Commission's denial of a certificate of appropriateness to relocate a structure at 1815 Cortlandt Street (Historic District: Houston Heights East), filed by Timothy Kirwin, Attorney at Law, on behalf of Jeremy McFarland, Brick Moon Design (Applicant) for Laura Menafee (Owner) **DISTRICT I - GALLEGOS**

MATTERS HELD - NUMBERS 25 through 27

Motion 2014-0740 – Suspend rules to consider Item 25a prior to Item 25

25. Motion 2014-0743 – Delay one (1) week

Consideration of proposed amendments to Item 25A below, submitted in writing on July 11, 2014 by Council Members Boykins, Laster and Kubosh, as set forth in the attached Exhibits 1-3 **DELAYED BY MOTION #2014-547, 6/11/14**

Motion 2014-0742 – Delay one (1) week with proposed amendments submitted on July 30, 2014

ORDINANCE AMENDING CHAPTERS 1 AND 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to regulation of vehicles for hire; creating a regulatory framework for the operation of mobile dispatch services and transportation network companies; declaring certain conduct to be unlawful and providing penalties therefor; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer **DELAYED BY MOTION #2014-547, 6/11/14**

This was Item 59 on Agenda of June 11, 2014

Motion 2014-0745 – Motion to substitute a substitute amendment in Item 26 – Adopted

26. Ordinance 2014-0744 – Adopt as amended

ORDINANCE appropriating \$10,000,000.00 out of the Miscellaneous Capital Projects / Acquisitions CP Series E Fund for the Grade Separated Betterment of the Light Rail Crossing of the tracks at Harrisburg and Hughes; authorizing and approving supplement to the Consent Agreement between the City of Houston and **THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** (Approved by Ordinance No. 2008-0567) - **DISTRICTS H - GONZALEZ and I - GALLEGOS** - **DELAYED BY MOTION #2014-629, 6/25/14**

This was Item 36 on Agenda of June 25, 2014

MATTERS HELD - continued

27. Council Member Bradford tagged

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BLACK FOREST VENTURES AVIATION RE, LLC, operated by WING AVIATION CHARTER MANAGEMENT SERVICES LLC**, for certain premises at 8410 Larson Street at William P. Hobby Airport - **DISTRICT I - GALLEGOS** - **TAGGED BY COUNCIL MEMBER BOYKINS**

This was Item 9 on Agenda of July 23, 2014

Motion 2014-0744 – Suspend rules to remain in session beyond the scheduled noon recess

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Laster 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

7/29/2014 - All present

7/30/2014 - All present