

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 14, 2014 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2014-0921 to 2014-0937**  
**ORDINANCES – 2014-0926 to 2014-0941**  
**RESOLUTION – None**

**2014-0920-1**

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

**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 2014-0921 – Procedural motion**  
**Motion 2014-0922 – Procedural motion**  
**Motion 2014-0923 – Procedural motion**  
**Motion 2014-0924 – Procedural motion**

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

**RECONVENE**

**WEDNESDAY - OCTOBER 15, 2014 - 9:00 A. M.**

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

**MAYOR'S REPORT** – Dr. Steven Williams and Dr. David Persse presented report on the Ebola virus

**CONSENT AGENDA NUMBERS 1 through 35**

**MISCELLANEOUS** - NUMBERS 1 and 2

**Motion 2014-0926 – Suspend rules to consider Items 1 and 2 out of order**

**1. Motion 2014-0927**

REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2016:

Position One - **PHILAMENA BAIRD**  
Position Two - **CHAU NGUYEN TODD**  
Position Three - **PAMELA J. GARDNER**

**2. Motion 2014-0928**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON COMMISSION ON DISABILITIES**:

Position Two - **LOUIS J. MAHER**, reappointment, for a term to expire 7/26/2016  
Position Three - **MATTHEW P. DICKENS**, appointment, for an unexpired term ending 7/26/2015  
Position Four - **BETHANNE ROLLINS FRANCO**, appointment, for a term to expire 7/26/2016  
Position Six - **CORNELIUS K. BOOKER**, reappointment, for a term to expire 7/26/16, and to serve as Chair  
Position Eight - **CHARLES H. A. LADAY**, reappointment, for a term to expire 7/26/2016  
Position Ten - **MONTE C. OSBURN**, reappointment, for a term to expire 7/26/2016  
Position Twelve - **TAMIRA ANTWIONETTE COLE**, appointment, for a term to expire 7/26/2016  
Alternate Position One - **FRANKIE B. SIMS**, appointment, for an unexpired term ending 7/26/2015  
Alternate Position Two - **SHELLEY A. TOWNSEND**, appointment, for a term to expire 7/26/2016  
Alternate Position Three - **KAREN MAYER CUNNINGHAM**, appointment, for an unexpired term ending 7/26/2015

**ACCEPT WORK** - NUMBER 3

**3. Motion 2014-0931**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$109,945.00 and acceptance of work on contract with **PROGRESSIVE COMMERCIAL AQUATICS, INC** for Pool Plaster at Cloverland, Eastwood, and Mason Parks - **DISTRICTS D - BOYKINS; H - GONZALEZ and I - GALLEGOS**

**PROPERTY** - NUMBERS 4 through 7

**4. Motion 2014-0935**

RECOMMENDATION from Director General Services Department that City Council declare surplus and authorize the sealed bid sale of the following properties:

Parcel S97-028	8002 Westpark, Dr. 77063	<b><u>DISTRICT F - NGUYEN</u></b>
Parcel SY14-137	12800 Fuqua, St. 77034	<b><u>DISTRICT E - MARTIN</u></b>
159-002 and 159-003	7420 Park Place, Blvd. 77087	<b><u>DISTRICT I - GALLEGOS</u></b>

**PROPERTY** - continued

**5. Motion 2014-0932**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Carlos Gutierrez, CFS Consulting, LP, on behalf of Valero Houston Refinery, (Chip Gross, P.E., Director of Regional Public Affairs), for abandonment and sale of: 1) East Avenue Q, from Central Avenue to 95th Street; 2) East Avenue P, from Central Avenue to 96th Street; 3) East Avenue O, from 95th Street to 96th Street; 4) East Avenue N, from 95th Street to 96th Street; 5) 95th Street, from East Avenue Q to East Avenue O; 6) 96th Street, from East Avenue P to Manchester Avenue; and 7) four 10-foot-wide prescriptive sanitary sewer easements, all located within Manchester Subdivision Plat, out of the Callahan and Vince Surveys, Parcels SY14-59A through K - **DISTRICT I - GALLEGOS**

**6. Motion 2014-0933**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Gerald W. Grissom, Brown & Gay Engineers, Inc., on behalf of Kirby Court Corporation (W. T. Dickey, President), Walaby Realty Partners, Ltd. (W. T. Dickey, President), and Austin Trust Company (Dell Boykin, CEO), for abandonment and sale of a 10-foot-wide utility easement and a 10-foot-wide sanitary sewer easement, within Lots 19 and 19A, Block 29, in exchange for conveyance of a 20-foot-wide sanitary sewer easement within Blocks 29 and 30, all located in the Woodland Heights Annex, out of the John Austin 2 League Grant Survey, Parcels SY15-017A, SY15-017B, SY15-030, SY15-031 and DY15-003 - **DISTRICT C - COHEN**

**7. Motion 2014-0934**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Bernardo Rios, on behalf of Chris Evans, for abandonment and sale of a 10-foot-wide utility easement, in exchange for conveyance to the City of a 10-foot-wide sanitary sewer easement, both located within Lot 136 of the Ridgewood Addition, Parcels SY14-024 and DY14-007 - **DISTRICT A - STARDIG**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 and 9

**8. Council Member Green tagged**

ORDINANCE appropriating \$2,500,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Sanitary Sewer Line Repairs for the Public Works and Engineering Department

**9. Council Member Green tagged**

**BRH-GARVER CONSTRUCTION, L.P.** for Emergency Sanitary Sewer Line Repairs for Department of Public Works & Engineering - Funding provided in Item 8 above  
**This item should only be considered after passage of Item 8 above**

**ORDINANCES** - NUMBERS 10 through 35

**10. Ordinance 2014-0926**

ORDINANCE amending City of Houston Ordinance No. 2014-754, relating to membership of the Houston Transportation Accessibility Task Force

**11. Ordinance 2014-0940**

ORDINANCE approving and authorizing grant application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**, Centers for Medicare and Medicaid Services for the support of navigators in federally-facilitated marketplaces in connection with the Houston expansion of ACA Participation Project (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Houston Health & Human Services Department to act as the City's representative in the application process; authorizing the Director of Houston Health & Human Services Department to accept the grant and expend the grant funds, as awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant

**ORDINANCES** - continued

**12. Ordinance 2014-0927**

ORDINANCE approving and authorizing the acceptance of grant awards from the **UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES** for grant assistance from the Centers for Disease Control and Prevention for the Houston Childhood Lead Poisoning Prevention Program; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health & Human Services or his designee to act as the City's representative to accept and expend the grant funds, as awarded, and to accept all subsequent grant awards pertaining to the program

**13. Ordinance 2014-0941**

ORDINANCE amending Ordinance Number 2011-998 to increase the maximum contract amount for contract between the City and **MUNISERVICES, LLC** for Sales/Use Tax Audit and Sales/Use Tax Analysis and Reporting Services - \$1,500,000.00 - General Fund

**14. Ordinance 2014-0928**

ORDINANCE awarding contract to **LONE STAR UNIFORMS, INC** for Apparel, Uniforms for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$6,815,567.27 - General Fund

**15. Ordinance 2014-0929**

ORDINANCE approving and authorizing third amendment to Contract No. C56086 between the City of Houston and **AMERICAN BOTTLING COMPANY OF TEXAS** to extend the contract term (Approved by Ordinance No. 2004-754)

**16. Ordinance 2014-0930**

ORDINANCE approving and authorizing third amendment to Contract No. C56087 between the City of Houston and **FRESH BREW GROUP USA, LP** to extend the contract term (Approved by Ordinance No. 2004-754)

**17. Ordinance 2014-0931**

ORDINANCE appropriating \$503,000.00 out of Equipment Acquisition Consolidated Fund for Design/Build Contract between the City of Houston and **TIMES CONSTRUCTION, INC** for the City Hall Annex Elevator Modernization (Approved by Ordinance No. 2014-0433) - **DISTRICT I - GALLEGOS**

**18. Ordinance 2014-0932**

ORDINANCE approving and authorizing first amendment to Design/Build Contract between the City of Houston and **BARTLETT COCKE GENERAL CONTRACTORS, LLC** for Fire Station No. 67 Expansion and Renovation (Approved by Ordinance 2013-0784) - **DISTRICT B - DAVIS**

**19. Ordinance 2014-0933**

ORDINANCE relating to the Fiscal Affairs of **LELAND WOODS REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twenty-Two, City of Houston, Texas (Leland Woods Zone); approving the Fiscal Year 2015 Operating Budget for the Zone - **DISTRICT B - DAVIS**

**20. Ordinance 2014-0934**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 8.1858 acres commonly known as 600 through 720 West 6th Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C - COHEN**

**ORDINANCES** - continued

**21. Ordinance 2014-0935**

ORDINANCE approving and authorizing Purchase and Sale Agreement, a Special Warranty Deed and a Development Agreement between the City of Houston, Texas, Seller, and **SEARCH HOMELESS SERVICES**, Buyer, to sell 0.2328 acres of land, being Lots 9 and 10, Block 187, S.S.B.B., located at 205 Chartres Street, Houston, Harris County, Texas; for a purchase price of \$270,000.00, and other consideration to the City - **DISTRICT I - GALLEGOS**

**22. Ordinance 2014-0936**

ORDINANCE consenting to the addition of 10.4433 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390**, for inclusion in its district - **DISTRICT D - BOYKINS**

**23. Ordinance 2014-0937**

ORDINANCE appropriating \$114,013.85 out of Metro Projects Construction DDSRF; approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Memorial Drive Paving and Drainage from North Kirkwood Road to North Eldridge Parkway - **DISTRICT G - PENNINGTON**

**24. Council Member Green tagged**

ORDINANCE appropriating \$5,500,000.00 out of Water & Sewer System Consolidated Construction Fund as the third additional appropriation to a Professional Engineering Services Contract between the City of Houston and **CAROLLO ENGINEERS, INC** for Project Advisor/Technical Consultant for the City's future expansion of the Northeast Water Purification Plant (Approved by Ordinance No. 2012-0121); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN**

**25. Ordinance 2014-0938**

ORDINANCE awarding contract to **ISI CONTRACTING, INC** for Concrete and Asphalt Restoration; 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 the construction of facilities - 2 Years with 1 one-year option - \$2,846,543.50 Enterprise Fund

**26. Ordinance 2014-0939**

ORDINANCE appropriating \$1,621,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PEPPER-LAWSON WATERWORKS, LLC** for 69th Street Wastewater Treatment Plant - Eddy Current Clutch Drives and Screw Conveyor Replacement; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

**27. Ordinance 2014-0909 – Passed second reading**

ORDINANCE No. 2014-0909, passed first reading October 8, 2014  
ORDINANCE granting to **FCC ENVIRONMENTAL SERVICES, LLC, A Delaware 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 **SECOND READING**

**ORDINANCES** - continued

**28. Ordinance 2014-0910 – Passed second reading**

ORDINANCE No. 2014-0910, passed first reading October 8, 2014

ORDINANCE granting to **BIG R TRUCKING, 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 - **SECOND READING**

**29. Ordinance 2014-0911 – Passed second reading**

ORDINANCE No. 2014-0911, passed first reading October 8, 2014

ORDINANCE granting to **ENVIRONMENTAL INDUSTRIAL SERVICES GROUP, 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 **SECOND READING**

**30. Ordinance 2014-0912 – Passed second reading**

ORDINANCE No. 2014-0912, passed first reading October 8, 2014

ORDINANCE granting to **ANDERSON POLLUTION CONTROL, 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 - **SECOND READING**

**31. Ordinance 2014-0886 – Passed third and final reading**

ORDINANCE No. 2014-0886, passed second reading October 8, 2014

ORDINANCE granting to **CHING LO dba A. URANUS SERVICE, 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**

**32. Ordinance 2014-0887 – Passed third and final reading**

ORDINANCE No. 2014-0887, passed second reading October 8, 2014

ORDINANCE granting to **PROGRESSIVE WASTE SOLUTIONS OF TX, 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 **THIRD AND FINAL READING**

**33. Ordinance 2014-0888 – Passed third and final reading**

ORDINANCE No. 2014-0888, passed second reading October 8, 2014

ORDINANCE granting to **ARROW SERVICES 123, 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 - **THIRD AND FINAL READING**

**ORDINANCES** - continued

**34. Ordinance 2014-0889 – Passed third and final reading**

ORDINANCE No. 2014-0889, passed second reading October 8, 2014

ORDINANCE granting to **MIGGINS INTERESTS, LLC dba HYDRO TECH UTILITIES, 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 - **THIRD AND FINAL READING**

**35. Ordinance 2014-0890 – Passed third and final reading**

ORDINANCE No. 2014-0890, passed second reading October 8, 2014

ORDINANCE granting to **MOUSER CONTAINER 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 - **THIRD AND FINAL READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 36

**MISCELLANEOUS**

**Motion 2014-0929 – Suspend rules to consider Item 36 out of order**

**36. Motion 2014-0930**

SELECT and confirm the appointment of either **GERALD WOMACK** or **DIANA UNTERMAYER** to Position B13 of the **HOUSTON FIRST CORPORATION BOARD OF DIRECTORS**, for a two year term ending December 31, 2015

Confirm appointment of Mr. Gerald Womack

Ms. Diana Untermeyer withdrew

**MATTERS HELD** - NUMBERS 37 and 38

**37. Motion 2014-0936 – Upheld Automotive Board decision**

REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Paul Kubosh and Associates, Attorney at Law, on behalf of Eid's Car Care, 9650 South Kirkwood Drive, 77099, regarding the revocation of license

**TAGGED BY COUNCIL MEMBERS NGUYEN and PENNINGTON**

This was Item 43 on Agenda of October 8, 2014

**MATTERS HELD** - continued

**38. Motion 2014-0937 – Refer back to the Administration**

MOTION by Council Member Stardig/Seconded by Council Member Green to **AMEND MOTION #2011-0029, 1/12/11, TO APPOINT** John Fox and David Dominy as independent appraisers to determine the fair market value for the portion of right-of-way on the north side of Wheeler Avenue, ±400 feet from the intersection of Wheeler Avenue and Calhoun Street, to ±368 feet from the intersection of Wheeler Avenue and Cullen Boulevard in exchange for fee-owned land from the University of Houston for the construction of Wheeler Street, from Scott Street east to Calhoun Road, out of the Luke Moore Survey, A-51, Parcels SY10-074, AY10-331, AY10-332A through AY10-332D, QY10-007 and VY10-039 - **DISTRICT D - BOYKINS**

**TAGGED BY COUNCIL MEMBER MARTIN**

This was Item 45 on Agenda of October 8, 2014

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

**10/14/2014 - All Present**

**10/15/2014 - All Present**