

AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 10, 2013 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

MOTIONS – 2013-0776 to 2013-0798
ORDINANCES – 2013-1121 to 2013-1162
RESOLUTIONS – 2013-0063 to 2013-0064

2013-0775-1

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

Motion 2013-0776 – Procedural motion
Motion 2013-0777 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - DECEMBER 11, 2013 - 9:00 A. M.

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

HEARINGS

Motion 2013-0779 – 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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 59

MISCELLANEOUS - NUMBERS 1 through 8

1. **Motion 2013-0780**
REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **GENERAL APPEALS BOARD**, for terms to expire 1/2/2016:
Position Two - **LESLIE BARRY DAVIDSON**
Position Ten - **EDWARD E. CAMPBELL**
2. **Motion 2013-0781**
REQUEST from Mayor for confirmation of the appointment of **VIC J. ZACHARY** for Position Ten to the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 9 (HOBBY AREA MANAGEMENT DISTRICT) BOARD OF DIRECTORS**, for a term to expire 6/1/2015
3. **Motion 2013-0782**
REQUEST from Mayor for confirmation of the appointment of **ANTHONY TODD ROBINSON** for Position Seven to the **HOUSTON FORENSIC SCIENCE LGC, INC. BOARD OF DIRECTORS**, for an unexpired term ending 6/30/2015
4. **Motion 2013-0798**
RECOMMENDATION from the Director Convention & Entertainment Facilities Department for approval of the **HOUSTON FIRST CORPORATION'S** Calendar Year 2014 Budget
5. **Motion 2013-0788**
RECOMMENDATION from the Mayor's Office of Intergovernmental Relations for renewal of membership in the **HOUSTON-GALVESTON AREA COUNCIL** - \$83,978.04 - General Fund
6. **Motion 2013-0789**
RECOMMENDATION from the Mayor's Office of Public Safety and Homeland Security for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** for 2014 Budget (January 1, 2014 - December 31, 2014)
7. **Motion 2013-0790**
RECOMMENDATION from Director Houston Parks & Recreation Department for purchases of resale items for the Houston Parks & Recreation Department Golf Course and Tennis Center Pro Shops - \$250,000.00 annually - **DISTRICTS B - DAVIS; C - COHEN; D - ADAMS; I - RODRIGUEZ and J - LASTER**
8. **Motion 2013-0783**
RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2012 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2013 MTFP in map form

ACCEPT WORK - NUMBERS 9 through 14

9. **Motion 2013-0791**
RECOMMENDATION from Director Department of General Services for approval of final contract amount of \$10,048,413.00 and acceptance of work on contract awarded to **COMEX CORPORATION** and completed by the surety, **TRAVELERS CASUALTY & SURETY COMPANY OF AMERICA** for Hiram Clarke Multi-Service Center (formerly South Post Oak Multi-Service Center) and Vinson Branch Library - 0.41% under the original contract amount **DISTRICT K - GREEN**

ACCEPT WORK – continued

10. Council Member Davis tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,500,663.51 and acceptance of work on contract with **TIKON GROUP, INC** for Streetscape Enhancements along light Rail Lines, Work Authorization, Southeast Corridor 0.69% under the original contract amount - **DISTRICTS D - ADAMS, H - GONZALEZ and I - RODRIGUEZ**

11. Council Members Davis and Green tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,419,549.28 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Lift Station Renewal and Replacement – Green Crest and Fairway Lift Stations – 3.43% under the original contract amount - **DISTRICTS G - PENNINGTON and I - RODRIGUEZ**

12. Ordinance 2013-1121

ORDINANCE appropriating \$17,416.29 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Lyerly Street 72-Inch Sanitary Tunnel under a Construction Contract with BRH-Garver Construction, L.P. (approved by Ordinance No. 2009-0895)

a. Motion 2013-0784

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,351,811.38 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION, L.P.** for Lyerly Street 72-Inch Sanitary Tunnel – 5.25% over the original contract amount - **DISTRICT H - GONZALEZ**

13. Council Members Davis and Green tagged

RECOMMENDATION from Director Department of Public Works and Engineering for approval of final contract amount of \$2,772,196.76 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Kingspoint Area - 4.36% under the original contract amount - **DISTRICT E - MARTIN**

14. Council Members Davis and Green tagged

RECOMMENDATION from Director Department of Public Works and Engineering for approval of final contract amount of \$1,302,643.78 and acceptance of work on contract with **HUFF AND MITCHELL, INC** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 8 - 3.51% under the original contract amount

PROPERTY - NUMBERS 15 and 16

15. Motion 2013-0785

RECOMMENDATION from City Attorney to settle the eminent domain proceeding styled City of Houston v. M. Ali & Sons, Inc., a Texas Corporation, et al., Cause No. 1009484; in amount of \$340,000.00 for acquisition of Parcel AY10-201 & AY11-171; for the **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610)** - **DISTRICT H - GONZALEZ**

16. Motion 2013-0792

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Rick Radford, Bury+Partners, on behalf of Streetlights Montrose, L.P., [Streetlights Residential (Doug Chestnut, Chief Executive Officer), General Partner] for abandonment and sale of a 15-foot-wide prescriptive sanitary sewer easement, located within Block 1 of the Chelsea Place Subdivision, out of the Obedience Smith Survey, A-696, Parcel SY13-080 - **DISTRICT C - COHEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 17 through 20A

17. Ordinance 2013-1122

ORDINANCE appropriating \$78,779.00 out of Equipment Acquisition Consolidated Fund for purchase of a Fuel Trailer for the Fleet Management Department

a. Motion 2013-0786

THE JACK OLSTA CO. for Fuel Trailer for the Fleet Management Department - \$78,779.00

18. Motion 2013-0787

G T DISTRIBUTOR, INC for purchase of Night Vision Surveillance Equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (Buyboard) for the Houston Police Department - \$366,373.14 - Grant Funds

19. Ordinance 2013-1141

ORDINANCE appropriating \$2,389,400.00 out of the Water and Sewer System Consolidated Construction Fund to Remove, Furnish and Install Centrifugal Pumps and Associated Equipment for the Department of Public Works & Engineering

a. Motion 2013-0793

PEPPER-LAWSON WATERWORKS, LLC to Remove, Furnish and Install Centrifugal Pumps and Associated Equipment for the Department of Public Works & Engineering - \$2,389,400.00

20. Ordinance 2013-1142

ORDINANCE appropriating \$140,784.00 out of Equipment Acquisition Consolidated Fund and \$2,303,424.00 out of Water & Sewer System Consolidated Construction Fund for purchase of Wreckers and Sewer Vacuum Trucks for Various Departments

a. Motion 2013-0794

RUSH TRUCK CENTERS OF TEXAS, L.P. d/b/a RUSH TRUCK CENTERS - \$3,658,291.00; **TEXAS UNDERGROUND, INC d/b/a UNDERGROUND INC** - \$227,210.00; **SPECIALIZED INDUSTRIES L.P. D/B/A SUPER PRODUCTS, LLC** - \$401,800.00; **CLEVELAND MACK SALES d/b/a PERFORMANCE TRUCK HOUSTON** - \$173,142.84; **HOUSTON FREIGHTLINER, INC** - \$675,804.00; **KINLOCH EQUIPMENT & SUPPLY, INC** - \$1,627,620.00; **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** - \$140,784.00 for purchase of Medium and Heavy Duty Cabs & Chassis and Truck Bodies including Sewer Vacuum Trucks and Wreckers through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council - \$6,904,651.84 - Enterprise and other Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 21 through 59

Motion 2013-0778 – Suspend rules to consider Item 21 out of order

21. Resolution 2013-0063

RESOLUTION reappointing Ray A. Holtzapple to serve as the City's Representative on the **BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT** for a two-year term commencing on January 1, 2014 and ending on December 31, 2015

22. Council Members Brown and Laster tagged

RESOLUTION approving the creation of the City of Houston Cultural Education Facilities Finance Corporation; approving the certificate of formation and bylaws thereof; appointing initial board of directors; and containing other provisions relating to the subject; providing an effective date

RESOLUTIONS AND ORDINANCES - continued

23. Resolution 2013-0064

RESOLUTION authorizing the Director of the Department of Public Works & Engineering to submit an application for grant funding to the Texas Water Development Board and to accept the awarded funds on behalf of the City

24. Council Members Burks, Bradford and Cohen tagged

ORDINANCE **AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Alcohol Free Zones; containing findings and other provisions relating to the foregoing subject; providing for severability

25. Council Member Laster tagged

ORDINANCE **AMENDING SECTION 24-5 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Government and use of Library System property

Written motion by Council Member Christie to amend Section 28-502 of Item 26 as follows:

"Sec. 28-502. Restriction on extension of consumer credit.

(a) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a deferred presentment transaction may not exceed 20 percent of the consumer's gross monthly income.

(b) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a motor vehicle title loan may not exceed the lesser of:

- (1) ~~Three~~ **Six** percent of the consumer's gross annual income; or
- (2) 70 percent of the retail value of the motor vehicle.

(c) A credit access business shall use a paycheck or other documentation establishing income to determine a consumer's income.

(d) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for repayment in installments may not be payable in more than ~~four~~ **six** installments. ~~Proceeds from each installment must be used to repay at least 25 percent of the principal amount of the extension of consumer credit.~~ An extension of consumer credit that provides for repayment in installments may not be refinanced or renewed.

(e) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for a single lump sum repayment may not be refinanced or renewed more than ~~three~~ **six** times. ~~Proceeds from each refinancing or renewal must be used to repay at least 25 percent of the principal amount of the original extension of consumer credit.~~

~~(f) For purposes of this section, an extension of consumer credit that is made to a consumer within seven days after a previous extension of consumer credit has been paid by the consumer will constitute a refinancing or renewal.~~

~~(f) After an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining has been refinanced the maximum number of times permitted by this Section, the credit access business must offer the consumer a repayment plan to repay any remaining balance without additional fees prior to taking any further collection activity. The repayment plan must have term equal to: (i) four additional months if the original payment terms were monthly; or (ii) or four additional weeks if the original payment terms were weekly.~~

Council Member Costello tagged

RESOLUTIONS AND ORDINANCES - continued

26. Council Members Davis and Burks tagged

ORDINANCE **AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to Consumer Protection and Regulation of Credit Access Businesses; containing findings and other provisions relating to the foregoing subject; providing for severability; providing an effective date

27. Ordinance 2013-1143

ORDINANCE **AMENDING SECTION 16-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to increasing the number of Municipal Courts; containing findings and other provisions relating to the foregoing subject; providing for severability

28. Ordinance 2013-1123

ORDINANCE relating to the rescheduling or postponement of certain City Council Meetings

29. Ordinance 2013-1124

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Berry Street, from Main Street to Travis Street, located in the Obedience Smith Survey, A-696, Harris County, Texas; vacating and abandoning the public street right-of-way to Mid-Main Properties, L.P., abutting owner, in consideration of its construction of a public parking garage or payment in cash of the appraised value of the right-of-way; authorizing an agreement regarding pavement reparations and a ratification of parking easement and agreement **DISTRICTS C - COHEN and D - ADAMS**

30. Ordinance 2013-1144

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY**, providing up to \$130,000.00 in Community Development Block Grant Funds for Strategic Homeless Planning Services

31. Ordinance 2013-1145

ORDINANCE approving and authorizing a release of deed restriction relating to property located at 7400 Park Place Boulevard, Houston, Harris County, Texas - **DISTRICT I - RODRIGUEZ**

32. Ordinance 2013-1125

ORDINANCE authorizing a lease agreement between **KITCHCO REALTY, LTD., METCO REALTY, LTD. AND ACR-S HOLDINGS I, LTD.**, jointly as landlords, and the City of Houston, Texas, as tenant, for approximately one acre of land located at 1010 Washington Avenue, Houston, Texas, for parking for the Houston Permitting Center - **DISTRICT H - GONZALEZ**

33. Ordinance 2013-1126

ORDINANCE authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to execute three Subrecipient Grant Agreements with the Texas Department of Public Safety accepting FY2013 Homeland Security Grant Funding from the Urban Area Security Initiative ("UASI") Grant Program, the UASI Law Enforcement Terrorism Prevention Activities Program, and the UASI Management and Administration Program; declaring the City's eligibility for such grants; authorizing the director to execute all modifications to the agreements and to execute any subsequent documents necessary to secure the city's allocations throughout the life of these grant awards

34. Ordinance 2013-1146

ORDINANCE approving and authorizing a contract between the City and **THE HOUSTON ARTS ALLIANCE, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, MILLER THEATRE ADVISORY BOARD, INC, AND THEATER DISTRICT IMPROVEMENT, INC** for the Support, Advancement and Promotion of the Arts; providing for contract payments from Hotel Occupancy Tax Revenue; establishing a maximum contract amount

RESOLUTIONS AND ORDINANCES - continued

35. Ordinance 2013-1127

ORDINANCE amending Ordinance No. 2008-1224 relating to the abandonment and sale of Calumet Drive, from Caroline Street to Austin and approving and agreement with the **HOLOCAUST MUSEUM HOUSTON** extending time to perform the original agreement
DISTRICT D - ADAMS

36. Ordinance 2013-1128

ORDINANCE terminating **REINVESTMENT ZONE NUMBER FOUR, CITY OF HOUSTON, TEXAS (VILLAGE ENCLAVES ZONE)** on December 31, 2013 - **DISTRICT G - PENNINGTON**

37. Ordinance 2013-1147

ORDINANCE amending Ordinance No. 2013-469 relating to **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)** to correct a Legal Description **DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER**

a. Ordinance 2013-1148

ORDINANCE relating to the fiscal affairs of the **UPTOWN DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; amending Ordinance No. 2013-976 to amend the Fiscal Year 2014 Operating Budget for the Uptown Development Authority - **DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER**

38. Ordinance 2013-1149

ORDINANCE approving and authorizing a concession services contract between the City of Houston and **BECKS PRIME MEMORIAL PARK, LTD.** for Memorial Park Golf Course Clubhouse, course and driving range - Revenue - **DISTRICT C - COHEN**

39. Ordinance 2013-1150

ORDINANCE amending Ordinance 2009-1343, as amended, to increase the maximum contract amount and approving and authorizing a first amendment to the professional services agreement for Pension Related Consulting Services between the City and **CRAIG T. MASON** - \$208,080.00 General Fund

40. Ordinance 2013-1151

ORDINANCE approving and authorizing a first amendment to the agreement for professional auditing services between the City and **DELOITTE & TOUCHE LLP** for the Finance Department

41. Council Members Davis and Green tagged

ORDINANCE approving and authorizing a revised and restated agreement between **AUTOMATION NATION INC** and the City of Houston (approved by Ordinance No. 2005-1399, as amended) for Handling, Marketing and Sale of Biosolids for the Department of Public Works & Engineering – Revenue

42. Ordinance 2013-1129

ORDINANCE approving and authorizing amendment No. 1 to lease agreement by and between the City of Houston and **WILSON AIR CENTER – HOUSTON, INC**, for certain premises at William P. Hobby Airport approved by Ordinance No. 2008-469 – Revenue - **DISTRICT I - RODRIGUEZ**

43. Council Member Pennington tagged

ORDINANCE approving and authorizing Amendment No. 3 to a lease agreement between the City of Houston and **SOUTHWEST AIRLINES CO.** for certain premises at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

44. Ordinance 2013-1152

ORDINANCE approving and authorizing a lease agreement between the City of Houston and **STANDARD AERO BUSINESS AVIATION SERVICES, LLC** for certain premises at George Bush Intercontinental Airport/Houston (IAH) - Revenue - **DISTRICT B - DAVIS**

45. Ordinance 2013-1153

ORDINANCE approving and authorizing a lease agreement between the City of Houston and **TRAJEN FLIGHT SUPPORT, LP, D/B/A ATLANTIC AVIATION CORPORATION**, for certain premises at George Bush Intercontinental Airport/Houston (IAH); terminating a lease agreement by and between the City of Houston and **QUALITRON AERO SERVICES, INC.**, approved by Ordinance No. 1999-102 and assigned to **TRAJEN FLIGHT SUPPORT, LP, D/B/A ATLANTIC AVIATION CORPORATION** (successor-in-interest to **QUALITRON AERO SERVICE, INC**) Revenue - **DISTRICT B - DAVIS**

46. Council Members Davis and Costello tagged

ORDINANCE approving and authorizing an airport advertising concession agreement between the City of Houston and **THE JOINT VENTURE FOR THE ADVERTISING CONCESSION AT HOUSTON AIRPORTS, LLC** at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - **DISTRICTS B - DAVIS and I - RODRIGUEZ**

47. Ordinance 2013-1154

ORDINANCE appropriating \$1,053,637.00 out of Houston Airport System Consolidated 2011AMT Construction Fund and \$10,600.00 out of Airports Improvement Fund and approving and authorizing a Construction Manager-At-Risk Agreement between the City of Houston and **HENSEL PHELPS CONSTRUCTION COMPANY/CBIC CONSTRUCTION & DEVELOPMENT, LLC (JOINT VENTURE)** for pre-construction services for garage, roadway and satellite central utilities plant projects and construction services for roadway and satellite central utilities plant projects at William P. Hobby Airport (Project Nos. 597a, 685, 692); providing funding for the Civic Art Program - **DISTRICT I - RODRIGUEZ**

48. Council Members Green and Davis tagged

ORDINANCE appropriating \$6,600,000.00 out of Airports Improvement Fund as an additional appropriation to the On-Call Professional Design Services Contracts between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC, JACOBS ENGINEERING GROUP, INC AND PIERCE GOODWIN ALEXANDER & LINVILLE, INC** (Project Nos. 715A, 715B and 715C); amending ordinance 2012-839 to increase the maximum contract amount – **DISTRICTS B - DAVIS; E – MARTIN and I - RODRIGUEZ**

49. Ordinance 2013-1155

ORDINANCE amending Ordinance No. 2012-741 (passed on August 29, 2012) to increase the maximum contract amount for Contract No. 4600010513 between the City of Houston and **KRONOS, INC.**

50. Ordinance 2013-1156

ORDINANCE approving and authorizing two agreements for implementation of integrated care for the chronically homeless initiative between the City of Houston and 1) Healthcare For The Homeless-Houston and 2) Houston Area Community Services, Inc., Respectively; providing a maximum contract amount - \$7,547,636.25 - Essential Public Health Service

51. Ordinance 2013-1130

ORDINANCE approving and authorizing task order contracts between the City of Houston and **BRIAN SMITH CONSTRUCTION INSPECTION, INC. AND INFRASTRUCTURE ASSOCIATES, INC** for professional construction management and inspection services, contingent on contractors' submission of all required contract documents; setting a maximum contract amount; and appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and \$50,000.00 out of Fire Consolidated Construction Fund

RESOLUTIONS AND ORDINANCES - continued

52. Ordinance 2013-1131

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to certain improved Single-Family Residential properties within Bonham Acres Subdivision, Sections 2, 3, and Section 1 Replat; Braes Bend Subdivision and ABST 134 J R Black, Tracts 32D, 32D1, 32J, 32H, 33E, 33H, 33J, 49, 50 & 55 to prohibit the parking of vehicles in the front of side yards of such residences - **DISTRICT J - LASTER**

53. Ordinance 2013-1132

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to all improved Single-Family Residential Properties within Kirkwood Country Subdivision, Section 1 Replat and Section 2 to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG**

54. Ordinance 2013-1133

ORDINANCE approving and authorizing an advance funding agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the rehabilitation or replacement of Calhoun Street Bridge at Brays Bayou - **DISTRICT D - ADAMS**

55. Ordinance 2013-1134

ORDINANCE approving and authorizing a third amendment to an agreement between the City of Houston and **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** (approved by Ordinance No. 2010-0353 as amended) for reimbursement for design and construction of a pilot project to develop local data for storm water quality best management practices - **DISTRICT C - COHEN**

56. Ordinance 2013-1157

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 12.145 acres commonly known as 2200 Texas Avenue, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability - **DISTRICT I - RODRIGUEZ**

57. Ordinance 2013-1158

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 9.293 acres commonly known as White Oak Bayou at 0 North Shepherd Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability **DISTRICT C - COHEN**

58. See ordinances below

ORDINANCES granting to the following listed as A through F, 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 2013-01135 - DANIELS SHARPSMART, INC**, a Delaware Corporation – Passed first reading
- B. **Ordinance 2013-1136 - R. M. WOODS INC DBA DRANE RANGER VACUUM SERVICE**, a Texas Corporation – Passed first reading
- C. **Ordinance 2013-1137 - WASTE PARTNERS OF TEXAS, INC**, a Delaware Corporation – Passed first reading
- D. **Ordinance 2013-1138 - TAP INC DBA TAP ENVIRONMENTAL**, a Texas Corporation – Passed first reading
- E. **Ordinance 2013-1139 - INTERGULF CORPORATION, INC**, a Texas Corporation – Passed first reading
- F. **Ordinance 2013-1140 - WASTEWATER TRANSPORT SERVICE, LLC**, a Texas Limited Liability Company – Passed first reading

RESOLUTIONS AND ORDINANCES - continued

59. See ordinances below

ORDINANCES Nos. 2013-1112 to 2013-1116, passed first reading December 4, 2013 for Ordinances granting to the following listed as A through E, 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

- B. **Ordinance 2013-1112 - GRACE DISPOSAL SYSTEM, LLC DBA ROYAL DISPOSAL & RECYCLE**, a Texas Limited Liability Company – Passed second reading
- C. **Ordinance 2013-1113 - TUCO BROTHERS WASTE, INC**, a Texas Corporation – Passed second reading
- D. **Ordinance 2013-1114 - BFI WASTE SERVICES OF TEXAS, LP**, a Delaware Limited Partnership – Passed second reading
- E. **Ordinance 2013-1115 - DANIEL HOLDEN DBA MR. PUMPER SEWER SERVICE**, a Texas Sole Proprietorship – Passed second reading
- F. **Ordinance 2013-1116 - JANUARY TRANSPORT, INC**, a Texas Corporation – Passed second reading

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 60

MISCELLANEOUS

60. Motion 2013-0795

SET A PUBLIC HEARING DATE on the proposal to use approximately 6,986 square feet of Stuebner-Airline Park for a sanitary sewer corridor - **DISTRICT B - DAVIS**
HEARING DATE - WEDNESDAY - JANUARY 8, 2014 - 9:00 A.M.

MATTERS HELD - NUMBERS 61 through 66

61. Motion 2013-0796 – Adopt

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,892,381.35 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project 451 - 1.78% over the original contract amount and under 5% contingency amount - **DISTRICT K - GREEN**

TAGGED BY COUNCIL MEMBER GREEN

This was Item 5 on Agenda of December 4, 2013

MATTERS HELD - continued

Motion 2013-0797 - Written motion by Council Member Brown to amend Section 8-111 of Item 62 as follows:

"I move to amend the proposed Ordinance so that Subsection (g) of Section 8-111 reads as follows:

"(g) The registration for each non-consent tow truck subject to this section shall be renewed annually by payment of the fee stated for this provision in the city fee schedule to the police department, which shall verify that the tow truck is still in compliance with this section."

(g)(e) The registration for each non-consent tow truck subject to registered under this section shall be annually renewed annually by payment of the fee stated for this provision in the city fee schedule per tow truck to the police department, which shall verify that the tow truck is still in compliance with this section.

- Adopted

62. Ordinance 2013-1159

ORDINANCE AMENDING CHAPTERS 1 AND 8 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS, relating to Wrecker Drivers; containing findings other provisions relating to the foregoing subject; providing for severability - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 18 on Agenda of December 4, 2013

Written motion by Council Member Brown to amend Section 8-155 of Item 63 as follows:

"I move to amend Section 9 of the proposed Ordinance to read as follows:

Section 9. That Section 8-155 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"An application for authorization to operate a private storage lot shall be approved unless:

- (1) There is no current license issued by the automotive board under article II of this chapter for the applicant to operate an automobile storage lot at that location.
- (2) Any information set out in the application was incomplete or false.
- (3) The applicant has not signed an agreement as required under section 8-152 (b).
- (4) The proposed private storage lot has less than ten vehicle storage or parking spaces that will be used for the storage of motor vehicles."

REDLINE for this motion

Section 9. That Section 8-155 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 8-155. Standard for approval.

An application for authorization to operate a private storage lot shall not be approved unless if:

- (1) There is no current license issued by the automotive board under article II of this chapter for the applicant to operate an automobile storage lot at that location.
- (2) Any information set out in the application was incomplete or false.
- (3) The applicant has not signed an agreement as required under section 8-152(b).
- (4) The proposed private storage lot has less than ~~25,000 square feet of space~~ ten vehicle storage or parking spaces that will be dedicated used for the storage of motor vehicles.

A private storage lot that was first operated under an authorization on or before _____, shall be exempt from the requirements of item (4) of this section, provided that the private storage lot is operated continuously under an authorization or renewal authorization without termination, revocation, or lapse longer than 90 days."

Council Members Bradford, Green and Hoang tagged

MATTERS HELD - continued

63. Council Member Laster tagged

ORDINANCE **AMENDING CHAPTERS 8 AND 28 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to Automotive Dealers; containing findings other provisions relating to the foregoing subject; providing for severability - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 19 on Agenda of December 4, 2013

64. Ordinance 2013-1160 – Adopt

ORDINANCE approving and authorizing Memorandum of Understanding No. 2 between the City and **HOUSTON FORENSIC SCIENCE LGC, INC** - \$1,567,110.00 - General Fund
TAGGED BY COUNCIL MEMBER BROWN

This was Item 30 on Agenda of December 4, 2013

65. Ordinance 2013-1161 – Adopt

ORDINANCE awarding contract to **SCR CONSTRUCTION CO., INC** for Cleaning and Sealing Cracks in Pavement Citywide for the Public Works and Engineering Department; providing a maximum amount - \$567,050.00 - 3 years with two one-year options - Enterprise Fund
TAGGED BY COUNCIL MEMBER BROWN

This was Item 33 on Agenda of December 4, 2013

66. Ordinance 2013-1162 – Adopt

ORDINANCE approving and authorizing a Professional Architectural Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for the Houston Emergency Center Training Facility, contingent on contractor's submission of all required contract documents - \$116,209.00 - Houston Emergency Center Fund - **DISTRICT H - GONZALEZ**

TAGGED BY COUNCIL MEMBER BROWN

This was Item 34 on Agenda of December 4, 2013

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Green 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

**12/10/2013 - Mayor Parker out of the City on City business
Council Member Laster absent on personal business
Mayor Pro-tem Gonzalez presiding**

12/11/2013 - Council Member Rodriguez absent on personal business