

AGENDA - COUNCIL MEETING - TUESDAY - JUNE 24, 2014 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2014-0605 to 2014-0640
ORDINANCES – 2014-0654 to 2014-0687
RESOLUTIONS – 2014-0023 to 2014-0025

2014-0604-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Stardig

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 2014-0605 – Procedural motion
Motion 2014-0606 – Procedural motion
Motion 2014-0607 – Procedural motion
Motion 2014-0608 – Procedural motion
Motion 2014-0609 – Procedural motion
Motion 2014-0610 – Procedural motion
Motion 2014-0611 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JUNE 25, 2014 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 53

MISCELLANEOUS - NUMBER 1

Written motion by Council Member Stardig to amend Item 1 as follows:

“Amendment 1: The City of Houston shall adopt a “Neighborhood Matching Grant Program (NMGP)” to match privately raised funds for the purposes of constructing permanent traffic calming devices. An additional \$400,000 shall be added to the NMGP and shall be administered by the Neighborhood Traffic Management Program (NTMP). After receiving temporary traffic calming devices through the NTMP, if a neighborhood raises half of the money to make the approved temporary measures permanent, the NMGP shall match these funds and provide engineering options.

Amendment 2: The City of Houston shall allocate \$100,000 for design purposes for Alabonson Park.

Amendment 3: The City of Houston shall allocate \$365,000 for purposes of the Houston Parks and Recreation Department to take over and improve the Inwood Forest Golf Course Maintenance Shed. This shed will be used by the Parks and Recreation Department to store vehicles and equipment for the purpose of park maintenance.

Amendment 4: The City of Houston shall allocate \$100,000 for design purposes of Sherwood Oaks Park.

Council Member Gonzalez tagged

Written motion by Council Member Davis to amend Item 1 as follows:

“Within 90 days, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be limited to a maximum of 40% of funds expended from the DDSRF.

In order to establish a legal, but faster and more simplified method to quickly address minor neighborhood issues, this Amendment allocates \$6,000,000.00 to establish a Council District Service Budget to be designated from the Dedicated Drainage Street Renewal Fund (DDSRF) METRO Project Construction Fund No. 4040. Each of the eleven District Council Members shall be allocated an equal amount from the \$6,000,000.00 to be utilized by district council members based on neighborhood needs and constituents’ input in determining what money (from this specific allocation) would be spent on what issues, subject to approval by the Mayor. The Mayor’s consideration shall be finalized no later than 10 business days after a council member’s specific project proposal. If any District Council member does not accept or rejects their respective allocation, that portion shall be further divided on a pro rata basis among other supporting District Council Members.

The Council District Service Budget shall be funded no later than thirty (30) days after the FY2015 CIP Budget is approved.

Funding Source: METRO Projects Construction Fund No. 4040 – DDSRF (\$6,000,000.00)

Council Member Gonzalez tagged

MISCELLANEOUS – continued

Item 1 - continued

Written motion by Council Member Davis to amend Item 1 as follows:

“Council Member Davis amendment 7.02 passed as part of the approved Fiscal Year 2015 operating budget states:

1. Funds in the Dedicated Drainage & Street Renewal Fund shall not be encumbered beyond what is contractually and or legally required to meet annual payments.
2. The Dedicated Drainage & Street Renewal Fund (DDSRF) Planned Ending Fund Balance shall be budgeted to exceed 10% of the DDSRF Budget.

The total budget for the DDSRF in the Fiscal Year 2015 approved budget is \$281,366,173. Ten percent of DDSRF total budget is \$28,136,617. The Fiscal Year 2015 Proposed Budget DDSRF Planned Ending Fund Balance was \$59,483,173. This effectively frees up \$31,346,556 (formerly held in Planned Ending Fund Balance) for transfer to capital projects.

To reflect this transfer, to remove negative contingency amounts in both the storm drainage and the street and traffic programs (which fully fund Fiscal Year 2015 projects), and to increase expenditures for street and drainage projects citywide in Fiscal Year 2015, we move to amend the Fiscal Year 2015-2019 Capital Improvement Plan as follows:

Of the now freed \$31,346,556 from DDSRF Planned Ending Fund Balance: allocate \$10,218,000 to Fiscal Year 2015 Storm Drainage Project: Contingencies (M-0000NA); allocate \$1,498,000 to Fiscal Year 2015 Street and Traffic Project: Contingencies (N-0000NA); and allocate the remaining \$9,630,556 to the following line items (distribution to be determined by Public Works and Engineering Department):

- M-420126 – Local Drainage Program (LDP): Location V
- N-321038 – Concrete Panel Replacement Program: Location V
- N-321039 –Roadway Surface Replacement Program: Location V

Council Member Gonzalez tagged

Written motion by Council Member Martin to amend Item 1 as follows:

“**Amendment 1:** Amend the Capital Improvement Plan to only include district specific projects. If a CIP project is for the benefit of the entire City of Houston, it shall not be designated to a specific district.

Example: All wastewater treatment facilities fall within District E, however they are serving the entire City of Houston but are “designated” under the CIP as District E projects. Within District B, the main BARC facility and mounted patrol are both designated to the district CIP, even though they are serving the entire City of Houston.

Amendment 2: Designate \$50,000 for Wilson Memorial Park pool improvements and eliminate the unsecure mote. Please note this amount is based on an estimate, no study or pre-design has been done to identify actual costs.

Amendment 3: Allocate \$50,000 for feasibility and design study of a community center located at the site of Sylvan Rodriguez Park in the south sector of District E.

Amendment 4: Allocate funding for improvements to Freeway Manor Park. Add (5) park benches and improvements to asphalt.

The cost forecast to replace all the asphalt trail at Freeway Manor (approximately one mile of trail) would be:

\$820,000 Construction
\$123,000 Design
\$16,000 Testing
\$41,000 Contingency
\$35,000 Project/Construction Management
\$1,035,000 **TOTAL**

Funding requested for the Freeway Manor Trail replacement would be needed over a two year period (Design in one year and construction in the following year.)

Council Member Gonzalez tagged

MISCELLANEOUS – continued

Item 1 - continued

Written motion by Council Member Pennington to amend Item 1 as follows:

“Amendment 1: I move to amend CIP Item #N-240001 (Westerland Dr. Bridge at HCFC Ditch) by changing the City Council District Location to “F”.

Amendment 2: I move to amend WBS # T-0512A in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H”.

Amendment 3: I move to amend WBS # T-0512B in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H”.

Amendment 4: I move to amend WBS # T-0513 in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H”.

Amendment 5: I move to amend WBS # T-1917 in the TIRZ No. 19 Upper Kirby Redevelopment Authority CIP by changing the City Council District Location to “C”.

Amendment 6: I move to amend the general form of CIP used annually by each department such that by the FY2016 CIP, any project which has been broken down into or is comprised of “sub-projects” or “phases” shall: (i) within the “Project Description”, clearly and distinctly identify the various sub-projects within the CIP by the scope of work to be performed or by the street segment limits or location of such work; (ii) within the “Project Description”, clearly and distinctly identify which of the sub-projects or phases are funded by the current CIP; (iii) within the “Project Description”, clearly and distinctly identify with regard to each expenditure (whether planning, design, land acquisition, construction, equipment, civic art, salary recovery or other) to which sub-project or phase such allocation is attributable; and (iv) using the best information available to the Department, provide a best estimate of when any sub-projects not currently funded on the CIP will be funded. Without limitation of the generality of the foregoing, this new form shall be used by the Public Works & Engineering Department in its descriptions of the following CIPs:

- M-000247 (two (2) sub-projects)
- M-000265 (two (2) sub-projects)
- M-410006 (two (2) sub-projects)
- M-410007 (two (2) sub-projects)
- M-410009 (three (3) sub-projects)
- M-410015 (three (3) sub-projects)
- M-410016 (two (2) sub-projects)
- M-410290 (two (2) sub-projects)
- N-000386 (four (4) sub-projects)
- N-000784 (two (2) sub-projects)
- N-000806 (two (2) sub-projects)
- N-100011 (two (2) sub-projects)
- N-100017 (three (3) sub-projects)
- N-100022 (two (2) sub-projects)
- N-100023 (two (2) sub-projects)
- N-100029 (two (2) sub-projects)
- N-210004 (two (2) sub-projects)

Council Member Gonzalez tagged

MISCELLANEOUS – continued

Item 1 - continued

Written motion by Council Member Gonzalez to amend Item 1 as follows:

“Funds were previously reprogrammed to the City’s requested betterment at Harrisburg from a project previously programmed in District H. These funds are no longer needed at Harrisburg and shall be reprogrammed back to the district. Therefore, amend the FY15-19 CIP by adding the following project:

N-000818 Street Project on Fulton (from Quitman to Hogan) in Council District H for the amount of \$4,134,000 in Fiscal Year 2015.

Funding Source: N-000670 Railroad Crossing Improvements Fund 4040 – METRO Projects Construction – DDSRF. The Water & Sewer funds needed to complete the project, as required and appropriate for improvements to those systems, shall be added as needed.

Council Member Gonzalez tagged

Written motion by Council Member Laster to amend Item 1 as follows:

“Amendment 1: I move to amend the FY15 CIP budget by increasing funding for the Neighborhood Traffic Management Program to \$500,000.00.

Amendment 2: I move to amend the budget to provide that a minimum baseline of not less than one percent (1%) annual CIP budget be allotted for each Council District. (District A-K)

Council Member Gonzalez tagged

Written motion by Council Member Green to amend Item 1 as follows:

“Amendment 1: Allocate \$2,000,000.00 toward the replacement of esplanade, roadway, and residential curbs.

Amendment 2: Allocate \$1,000,000.00 toward the Neighborhood Traffic Management Program for speed cushions.

Amendment 3: Within 90 days, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be allocated no less than 40% of funds expended from the DDSRF.

Amendment 4: Within 90 days, local street projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be allocated no less than 60% of funds expended from the DDSRF.

Council Member Gonzalez tagged

MISCELLANEOUS – continued

Item 1 - continued

Written motion by Council Member Bradford to amend Item 1 as follows:

“In order to establish a legal, but faster and more simplified method to quickly address neighborhood issues, this Amendment allocates up to \$6,000,000.00 from the Unused General Obligation Fund Balance to establish a Capital Improvement Council District service Project Program. If the \$6,000,000.00 is not available, the remainder or balance shall be taken from the Dedicated Drainage Street Renewal Fund (DDSRF). Each of the eleven District Council Members shall be allocated an equal amount of the \$6,000,000.00 to be utilized by district council members based on neighborhood needs and constituents’ input in determining what money (form this specific allocation) would be spent on projects as permitted by voter authorized category, State law, City Charter, ordinances, contractual obligations, and with approval by the Mayor. The Mayor’s consideration shall be finalized no later than 10 days after a council member’s specific project proposal. If any District Council member does not accept or rejects their respective allocation, that portion shall be further divided on a pro rata basis among other supporting District Council Members. Capital Improvement Council District Service Project funds could be used to quickly address neighborhood issues such as, including but not limited to, sidewalks, street and drainage issues.

The Capital Improvement Council District Service Project Program shall be funded no later than sixty (60) days after the FY2015-2019 Capital Improvement Plan Budget is approved.

Funding Options: (\$6,000,000.00)
FY2014 Unused General Obligation Fund Balance

Dedicated Drainage Street Renewal Fund (DDSRF)

Council Member Gonzalez tagged

1. Council Member Gonzalez tagged

RECOMMENDATION from Director Finance Department to approve the Fiscal Year 2015-2019 Capital Improvement Plan (CIP) and establish a charge of \$75.00 plus postage for the adopted CIP documents and a charge of \$5.00 plus postage for a CD version

ACCEPT WORK - NUMBERS 2 and 3

2. Motion 2014-0612

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,581,397.32 and acceptance of work on contract with **MCKINNEY CONSTRUCTION, INC**, for Waterline Replacement in Beamer Area - 3.11% under the original contract amount - **DISTRICT D - BOYKINS**

3. Motion 2014-0613

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,176,728.76 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for Rehabilitation of Chlorine Scrubbers at East Water Purification Plant and Southwest Repump Station - 3.27% under the original contract amount - **DISTRICTS E - MARTIN and G - PENNINGTON**

PROPERTY - NUMBERS 4 through 6

4. Motion 2014-0614

RECOMMENDATION from Director Department of Public Works & Engineering, on request from Tracy Youngblood, Brown and Gay Engineers, Inc, on behalf of Pinto Urban Building L.L.C. (Ernie Cockrell, President), for (1) abandonment and sale of a 25-foot-wide portion of Abbott Street, from William Street (Willia Street) to Douglass Street adjacent to Reserve A, (2) abandonment of a 25-foot-wide portion of Abbott Street, from William Street to Douglass Street adjacent to Lot 14, Block 13, and (3) sale of a 25-foot-wide portion of City fee-owned property in exchange for various improvements to Spotts Park which equal or exceed the value of the 25-foot-wide City fee-owned land, all located within the Riverside Park Addition, out of the John Austin Survey, Parcels SY14-080, SY14-105, and SY14-106 - **DISTRICT H - GONZALEZ**

5. Motion 2014-0615

RECOMMENDATION from Director Department of Public Works & Engineering, on request from Mike Hayes, Alpine Engineering & Construction, LLC, on behalf of Richmond Cummins, LP, (John Andell, Manager) and Dana's Wish Richmond, Ltd., [Dana's Wish GP, LLC (Ernest D. Rapp, Manager), General Partner], for abandonment and sale of a 5-foot-wide utility easement, between Cummins Street and Timmons Lane, located within Block 2, Riviera Additions, out of the A. C. Reynolds League Survey, A-61, Parcels SY14-088 and SY14-118 - **DISTRICT C - COHEN**

6. Motion 2014-0616

RECOMMENDATION from Director Department of Public Works & Engineering, on request from Henry Vadie, SFT Investments, on behalf of 220 Hyde Park, L.L.C, (Fred Sharifi, Owner) and Long T. Nguyen (206 Hyde Park Boulevard, Owner), for abandonment and sale of a 15-foot-wide alley, between Fairview Street and Hyde Park Boulevard, along Lots 1, 2, 5A, 6A, 7A, 8A and Tract 206, Block 15, located in the Fairgrounds Extension Subdivision, out of the Obedience Smith Survey, Parcels SY14-097 and SY14-117 - **DISTRICT C - COHEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 18

7. Motion 2014-0625

BASELINE PAVING AND CONSTRUCTION, INC for Installation of Automatic Entry Door Openers for the General Services Department on behalf of the Department of Health & Human Services Department - \$250,212.00 and contingencies for a total amount not to exceed \$274,982.99 - Grant Fund

8. Motion 2014-0626

CMP SUSAUQUEHANNA HOLDINGS CORP KRBE for promoting the Health Intervention Initiative/Annual HIV Testing and Concert Event for the Health & Human Services Department \$150,000.00 - Grant Fund

9. Motion 2014-0627

NATIONAL CINEMEDIA NETWORKS for On-screen, Lobby and Mobile Advertising Services for programs within the Harris County Area Agency on Aging for the Health & Human Services Department - \$162,027.80 - Grant Fund

10. Motion 2014-0617

JOHN A. WALKER ROOFING CO., INC to provide Roof and Parking Lot Remediation Services for the General Services Department on behalf of the Housing and Community Development Department - \$177,560.000 and contingencies for a total amount not to exceed \$195,316.00 Grant Fund

PURCHASING AND TABULATION OF BIDS - continued

11. **Motion 2014-0618**
DNB ENTERPRISES, INC for Emergency Repair of an Aboveground Storage Tank for the General Services Department on behalf of the Houston Police Department - \$15,000.00 General Fund
12. **Motion 2014-0619**
BIO-LANDSCAPE AND MAINTENANCE, INC for Purchase of Various Types of Trees, including Planting and Maintenance Services through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for the Parks & Recreation Department \$99,995.65 - General Fund
13. **Motion 2014-0620**
3M COGENT, INC for Purchase of 3M Cogent Software/Hardware Upgrades and Maintenance Services for the Houston Police Department - \$564,129.87 - General Fund
14. **Motion 2014-0621**
CAREGIVERS INTERNATIONAL CORPORATION - \$73,990.00, **BRIGGS EQUIPMENT, INC** - \$98,620.00 and **AMERICAN MATERIAL HANDLING, INC** - \$122,888.00 for Forklifts for the Department of Public Works & Engineering
15. **Motion 2014-0628**
DRESSER, INC for Emergency Blower Replacement Parts and Repair Services for the Department of Public Works & Engineering - \$454,027.08 - Enterprise Fund
16. **Motion 2014-0622**
ENVIRONMENTAL IMPROVEMENTS, INC (aka EI²) for Paksan PH2 Rotork® SCADA Control System Upgrade Services for the Department of Public Works & Engineering - \$220,287.00 Enterprise Fund
17. **Motion 2014-0623**
GOWAN, INC to Remove, Furnish and Install a Variable Frequency Drive at 69th Street Wastewater Treatment Plant for the Department of Public Works & Engineering - \$64,400.00 Enterprise Fund
18. **Motion 2014-0624**
TERRA RENEWAL, LLC for Emergency On-Site Water Treatment Sludge Dewatering, Transport and Disposal Services for Department of Public Works & Engineering - \$474,787.26 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 19 through 53

19. **Resolution 2014-0023**
RESOLUTION expressing no objection to an application from **THE WOMEN'S HOME** to the Texas Department of Housing and Community Affairs for Tax Credits for proposed development for affordable rental housing to be located at 2060 Jacquelyn Drive in the City of Houston, Texas **DISTRICT A - STARDIG**
20. **Resolution 2014-0024**
RESOLUTION expressing no objection to an application from **THE NATIONAL BENEVOLENT ASSOCIATION OF THE CHRISTIAN CHURCH (DISCIPLES OF CHRIST)** to the Texas Department of Housing and Community Affairs for Tax Credits for rehabilitation of a development for affordable rental housing located at 600 East Tidwell Road in the City of Houston, Texas **DISTRICT H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - continued

21. Resolution 2014-0025

RESOLUTION expressing no objection to an application from **RIVERSIDE CENTER FOR HEALTHY LIVING, INC, an affiliate of Kissito Healthcare, Inc** to the Texas Department of Housing and Community Affairs for Tax Credits for proposed development for affordable rental housing to be located at 4320 Old Spanish Trail in the City of Houston, Texas - **DISTRICT D - BOYKINS**

Written motion by Council Member Green to amend Item 21-1 as follows:

"I move to amend the proposed agreement to Section B, entitled "P3 Plans" by adding subsection

G:

G: A comprehensive utilization plan that defines the methodology that will ensure MWBE and Hire Houston First maximum opportunity to participate in the City of Houston P3 Programs. The Plan shall include, but not limited to the following:

- 1) Establishing a monitoring system to ensure that all contractors, sub-contractors, consultants, and vendors comply with the City of Houston Hire Houston First MWSBE programs.
- 2) Develop an availability/capability matrix for local firms and MWSBEs.
- 3) Identify skills and areas of expertise that are likely to be needed but do not appear to be available currently for local firms and MWSBE enterprises.
- 4) Conduct targeted outreach programs to assure that all local firms, MWSBEs and all interested parties are aware of the P3 opportunity.
- 5) Encourage the formation of business alliances among MSWBEs, Hire Houston First firms, and larger firms which provide opportunities.
- 6) Assisting local firms and MSWBE's with bonding, insurance, and financing needs; conducting in depth assessments of local firms and MSWBEs to determine technical, financial, and managerial capabilities and provide assistance based on needs through identification through mentor firms.

Written motion by Council Member Davis to amend Item 21-1 as follows:

"I move to amend Exhibit A (City of Houston, Texas Guidelines For Public- Private Partnerships) Article VIII. (City's P3 Oversight Committee) paragraph A. by adding the following language:

"Position 8: A representative designated in writing by City Council"

And amending paragraph C. by adding the underlined language as follows:

"C. Members of the Committee do not serve for specific terms. Subject to Section VIII (B) immediately above, new members may be designated to the above Positions by the Mayor, by City Council, or by the respective Department Director as needed. Names of the members of the Committee and any changes in the Committee's membership will be announced at the City's Procurement Website as promptly as circumstances allow."

RESOLUTIONS AND ORDINANCES – continued

Item 21-1 - continued

Written motion by Council Member Bradford to amend Item 21-1 as follows:

“I move to amend Article VIII by adding Position 8.

ARTICLE VIII. CITY’S P3 OVERSIGHT COMMITTEE

- A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing “independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal...”

The members of the Committee are as follows:

- Position 1 (Chair): The P3 Representative
- Position 2: A representative designated in writing by the Director of the City’s General Services Department
- Position 3: A representative designated in writing by the Director of the City’s Public Works & Engineering Department.
- Position 4: A representative designated in writing by the Director of the City’s Finance Department.
- Position 5: An attorney licensed to practice law in Texas designated in writing by the City Attorney.
- Position 6: A representative designated in writing by the Director of the City’s Planning & Development Department.
- Position 7: A representative designated in writing by the Mayor.
- Position 8: A representative designated in writing by the City Council.

Written motion by Council Member Bradford to amend Item 21-1 as follows:

“I move to amend Article VIII by adding Position 8.

ARTICLE VIII. CITY’S P3 OVERSIGHT COMMITTEE

- A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing “independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal...”

The members of the Committee are as follows:

- Position 1 (Chair): The P3 Representative
- Position 2: A representative designated in writing by the Director of the City’s General Services Department
- Position 3: A representative designated in writing by the Director of the City’s Public Works & Engineering Department.
- Position 4: A representative designated in writing by the Director of the City’s Finance Department.
- Position 5: An attorney licensed to practice law in Texas designated in writing by the City Attorney.
- Position 6: A representative designated in writing by the Director of the City’s Planning & Development Department.
- Position 7: A representative designated in writing by the Mayor.
- Position 8: A representative designated in writing by the City Council.
- Position 9: A representative designated in writing by the City Council.

RESOLUTIONS AND ORDINANCES – continued

Item 21-1 - continued

Written motion by Council Member Costello to amend Item 21-1 as follows:

"I move to amend the Guidelines for Public-Private Partnerships as follows:

Article V. Overview of P3 Program

- H. Absent an ordinance passed by the City Council, the City may not enter into more than ~~five~~ three Comprehensive P3 Agreements (defined in Article XI below) in the same fiscal year.
- I. Absent an ordinance passed by the City Council, the City may not enter into a Comprehensive P3 Agreement unless the Proposer is reasonably likely to expend more than ~~\$5~~ \$50 million to provide the Qualifying Project.

21-1 Council Members Green and Costello tagged

RESOLUTION adopting guidelines for the City's participation in public-private partnerships

22. Ordinance 2014-0674

ORDINANCE **AMENDING SECTIONS 1-10 and 1-15, ARTICLE VI OF CHAPTER 5, and SECTION 44-85 OF THE CITY CODE OF ORDINANCES**, pertaining to Game Rooms; providing an effective date; providing for severability

23. Ordinance 2014-0675

ORDINANCE authorizing the issuance of City of Houston, Texas, Convention & Entertainment Facilities Department Hotel Occupancy Tax and Special Revenue and Refunding Bonds, Series 2014; authorizing the Mayor and City Controller to approve certain terms thereof and certain other procedures relating thereto; providing for the payment thereof; authorizing the defeasance, final payment, and discharge of Certain Outstanding Bonds; making other provisions regarding such Bonds and matters incident thereto; awarding the sale of the Series 2014 Bonds; approving a Preliminary Official Statement and authorizing distribution thereof; approving preparation and distribution of a Final Official Statement; authorizing a Bond Purchase Agreement, an Escrow Agreement, a Paying Agent/Registrar Agreement, and authorizing a loan of a portion of the bond proceeds to Houston First Corporation to fund the redesign of Avenidas De Las Americas and the front entrance of the George R. Brown Convention Center; and declaring an emergency

24. Ordinance 2014-0654

ORDINANCE approving and authorizing contract between the City and **ASPYRA, LLC** for Software Support Services for the Cyberlab Laboratory Information System Information Technology Test Process System at the Houston Department of Health and Human Services; providing a maximum contract amount

25. Ordinance 2014-0676

ORDINANCE approving and authorizing various contracts between the City of Houston and 1) **THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON**, 2) **MEMORIAL HERMANN HEALTH SYSTEM**, and 3) **HARRIS COUNTY HOSPITAL DISTRICT, d/b/a HARRIS HEALTH SYSTEM**, respectively, for routine HIV Screening Services; providing maximum contract amounts

26. Ordinance 2014-0655

ORDINANCE accepting the proposal from **TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL**, approving and authorizing the purchase of Radio Equipment and Tower Insurance - \$231,314.00 - Property and Casualty Fund

RESOLUTIONS AND ORDINANCES - continued

27. Ordinance 2014-0677

ORDINANCE approving and authorizing an agreement for Professional Services and Litigation Support Services between the City and **OMNIVERE, L.L.C., doing business as LIGHTHOUSE DATA SOLUTIONS** for the Legal Department; providing a maximum contract amount \$200,000.00 - Property and Casualty Fund

28. Ordinance 2014-0656

ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **ENTERPRISE JET CENTER, INC d/b/a JET AVIATION HOUSTON, INC,** for certain premises at William P. Hobby Airport - Revenue - **DISTRICT I - GALLEGOS**

29. Ordinance 2014-0678

ORDINANCE approving and authorizing first amendment to Grant Agreement and first amendment to Loan Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** to reduce by \$1,510,633.00 the amount of a grant of funds appropriated from the Homeless and Housing Consolidated Bond Fund, to deappropriate \$1,510,633.00 of the funds previously appropriated for the grant, and to increase by \$1,510,633.00 the amount of a loan of Federal "HOME" Funds to assist with the rehabilitation of a single room occupancy facility, located in the vicinity of 320 Hamilton Street in Houston, Texas, that provides affordable housing to low and very low income households - **DISTRICT I - GALLEGOS**

30. Ordinance 2014-0679

ORDINANCE deappropriating \$320,000.00 from the TIRZ Affordable Housing Fund previously appropriated under Ordinance No. 2009-1142 for the Development of Affordable Single Family Housing in the Trinity Gardens and Fourth Ward Areas; reappropriating \$320,000.00 out of TIRZ Affordable Housing Fund for use in Single Family Activities, including Single Family Home Repair, Homebuyer Assistance and Project Delivery Costs

31. Ordinance 2014-0657

ORDINANCE approving and authorizing an agreement between the City of Houston and **ASSETWORKS, LLC.** for Renewal of Software Maintenance and Support for Fleet Management Information System for Various Departments; providing a maximum contract amount \$659,198.00 - Central Services Revolving Fund

32. Ordinance 2014-0658

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

33. Ordinance 2014-0659

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

34. Pulled-Not Considered

ORDINANCE approving and authorizing second amendment to Contract 4600009455 between the City of Houston and **PMAM CORPORATION** for Burglar Alarm Administration Services for the Administration and Regulatory Affairs Department

RESOLUTIONS AND ORDINANCES - continued

35. Ordinance 2014-0660

ORDINANCE appropriating \$316,081.08 out of Metro Projects Construction DDSRF and \$89,299.69 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the consent agreement between the City of Houston and **THE METROPOLITAN TRANSIT AUTHORITY** for the Betterment of the City Utility Facilities (Approved by Ordinance No. 2008-0567); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF and the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

36. Motion 2014-0629 – Delay thirty (30) days

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 a 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**

37. Ordinance 2014-0661

ORDINANCE consenting to the addition of 26.1646 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 185**, for inclusion in its district

38. Ordinance 2014-0662

ORDINANCE consenting to the addition of 200.217 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 143**, for inclusion in its district

39. Ordinance 2014-0663

ORDINANCE consenting to the addition of 69.2238 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 84**, for inclusion in its district

40. Ordinance 2014-0680

ORDINANCE consenting to the addition of 0.9462 acres of land to **PORTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

41. Ordinance 2014-0664

ORDINANCE consenting to the addition of 7.6464 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 36**, for inclusion in its district

42. Ordinance 2014-0665

ORDINANCE appropriating \$163,000.00 out of General Improvement Consolidated Construction Fund, \$54,000.00 out of Equipment Acquisition Consolidated Fund, \$381,000.00 out of Public Library Consolidated Construction Fund, \$1,155,000.00 out of Parks Consolidated Construction Fund, \$112,000.00 out of Police Consolidated Construction Fund, \$100,000.00 out of Miscellaneous Capital Projects/Acquisitions Fund, \$55,000.00 out of Solid Waste Consolidated Construction Fund, and \$200,000.00 out of Equipment Acquisition Consolidated Fund, as an additional appropriation to the Task Order and Job Order Contracting Program for FY2014 (Approved by Ordinance No. 2013-1059)

43. Ordinance 2014-0666

ORDINANCE appropriating \$812,500.00 from the Parks & Recreation Dedication Fund, to the Public Works & Engineering - W&S System Operating Fund; for transfer of two parcels of land at 437 West 26th Street (SY14-031) and 1502-1508 Herkimer Street (SY14-032), Houston, Harris County, Texas, from the Public Works & Engineering Department to the Parks & Recreation Department - **DISTRICT C - COHEN**

RESOLUTIONS AND ORDINANCES - continued

44. Ordinance 2014-0667

ORDINANCE appropriating \$301,383.70 out of Fire Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 5; 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 materials testing, project management and construction oversight and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund **DISTRICT A - STARDIG**

45. Ordinance 2014-0668

ORDINANCE appropriating \$282,711.40 out of Fire Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 36; 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 materials testing, project management and construction oversight and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund **DISTRICT I - GALLEGOS**

46. Ordinance 2014-0681

ORDINANCE appropriating \$307,000.30 out of Parks Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Remediation, Removal and Replacement at Three Sites; 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 materials testing services, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICTS D - BOYKINS and J - LASTER**

47. Ordinance 2014-0669

ORDINANCE appropriating \$459,807.00 out of Parks Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **HARRISON KORNBERG ARCHITECTS, LLC.**, for Design and Construction Phase Services for the New Community Center at Judson Robinson Sr. Park Community Center; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT B - DAVIS**

48. Ordinance 2014-0670

ORDINANCE appropriating \$19,091.70 out of Metro Projects Construction DDSRF for relocation of a pipeline for the Buffalo Speedway Paving and Drainage: Holmes Road to West Airport Boulevard Project; approving a pipeline adjustment reimbursement services agreement with **CENTERPOINT ENERGY INTRASTATE PIPELINES, LLC** - **DISTRICT K - GREEN**

49. Ordinance 2014-0671

ORDINANCE appropriating \$10,241,499.50 out of Street & Traffic Control and Storm Drainage DDSRF-A, \$790,500.50 out of Street & Traffic Control and Storm Drainage DDSRF, and \$1,915,500.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **STERLING CONSTRUCTION COMPANY, INC** for Pleasantville Drainage and Paving (Sub-Project 1); 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 Street & Traffic Control and Storm Drainage, Street & Traffic Control and Storm Drainage DDSRF and the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - DAVIS**

RESOLUTIONS AND ORDINANCES - continued

50. Ordinance 2014-0682

ORDINANCE appropriating \$2,240,000.00 out of Street & Traffic Control and Storm Drainage DDSRF, awarding contract to **LECON, INC** for Inwood Forest Subregional Detention Basins; 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 Street & Traffic Control and Storm Drainage **DISTRICT A - STARDIG**

51. Ordinance 2014-0672

ORDINANCE appropriating \$982,000.00 out of Metro Projects Construction DDSRF awarding contract to **ISI CONTRACTING, INC** for Work Order Bridge Rehabilitation/Replacement Citywide; 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 and testing, CIP Cost Recovery and contingencies relating to construction of facilities financed by Metro Projects Construction DDSRF

52. Council Member Martin tagged

ORDINANCE appropriating \$2,195,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for E. Coli Compliance-Chlorination Systems for Turkey Creek, Westway, and Kingwood West Wastewater Treatment Plants; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required 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 Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; E - MARTIN and G - PENNINGTON**

53. Ordinance 2014-0673

ORDINANCE appropriating \$10,500,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.**, for abandonment of Willow Run WWTP and Flow Diversion for W. Mount Houston and Rutherford Lift Stations; 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 B - DAVIS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 54 and 55

MISCELLANEOUS

54. Motion 2014-0630 – Close nominations

RECEIVE nominations for Positions 10 and 11 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for three year terms
Council Member Gonzalez nominated Adrian Patterson for reappointment to Position 10
Council Member Pennington nominated Richard Badger for reappointment to Position 11

MISCELLANEOUS - continued

55. **Motion 2014-0631 – Close nominations**

RECEIVE nominations for Positions 2 and 4 of the **REBUILD ADVISORY COMMITTEE BOARD OF DIRECTORS**, for two year terms

Council Member Cohen nominated Kathy E. Asterly for reappointment to Position 2

Council Member Boykins nominated Vernita Harris for reappointment to Position 4

MATTERS HELD - NUMBERS 56 through 61

56. **Motion 2014-0632 – Adopt**

MOTION by Council Member Gonzalez/Seconded by Council Member Bradford to adopt recommendation to award to **CUSTOM LOGIC DESIGN, INC** for Emergency Alert System and Dispatch Software Licenses Upgrades, Maintenance and Support Services for the Houston Fire Department - \$360,725.00 - General and Grant Funds

TAGGED BY COUNCIL MEMBER GREEN

This was Item 17 on Agenda of June 18, 2014

57. **Ordinance 2014-0683**

ORDINANCE authorizing the issuance of one or more Series of City of Houston, Texas Public Improvement Refunding Bonds as may be further designated, described and provided herein; authorizing the payment and security thereof and certain designated City Officials to approve the principal amount, interest rates, prices, terms and sale thereof; authorizing such officials to determine the outstanding obligations to be refunded and/or defeased; approve certain other procedures, provisions and agreements related thereto, including authorizing the execution and delivery of one or more purchase contracts, Paying Agent/Registrar Agreements, Escrow Agreements, and other agreements; approving the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement in connection with such offering; authorizing the engagement of Bond Counsel and Special Disclosure Counsel; making certain findings and other declarations necessary and incidental to the issuance of such refunding bonds; and declaring an emergency - **TAGGED BY COUNCIL MEMBER MARTIN**

This was Item 25 on Agenda of June 18, 2014

Motion 2014-0633 – Call the question on debate

Motion 2014-0634 – Overrule ruling of the Chair of Council Member Green Amendment 1 to Item 60 – “FAILED**”**

Motion 2014-0635 – Overrule ruling of the Chair of Council Member Green on Amendment 3 to Item 60

Motion 2014-0636 - Motion to amend Item 60 as follows:

“In Article D, Section F, “Account Assignment and Recall,” Second Paragraph (Pg. 2); The Account Assignment Committee shall determine the Accounts to be Assigned or Reassigned subject to all the following conditions **with** City Council approval:”

Motion 2014-0637 – Motion to reconsider Council Member Green’s amendment 3 of Motion 2014-0636

MATTERS HELD – continued

Item 60 - continued

Motion 2014-0638 - Motion by Council Member Green/seconded by Council Member Costello to amend Item 60 to include the following:

“I move to amend the adopting ordinance by revising the language in Section 3 as follows:

“The Account Assignment Committee shall determine the Accounts to be Assigned or Reassigned subject to the terms articulated in the contract with City Council approval.” I further amend the adopting ordinance by renumbering the language previously included as Section 3 as a new Section 4, and by renumbering the language previously included as Section 4 as a new Section 5.”

Motion 2014-0639 – Vote on Council Members Bradford and Costello’s amendments submitted on June 18, 2014 as amended

Motion 2014-0640 - Motion by Council Member Bradford/seconded by Council Member Costello to amend Item 61 to include the following:

“I move to amend the adopting ordinance by revising the language in Section 3 as follows:

“The Account Assignment Committee shall determine the Accounts to be Assigned or Reassigned subject to the terms articulated in the contract with City Council approval.” I further amend the adopting ordinance by renumbering the language previously included as Section 3 as a new Section 4, and by renumbering the language previously included as Section 4 as a new Section 5.”

58. Ordinance 2014-0684

ORDINANCE approving an amended agreement for Legal Services between the City of Houston and **BECK REDDEN LLP, Formerly BECK REDDEN & SECREST LLP** for representation of the City in matters pertaining to a Contractual Dispute with **CENTERPOINT ENERGY HOUSTON ELECTRIC LLC** related to maintenance of street lights and delivery of lumens; establishing a maximum contract amount - \$1,633,265.01 - Property and Casualty Fund

TAGGED BY COUNCIL MEMBERS BRADFORD, KUBOSH and COSTELLO

This was Item 54 on Agenda of June 18, 2014

59. Ordinance 2014-0685

ORDINANCE appropriating \$18,278,100.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for Engineering Services associated with the Surface Water Transmission Program

TAGGED BY COUNCIL MEMBER GREEN

This was Item 59 on Agenda of June 18, 2014

MATTERS HELD - continued

60. **Ordinance 2014-0686 – Adopt as amended**

ORDINANCE approving and authorizing contract between the City of Houston and **PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP AND GREENBERG TRAUERIG, LLP**, functioning as a Joint Venture for the collection of delinquent ad valorem taxes

DELAYED BY MOTION #2014-591, 6/18/14 together with proposed amendments submitted by the Legal Department

This was Item 74 on Agenda of June 18, 2014

61. **Ordinance 2014-0687 – Adopt as amended**

ORDINANCE approving and authorizing contract between the City of Houston and **LINEBARGER GOGGAN BLAIR & SAMPSON, LLP** for the Collection of Delinquent Ad Valorem Taxes

TAGGED BY COUNCIL MEMBER NGUYEN

This was Item 53 on Agenda of June 18, 2014

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Robinson 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

6/24/2014 - **Council Member Green absent on City business**

6/25/2014 - **All present**