

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 26, 2013 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS – 2013-0143 to 2013-0154  
ORDINANCES – 2013-0163 to 2013-0186  
RESOLUTIONS – 2013-005 to 2013-0006

2013-0142-1

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

**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**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 27, 2013 - 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 38**

**MISCELLANEOUS** - NUMBERS 1 through 2A

**1. Motion 2013-0153**

RECOMMENDATION from City Attorney and Director Office of Business Opportunity for approval of the City of Houston Title VI Program Plan for Federal Fiscal Years 2012 through 2014

**2. Ordinance 2013-0164**

ORDINANCE appropriating \$396,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to contract between the City of Houston and **PEPPER LAWSON WATERWORKS, LLC** for East Water Purification Plant: Replacement of Filter Media at Plants 1, 2, and 3 and Rehabilitation of Pilot Plant (Approved by Ordinance No. 2012-0447) **DISTRICT E - MARTIN**

**MISCELLANEOUS** - continued

**a. Motion 2013-0144**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 1 on contract with **PEPPER LAWSON WATERWORKS, LLC** for East Water Purification Plant: Replacement of Filter Media at Plants 1, 2, and 3 and Rehabilitation of Pilot Plant - **DISTRICT E - MARTIN**

**ACCEPT WORK** - NUMBER 3

**3. Motion 2013-0145**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$292,106.84 and acceptance of work on contract with **DESERT EAGLE, LLC dba PANORAMA** for Northwest Harris County MUD No. 25 Lift Station Rehabilitation 7.33% under the original contract amount - **DISTRICT A - BROWN**

**PROPERTY** - NUMBERS 4 through 8

**4. Motion 2013-0146**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Janet Baccus, P.E., Jones & Carter, Inc., on behalf of GIIC Houston, LLC, (Kenneth Aboussie, Jr., Manager), for abandonment and sale of ±3,657 square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey, Parcel SY13-035 - **DISTRICT G - PENNINGTON**

**5. Motion 2013-0147**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeremy Yeglin, Golder Associates, Inc., on behalf of Waste Management of Texas, Inc., (Charles A. Rivette, Director), for abandonment and sale of a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2, Parcels SY13-036 and QY13-002

**6. Motion 2013-0148**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY12-055, located on Fondren Road between Hillcroft and FM 2234, owned by CG Reserve 164 Texas L. P., Tom Carter, President, C. M. Garver, General Partner, for the **FONDREN ROAD PAVING AND DRAINAGE PROJECT from Hillcroft to McHard/FM 2234**  
**DISTRICT K - GREEN**

**7. Motion 2013-0149**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase and pay relocation assistance expenses for Parcel AY11-256, located at 9625 Fulton Street, owned by William C. Defoe, for the **FULTON PAVING AND DRAINAGE PROJECT from East Tidwell to East Parker** - **DISTRICT H - GONZALEZ**

**8. Motion 2013-0150**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of relocation assistance payments related to the acquisition of Parcel AY8-313, located at 6449 North Freeway, owned by Yakoob Z. Moton, for the **YALE STREET IMPROVEMENTS PROJECT from Tidwell to Parker** - **DISTRICT H - GONZALEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 and 10

**9. Motion 2013-0151**

**GLOBE ELECTRIC CO., INC** - \$306,800.00, **INTERNATIONAL ROADWAY RESEARCH LLP** - 58,632.00 and **THE D.S. BROWN COMPANY** - \$117,180.00 for Runway and Taxiway Repair Materials for the Houston Airport System - Enterprise Fund

**10. Motion 2013-0152**

**TIMES CONSTRUCTION, INC** for Structural Remediation Services for the General Services Department - \$819,000.00 and contingencies for a total amount not to exceed \$900,900.00 In-House Renovation Revolving Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 11 through 38

**11. Resolution 2013-0005**

RESOLUTION designating the **MONTGOMERY-REYNOLDS HOUSE** located at 2111 Del Monte Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**12. Resolution 2013-0006**

RESOLUTION designating the **OTTO PECH HOUSE** located at 1810 Summer Street within the City of Houston as a landmark and protected landmark - **DISTRICT H - GONZALEZ**

**Motion 2013-0143 – Suspend rules to consider Items 13 and 40 out of order**

WRITTEN Motion by Council Member Noriega to amend Item 13 as follows:

I move to amend Item 13 by replacing Section 26-497 with the following:

**Sec. 26-497. Reduced parking space requirement for additional bicycle spaces or proximity to a Metro Rail Station**

- (a) Additional Bicycle Space
  - a. An applicant who provides bicycle spaces in addition to the minimum number of bicycles paces required by section 26-496 of this Code shall receive a reduction of one parking space for every four additional bicycle spaces to the number of parking spaces required by section 26-492 of this Code.
  - b. The maximum reduction in the number of parking spaces under this section shall be 10 percent of the number of parking spaces required by section 26-492 of this Code.
  - c. A reduction of parking spaces under this section is available for all use classifications except single-family residential.
  - d. Each additional bicycle space shall conform to the standards of section 26-583 of this Code.
- (b) Proximity to a Metro Rail Station
  - a. An applicant who is located within ¼ of a mile of a Metro Rail station shall receive a reduction of 20 percent of the number of parking spaces required by section 26-492 of this Code.
  - b. A reduction of parking spaces under this section is available for all use classifications except single-family residential.
- (c) The reduced parking space requirement is not cumulative. An applicant may utilize the reduction for only section (a) or section (b) not both.

**Council Members Bradford, Noriega, Adams and Pennington tagged**

**RESOLUTIONS AND ORDINANCES** - continued

**13. Council Members Bradford, Noriega, Adams and Pennington tagged**

ORDINANCE **AMENDING ARTICLE VIII OF CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to off street parking and loading facilities in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

**14. Ordinance 2013-0165**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a water line easement and a water main easement in the Enclave at Reflections Apartments Addition, Section One, Joel Wheaton Survey, A-80, Harris County, Texas; vacating and abandoning the easements to AHC Chalfonte, L.P., abutting owner, in consideration of its payment to the City of \$9,725.00 and other consideration - **DISTRICT G - PENNINGTON**

**15. Ordinance 2013-0182**

ORDINANCE approving and authorizing contract for Group Vision Insurance Administration between the City and **BLOCK VISION, INC**, Administrator for National Guardian Life Insurance Company

**16. Ordinance 2013-0183**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HOUSTON VOLUNTEERS LAWYERS PROGRAM, INC**, to provide up to \$175,000.00 for the continuation of a Legal and Supportive Services Program under the Housing Opportunities for Persons With AIDS Program

**17. Ordinance 2013-0184**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **A CARING SAFE PLACE, INC**, to extend the original contract and provide an additional \$389,940.00 in Housing Opportunities for Persons With AIDS Funds for the operation of a community residence for low-income and homeless persons living with HIV/AIDS, along with the provision of supportive services - **DISTRICT B - DAVIS**

**18. Ordinance 2013-0185**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **A CARING SAFE PLACE, INC**, to extend the original contract and provide an additional \$179,460.00 in Housing Opportunities for Persons With AIDS Funds for the operation of a SRO community residence for low-income and homeless persons living with HIV/AIDS, along with supportive services - **DISTRICTS B - DAVIS and H - GONZALEZ**

**19. Ordinance 2013-0166**

ORDINANCE approving and authorizing a second amendment to Lease Agreement between the City of Houston, Texas, as Landlord, and **FOURTH WARD CLINIC, dba GOOD NEIGHBOR HEALTHCARE CENTER, as Tenant**, for leased space located at the West End Multi-Service Center located at 190 Heights Boulevard, Houston, Texas - **DISTRICT H - GONZALEZ**

**20. Not Received-Not Considered**

ORDINANCE awarding contract to **AT&T CORP.** for Telecommunication Circuit Services for the Houston Public Library; providing a maximum contract amount - 3 Years with two one-year options - \$869,467.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

**21. Ordinance 2013-0167**

ORDINANCE issuing a permit to **SEKISUI SPECIALTY CHEMICALS AMERICA, LLC**, to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provision under which the permit issued - **DISTRICT E - MARTIN**

**22. Ordinance 2013-0168**

ORDINANCE consenting to the addition of 0.5135 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 185**, for inclusion in its district

**23. Ordinance 2013-0169**

ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on: proposed amendments to the Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 120, FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194, WHITE OAK BEND MUNICIPAL UTILITY DISTRICT**, and **CINCO MUNICIPAL UTILITY DISTRICT NO. 12** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 345** and **CORNERSTONES MUNICIPAL UTILITY DISTRICT** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed amendments to Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109** and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris County; proposed Strategic Partnership Agreements between the City of Houston and **PARKWAY UTILITY DISTRICT**, and **DOWDELL PUBLIC UTILITY DISTRICT** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris County; proposals for the City of Houston to impose the City of Houston's Sales and Use Tax in such territory; providing for the publication of notice of such hearings

**24. Ordinance 2013-0170**

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Sanitary Sewer Service to Unserved Areas Package 2 - Plantation Hills and Hidden Echo Sanitary Sewer Improvements Project; authorizing the acquisition of Fee Simple Title Interest in or easement to seven parcels of land required for the project and situated in the Gilbert Brooks Survey, Abstract No. 6 in Harris County, Texas; said parcels of land being located in Lots 28, 96, 87, 56, 38 and 9 of Block 2 and Lot 7 of Block 1 of Plantation Hills, an unrecorded subdivision in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the seven parcels of land required for the project - **DISTRICT E - MARTIN**

**RESOLUTIONS AND ORDINANCES** - continued

**25. Ordinance 2013-0171**

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the West Little York Paving and Drainage Project from T. C. Jester to Alabonson; authorizing the acquisition of Fee Simple Title Interest in or easement to 10 parcels of land required for the project and situated in the Samuel Leeper Survey, Abstract No. 522; the Ellis Benson Survey, Abstract No. 110; and the James Love Survey, Abstract No. 528; in Harris County, Texas, said parcels of land being along the north and south lines of West Little York Road from T. C. Jester to Alabonson in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 10 parcels of land required for the project - **DISTRICTS A - BROWN and B - DAVIS**

**26. Ordinance 2013-0186**

ORDINANCE appropriating \$2,141,386.46 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Reconstruction of South Shaver Road from Interstate Highway 45 to State Highway 3 (Approved by Ordinance No. 2000-0308); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT E - MARTIN**

**27. Council Member Davis tagged**

ORDINANCE appropriating \$202,500.00 out of Street & Traffic Control and Storm Drainage DDSRF and \$17,500.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **HALFF ASSOCIATES, INC** for Pleasantville and Glendale Area Drainage and Paving (Sub-Project 1) (Approved by Ordinance No. 2011-0596); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT B - DAVIS**

**28. Ordinance 2013-0172**

ORDINANCE appropriating \$243,480.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PIERCE, GOODWIN, ALEXANDER & LINVILLE, INC dba PGAL** for Westpark Drive Paving & Drainage from Wilcrest to Dairy Ashford; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF **DISTRICT F - HOANG**

**29. Ordinance 2013-0173**

ORDINANCE appropriating \$500,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NEDU ENGINEERING SERVICES, INC** for Safe Sidewalk Program; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF

**30. Ordinance 2013-0174**

ORDINANCE appropriating \$500,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC d/b/a EHRA** for Safe Sidewalk Program; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF

**RESOLUTIONS AND ORDINANCES** - continued

**31. Ordinance 2013-0175**

ORDINANCE appropriating \$1,454,208.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HAZEN AND SAWYER, P.C.** for Lift Station Renewal and Replacement - Willie, Dockal, Tidwell Road No. 1, Iroquois West, Canino Road and John Alber Road; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - DAVIS and H - GONZALEZ**

**32. Ordinance 2013-0176**

ORDINANCE appropriating \$991,100.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HR GREEN, INC** for Lift Station Renewal and Replacement - Findlay, Garden Villas, Goodyear and Reveille Lift Station; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS E - MARTIN and I - RODRIGUEZ**

**33. Ordinance 2013-0177**

ORDINANCE appropriating \$575,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BLACK & VEATCH CORPORATION** for Negotiated Work Order Engineering Services associated with the Almeda Sims Wastewater Treatment Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**

**34. Ordinance 2013-0178**

ORDINANCE appropriating \$975,693.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **UNITED ENGINEERS, INC** for Neighborhood Sewer System Improvements -Basins AS074 and SB142, Fuqua Lift Station/Force Main Discharge Line; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - COHEN; D - ADAMS; I - RODRIGUEZ and K - GREEN**

**35. Ordinance 2013-0179**

ORDINANCE appropriating \$1,495,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVIL TECH ENGINEERING, INC** for Negotiated Work Orders for Sewer Collection System Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**36. Council Member Davis tagged**

ORDINANCE appropriating \$14,453,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for Services associated with the Surface Water Transmission Program; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**RESOLUTIONS AND ORDINANCES** - continued

**37. Ordinance 2013-0180**

ORDINANCE appropriating \$1,917,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAROLLO ENGINEERS, INC** for Engineering Services associated with the Clearwell Condition Assessment and Replacement of Selected Valves and Actuators at the East Water Purification Plant; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT E - MARTIN**

**38. Ordinance 2013-0181**

ORDINANCE appropriating \$856,328.00 out of Metro Projects Construction DDSRF, awarding contract to **STATEWIDE TRAFFIC SIGNAL COMPANY** for Create Smart Arterial Corridors; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF - \$2,580,401.00 - Grant Fund - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; H - GONZALEZ; I - RODRIGUEZ and J - LASTER**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 39 and 40

**39. Motion 2013-0154 – Adopt**

MOTION by Council Member Gonzalez/Seconded by Council Member Pennington to adopt recommendation from Purchasing Agent to award to **DATABANK IMX, LLC** for OnBase Software and Software Hosting through the Texas Department of Information Resources Agreement for the Housing and Community Development Department - \$397,739.73 - TIRZ Affordable Housing Fund - **TAGGED BY COUNCIL MEMBER BROWN**  
This was Item 8 on Agenda of February 20, 2013

**40. Ordinance 2013-0163**

ORDINANCE approving and authorizing Professional Service Agreements between the City of Houston and the **BODE TECHNOLOGY GROUP, INC** and **SORENSEN FORENSICS, LLC** for DNA Analysis; providing a maximum contract amount - \$4,400,000.00 - General and Grant Funds  
**TAGGED BY COUNCIL MEMBER BROWN**  
This was Item 21 on Agenda of February 20, 2013

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

- 2/26/2013 - Council Member Adams absent on City business  
Council Member Gonzalez and Green out of the City on City business**
- 2/27/2013 - Council Member Gonzalez out of the City on City business  
Council Member Costello absent on personal business**