

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 23, 2013 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2013-0046 to 2013-0064
ORDINANCES – 2013-0050 to 2013-0070
RESOLUTION – None

2013-0045-1

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

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Green

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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 2013-0061 – Procedural motion

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 36

MISCELLANEOUS - NUMBERS 1 through 10

1. Motion 2013-0047

REQUEST from Mayor for confirmation of the appointment of the following as **Municipal Court Associate Judges**, for two year terms:

JOSEFINA M. RENDÓN
ELAINE JEFFERSON
STEVEN E. KIRKLAND

2. Motion 2013-0048

CONFIRMATION of the appointment of the following to the **HOUSTON ETHICS COMMISSION**, for two-year staggered terms:

Position Four - **DR. FRANKLIN D. JONES**
Position Five - **RICK CAGNEY**
Position Six - **NOMAAN HUSAIN**
Position Seven - **JOHN JAY DOUGLASS**

MISCELLANEOUS - continued

3. Motion 2013-0049

REQUEST from Mayor on recommendation from the Houston Bar Association to confirm the reappointment of **AMY DUNN TAYLOR** to Position One and on recommendation from the Harris County Medical Society to confirm the reappointment of **EUGENE V. BOISAUBIN, M.D.** to Position Three of the **HOUSTON ETHICS COMMISSION**, for terms to expire December 31, 2013

4. Motion 2013-0050

REQUEST from Mayor for confirmation of the reappointment of **CHRISTINE DIAZ** (Harris County AFL-CIO Council nominee) to Position Two of the **HOUSTON ETHICS COMMISSION**, for a term to expire December 31, 2013

5. Motion 2013-0051

CONFIRMATION of the appointment of the following to the **HOUSTON AREA LIBRARY AUTOMATED NETWORK ADVISORY BOARD**, for two year terms:

Position One - **DEBBIE ALLEN**
Position Two - **SYMA ZERKOW**
Position Three - **GENE ROLLINS**

Motion 2013-0046 – Suspend rules to consider Item 6 after the consent miscellaneous

6. Motion 2013-0054

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **AUTOMOTIVE BOARD**, for one-year terms:

Position Three - **SHELLY E. RICHARDSON**
Position Four - **ERMA PALMER**
Position Five - **MAZEN ALLAHAM**
Position Six - **KEN W. ULMER**, and to serve as Chair
Position Seven - **BENJAMIN K. SANCHEZ**
Position Eight - **OWEN C. WANG**
Position Nine - **TIMOTHY STRANEY**

7. Motion 2013-0052

REQUEST from Mayor for confirmation of the reappointment of the following to the **BUILDING AND STANDARDS COMMISSION**, for terms to expire December 31, 2013:

Panel A:

Position A2 - **MARY L. RAMOS**
Position A4 - **JENIFER RENÉ POOL**

Panel B:

Position B2 - **VICTOR L. CARDENAS, JR.**
Position B4 - **MICHAEL E. CRAMER**

Alternates:

Position 4 - **PETER EICHENLAUB**
Position 6 - **DOUGLAS E. HAMMEL**
Position 8 - **JEFFREY E. COOMER**

MISCELLANEOUS - continued

8. Motion 2013-0053

REQUEST from Mayor for confirmation of the following individuals to the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**, for terms to expire June 1, 2013:

Position Four - **DONALD ROZUM**

Position Five - **DIONICIO VIDAL (SONNY) FLORES**

9. Motion 2013-0058

RECOMMENDATION from Director Houston Airport System for approval of membership fees in the Airports Council International for the Calendar Year 2013 - \$169,334.00 - Enterprise Fund

10. Motion 2013-0059

RECOMMENDATION from Director Department Public Works & Engineering to accept the January 2013 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$10,509,674.67 for Revenue Bond Debt Service as recommended in the Report

ACCEPT WORK - NUMBER 11

11. Motion 2013-0060

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$2,228,610.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Acres Homes Multi-Service Center Renovation - 19.75% over the original contract amount and under the approved 20% contingency - **DISTRICT B - DAVIS**

PROPERTY - NUMBER 12

12. Motion 2013-0055

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Manoj Adwaney, Walter P. Moore & Associates, Inc., on behalf of Leslie and Ann Doggett, for abandonment and sale of a 10-foot-wide prescriptive storm sewer easement, out of the A. C. Reynolds Survey, A-61, Parcel SY13-013 **DISTRICT G - PENNINGTON**

PURCHASING AND TABULATION OF BIDS - NUMBER 13

13. Motion 2013-0056

PENCCO, INC Emergency Chemical, Inorganic Metal Salt Coagulant (Ferric Sulfate) for Department of Public Works & Engineering - \$87,523.29 - Enterprise Fund

ORDINANCES - NUMBERS 14 through 36

14. Council Member Brown tagged

ORDINANCE amending, restating and ratifying Ordinance No. 2011-932 relating to the City of Houston, Texas General Obligation Commercial Paper Notes, Series G; approving and authorizing an amendment to the authorized purposes of such Commercial Paper Program; approving other matters relating thereto; and declaring an emergency

ORDINANCES - continued

15. Council Member Brown tagged

ORDINANCE amending, restating and ratifying Ordinance No. 2009-48 relating to the City of Houston, Texas General Obligation Commercial Paper Notes, Series H-2; approving and authorizing an amendment to the authorized purposes of such Commercial Paper Program; approving other matters relating thereto; and declaring an emergency

16. Council Member Brown tagged

ORDINANCE amending, restating and ratifying Ordinance No. 2010-0327 relating to the City of Houston, Texas General Obligation Commercial Paper Notes, Series J; approving and authorizing an amendment to the authorized purposes of such Commercial Paper Program; approving other matters relating thereto; and declaring an emergency

17. Ordinance 2013-0056

ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **GULF COAST ARMS, LTD.**, to provide a \$5,975,000.00 loan, to be funded with \$5,534,869.00 of Federal "HOME" Funds and \$440,131.00 of Federal "CDBG" Funds, to assist with acquisition, demolition and reconstruction of a 160 unit Affordable Housing Community, located in the vicinity of 6603 Hirsch Road, Houston, Texas - **DISTRICT B - DAVIS**

18. Ordinance 2013-0057

ORDINANCE approving and authorizing Grant Agreement between the City of Houston and **HOUSTON HEIGHTS TOWERS** to provide a \$8,500,000.00 grant of Federal "CDBG" Funds to assist with renovation of a 223 unit Affordable Housing Community for seniors and the disabled, located in the vicinity of 330 West 19th Street, Houston, Texas - **DISTRICT C - COHEN**

19. Ordinance 2013-0058

ORDINANCE approving and authorizing first amendment to the contract between the City of Houston and **BRENTWOOD COMMUNITY FOUNDATION** to extend the original contract and provide an additional \$463,117.00 in Housing Opportunities for Persons With AIDS Funds for the continuing administration and operation of a community residence and multiple rental assistance programs with supportive services - **DISTRICT K - GREEN**

Motion 2013-0057 – Suspend rules to consider Item 20 out of order

20. Ordinance 2013-0070

ORDINANCE approving and authorizing agreement between the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for a Special Assistant to the Mayor for Homeless Initiatives; de-appropriating \$81,500.00 of funds previously appropriated out of Homeless and Housing Consolidated Bond Fund to fund costs related to a single resident occupancy facility; re-appropriating the same \$81,500.00 of Homeless and Housing Consolidated Bond Funds

21. Ordinance 2013-0059

ORDINANCE authorizing first amendment to Construction, Operating and Maintenance Agreement for Buffalo Bayou Park by and among the City of Houston, Texas, Reinvestment Zone Number Three, City of Houston, Texas, Downtown Redevelopment Authority, **HARRIS COUNTY FLOOD CONTROL DISTRICT** and **BUFFALO BAYOU PARTNERSHIP**; transferring responsibility of Dunlavy Street right-of-way, North of Allen Parkway, to the Houston Parks and Recreation Department; finding certain planning-related items to be acceptable under the Code of Ordinances, City of Houston, Texas - **DISTRICTS C - COHEN and H - GONZALEZ**

ORDINANCES - continued

22. Ordinance 2013-0069

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and the **HOUSTON RECOVERY CENTER LGC, A Local Government Corporation ("Corporation")**; approving the appointment of an Ex-Officio, non-voting member to the Corporation's Board of Directors - \$250,000.00 - General Fund

23. Ordinance 2013-0060 – Passed first reading

ORDINANCE adopting Land Use Assumptions and a Capital Improvement Plan (Internally known as the "Drainage Impact Fee Improvement Plan") for the possible adoption of Impact Fees for drainage, appointing Planning Commission as the Capital Improvements Advisory Committee, and calling a public hearing at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston to adopt Impact Fees for drainage, in accordance with Chapter 395 of the Texas Local Government Code

HEARING DATE - 9:00 A.M. - WEDNESDAY - MARCH 6, 2013

24. Ordinance 2013-0061

ORDINANCE approving and authorizing contract between the City of Houston and **TEXAS CORRECTIONAL INDUSTRIES DARRINGTON TIRE RETREADING FACILITY** for Tire Retreading and Repair Services for the Fleet Management Department - 5 Years with two one-year options - \$7,230,303.40 - Fleet Management Fund

25. Council Member Green tagged

ORDINANCE approving and authorizing agreement between the City of Houston and **WASTE MANAGEMENT OF TEXAS, INC**, for Processing Services for Residential Drop-Off and Curbside Single Stream Commingled Recyclable Materials for the Solid Waste Department - 3 Years with 2 two-year options - Revenue

26. Ordinance 2013-0026

ORDINANCE approving and authorizing Interlocal Agreement between the **SAN JACINTO RIVER AUTHORITY** and the City of Houston for Evaluation of various water rights

27. Ordinance 2013-0063

ORDINANCE consenting to the addition of 134.8755 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district

28. Ordinance 2013-0050

ORDINANCE approving and authorizing agreement between the City of Houston and the **EAST DOWNTOWN MANAGEMENT DISTRICT** for right-of-way improvements - **DISTRICT I - RODRIGUEZ**

29. Ordinance 2013-0064

ORDINANCE appropriating \$221,630.00 out of Parks & Recreation Dedication Fund, and \$50,000.00 out of Parks Special Fund, awarding construction contract to **JERDON ENTERPRISE, L.P.** for West End Park - Phase II; 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 construction management, engineering and materials testing services, and contingencies relating to construction of facilities financed by the Parks & Recreation Dedication Fund, and the Parks Special Fund - **DISTRICT C - COHEN**

ORDINANCES - continued

30. Ordinance 2013-0065

ORDINANCE appropriating \$211,897.00 out of Parks Consolidated Construction Fund and \$654,559.00 out of Parks & Recreation Dedication Fund, awarding construction contract to **JERDON ENTERPRISE, L.P.** for Westbury, Brewster and Sagemont Playground Sitework and Fall Surface Material for Various Parks; 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 material testing, construction management services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Parks & Recreation Dedication Fund - **DISTRICTS B - DAVIS; D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K - GREEN**

31. Ordinance 2013-0051

ORDINANCE appropriating \$600,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARKK ENGINEERS, LLC** for Intersection Redesign and Street Safety Improvement; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF

32. Ordinance 2013-0052

ORDINANCE appropriating \$316,250.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS INC** for Gessner Paving and Drainage from Long Point to Neuens Road; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT A - BROWN**

33. Ordinance 2013-0053

ORDINANCE appropriating \$1,210,400.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **OTHON, INC** for Design of Neighborhood Sewer System Improvements (AS069); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - COHEN and G - PENNINGTON**

34. Ordinance 2013-0066

ORDINANCE appropriating \$5,613,020.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION COMPANY, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-134)

35. Ordinance 2013-0054 – Passed first reading

ORDINANCE granting to **UNITED SITE SERVICES OF TEXAS, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**

ORDINANCES - continued

36. Ordinance 2013-0055 – Passed first reading

ORDINANCE granting to **FRANK LEYVA FELIX dba PAYLESS PORTA JONS, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 37 and 38

MISCELLANEOUS

37. Motion 2013-0062 – Close nominations

RECEIVE nominations for Position 10 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for a three year term
Mr. Adrian Patrick Patterson nominated by Council Member Green
Dr. Bernard A. Harris, Jr nominated by Council Member Bradford

38. Motion 2013-0063

SET A HEARING DATE for the second amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TWENTY (SOUTHWEST HOUSTON ZONE) - DISTRICTS F - HOANG and J - LASTER**
HEARING DATE - 9:00 A.M. - WEDNESDAY - FEBRUARY 6, 2013

MATTERS HELD - NUMBERS 39 through 41

39. Motion 2013-0064 – Postpone two (2) weeks

ORDINANCE **AMENDING SECTIONS 45-114 AND 45-115 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to angle parking on streets; containing findings and other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBERS COHEN, BURKS, BROWN, GREEN and ADAMS
This was Item 11 on Agenda of January 16, 2013

40. Ordinance 2013-0067

ORDINANCE authorizing the **GREATER EAST END MANAGEMENT DISTRICT** to issue a Promissory Note for a \$750,000.00 Line of Credit - **DISTRICTS B - DAVIS; H - GONZALEZ and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER RODRIGUEZ**
This was Item 20 on Agenda of January 16, 2013

MATTERS HELD - NUMBERS 39 through 41

41. Ordinance 2013-0068

ORDINANCE appropriating \$47,772.00 out of Woodlands Regional Participation Fund as an additional appropriation to Professional Landscape Architectural Services Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** for the Design of Museum District/Main Street Corridor Improvement Project (Approved by Ordinance No. 2009-0973, as amended); approving and authorizing second amendment to the contract - **DISTRICTS C - COHEN and D - ADAMS** - **TAGGED BY COUNCIL MEMBER BROWN**
This was Item 28 on Agenda of January 16, 2013

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Martin 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

1/23/2013 - All Present