

**AGENDA - COUNCIL MEETING - TUESDAY - JULY 16, 2013 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

MOTIONS – 2013-0480 to 2013-0495  
ORDINANCES – 2013-0650 to 2013-0664  
RESOLUTION – None

2013-0479-1

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

**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 2013-0480 – Procedural motion

Motion 2013-0481 – Procedural motion

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

**RECONVENE**

**WEDNESDAY - JULY 17, 2013 - 9:00 A. M.**

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

**HEARING - 9:00 A.M.**

1. **Motion 2013-0482 – Close hearing**

Hearing relative to the re-adoption of **ARTICLE XII CHAPTER 32, CODE OF ORDINANCES, HOUSTON, TEXAS**, regarding Standards of Care for the Houston Parks and Recreation Department Youth Recreation Programs

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 26**

**MISCELLANEOUS** - NUMBERS 2 and 3

2. **Motion 2013-0483**

REQUEST from Mayor for confirmation of the appointment of the following individual to the **HOUSTON ZOO, INC. BOARD OF DIRECTORS:**

Position Two - **KAT GALLAGHER**, appointment, for an unexpired term ending 06/30/2014

**MISCELLANEOUS** - continued

**3. Motion 2013-0484**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **GREENSPPOINT DISTRICT OF HARRIS COUNTY BOARD OF DIRECTORS**, for terms to expire June 1, 2017:

Position One - **KELLY MCNEILL**  
Position Two - **D. MICHAEL DOWNS**  
Position Three - **JOHN RIDGWAY**  
Position Four - **KAREN MARSHALL**  
Position Five - **RAMON (RAY) BEJARANO**  
Position Six - **DAVID K. EGBERT**  
Position Seven - **CHARLES R. LOPEZ**  
Position Eight - **THOMAS R. WUSSOW**  
Position Nine - **EDWARD HINTON**  
Position Ten - **ADAM RUIZ, JR.**  
Position Eleven - **STEPHEN C. HEAD**

**ACCEPT WORK** - NUMBER 4

**4. Motion 2013-0491**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,887,605.00 and acceptance of work on contract with **THE GONZALEZ GROUP, L.P.** for Lake Houston Park Phase One – 4.93% over the original contract amount and under 5% contingency

**PROPERTY** - NUMBERS 5 and 6

**5. Motion 2013-0485**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Stephen Coates, South Texas Surveying Associates, Inc. on behalf of Naiyana Vora, declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide easement, from West Bellfort Avenue to Rufino Road, within Block 9 of the Braeburn Gardens Subdivision, out of the James Alston Survey - Parcel SY13-045 - **DISTRICTS J - LASTER and K - GREEN**

**6. Motion 2013-0486**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc. on behalf of GAR Associates, V, L.P., (Stuart D. Moiles, President) and MGI-GFP Woodlake Holdings, LLC, [(Philip Morgan, Vice President) Managing Member] for the abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide Fire Hydrant Easement, both located within The Quadrangle of Woodlake Apartments, out of the John D. Taylor League Survey, A-72. Parcels SY13-078A, SY13-078B, SY13-081A and SY13-081B - **DISTRICT G - PENNINGTON**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 13

**7. Motion 2013-0487**

**CALDWELL AUTOMOTIVE PARTNERS, LLC, d/b/a CALDWELL COUNTRY CHEVROLET** for Two Heavy-Duty Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council, for the Houston Fire Department - \$80,460.00 - Grant Funds

**PURCHASING AND TABULATION OF BIDS** - continued

8. **Pulled-Not Considered**  
**ORASURE TECHNOLOGIES, INC** for Rapid Diagnostic HIV Test Kits for the Department of Health and Human Services - \$1,001,601.00 - 3 years, with two one-year options - Grant Funds
9. **Motion 2013-0488**  
**LUMENATE TECHNOLOGIES, LP** for Data Center Consolidation Project through the Texas Department of Information Resources
10. **Ordinance 2013-0650**  
ORDINANCE appropriating \$150,000.00 out of The Equipment Acquisition Consolidated Fund for professional services supporting the Network And Telephony Project
  - a. **Motion 2013-0489**  
**VIRTUAL INTELLIGENCE PROVIDERS** for professional services supporting the Network And Telephony Project through the Texas Department of Information Resources for Houston Information Technology Services
11. **Motion 2013-0490**  
**UTILITY ASSOCIATES, INC.** for Maintenance for Digital Patroller Camera Systems for the Houston Police Department - \$78,750.00 - 1 year - General Funds
12. **Motion 2013-0495**  
**CEMEX, INC.** for Ready Mix Concrete for the Department of Public Works and Engineering - \$1,095,283.00 - Enterprise Funds
13. **Motion 2013-0492**  
**TURTLE and HUGHES, INC.** for Electrical Supplies and Fittings for Various Departments in an amount not to exceed \$1,359,022.00 - 3 years, with two one-year options - General, Enterprise and Other Funds

**ORDINANCES** - NUMBERS 14 through 26

14. **Ordinance 2013-0658**  
ORDINANCE appropriating \$310,000.00 out of Homeless And Housing Consolidated Bond Fund; approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to provide \$310,000.00 from the Homeless and Housing Consolidated Bond Fund to enable the City and Harris County to receive \$23 million of federal funds for homeless initiatives
15. **Ordinance 2013-0659**  
ORDINANCE approving and authorizing a loan purchase and sale agreement between the City of Houston and **BEAR CREEK WAREHOUSE, LLC** for the sale by the City of a note, payable to the City by Magnolia Residential Housing Development I, limited partnership and secured by the Plaza de Magnolia Apartments, located in the vicinity of 7310 Sherman Street, Houston, Texas - Revenue - **DISTRICT I - RODRIGUEZ**
16. **Ordinance 2013-0660**  
ORDINANCE approving and authorizing the submission of an application to the United States Department of Health and Human Services for grant assistance from the **CENTERS FOR DISEASE CONTROL AND PREVENTION** for the Affordable Care Act - Building Epidemiology, Laboratory and Health Information Systems Capacity for Infectious Disease Grant; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject or alter the grant and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$2,524,396.00 - Grant Funds

**ORDINANCES** - continued

17. **Ordinance 2013-0661**

ORDINANCE approving and authorizing contract between the City and **BEE BUSY LEARNING ACADEMY, INC.** for Comprehensive HIV Prevention, Social Marketing, Media and Community Mobilization Services: Providing a maximum contract amount \$150,000.00 - Grant Funds **DISTRICTS B - DAVIS, C - COHEN, D - ADAMS and J – LASTER**

18. **Ordinance 2013-0651**

ORDINANCE approving and authorizing an Interlocal Cooperation Agreement for telecommunications and fiber access between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY of HARRIS COUNTY**

19. **Ordinance 2013-0662**

ORDINANCE amending Ordinance No. 2012-730 to increase the maximum contract amount and authorizing first amendment to the agreement between the City of Houston and the **LONE STAR COLLEGE SYSTEM** to provide Emergency Medical Technician Training Services to the Houston Fire Department - \$183,750.00 - General Fund

20. **Ordinance 2013-0652**

ORDINANCE amending Ordinance No. 2012-0610 (passed June 27, 2012) to increase the maximum contract amount for a contract between the City of Houston and **UNICARE BUILDING MAINTENANCE, INC.** for janitorial cleaning and associated services for the Houston Airport System - \$19,222.81 - Enterprise Fund - **DISTRICTS B - DAVIS and E – MARTIN**

21. **Ordinance 2013-0663**

ORDINANCE appropriating \$718,900.00 out the Airports Improvement Fund and approving and authorizing a professional consulting services agreement between City of Houston and **REYNOLDS, SMITH AND HILLS, INC.** for Spaceport Launch Site Operator's License and Environmental Assessment at Ellington Airport (Project No.734) - **DISTRICT E - MARTIN**

22. **Ordinance 2013-0653**

ORDINANCE approving and authorizing an Expedited Check Point Clearance Services Concession Agreement between the City of Houston and **ALCLEAR, LLC** at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - Revenue **DISTRICTS B - DAVIS and I - RODRIGUEZ**

23. **Ordinance 2013-0654**

ORDINANCE appropriating \$1,085,000.00 out of Solid Waste Consolidated Construction Fund; awarding contract to the **GONZALEZ GROUP, LP** for Neighborhood Solid Waste Depository; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and materials testing, and contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund - **DISTRICT D - ADAMS**

24. **Ordinance 2013-0655**

ORDINANCE issuing a permit to **GULF SOUTH PIPELINE COMPANY, LP.** 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 provisions under which the permit is issued - **DISTRICTS A - BROWN and F - HOANG**

**ORDINANCES** - continued

**25. Ordinance 2013-0656**

ORDINANCE issuing a permit to **INEOS PIPELINE INVESTMENT COMPANY** 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 provisions under which the permit is issued - **DISTRICTS D – ADAMS, E - MARTIN and I - RODRIGUEZ**

**26. Ordinance 2013-0657**

ORDINANCE issuing a permit to **SOUTHCROSS ENERGY GP LLC** to operate, maintain, improve, repair and replace two existing pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICT A - BROWN**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 27 through 32

**MISCELLANEOUS**

**Motion 2013-0493 – Motion by Council Member Bradford/Seconded by Council Member Pennington to suspend the rules to consider the following report and the names be placed in nomination as follows:**

Mayor Annise Parker and Members of City Council:

The Council Committee on Ethics, Elections and Council Governance has completed its discussions and recommendations regarding the below positions. The list below reflects the nominee's name, respective Board or Commission, and the Council Member making such nomination.

<b>Board Name</b>	<b>Volunteer Name</b>	<b>Position</b>	<b>Nominated by</b>
<b>Reinvestment Zone Number 1 (St. George Place)</b>	Victoria Rockwell	4	CM Pennington
	Gary Baumgartner	6	CM Pennington
	J David Enloe Jr.	7	CM Pennington
	Walter Goff	8	CM Pennington
	William Hutz	9	CM Pennington
<b>Houston Archeological and Historical Commission</b>	Douglas Elliott	11	CM Cohen
	R. Maverick Welsh	13	CM Rodriguez
<b>Houston Center for Literacy</b>	John Canales Gorczyński	18	CM Gonzalez
	Dr. Mary White	20	CM Adams
<b>Land Assemblage Redevelopment Authority</b>	Steve Hall	6	CM Davis
	Faith Jackson	7	CM Green
<b>Rebuild Houston Oversight Committee</b>	Frances Castañeda Dyess	1	CM Rodriguez
	Kathryn Easterly	2	CM Cohen
	Edward Taravella	3	CM Cohen
	Vernita Harris	4	CM Adams
	Bert Keller	5	CM Costello
<b>Wastewater Capacity Reservation</b>	Robert J. Schwartz	4	CM Green
	Kathryn Ostroff	5	CM Noriega

- **Adopted**

**MISCELLANEOUS** - continued

**27. Motion 2013-0494 – Close nominations**

Receive nominations for appointments to Position 4, 6, 7, 8, & 9 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE), CITY OF HOUSTON, TEXAS**, for the remainder of the designated two year term

**28. Motion 2013-0494 – Close nominations**

Receive nominations for Positions 11 and 13 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2015

**29. Motion 2013-0494 - Close nominations**

Receive nominations for Positions 18 and 20 of the **HOUSTON CENTER FOR LITERACY BOARD OF DIRECTORS**, for the remainder of the two year term that will end February 2, 2014

**30. Motion 2013-0494 – Close nominations**

Receive nominations for Positions 6 and 7 of the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY**, for terms to expire two years from date of appointment

**31. Motion 2013-0494 – Close nominations**

Receive nominations for Positions One through Five for the **REBUILD HOUSTON OVERSIGHT COMMITTEE BOARD OF DIRECTORS**, for the remainder of the designated two year term

**32. Motion 2013-0494 – Close nominations**

Receive nominations for Positions 4 and 5 of **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for the remainder of the designated two year term

**MATTERS HELD** - NUMBERS 33 through 34

Written motion by Council Member Rodriguez to amend Item 33 as follows:

I move to amend Agenda Item #33 by adding the following to Sec. 28-457 –

- (e) The owner and operator of each boarding home facility shall implement the following emergency precautions and schedule and pay for an annual fire inspection by the fire marshal –
  - (1) The owner and operator shall provide fire escapes and exits that are kept in good repair and accessible at all times in accordance with the Houston Fire Code, as amended
  - (2) The owner and operator shall implement a written fire and evacuation plan that sets forth the responsibilities and steps to be taken by staff and residents in the event of a fire or other emergency. If a boarding home facility has a resident who is non-ambulatory or has a mobility impairment, the owner and operator shall submit the written plan to the Houston Fire Marshal and obtain its approval of the plan.
  - (3) The owner and operator shall post an emergency evacuation plan in each sleeping room and the kitchen of the facility.
  - (4) The owner and operator shall ensure that each resident receives training on the emergency evacuation plan at least two times per year and shall maintain documentation of such training.
  - (5) Flammable supplies and gasoline-operated maintenance equipment and lawn care equipment must be stored in the garage of the facility or in a detached storage shed.

**MATTERS HELD** – continued

Written motion - continued

- (6) The owner and operator shall provide a sufficient number of accessible fire extinguishers in accordance with the Houston Fire Code, as amended. The owner and operator shall ensure that a person licensed to inspect fire extinguishers inspects the fire extinguishers annually. The owner and operator shall ensure the fire extinguishers are recharged when needed by a person licensed to inspect fire extinguishers.
  - (7) The owner and operator shall provide a smoke alarm approved by the fire marshal in each place in the facility required by the Houston Fire Code, as amended. The owner and operator shall maintain a smoke alarm in good working order.
  - (8) If a boarding home facility has a resident that is hearing impaired, the owner and operator shall install and properly maintain a visual smoke alarm that is capable of alerting a hearing impaired person of the presence of fire or smoke in accordance with the Houston Fire Code, as amended.
  - (9) The owner and operator shall install and properly maintain carbon monoxide detectors near sleeping rooms in accordance with Section 42.060 of the Texas Human Resources Code, as amended.
  - (10) The owner and operator shall ensure that all residents are shown how to use all emergency exits from the boarding home facility within 24 hours after arrival at the boarding home facility. The owner and operator shall maintain documentation of such training.
  - (11) First aid supplies
    - 1) The owner and operator shall provide first aid supplies that are equivalent to the 16-unit first aid kit that complies with the latest edition of the American National Standards Institute (ANSI)/International Safety Equipment Association (ISEA) standard Z308-1.
    - 2) The owner and operator shall ensure that the first aid supplies are readily accessible to all the residents and inform the residents of the location of the supplies.
    - 3) The owner and operator shall provide one set of such supplies for each 50 persons, or fraction of 50 persons, residing in the boarding home facility.
- **tagged by Council Member Rodriguez**

**33. Council Member Rodriguez tagged**

**ORDINANCE AMENDING CHAPTERS 1 AND 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to boarding homes (group homes) - **TAGGED BY COUNCIL MEMBER LASTER**

This was item 6 on Agenda of July 10, 201

**34. Ordinance 2013-0664**

ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas and **COSTCO WHOLESALE CORPORATION** for the development of a Wholesale and Retail General Merchandise Facility and related improvements - **TAGGED BY COUNCIL MEMBER BURKS**

This was item 9 on Agenda of July 10, 2013

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

**7/16/2013 - Council Members Adams and Cohen absent on personal business**  
**7/17/2013 - Council Members Adams and Cohen absent on personal business**