

AGENDA - COUNCIL MEETING - TUESDAY - JULY 23, 2013 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2013-0496 to 2013-0516
ORDINANCES – 2013-0665 to 2013-0674
RESOLUTION – None

2013-0495-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Martin

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 2013-0496 – Procedural motion
Motion 2013-0497 – Procedural motion
Motion 2013-0498 – Procedural motion
Motion 2013-0499 – Procedural motion
Motion 2013-0500 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 24, 2013 - 9:00 A. M.

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

HEARINGS

Motion 2013-0508 – Procedural motion relating to Item 1

1. Motion 2013-0509 – Close hearing

PUBLIC HEARING regarding the designation of a Tax Abatement Reinvestment Zone for
CHEVRON U.S.A. INC (CHEVRON ZONE) - **DISTRICT I - RODRIGUEZ**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 22

MISCELLANEOUS - NUMBERS 2 through 7

2. **Motion 2013-0502**

CONFIRMATION of the appointment of the following to 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:

Position 4 - **VICTORIA ROCKWELL**

Position 6 - **GARY BAUMGARTNER**

Position 7 - **J. DAVID ENLOE, JR.**

Position 8 - **WALTER GOFF**

Position 9 - **WILLIAM HUTZ**

3. **Motion 2013-0503**

CONFIRMATION of the appointment of the following to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2015:

Position 11 - **DOUGLAS ELLIOTT**

Position 13 - **R. MAVERICK WELSH**

4. **Motion 2013-0504**

CONFIRMATION of the appointment of the following to the **HOUSTON CENTER FOR LITERACY BOARD OF DIRECTORS**, for the remainder of the two year term that will end February 2, 2014:

Position 18 - **JOHN CANALES GORCZYNSKI**

Position 20 - **DR. MARY WHITE**

5. **Motion 2013-0505**

CONFIRMATION of the appointment of the following to the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY**, for terms to expire two years from date of appointment:

Position 6 - **STEVE HALL**

Position 7 - **FAITH JACKSON**

6. **Motion 2013-0506**

CONFIRMATION of the appointment of the following to the **REBUILD HOUSTON OVERSIGHT COMMITTEE BOARD OF DIRECTORS**, for the remainder of the designated two year term:

Position One - **FRANCES CASTAÑEDA DYESS**

Position Two - **KATHRYN EASTERLY**

Position Three - **EDWARD TARAVELLA**

Position Four - **VERNITA HARRIS**

Position Five - **BERT KELLER**

7. **Motion 2013-0507**

CONFIRMATION of the appointment of the following to the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for the remainder of the designated two year term:

Position 4 - **ROBERT J. SCHWARTZ**

Position 5 - **KATHRYN OSTROFF**

ACCEPT WORK - NUMBERS 8 through 11

8. **Motion 2013-0510**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,048,603.00 and acceptance of work on contract with **P.R.C. ROOFING CO. INC** for Roof Replacement at HPD Westside Command Station - 15.38% over the original contract amount and under the 24.31% contingency - **DISTRICT F - HOANG**

ACCEPT WORK - continued

9. Motion 2013-0511

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,918,567.46 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for FY11 Water Distribution System Rehabilitation and Renewal 7.2% under the original contract amount

10. Motion 2013-0512

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$949,525.00 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Willowbend Area and Edgebrook 0.64% over the original contract amount and under the 5% contingency - **DISTRICTS C - COHEN; E - MARTIN and K - GREEN**

11. Council Member Green tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,929,891.83 and acceptance of work on contract with **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD** for US 290 Program IH-610 Interchange Crossing at 72-inch Water line along 12th Street - 12.11% under the original contract amount - **DISTRICT A - BROWN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 13A

12. Motion 2013-0513

AMEND MOTION #2010-567, 7/28/10, TO EXTEND the expiration date from August 4, 2013 to August 3, 2015, for Main Rotor Hub Assembly Overhaul/Exchange 369E (Helicopters) for the Houston Police Department, awarded to **HELMART, INC**

13. Ordinance 2013-0672

ORDINANCE appropriating \$2,232,307.98 out of Equipment Acquisition Consolidated Fund and \$1,055,847.00 out of Reimbursement Equipment/Projects Fund for the Purchase of Refuse and Recycling Trucks for the Solid Waste Management Department

a. Motion 2013-0514

HOUSTON FREIGHTLINER, INC - \$190,986.00; **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** - \$1,671,263.00; **WASTE SYSTEMS EQUIPMENTS, INC** - \$76,097.98; **MCNEILUS FINANCIAL, INC d/b/a MCNEILUS TRUCK AND MANUFACTURING CO** - \$816,488.00; **TEXAN WASTE EQUIPMENT, INC d/b/a HEIL OF TEXAS** - \$533,320.00 for Refuse and Recycling Trucks through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and Texas Local Government Purchasing Cooperative (BuyBoard) and for the Solid Waste Management Department \$3,288,154.98 - Equipment Acquisition Consolidated and Reimbursement Equipment/Projects Funds

ORDINANCES - NUMBERS 14 through 22

14. Ordinance 2013-0665

ORDINANCE re-adopting the Houston Youth Recreation Programs Standards of Care as codified at Article XII Chapter 32, Code of Ordinances, Houston, Texas; containing findings and other provisions related to the subject; providing an effective date; providing for severability

ORDINANCES - continued

15. Pulled-Not Considered

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2013-387 by adding three District Chief Positions; adding one Senior Captain Position; adding twelve Engineer Operator Positions; and adding twelve Communication Captain Positions; substituting the amended Exhibit as part of the current Fire Department Classified personnel Ordinance; providing for severability

16. Ordinance 2013-0666

ORDINANCE amending and ratifying Ordinance Nos. 2013-87, 2013-88, & 2013-89 relating to the City of Houston, Texas, General Obligation Commercial Paper Notes, Series G, H-2, & J; approving and authorizing an amendment to the authorized purposes of such Commercial Paper Programs

17. Ordinance 2013-0667

ORDINANCE consenting to the addition of 7.996 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**, for inclusion in its district

18. Ordinance 2013-0668

ORDINANCE consenting to the addition of 1.86 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 399**, for inclusion in its district

19. Ordinance 2013-0673

ORDINANCE awarding contract to **NATION WASTE, INC** for Portable Toilets Rental Service for Various Departments; providing maximum contract amount - 3 years - \$2,646,652.00 - General and Enterprise Funds

20. Ordinance 2013-0669

ORDINANCE appropriating \$20,000.00 out of Public Library Consolidated Construction Fund and awarding construction management at risk contract to **TURNER CONSTRUCTION COMPANY** for Jungman Neighborhood Library Renovation - **DISTRICT G - PENNINGTON**

21. Ordinance 2013-0670

ORDINANCE appropriating \$727,996.00 out of Public Library Consolidated Construction Fund and approving and authorizing Professional Architectural Services contract between the City of Houston and **ENERGY ARCHITECTURE, INC** for Jungman Neighborhood Library Renovation; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund - **DISTRICT G - PENNINGTON**

22. Ordinance 2013-0671

ORDINANCE appropriating \$572,057.00 out of Parks Consolidated Construction Fund, awarding construction contract to **JERDON ENTERPRISE, L.P.** for Hidalgo Park; 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, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 23

MISCELLANEOUS

23. Motion 2013-0515

MOTION to set a date not less than seven days from July 24, 2013, to receive nominations for appointments to Positions A, At-Large 2, At-Large 5, D, G and J of the **PUBLIC SAFETY ADVISORY COMMITTEE**, for a three-year staggered term ending July 1, 2016

MATTERS HELD - NUMBERS 24 and 24A

Motion 2013-0516 - Written motion by Council Member Rodriguez to amend Item 24a as follows:

I move to amend Agenda Item 24a by adding the following to Section 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 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 and identifies two points of entry and egress. The owner and operator shall ensure that all staff and 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.
 - (2) The owner and operator shall post an emergency evacuation plan in a common area, such as the kitchen or living room.
 - (3) The owner and operator shall ensure that staff receive training on the emergency evacuation plan at least two times per year and shall maintain documentation of such training.
 - (4) The owner and operator shall ensure that flammable supplies, gasoline-operated equipment, and compressed gas equipment are stored outside of the living area.
 - (5) The owner and operator shall provide a sufficient number of accessible fire extinguishers. 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.
 - (6) The owner and operator shall provide and maintain an operable smoke alarm and carbon monoxide detector in each sleeping area, kitchen, and laundry. The owner and operator shall ensure these devices remain in good working order. 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.
 - (7) The owner and operator shall ensure that first aid supplies are readily accessible to all the residents and inform the residents of the location of the supplies.
- Adopted**

24. Motion withdrawn for substitute – see Motion 2013-0516 above

WRITTEN Motion by Council Member Rodriguez to amend Item 24A below to add 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.
 - (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.

a. Ordinance 2013-0674 – Adopted as amended

ORDINANCE AMENDING CHAPTERS 1 AND 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to boarding homes (group homes)

TAGGED BY COUNCIL MEMBER RODRIGUEZ

This was Item 33 on Agenda of July 17, 2013

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Hoang 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

**7/23/2013 - Council Member Cohen absent on personal business
Council Member Laster out of the City on personal business**
**7/24/2013 - Council Member Cohen absent on personal business
Council Member Laster out of the City on personal business**