

**AGENDA - COUNCIL MEETING - WEDNESDAY - SEPTEMBER 4, 2013 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS – 2013-0597 to 2013-0617**

**2013-0596-1**

**ORDINANCES – 2013-0777 to 2013-0791**

**RESOLUTION - None**

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

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

**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 2013-0597 – Suspend rules to consider Items 1, 2 and 3 prior to the Financial Report**

**Motion 2013-0601 – Accept report**

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

**MAYOR'S REPORT**

**Motion 2013-0602 – Procedural motion**

**CONSENT AGENDA NUMBERS 1 through 28**

**MISCELLANEOUS** - NUMBERS 1 through 6

**1. Motion 2013-0598**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON COMMISSION ON DISABILITIES**:

- Position One - **KAREN BAYS PETTY**, appointment, for a term to expire July 26, 2015
- Position Three - **ALAN "A.J." MORTON**, appointment, for a term to expire July 26, 2015
- Position Five - **TISHA SHANEL GOINGS-FOWLER**, appointment, for a term to expire July 26, 2015
- Position Six - **CORNELIUS K. BOOKER**, appointment, for an unexpired term ending July 26, 2014, and to serve as Chair
- Position Seven - **JO ANN FORMBY**, reappointment, for a term to expire July 26, 2015
- Position Nine - **ROLAND G. BIENVENU**, appointment, for a term to expire July 26, 2015
- Position Ten - **MONTE OSBURN**, appointment, for a term to expire July 26, 2014
- Position Eleven - **EDDIE R. JESSIE**, appointment, for a term to expire July 26, 2015
- Alternate Position One - **MATTHEW P. DICKENS**, appointment, for a term to expire July 26, 2015
- Alternate Position Three - **TAMIRA ANTWIONETTE COLE**, appointment, for a term to expire July 26, 2015
- Alternate Position Four - **BETHANNE ROLLINS FRANCO**, appointment, for an unexpired term ending July 26, 2014

**MISCELLANEOUS** - continued

**2. Motion 2013-0599**

REQUEST from Mayor for confirmation of the appointment of **JESSE A. RODRIGUEZ** for Position Ten to the **HOUSTON MEDIA SOURCE BOARD OF DIRECTORS**, for an unexpired term ending December 31, 2014

**3. Motion 2013-0600**

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **INDEPENDENT POLICE OVERSIGHT BOARD**:

Panel A1 - **MARGARET A. NOSEK**, for an unexpired term ending October 26, 2014

Panel B2 - **DON HARRIS**, for an unexpired term ending October 26, 2013

Panel D2 - **GWENDOLYN J. SAMPLES**, for an unexpired term ending October 26, 2013

**4. Motion 2013-0612**

RECOMMENDATION from the Director of Finance to place the proposed 2013 tax rate of \$.63875/\$100 of value on the October 16, 2013 Council Agenda, or such other date that meets the requirements of the Texas Property Tax Code, call three public hearings at which interested persons will be given the opportunity to be heard on the proposed tax rate and provide for the publication of the notice of such hearings and other related information

**SUGGESTED HEARING DATES:**

6:00 P.M. - Tuesday - September 17, 2013;

6:00 P.M. - Tuesday - September 24, 2013; and

9:00 A.M. - Wednesday - October 2, 2013

**5. Motion 2013-0603**

RECOMMENDATION from the Director of Finance for approval of supplementary budgets submitted by the **HOUSTON ARTS ALLIANCE, MILLER THEATRE ADVISORY BOARD, INC, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, and THEATER DISTRICT IMPROVEMENT, INC** pertaining to a true-up of additional Hotel Occupancy Tax funds received during FY2013

**6. Motion 2013-0613**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of Annual Fees for **WATER ENVIRONMENT RESEARCH FOUNDATION** for Subscription Year 2013 - \$86,735.00 - Enterprise Fund

**ACCEPT WORK** - NUMBERS 7 through 11

**7. Motion 2013-0604**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$273,698.00 and acceptance of work on contract with **GULF COAST LANDSCAPE SERVICES, INC** for Miller Outdoor Theatre Irrigation Improvements - 5% over the original contract amount and within the 5% contingency - **DISTRICT D - ADAMS**

**8. Motion 2013-0605**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,432,581.55 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for West Bellfort Paving and Drainage from South Wilcrest to South Kirkwood - 1.15% over the original contract amount and under the 5% contingency amount **DISTRICT F - HOANG**

**9. Ordinance 2013-0777**

ORDINANCE appropriating \$5,755.15 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to contract between the City of Houston and **GIN-SPEN, INC** for Legend Lane Lift Station Replacement (Approved by Ordinance No. 2011-0851); providing funding for construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - PENNINGTON**

**ACCEPT WORK** - continued

**a. Motion 2013-0606**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$863,610.40 and acceptance of work on contract with **GIN-SPEN, INC** for Legend Lane Lift Station Replacement - 5.70% over the original contract amount - **DISTRICT G - PENNINGTON**

**10. Motion 2013-0607**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,498,718.45 and acceptance of work on contract with **RESICOM, INC** for FY11 Water Distribution System Rehabilitation and Renewal (10873-06) - 1.8% over the original contract amount and under the 5% contingency amount

**11. Motion 2013-0608**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,675,355.37 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Water Storage Tanks - 2.85% under the original contract amount - **DISTRICTS A - BROWN; C - COHEN and G - PENNINGTON**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 15

**12. Ordinance 2013-0778**

ORDINANCE appropriating \$349,435.08 out of Fire Consolidated Construction Fund to Purchase Construction Services for Installation of Standing-Seam Metal Roof Systems at Fire Station Nos. 29 & 42 for the General Services Department on behalf of the Houston Fire Department **DISTRICTS B - DAVIS and I - RODRIGUEZ**

**a. Motion 2013-0609**

**BASELINE PAVING AND CONSTRUCTION, INC** for purchase of Construction Services for Installation of Standing-Seam Metal Roof Systems at Fire Station Nos. 29 & 42 through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for the General Services Department on behalf of the Houston Fire Department - \$527,622.00 and contingencies for a total amount not to exceed \$569,831.76 - \$220,396.68 Fire Consolidated Construction Fund previously appropriated - **DISTRICTS B - DAVIS and I - RODRIGUEZ**

**13. Motion 2013-0610**

**AMEND MOTION #2009-275, 05/13/09, TO INCREASE** award amount of \$736,400.00 to \$920,500.00 for purchase of Learning Management System Software and Installation Services from General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program under Section 211 of the Government Act of 2002 for the Human Resources Department, awarded to **PCM GOV., INC** - \$184,100.00 - Central Service Revolving Fund

**14. Motion 2013-0611**

**ALL TIRE SUPPLY COMPANY** for Automotive Tire and Tube Materials and Repair Services for Various Departments - \$248,830.00 - 3 years with two one-year options - Fleet Management and General Funds

**15. Motion 2013-0614**

**KEY MAPS, INC** for Directories, Street Guides for Various Departments - \$318,863.00 - 3 years with two one-year options - General, Fleet Management, Enterprise and other Funds

**ORDINANCES** - NUMBERS 16 through 28

**16. Ordinance 2013-0779**

ORDINANCE relating to the Rescheduling or Postponement of certain City Council Meetings

**17. Pulled-Not Considered**

ORDINANCE approving and authorizing Third Amendment to the Hermann Park Pedal Boat and Other Concessions Agreement between the City of Houston and **HERMANN PARK CONSERVANCY - DISTRICT D - ADAMS**

**18. Pulled-Not Considered**

ORDINANCE approving and authorizing Second Amendment to the Hermann Park Development Agreement between the City of Houston and **HERMANN PARK CONSERVANCY - DISTRICT D - ADAMS**

**19. Ordinance 2013-0786**

ORDINANCE approving and authorizing contract between the City of Houston and **TASER INTERNATIONAL INC** for purchase of Taser Devices, Accessories, Supplies and Repair Services for the Houston Police Department; providing a maximum contract amount \$9,500,000.00 - 5 years - \$2,800,953.50 - Asset Forfeiture Fund - Initial Allocation

**20. Ordinance 2013-0780**

ORDINANCE approving and authorizing First Amendment to contract (Approved by Ordinance No. 2008-0892) between the City of Houston and **THE FIERRO GROUP LTD. CO. d/b/a FENCEMASTER OF HOUSTON** for Metal and Wood Fence Installation and Repair Services for Various Departments

**21. Ordinance 2013-0787**

ORDINANCE appropriating \$8,000,000.00 out of Equipment Acquisition Consolidated Fund for the Municipal Courts Case Management System (C-SMART) originally approved by Ordinance No. 2011-176

**22. Ordinance 2013-0781**

ORDINANCE approving and authorizing Compromise & Settlement Agreement between the City and **VERIZON WIRELESS** to settle a disputed claim and making an appropriation out of Limited Use Roadway & Mobility Capital Fund in the amount of \$73,413.56

**23. Ordinance 2013-0782**

ORDINANCE approving and authorizing Amendment No. 1 to Toll Road/Airport Connector Agreement between the City of Houston and **HARRIS COUNTY, TEXAS** - Revenue - **DISTRICT B - DAVIS**

**24. Ordinance 2013-0783**

ORDINANCE authorizing the Mayor to accept funding in an amount not exceeding \$11,005,966.00 by executing an Other Transaction Agreement by and between the City of Houston and the Department of Homeland Security Transportation Security Administration for the Checked Baggage Recapitalization Screening Construction Project at William P. Hobby Airport (Project No. 690B) - **DISTRICT I - RODRIGUEZ**

**25. Ordinance 2013-0788**

ORDINANCE approving and authorizing the Second Amendment to Lease Agreement between **HARTMAN 601 SAWYER, LLC., SUCCESSOR-IN-INTEREST TO R. M. CROWE HOUSTON PORTFOLIO III, L.P.**, as landlord, and the City of Houston, Texas, as tenant, for the leased space at 601 Sawyer Street, Houston, Texas for use by the Housing & Community Development Department - **DISTRICT H - GONZALEZ**

**ORDINANCES** - continued

**26. Ordinance 2013-0784**

ORDINANCE appropriating \$155,881.00 out of Fire Consolidated Construction Fund and awarding Design/Build Contract between the City of Houston and **BARTLETT COCKE GENERAL CONTRACTORS, LLC** for Fire Station No. 67 Expansion and Renovation; providing funding for the Civic Art Program and for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT B - DAVIS**

**27. Ordinance 2013-0789**

ORDINANCE appropriating \$2,941,209.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation for an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of Clinton Drive from the Port of Houston Authority Gate 8 Entrance to IH-610 (Approved by Ordinance No. 2011-0541) and approving and authorizing an amendment to the contract; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICTS B - DAVIS and H - GONZALEZ**

**28. Ordinance 2013-0785**

ORDINANCE approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Rehabilitation or Replacement of Westerland Drive Bridge at HCFCD Ditch - **DISTRICT F - HOANG**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 29 through 31

**MISCELLANEOUS**

**Motion 2013-0615 – Council Member Bradford accepted the report of the committee relative to Item Nos. 29 and 30**

**29. Motion 2013-0616 – Close nominations**

RECEIVE nominations for Position 3 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term  
Council Member Costello nominated Theldon Branch

**30. Motion 2013-0617 – Close nominations**

RECEIVE nominations for Position 4 of **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for the remainder of the designated two year term  
Council Member Green nominated Kamal Rasheed

**31. Council Member Pennington tagged**

REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by Richard L. Rothfelder, Attorney at Law, on behalf of Bright Light Sign Service, Inc. regarding sign located at 10410 Westheimer

**MATTERS HELD** - NUMBERS 32 and 33

**32. Ordinance 2013-0790 – Adopt**

ORDINANCE approving and authorizing an agreement between the City of Houston and the Metropolitan Transit Authority of Harris County, Texas for the use of 4 city owned parcels of land located on Griggs Road at the Palm Center and authorizing the Houston Business Development, Inc. (“HBDI”) to sell to Metro 2 HBDI owned parcels of land located on Griggs Road at the Palm Center, for the purpose of a public right of way to improve access to public transportation, specifically in connection with Metro’s Southeast Corridor Light Rail Line -

**DISTRICT D - ADAMS**

**TAGGED BY COUNCIL MEMBER BRADFORD**

This was Item 12 on Agenda of August 28, 2013

**33. Ordinance 2013-0791 – Adopt**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to certain improved single-family residential lots within **A&K CUSTOM HOMES ON ARBOR COURT, ABST 212 J CHRISTY, ALMEDA PLACE, ALMEDA PLACE ANNEX, ARBOR SQUARE AMEND, AUSTIN COURT, AUSTIN GREEN, AUSTIN STREET T/H AMEND, BALCOR, BLODGETT PARK T/H, BLODGETT PARK TOWNHOMES SEC 2, CALUMET PARK, CAROLINE MANOR, CAROLINE OAKS, CATCO CRAWFORD PARK, CRAWFORD STREET MANORS, DAYBREAK HOMES ON WICHITA STREET, FIVE THOUSAND ONE HUNDRED AND SIX CRAWFORD STREET T/H, FORTY NINE HUNDRED CAROLINE BOULEVARD, GALWAN T/H, GRAYWOOD PLACE, HAMPTON T/H, HERMANN PARK, JACKSON STREET, JACKSON STREET T/H SEC 2, JACKSON T/H, LA BRANCH PALMS, LABRANCH PLACE, MACGREGOR & DEMERITTS SOUTHMORE SEC 2 R/P, MACGREGOR BLODGETT PARK SEC 1, MACGREGORS BLODGETT PARK SEC 2, MACGREGORS BLODGETT PARK SEC 2 PAR R/P 3, MACGREGORS BLODGETT PARK SEC 3, MANORS OF AUSTIN GREEN, MAREDIA HOMES AT PROSPECT STREET, METRO LOFTS AT CHENEVERT, METRO LOFTS AT PROSPECT STREET, MUSEUM GALLERIE AMEND, MUSEUM WALK R/P, NEC SOUTHMORE AND JACKSON, OAKDALE AVENUE, OAKDALE PLACE, OAKDALE TERRACE, OAKS AT CAROLINE, OAKS OF SOUTHMORE, PALM AVENUE T/H, PALM PLACE AMEND, PAWL TERRACE, PROSPECT STREET T/H, PROSPECT TOWNHOMES SEC 1, REGENTS GREEN, ROSEDALE AVENUE PLACE, ROSEDALE AVENUE PLACE SEC 2, ROSEDALE PARK, ROSEWOOD, ROSEWOOD GREEN, ROSEWOOD LOFTS, ROSEWOOD MIDTOWN, ROSEWOOD TERRACE, ROSEWOOD TOWNHOMES, ROSEWOOD VILLAS, RUTH STREET MANOR, RUTH STREET T/H, SOUTHMORE 106, SOUTHMORE 107, SOUTHMORE 108, SOUTHMORE 116, SOUTHMORE 117, SOUTHMORE 118, SOUTHMORE GARDENS AMEND, SOUTHMORE OUTLOT 109, SOUTHMORE SEC 2 PAR R/P, SOUTHMORE T/H U/R SOUTHMORE 118, SOUTHMORE TERRACE AMEND, SOUTHMORE TWO VILLAS, STOECKLI PLACE ANNEX, SUTTON PLACE PATIO HOMES SOUTHMORE 108 R/P, THURMAN MANORS, TRACT 11, HOLMAN OUTLOT 68, TRACT 4, BLOCK 24, EMPIRE, TRINITY AT CHENEVERT, TUSCAN ONE, VILLAS AT ROSEDALE, W D SIMPSON NO. 1, WENTWORTH HOMES, WHEELER PLACE, WHEELER PLACE R/P, WICHITA JACKSON T/H, AND WICHITA RIDGE** to prohibit the parking of vehicles in the front or side yards of such residences -

**DISTRICT D - ADAMS**

**TAGGED BY COUNCIL MEMBER BRADFORD**

This was Item 21 on Agenda of August 28, 2013

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

**09/04/2013 - Council Member Martin absent on City business**