

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 10, 2013 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2013-0618 to 2013-0632
ORDINANCES – 2013-0792 to 2013-0808
RESOLUTION - None

2013-0617-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Hoang

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 2013-0618 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 11, 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 27

MISCELLANEOUS - NUMBERS 1 through 5

1. Motion 2013-0619

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE) BOARD OF DIRECTORS:**

EDWARD (ED) REYES, appointment, to serve as Chair, for a term ending December 31, 2013
Position Four - **SYLVIA CAVAZOS**, reappointment, for a term to expire December 31, 2014

2. Motion 2013-0620

CONFIRMATION of the appointment of **THELDON BRANCH** for Position 3 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term

MISCELLANEOUS - continued

3. Motion 2013-0621

CONFIRMATION of the appointment of **KAMAL RASHEED** for Position 4 on the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for the remainder of the designated two year term

4. Motion 2013-0622

RECOMMENDATION from Fire Chief for Extension of Injury on Duty Leave for 90 days for **WES WHEELAND** - (03/01/2013 through 03/25/2013 and 05/29/2013 through 08/17/2013)

5. Motion 2013-0623

RECOMMENDATION from Director Department of Public Works & Engineering for approval of payment of FY 2013 Membership dues for the Water Research Foundation - \$256,027.54 Enterprise Fund

ACCEPT WORK - NUMBERS 6 through 8

6. Motion 2013-0624

RECOMMENDATION from Director Department of General Services for approval of Change Order No. 5 in the amount of \$191,901.00 and Change Order No. 7 in the amount of \$19,831.61, final contract amount of \$1,072,607.11 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup - 26.56% over the original contract amount - **DISTRICT H - GONZALEZ**

7. Motion 2013-0625

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,422,806.72 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Water Storage Tanks - 3.11% over the original contract amount and under 5% contingency - **DISTRICTS B - DAVIS and E - MARTIN**

8. Motion 2013-0626

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,123,703.67 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Water Storage Tanks - 2.26% under the original contract amount - **DISTRICTS B - DAVIS; F - HOANG and G - PENNINGTON**

PROPERTY - NUMBER 9

9. Motion 2013-0630

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Daniel Massiatte, Century Engineering, Inc., on behalf of BWS Humble Center, L.P. (BWS-GP, Inc., [Pierre Bejjani, Director], General Partner), for abandonment and sale of (1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; (2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; (3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; (4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and (5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127, Parcels SY13-087A through SY13-087E **DISTRICT A - BROWN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 13

10. Ordinance 2013-0792

ORDINANCE appropriating \$180,820.34 out of Parks & Recreation Dedication Fund for the purchase of Playground Equipment for the General Services Department on behalf of the Parks & Recreation Department - **DISTRICTS D - ADAMS and K - GREEN**

a. Motion 2013-0627

LONE STAR RECREATION, INC for Purchase and Installation of Playground Equipment through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the General Services Department on behalf of the Parks & Recreation Department - \$172,209.85 and contingencies for a total amount not to exceed \$180,820.34 - Parks & Recreation Dedication Fund - **DISTRICTS D - ADAMS and K - GREEN**

11. Ordinance 2013-0801

ORDINANCE appropriating \$62,092.02 out of Parks Consolidated Construction Fund for the purchase of Playground Equipment for the General Services Department on behalf of the Parks & Recreation Department - **DISTRICT B - DAVIS**

a. Motion 2013-0631

THE PLAYWELL GROUP, INC for Purchase and Installation of Playground Equipment through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the General Services Department on behalf of the Parks & Recreation Department - \$59,135.26 and contingencies for a total amount not to exceed \$62,092.02 - Parks Consolidated Construction Fund - **DISTRICT B - DAVIS**

12. Ordinance 2013-0793

ORDINANCE appropriating \$288,075.00 out of Water & Sewer System Consolidated Construction Fund to Remove, Furnish and Install a New Bar Screen, Conveyor/Compactor System and Associated Equipment for the Public Works & Engineering Department - **DISTRICT H - GONZALEZ**

a. Motion 2013-0628

LEM CONSTRUCTION CO., INC to Remove, Furnish and Install a New Bar Screen, Conveyor/Compactor System and Associated Equipment for the Public Works & Engineering Department - \$250,500.00 and contingencies for a total amount not to exceed \$288,075.00 Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

13. Motion 2013-0629

AMEND MOTION #2009-0890, 12/09/09, TO INCREASE spending authority from \$1,346,873.89 to \$1,683,592.36 for Chemical, Aqua Ammonia for Department of Public Works & Engineering awarded to **SOUTHERN IONICS, INC** - \$336,718.47 - Enterprise Fund

ORDINANCES - NUMBERS 14 through 27

14. Ordinance 2013-0794

ORDINANCE **AMENDING SECTION 1-11 OF THE CODE OF ORDINANCE, HOUSTON, TEXAS**, relating to a declaration to be filed with an application for permit, license or certificate, acknowledging responsibility to comply with laws, regulations and ordinances in connection with the requested permit, license, or certificate

ORDINANCES - continued

15. Council Member Hoang tagged

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2013-722 by adding one Deputy Chief position; adding three District Chief positions; adding four Senior Captain positions; adding one Assistant Arson Investigator position; and deleting four Captain positions; substituting the amended Exhibit as part of the current Fire Station Classified Personnel Ordinance

16. Ordinance 2013-0802

ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **COTTAGES AT SOUTH ACRES, LTD.** to provide \$2,160,000.00 of Federal "HOME" Funds to assist with construction of a 144 unit mixed-income housing community, to be located in the vicinity of 11300 Scott Street, Houston, Texas - **DISTRICT D - ADAMS**

17. Ordinance 2013-0803

ORDINANCE appropriating \$283,500.00 out of Homeless & Housing Consolidated Bond Fund; approving and authorizing a grant agreement between the City of Houston and Rockwell Community 26 LP to provide the appropriated funds to assist with accessibility improvements to Jadestone Apartments, a 226 Unit Multifamily Housing Community, located at 7520 Cook Road in Houston, Texas, that provides affordable housing to low income families; approving and authorizing a second amendment and modification agreement pertaining to loan agreement, restrictive covenants and other loan documents to increase the number of affordable units at Jadestone Apartments - **DISTRICT F - HOANG**

18. Ordinance 2013-0804

ORDINANCE approving and authorizing a First Amendment to Grant Agreement between the City of Houston and Houston Area Community Development Corporation to provide an additional \$1,352,464.00 in Homeless Housing and Services Program Funds for the Development of 160-Unit Single Residence Occupancy Facility Located at 7020 Stuebner Airline Road, Houston, Texas to House Low-Income and Very Low-Income Households - **DISTRICT H - GONZALEZ**

19. Ordinance 2013-0795

ORDINANCE authorizing the Mayor to accept funding in an amount not exceeding \$30,751.23 by executing an Other Transaction Agreement by and between the City of Houston and the Transportation Security Administration for an Explosive Storage Magazine at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**

20. Ordinance 2013-0796

ORDINANCE enlarging the boundaries of **REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)** - **DISTRICT D - ADAMS**

a. Ordinance 2013-0797

ORDINANCE approving the fifth amended **PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)**; authorizing the City Secretary to distribute such plans - **DISTRICT D - ADAMS**

21. Ordinance 2013-0807

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**

ORDINANCES - continued

22. Ordinance 2013-0808

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

23. Ordinance 2013-0805

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON CLEAN CITY COMMISSION INC dba KEEP HOUSTON BEAUTIFUL** for Maintenance on Equipment and Tools for use in the cleaning and clearing of lots for the Department of Neighborhoods; providing a maximum contract amount - \$810,000.00 - 5 years - General Fund

24. Ordinance 2013-0806

ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Litter Removal Services for the Public Works & Engineering Department - \$7,919,936.64 - 3 years with two one-year options - Stormwater Fund

25. Ordinance 2013-0798

ORDINANCE appropriating \$404,000.00 out of Equipment Acquisition Consolidated Fund for Professional Services/Products supporting the Enterprise Data Warehousing Project for the City of Houston Finance Department and Houston Information Technology Services Department

26. Ordinance 2013-0799

ORDINANCE appropriating \$1,050,000.00 out of Equipment Acquisition Consolidated Fund for the Data Center Consolidation Project (Approved by Ordinance No. 2013-364)

27. Ordinance 2013-0800

ORDINANCE appropriating \$3,754,485.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **IPR SOUTH CENTRAL, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; 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 (WW4258-56)

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBER 28

28. Motion 2013-0632 – Uphold decision of the Board

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

TAGGED BY COUNCIL MEMBER PENNINGTON

This was Item 31 on Agenda of September 4, 2013

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Burks 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

9/10/2013 - Council Member Gonzalez out of the City on City business
9/11/2013 - Council Member Martin absent on personal business
Council Members Gonzalez and Rodriguez out of the City on City business
Council Member Noriega absent due to being ill