

**AGENDA - COUNCIL MEETING - TUESDAY - JULY 8, 2014 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2014-0641 to 2014-0686**  
**ORDINANCES – 2014-0688 to 2014-0706**  
**RESOLUTIONS – 2014-0026 to 2014-0027**

**2014-0640-1**

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

**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 2014-0641 – Procedural motion**

**Motion 2014-0642 – Procedural motion**

**Motion 2014-0643 – Procedural motion**

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

**RECONVENE**

**WEDNESDAY - JULY 9, 2014 - 9:00 A. M.**

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

**Motion 2014-0644 – Accept report**

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

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 through 10

1. **Motion 2014-0645**

CONFIRMATION of the reappointment of the following to the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for three year terms:

Position 10 - **ADRIAN PATTERSON**

Position 11 - **RICHARD BADGER**

2. **Motion 2014-0646**

CONFIRMATION of the reappointment of the following to the **REBUILD ADVISORY COMMITTEE BOARD OF DIRECTORS**, for two year terms:

Position 2 - **KATHY EASTERLY**

Position 4 - **VERNITA HARRIS**

3. **Motion 2014-0647**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **AUTOMOTIVE BOARD**, for two year terms:

Position One - **ROBERT "BOBBY" G. KNAPP**, appointment

Position Two - **RYAN WINKELMANN**, reappointment

Position Three - **SHELLY E. RICHARDSON**, reappointment

Position Four - **ERMA PALMER**, reappointment

Position Five - **MAZEN ALLAHAM**, reappointment

Position Six - **KEN W. ULMER**, reappointment

Position Seven - **BENJAMIN KIRKE SANCHEZ**, reappointment

Position Eight - **CHAU WENG WANG**, reappointment

Position Nine - **TIMOTHY STRANEY**, reappointment

4. **Motion 2014-0648**

REQUEST from Mayor for confirmation of the appointment of **SHELLEY L. KENNEDY** to Position Twenty-Three of the **HOUSTON CLEAN CITY COMMISSION**, for an unexpired term ending February 1, 2015

5. **Motion 2014-0649**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **ELECTRICAL BOARD**, for terms to expire January 2, 2016:

Position Two - **ELIOT L. DOUCET**, and to serve as Chair

Position Four - **JIMMIE M. STALLONES, JR.**

Position Six - **CHAL W. SHRADER**

Position Eight - **NOLAN R. NEATHERY**

Position Ten - **JAVIER M. RAMOS**

6. **Motion 2014-0661 – Delay thirty (30) days**

REQUEST from Mayor for confirmation of the appointment of **COUNCIL MEMBER ROBERT GALLEGOS** as a non-voting advisory member to the **BOARD OF DIRECTORS OF THE HOUSTON FIRST CORPORATION**

7. **Motion 2014-0650**

REQUEST from Mayor for confirmation of the appointment of **ERIN DYER** to Position Seven of the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**, for a term to expire June 1, 2017

**MISCELLANEOUS** - continued

**8. Pulled-Not Considered**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF METROPOLITAN TRANSIT AUTHORITY**, for terms to expire April 7, 2016:

- Position One - **GILBERT ANDREW GARCIA**
- Position Two - **ALLEN DALE WATSON**
- Position Three - **JUDGE DWIGHT E. JEFFERSON**
- Position Four - **DIANN L. LEWTER**
- Position Five - **CHRISTOF SPIELER**

**9. Pulled-Not Considered**

REQUEST from Mayor for confirmation of the appointment of **KARIN R. MARSHALL** to Position Seven of the **MILLER THEATRE ADVISORY BOARD**, for a term to expire April 24, 2017

**10. Motion 2014-0651**

RECOMMENDATION from Chief of Police for extension of Injury on Duty Leave for **Houston Police Officer WARREN JONES**

**ACCEPT WORK** - NUMBERS 11 and 12

**11. Motion 2014-0652**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$172,410.80 and acceptance of work on contract with **CONGO LLC** for Wastewater System/Substitute Service Support-Peden and Bomar, Package 2 - 22.58% under the original contract amount - **DISTRICT C - COHEN**

**12. Motion 2014-0653**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,058,509.11 and acceptance of work on contract with **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (4258-41) - 2.85% over the original contract amount and under the 5% contingency amount - **DISTRICTS C - COHEN; D - BOYKINS; E - MARTIN; F - NGUYEN; H - GONZALEZ; I - GALLEGOS and K - GREEN**

**PROPERTY** - NUMBERS 13 through 16

**13. Motion 2014-0654**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert L. Pacini, Terra Realty Equities, L.P., for the sale of ±3,444 square feet of fee-owned property, located within Lots 11B and 12B, Block 21, located in Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51, Parcel SY14-077 - **DISTRICT D - BOYKINS**

**14. Motion 2014-0655**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry, TBG Partners, on behalf of New Nurseries, LLC. (F. Taylor Moore, Owner and Managing Partner) and Stephen Kelso, authorizing the disclaimer of 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey, Parcels SY14-126A, SY14-126B and SY14-126C **DISTRICT C - COHEN**

**PROPERTY** - continued

**15. Motion 2014-0656**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lance Hoffman, BEC-LIN Engineering, L.P., on behalf of EastGroup Properties (Brent Wood, Vice President), and Billipp/World Houston, L.P. (J. Andrew Billipp, President), for abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, in and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston International Business Center Section 6, out of the Mary E. Colby Survey, A-1649 and the William Lloyd Survey, A-1407, Parcels SY14-090, SY14-108, SY14-119, DY14-042, DY14-044 and LY14-038 - **DISTRICT B - DAVIS**

**16. Motion 2014-0657**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Barry Hunsworth, Century Engineering, Inc., on behalf of KAVAC, LLC, (Terry Fisher, President), for abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey, Parcel SY14-102 **DISTRICT C - COHEN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 17 through 22A

**17. Motion 2014-0662**

**RESCUED PETS MOVEMENT INC** for Animal Transport Operations for the BARC Division of the Administration & Regulatory Affairs Department - \$265,000.00 - BARC Special Revenue Fund

**18. Motion 2014-0658**

**DIGITAL SANDBOX, INC** for Software Enhancements and Support Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Mayor's Office of Public Safety and Homeland Security - \$490,400.00 - Grant Fund

**19. Motion 2014-0659**

**EAGLE COPTERS LTD.** for Goodrich External Rescue Hoist Kit for the Houston Police Department - \$217,059.00 - Grant Fund

**20. Ordinance 2014-0701**

ORDINANCE appropriating \$67,987.25 out of Parks Consolidated Construction Fund for Construction Services for Installation of Ball Field Lighting for the General Services Department on behalf of the Houston Parks & Recreation Department

**a. Motion 2014-0663**

**MUSCO SPORTS LIGHTING, LLC** for Construction Services for Ball Field Lighting (Milby Park) through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Houston Parks & Recreation Department - \$302,845.00 and contingencies for a total amount not to exceed \$317,987.25 - Parks Special Revenue and Parks Consolidated Construction Funds

**21. Ordinance 2014-0688**

ORDINANCE appropriating \$410,748.55 out of Parks Consolidated Construction Fund for Construction Services for Installation of Ball Field Lighting for the General Services Department on behalf of the Houston Parks & Recreation Department

**PURCHASING AND TABULATION OF BIDS** - continued

a. **Motion 2014-0660**

**MUSCO SPORTS LIGHTING, LLC** for Construction Services for Ball Field Lighting (Keith Weiss Park) through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Houston Parks & Recreation Department - \$398,785.00 and contingencies for a total amount not to exceed \$410,748.55 - Parks Consolidated Construction Fund

22. **Ordinance 2014-0702**

ORDINANCE appropriating \$65,892.00 out of Equipment Acquisition Consolidated Fund for Purchase of Light-, Medium- and Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments

a. **Motion 2014-0664**

**CHASTANG ENTERPRISES, INC d/b/a CHASTANG FORD** for Light-, Medium- and Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments - \$1,113,016.00 - Equipment Acquisition Consolidated, Stormwater and Other Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 23 through 40

23. **Resolution 2014-0026**

RESOLUTION approving amendments to the bylaws of **HOUSTON MEDIA SOURCE** and making other provisions related to the subject

24. **Ordinance 2014-0689**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a prescriptive sanitary sewer easement from Nicholson Street to Lawrence Street located in Block 39, Houston Heights Addition, John Austin Survey, A-1, Harris County, Texas; vacating and abandoning the easement to JLB Block 39, L.P., owner, in consideration of owner's payment to the City of \$55,500.00, and other consideration - **DISTRICT C - COHEN**

25. **Ordinance 2014-0690**

ORDINANCE approving the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty-Four, City of Houston, Texas (Greater Houston Zone) **DISTRICTS D - BOYKINS; H - GONZALEZ; I - GALLEGOS and K - GREEN**

26. **Ordinance 2014-0691**

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **CB&I, INC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS**

27. **Ordinance 2014-0692**

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **FAMIGLIA DEBARTOLO, LLC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS**

28. **Ordinance 2014-0693**

ORDINANCE approving and authorizing an international facilities agreement by and between the City of Houston and **SCANDINAVIAN AIRLINES of NORTH AMERICA, INC** at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS**

**RESOLUTIONS AND ORDINANCES** - continued

**29. Council Members Bradford and Green tagged**

ORDINANCE approving and authorizing agreement for Legal Services between the City of Houston and **SUSMAN GODFREY L.L.P.** for representation of the City in pursuit of claims against Towers Watson & Co f/n/a Towers Perrin Associated with actuarial work related to HFD Relief and Retirement Fund and impacting the City of Houston; providing a maximum contract amount - \$970,000.00 - General Fund

**30. Ordinance 2014-0703**

ORDINANCE approving and authorizing agreements to reimburse **ALDINE INDEPENDENT SCHOOL DISTRICT; ALIEF INDEPENDENT SCHOOL DISTRICT; AMIGOS POR VIDA - FRIENDS for LIFE PUBLIC CHARTER SCHOOL; ANNUNCIATION ORTHODOX SCHOOL; CLEAR CREEK INDEPENDENT SCHOOL DISTRICT; GALENA PARK INDEPENDENT SCHOOL DISTRICT; PASADENA INDEPENDENT SCHOOL DISTRICT; RIVER OAKS BAPTIST SCHOOL; SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; ST. JOHN'S SCHOOL; ST. VINCENT de PAUL SCHOOL/ARCHDIOCESE of GALVESTON; HOUSTON GATEWAY ACADEMY; HOUSTON INDEPENDENT SCHOOL DISTRICT; HUFFMAN INDEPENDENT SCHOOL DISTRICT; JOHN PAUL II CATHOLIC SCHOOL; KATY INDEPENDENT SCHOOL DISTRICT and FORT BEND INDEPENDENT SCHOOL DISTRICT** for payment of School Crossing Guards from the Child Safety Fund - \$3,300,000.00

**31. Ordinance 2014-0704**

ORDINANCE amending Ordinance No. 2014-0092 to increase the maximum contract amount to Letter of Agreement between the City of Houston and **THE HOUSTON RECOVERY CENTER LGC**, a Texas Local Government Corporation; approving and authorizing first amendment to the above-mentioned Letter of Agreement - \$1,127,159.00 - Essential Public Health Services Fund

**32. Ordinance 2014-0694**

ORDINANCE releasing certain territory consisting of approximately 87.09 acres in Waller County, adjacent to the extraterritorial jurisdiction of the City of Waller, Texas, in the vicinity of U.S. 290 and Hempstead Road, from the extraterritorial jurisdiction of the City of Houston

**33. Not Received - Not Considered**

ORDINANCE awarding contract to **ALLIANCE HEALTH RESOURCES MOBILE DIVISION, LTD** for Occupational Medical Testing Services for Various Departments; providing a maximum contract amount - \$1,213,808.00 - General and Other Funds

**34. Ordinance 2014-0695**

ORDINANCE authorizing the sale of certain real property consisting of approximately 19.39 acres of land located at 800 and 815 Dorsett Street, being a part of the John Brown Survey, Abstract Number 8, Houston, Harris County, Texas, and identified as Parcels SY14-127 and SY14-128; declaring Parcels SY14-127 and SY14-128 surplus; appointing two independent appraisers to determine the Fair Market Value of Parcels SY14-127 and SY14-128; approving and authorizing Listing Agreement between the City of Houston and **CUSHMAN & WAKEFIELD OF TEXAS, INC**, for the marketing and sale of Parcels SY14-127 and SY14-128 - **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**35. Ordinance 2014-0705**

ORDINANCE awarding construction contract to **GADBERRY CONSTRUCTION COMPANY, INC** for TIGER Project #1 - White Oak Path: Alabonson Rd. to Antoine Dr. Link; 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 contingencies relating to construction of facilities financed by the Federal Government Grant - USDOT TIGER Discretionary Fund and other Government Grant Funds Houston Parks Board Fund - \$1,881,000.00 - **DISTRICT A - STARDIG**

**36. Ordinance 2014-0696**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 9.66 acres commonly known as **21147 SH 249, HOUSTON, HARRIS COUNTY, TEXAS**; supporting issuance of Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability - **DISTRICT A - STARDIG**

**37. Ordinance 2014-0697**

ORDINANCE consenting to the addition of 19.4657 acres of land to **BAMMEL UTILITY DISTRICT**, for inclusion in its district

**38. Ordinance 2014-0698**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 537**, and authorizing the district to issue bonds for road facilities within the City of Houston subject to certain conditions - **DISTRICT C - COHEN**

**39. Ordinance 2014-0699**

ORDINANCE consenting to the addition of 18.35 acres of land to **RICEWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**40. Ordinance 2014-0700 – Passed first reading**

ORDINANCE granting to **TNT WASTE CONTAINER SERVICE, LLC, A Texas Limited Liability Company**, 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** - NUMBER 41

**MISCELLANEOUS**

**41. Motion 2014-0665**

**SET A PUBLIC HEARING DATE** on the re-adoption of Article XII Chapter 32, Code of Ordinances, City of Houston, regarding Standards of Care for the Houston Parks & Recreation Department youth recreation programs  
**HEARING DATE - 9:00 A. M. - WEDNESDAY - JULY 16, 2014**

**MATTERS HELD** - NUMBERS 42 through 44

**Motion 2014-0666 – Council to use matrix when considering Item 42**

42. Consideration of proposed amendments to Item 42A below, submitted in writing on June 25, 2014 by Council Members Stardig, Davis, Martin, Pennington, Gonzalez, Gallegos, Laster, Green and Bradford, as set forth in the attached Exhibits 1-17 - **TAGGED BY COUNCIL MEMBER GONZALEZ**

**Motion 2014-0674 - Written motion by Council Member Stardig to amend Item 42a as follows:**

“Amendment 1: The City of Houston shall adopt a “Neighborhood Matching Grant Program (NMGP)” to match privately raised funds for the purposes of constructing permanent traffic calming devices. An additional \$400,000 shall be added to the NMGP and shall be administered by the Neighborhood Traffic Management Program (NTMP). After receiving temporary traffic calming devices through the NTMP, if a neighborhood raises half of the money to make the approved temporary measures permanent, the NMGP shall match these funds and provide engineering options.

Amendment 2: The City of Houston shall allocate \$100,000 for design purposes for Alabonson Park.

Amendment 3: The City of Houston shall allocate \$365,000 for purposes of the Houston Parks and Recreation Department to take over and improve the Inwood Forest Golf Course Maintenance Shed. This shed will be used by the Parks and Recreation Department to store vehicles and equipment for the purpose of park maintenance.

Amendment 4: The City of Houston shall allocate \$100,000 for design purposes of Sherwood Oaks Park.

- **Adopt**

**Motion 2014-0669 - Written motion by Council Member Davis to amend Item 42a as follows:**

“Within 90 days, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be limited to a maximum of 40% of funds expended from the DDSRF.

**Written motion by Council Member Davis to amend Item 42a as follows:**

In order to establish a legal, but faster and more simplified method to quickly address minor neighborhood issues, this Amendment allocates \$6,000,000.00 to establish a Council District Service Budget to be designated from the Dedicated Drainage Street Renewal Fund (DDSRF) METRO Project Construction Fund No. 4040. Each of the eleven District Council Members shall be allocated an equal amount from the \$6,000,000.00 to be utilized by district council members based on neighborhood needs and constituents’ input in determining what money (from this specific allocation) would be spent on what issues, subject to approval by the Mayor. The Mayor’s consideration shall be finalized no later than 10 business days after a council member’s specific project proposal. If any District Council member does not accept or rejects their respective allocation, that portion shall be further divided on a pro rata basis among other supporting District Council Members.

The Council District Service Budget shall be funded no later than thirty (30) days after the FY2015 CIP Budget is approved.

Funding Source: METRO Projects Construction Fund No. 4040 – DDSRF (\$6,000,000.00)

- **Withdrawn**

**MATTERS HELD** - continued

Item 42 – continued

**Motion 2014-0668 - Written motion by Council Member Davis to amend Item 42a as follows:**

“Council Member Davis amendment 7.02 passed as part of the approved Fiscal Year 2015 operating budget states:

1. Funds in the Dedicated Drainage & Street Renewal Fund shall not be encumbered beyond what is contractually and or legally required to meet annual payments.
2. The Dedicated Drainage & Street Renewal Fund (DDSRF) Planned Ending Fund Balance shall be budgeted to exceed 10% of the DDSRF Budget.

The total budget for the DDSRF in the Fiscal Year 2015 approved budget is \$281,366,173. Ten percent of DDSRF total budget is \$28,136,617. The Fiscal Year 2015 Proposed Budget DDSRF Planned Ending Fund Balance was \$59,483,173. This effectively frees up \$31,346,556 (formerly held in Planned Ending Fund Balance) for transfer to capital projects.

To reflect this transfer, to remove negative contingency amounts in both the storm drainage and the street and traffic programs (which fully fund Fiscal Year 2015 projects), and to increase expenditures for street and drainage projects citywide in Fiscal Year 2015, we move to amend the Fiscal Year 2015-2019 Capital Improvement Plan as follows:

Of the now freed \$31,346,556 from DDSRF Planned Ending Fund Balance: allocate \$10,218,000 to Fiscal Year 2015 Storm Drainage Project: Contingencies (M-0000NA); allocate \$1,498,000 to Fiscal Year 2015 Street and Traffic Project: Contingencies (N-0000NA); and allocate the remaining \$9,630,556 to the following line items (distribution to be determined by Public Works and Engineering Department):

- M-420126 – Local Drainage Program (LDP): Location V
- N-321038 – Concrete Panel Replacement Program: Location V
- N-321039 –Roadway Surface Replacement Program: Location V

- **Adopt**

**Motion 2014-0678 - Written motion by Council Member Martin to amend Item 42a as follows:**

“**Amendment 1:** Amend the Capital Improvement Plan to only include district specific projects. If a CIP project is for the benefit of the entire City of Houston, it shall not be designated to a specific district.

Example: All wastewater treatment facilities fall within District E, however they are serving the entire City of Houston but are “designated” under the CIP as District E projects. Within District B, the main BARC facility and mounted patrol are both designated to the district CIP, even though they are serving the entire City of Houston.

- **Adopt**

**Written motion by Council Member Martin to amend Item 42a as follows:**

**Amendment 2:** Designate \$50,000 for Wilson Memorial Park pool improvements and eliminate the unsecure mote. Please note this amount is based on an estimate, no study or pre-design has been done to identify actual costs.

- **Withdrawn**

**Written motion by Council Member Martin to amend Item 42a as follows:**

**Amendment 3:** Allocate \$50,000 for feasibility and design study of a community center located at the site of Sylvan Rodriguez Park in the south sector of District E.

- **Withdrawn**

**MATTERS HELD** - continued

Item 42 – continued

**Motion 2014-0680 - Written motion by Council Member Martin to amend Item 42a as follows:**

**Amendment 4:** Allocate funding for improvements to Freeway Manor Park. Add (5) park benches and improvements to asphalt.

The cost forecast to replace all the asphalt trail at Freeway Manor (approximately one mile of trail) would be:

\$820,000 Construction  
\$123,000 Design  
\$16,000 Testing  
\$41,000 Contingency  
\$35,000 Project/Construction Management  
**\$1,035,000 TOTAL**

Funding requested for the Freeway Manor Trail replacement would be needed over a two year period (Design in one year and construction in the following year.)

- **Adopt substitute to approve \$250,000 for FY2015 for trails and exclude benches**

**Written motion by Council Member Pennington to amend Item 42a as follows:**

“Amendment 1: I move to amend CIP Item #N-240001 (Westerland Dr. Bridge at HCFCD Ditch) by changing the City Council District Location to “F”.

- **Withdrawn**

**Written motion by Council Member Pennington to amend Item 42a as follows:**

Amendment 2: I move to amend WBS # T-0512A in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H”.

- **Withdrawn**

**Written motion by Council Member Pennington to amend Item 42a as follows:**

Amendment 3: I move to amend WBS # T-0512B in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H”.

- **Withdrawn**

**Written motion by Council Member Pennington to amend Item 42a as follows:**

Amendment 4: I move to amend WBS # T-0513 in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H”.

- **Withdrawn**

**Written motion by Council Member Pennington to amend Item 42a as follows:**

Amendment 5: I move to amend WBS # T-1917 in the TIRZ No. 19 Upper Kirby Redevelopment Authority CIP by changing the City Council District Location to “C”.

- **Withdrawn**

**MATTERS HELD** - continued

Item 42 – continued

**Written motion by Council Member Pennington to amend Item 42a as follows:**

Amendment 6: I move to amend the general form of CIP used annually by each department such that by the FY2016 CIP, any project which has been broken down into or is comprised of “sub-projects” or “phases” shall: (i) within the “Project Description”, clearly and distinctly identify the various sub-projects within the CIP by the scope of work to be performed or by the street segment limits or location of such work; (ii) within the “Project Description”, clearly and distinctly identify which of the sub-projects or phases are funded by the current CIP; (iii) within the “Project Description”, clearly and distinctly identify with regard to each expenditure (whether planning, design, land acquisition, construction, equipment, civic art, salary recovery or other) to which sub-project or phase such allocation is attributable; and (iv) using the best information available to the Department, provide a best estimate of when any sub-projects not currently funded on the CIP will be funded. Without limitation of the generality of the foregoing, this new form shall be used by the Public Works & Engineering Department in its descriptions of the following CIPs:

- M-000247 (two (2) sub-projects)
- M-000265 (two (2) sub-projects)
- M-410006 (two (2) sub-projects)
- M-410007 (two (2) sub-projects)
- M-410009 (three (3) sub-projects)
- M-410015 (three (3) sub-projects)
- M-410016 (two (2) sub-projects)
- M-410290 (two (2) sub-projects)
- N-000386 (four (4) sub-projects)
- N-000784 (two (2) sub-projects)
- N-000806 (two (2) sub-projects)
- N-100011 (two (2) sub-projects)
- N-100017 (three (3) sub-projects)
- N-100022 (two (2) sub-projects)
- N-100023 (two (2) sub-projects)
- N-100029 (two (2) sub-projects)
- N-210004 (two (2) sub-projects)

- **Withdrawn**

**Motion 2014-0671 - Written motion by Council Member Gonzalez to amend Item 42a as follows:**

“Funds were previously reprogrammed to the City’s requested betterment at Harrisburg from a project previously programmed in District H. These funds are no longer needed at Harrisburg and shall be reprogrammed back to the district. Therefore, amend the FY15-19 CIP by adding the following project:

N-000818 Street Project on Fulton (from Quitman to Hogan) in Council District H for the amount of \$4,134,000 in Fiscal Year 2015.

Funding Source: N-000670 Railroad Crossing Improvements Fund 4040 – METRO Projects Construction – DDSRF. The Water & Sewer funds needed to complete the project, as required and appropriate for improvements to those systems, shall be added as needed.

- **Adopt**

**MATTERS HELD** - continued

Item 42 – continued

**Motion 2014-0672 – Written motion by Council Member Gallegos to amend Item 42a as follows:**

“Funds were previously reprogrammed to Harrisburg Boulevard from a project originally programmed in District I. These funds are no longer needed at Harrisburg and shall be reprogrammed back to District I. Therefore, amend the FY15-19 CIP by adding the following project:

- N-00TBD2 Project To Be Determined in Council District I for the amount of \$3,171,000 to be divided as follows: \$1,000,000 in Fiscal Year 2015 and \$2,0171,000 in Fiscal Year 2016

Funding Source: N-000670 Railroad Crossing Improvements Fund 4040 – METRO Projects Construction – DDSRF. The Water & Sewer funds needed to complete the project, as required and appropriate for improvements to those systems, will be added once the projects are determined.

- **Adopt**

**Motion 2014-0675 - Written motion by Council Member Laster to amend Item 42a as follows:**

“Amendment 1: I move to amend the FY15 CIP budget by increasing funding for the Neighborhood Traffic Management Program to \$500,000.00.

- **Adopt**

**Motion 2014-0679 - Written motion by Council Member Laster to amend Item 42a as follows:**

“Amendment 2: I move to amend the budget to provide that a minimum baseline of not less than one percent (1%) annual CIP budget be allotted for each Council District. (District A-K)

- **Adopt**

**Written motion by Council Member Green to amend Item 42a as follows:**

“Amendment 1: Allocate \$2,000,000.00 toward the replacement of esplanade, roadway, and residential curbs.

Amendment 2: Allocate \$1,000,000.00 toward the Neighborhood Traffic Management Program for speed cushions.

Amendment 3: Within 90 days, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be allocated no less than 40% of funds expended from the DDSRF.

Amendment 4: Within 90 days, local street projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be allocated no less than 60% of funds expended from the DDSRF.

- **Withdrawn**

**MATTERS HELD** - continued

Item 42 – continued

**Motion 2014-0667 - Written motion by Council Member Bradford to amend Item 42a as follows:**

“In order to establish a legal, but faster and more simplified method to quickly address neighborhood issues, this Amendment allocates up to \$6,000,000.00 from the Unused General Obligation Fund Balance to establish a Capital Improvement Council District service Project Program. If the \$6,000,000.00 is not available, the remainder or balance shall be taken from the Dedicated Drainage Street Renewal Fund (DDSRF). Each of the eleven District Council Members shall be allocated an equal amount of the \$6,000,000.00 to be utilized by district council members based on neighborhood needs and constituents’ input in determining what money (from this specific allocation) would be spent on projects as permitted by voter authorized category, State law, City Charter, ordinances, contractual obligations, and with approval by the Mayor. The Mayor’s consideration shall be finalized no later than 10 days after a council member’s specific project proposal. If any District Council member does not accept or rejects their respective allocation, that portion shall be further divided on a pro rata basis among other supporting District Council Members. Capital Improvement Council District Service Project funds could be used to quickly address neighborhood issues such as, including but not limited to, sidewalks, street and drainage issues.

The Capital Improvement Council District Service Project Program shall be funded no later than sixty (60) days after the FY2015-2019 Capital Improvement Plan Budget is approved.

**Funding Options:** (\$6,000,000.00)  
FY2014 Unused General Obligation Fund Balance

Dedicated Drainage Street Renewal Fund (DDSRF)  
- **Adopt**

a. **Motion 2014-0682 – Adopt as amended**

RECOMMENDATION from Director Finance Department to approve the Fiscal Year 2015-2019 Capital Improvement Plan (CIP) and establish a charge of \$75.00 plus postage for the adopted CIP documents and a charge of \$5.00 plus postage for a CD version

**TAGGED BY COUNCIL MEMBER GONZALEZ**

This was Item 1 on Agenda of June 25, 2014

43. Consideration of proposed amendments to Item 43A below, submitted in writing on June 25, 2014 by Council Members Davis, Green, Costello and Bradford, as set forth in the attached Exhibits 18-22 - **TAGGED BY COUNCIL MEMBERS GREEN and COSTELLO**

**MATTERS HELD** - continued

Item 43 – continued

**Motion 2014-0686 – Amend Item 43a to provide a review of guidelines after first project and before the second P3 project**

**Motion 2014-0683 – Written motion by Council Member Green to amend Item 43a as follows:**

“I move to amend the proposed agreement to Section B, entitled “P3 Plans” by adding subsection G:

G: A comprehensive utilization plan that defines the methodology that will ensure MWBE and Hire Houston First maximum opportunity to participate in the City of Houston P3 Programs.

The Plan shall include, but not limited to the following:

- 1) Establishing a monitoring system to ensure that all contractors, sub-contractors, consultants, and vendors comply with the City of Houston Hire Houston First MWSBE programs.
- 2) Develop an availability/capability matrix for local firms and MWSBEs.
- 3) Identify skills and areas of expertise that are likely to be needed but do not appear to be available currently for local firms and MWSBE enterprises.
- 4) Conduct targeted outreach programs to assure that all local firms, MWSBEs and all interested parties are aware of the P3 opportunity.
- 5) Encourage the formation of business alliances among MSWBEs, Hire Houston First firms, and larger firms which provide opportunities.
- 6) Assisting local firms and MSWBE’s with bonding, insurance, and financing needs; conducting in depth assessments of local firms and MSWBEs to determine technical, financial, and managerial capabilities and provide assistance based on needs through identification through mentor firms.

- **Adopt**

**Written motion by Council Member Davis to amend Item 43a as follows:**

“I move to amend Exhibit A (City of Houston, Texas Guidelines For Public- Private Partnerships) Article VIII. (City’s P3 Oversight Committee) paragraph A. by adding the following language:

“Position 8: A representative designated in writing by City Council”

And amending paragraph C. by adding the underlined language as follows:

“C. Members of the Committee do not serve for specific terms. Subject to Section VIII (B) immediately above, new members may be designated to the above Positions by the Mayor, by City Council, or by the respective Department Director as needed. Names of the members of the Committee and any changes in the Committee’s membership will be announced at the City’s Procurement Website as promptly as circumstances allow.”

- **Withdrawn**

**MATTERS HELD** - continued

Item 43 – continued

**Motion 2014-0684 - Written motion by Council Member Bradford to amend Item 43a as follows:**

“I move to amend Article VIII by adding Position 8.

**ARTICLE VIII. CITY’S P3 OVERSIGHT COMMITTEE**

- A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing “independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal...”

The members of the Committee are as follows:

- Position 1 (Chair): The P3 Representative
- Position 2: A representative designated in writing by the Director of the City’s General Services Department
- Position 3: A representative designated in writing by the Director of the City’s Public Works & Engineering Department.
- Position 4: A representative designated in writing by the Director of the City’s Finance Department.
- Position 5: An attorney licensed to practice law in Texas designated in writing by the City Attorney.
- Position 6: A representative designated in writing by the Director of the City’s Planning & Development Department.
- Position 7: A representative designated in writing by the Mayor.
- Position 8: A citizen representative designated in writing by the City Council.

- **Adopt**

**Written motion by Council Member Bradford to amend Item 43a as follows:**

“I move to amend Article VIII by adding Position 8.

**ARTICLE VIII. CITY’S P3 OVERSIGHT COMMITTEE**

- A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing “independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal...”

The members of the Committee are as follows:

- Position 1 (Chair): The P3 Representative
- Position 2: A representative designated in writing by the Director of the City’s General Services Department
- Position 3: A representative designated in writing by the Director of the City’s Public Works & Engineering Department.
- Position 4: A representative designated in writing by the Director of the City’s Finance Department.
- Position 5: An attorney licensed to practice law in Texas designated in writing by the City Attorney.
- Position 6: A representative designated in writing by the Director of the City’s Planning & Development Department.
- Position 7: A representative designated in writing by the Mayor.
- Position 8: A representative designated in writing by the City Council.
- Position 9: A representative designated in writing by the City Council.

- **Withdrawn**

**MATTERS HELD** - continued

Item 43 – continued

**Motion 2014-0685 - Written motion by Council Member Costello to amend Item 43a as follows:**

"I move to amend the Guidelines for Public-Private Partnerships as follows:

Article V. Overview of P3 Program

- H. Absent an ordinance passed by the City Council, the City may not enter into more than ~~five~~ three Comprehensive P3 Agreements (defined in Article XI below) in the same fiscal year.
- I. Absent an ordinance passed by the City Council, the City may not enter into a Comprehensive P3 Agreement unless the Proposer is reasonably likely to expend more than \$25 million to provide the Qualifying Project.

- **Adopt**

**a. Resolution 2014-0027 – As amended**

RESOLUTION adopting guidelines for the City's participation in public-private partnerships

**TAGGED BY COUNCIL MEMBERS GREEN and COSTELLO**

This was Item 21-1 on Agenda of June 25, 2014

**Motion 2014-0670 – Suspend rules to remain session beyond the scheduled 12 noon recess**

**44. Ordinance 2014-0706**

ORDINANCE appropriating \$2,195,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for E. Coli Compliance–Chlorination Systems for Turkey Creek, Westway, and Kingwood West Wastewater Treatment Plants; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; E - MARTIN and G - PENNINGTON** - **TAGGED BY COUNCIL MEMBER MARTIN**

This was Item 52 on Agenda of June 25, 2014

**Motion 2014-0673 – Recess for ten (10) minutes**

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

**7/8/2014 - Council Member Martin absent on personal business**

**7/9/2014 - All present**