

AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 22, 2015 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2015-0900 to 2015-0919
ORDINANCES - 2015-1307 to 2015-1321
RESOLUTION - 2015-0055

2015-0899-1

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

9:00 A. M. - INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Kubosh

ROLL CALL AND 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

HEARINGS - 9:00 A.M.

1. Pulled-Not Considered

PUBLIC HEARING regarding the designation of the **FAIRWAY ENERGY PARTNERS, LLC REINVESTMENT ZONE** for tax abatement purposes - **DISTRICT K - GREEN**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 32

MISCELLANEOUS - NUMBERS 2 through 9

2. Motion 2015-0900

REQUEST from Mayor for confirmation of the appointment or reappointment to the **GREATER NORTHSIDE MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for terms to expire June 1, 2019:

- Position One - **EDWIN CAVIEDES**, appointment
- Position Two - **JOSE A. GALINDO**, reappointment
- Position Three - **SANDRA R. CLARK**, reappointment
- Position Four - **DUY BUI**, reappointment
- Position Five - **MARY M. LAWLER**, reappointment

MISCELLANEOUS - continued

3. Motion 2015-0901

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HISTORIC PRESERVATION APPEALS BOARD OF THE CITY OF HOUSTON**, for terms to expire December 2, 2017:

- Position One - **CAROL A. LEWIS**
- Position Two - **JD BARTELL**
- Position Three - **BETTY TRAPP CHAPMAN**
- Position Four - **FERNANDO L. BRAVE**
- Position Five - **MADELEINE G. APPEL**

4. Motion 2015-0902

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION**:

- Position One - **JORGE GARCIA-HERREROS**, reappointment, for a term to expire 3/1/2017
- Position Two - **MINNETTE BICKEL BOESEL**, appointment, for an unexpired term ending 3/1/2016, and appointment, for a term to expire 3/1/2018
- Position Four - **EDIE ARCHER**, reappointment, for a term to expire 3/1/2018
- Position Nine - **EMILY ARDOIN**, appointment, for an unexpired term ending 3/1/2017

5. Motion 2015-0903

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON HOUSING FINANCE CORPORATION**:

- Position Two - **SHARONE MAYBERRY**, appointment, for a term to expire 12/5/2018
- Position Three - **CAROLYN S. MATTHEWS**, reappointment, for a term to expire 12/5/2017
- Position Four - **TOM MCCASLAND**, appointment, for a term to expire 12/5/2018
- Position Five - **REDICK EDWARDS**, reappointment, for a term to expire 12/5/2017
- Position Six - **R. RICHARD KILDAY**, reappointment, for a term to expire 12/5/2018
- Position Seven - **JOHN R. BRODIE**, reappointment, for a term to expire 12/5/2017
- Position Eight - **JOHN A. GONZALES**, reappointment, for a term to expire 12/5/2018
- Position Nine - **DANA KERVIN**, reappointment, for a term to expire 12/5/2017
- Position Ten - **CATHERINE LE**, appointment, for a term to expire 12/5/2018
- Position Twelve - **ALBERT MAGILL**, reappointment, for a term to expire 12/5/2018

6. Motion 2015-0904

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **MILLER THEATRE ADVISORY BOARD**:

- Position Six - **JUNE DEADRICK**, reappointment, for a term to expire 4/24/2018
- Position Eight - **ALLEN W. UECKERT**, reappointment, for a term to expire 4/24/2018
- Position Nine - **JOSHUA ESPINEDO**, appointment, for a term to expire 4/24/2017
- Position Ten - **JENNY A. YANG**, reappointment, for a term to expire 4/24/2017
- Position Eleven - **NORMA SANTOS-MENDOZA**, reappointment, for a term to expire 4/24/2018
- Position Twelve - **ROMULO TIM CISNEROS**, reappointment, for a term to expire 4/24/2017
- Position Thirteen - **GRACE OLIVARES**, reappointment, for a term to expire 4/24/2018
- Position Fifteen - **HAL L. ROACH, JR.**, reappointment, for a term to expire 4/24/2019
- Position Seventeen - **VERONICA LETICIA GARCIA**, appointment, for a term to expire 4/24/2019
- Position Eighteen - **PHYLLIS Y. YOUNG**, appointment, for a term to expire 4/24/2017
- Position Nineteen - **MIRIAM MITCHELL MEYERS**, reappointment, for a term to expire 4/24/2019
- Position Twenty - **CATHERINE CAMPBELL BROCK**, reappointment, for a term to expire 4/24/2018
- Position Twenty-one - **RODNEY E. NATHAN**, reappointment, for a term to expire 4/24/2019

MISCELLANEOUS - continued

7. Motion 2015-0905

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER FIVE, CITY OF HOUSTON, TEXAS (MEMORIAL HEIGHTS ZONE)**:

Position Two - **ANN LENTS**, reappointment, for a term to expire 12/31/2017, and as Chair, for a term to ending 12/31/2016

Position Four - **JANICE HALE HARRIS**, appointment, for a term to expire 12/31/2017

8. Motion 2015-0909

RECOMMENDATION from Chief of Police to extend unpaid Leave of Absence for **Senior Police Telecommunicator, LAURA HERRERA**

9. Motion 2015-0910

RECOMMENDATION from Director Department of Public Works approving the naming of the Homestead Grade Separation Bridge as the **LESTER HOWARD BRIDGE - DISTRICT B - DAVIS**

ACCEPT WORK - NUMBERS 10 and 11

10. Motion 2015-0906

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$683,880.10 and acceptance of work on contract with **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation, (4277-48) - 0.223% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; F - NGUYEN; G - PENNINGTON; H - GONZALEZ; I - GALLEGOS; J - LASTER and K - GREEN**

11. Motion 2015-0907

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,179,690.37 and acceptance of work on contract with **T CONSTRUCTION, LLC** for Work Order Contract for Small Diameter Waterlines - 21.35% under the original contract amount - **DISTRICTS B - DAVIS; I - GALLEGOS and K - GREEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 and 13

12. Motion 2015-0908

IDEXX DISTRIBUTION, INC for Snap Test Kits for the Administration & Regulatory Affairs Department - 3 Years with two one-year options - \$931,129.82 - General Fund

13. Motion 2015-0912

HOUSTON FREIGHTLINER, INC - \$72,550.00 and **TEXAN WASTE EQUIPMENT, INC d/b/a HEIL OF TEXAS** - \$72,719.00 for Refuse Truck through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and Texas Local Government Purchasing Cooperative (BuyBoard) for the Solid Waste Management Department - General Fund

ORDINANCES - NUMBERS 14 through 32

14. Ordinance 2015-1310

ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **FIFTH WARD COMMUNITY REDEVELOPMENT CORPORATION** to provide \$2,000,000.00 of Federal Community Development Block Grant Funds to assist with renovation of a 165 unit Affordable Seniors Housing Community located at the intersection of Lyons Avenue and Pannell Street in Houston, Texas; approving and authorizing an amendment, modification and Assumption Agreement among the City of Houston, **PLEASANT HILL COMMUNITY DEVELOPMENT CORPORATION, PLEASANT HILL COMMUNITY APARTMENTS, L.P.** and **PLEASANT HILL SENIORS, 165, L.P.** pertaining to a prior loan of \$757,000.00 for costs related to the construction of the foregoing project - **DISTRICT B - DAVIS**

15. Ordinance 2015-1311

ORDINANCE approving and authorizing City of Houston to enter into a Compromise and Settlement Agreement with **LEISURE LIFE SENIOR APARTMENT HOUSING, LTD., LEISURE LIFE - CHIMNEY ROCK**, and **CHARLES MILLER** related to a loan of Community Development Block Grant Funds which funded a portion of the costs to acquire and rehabilitate a 223 unit affordable housing complex for low and very low income elderly residents, known as the Park at Bellaire Apartments, located at 6333 Chimney Rock, Houston, Texas - **DISTRICT J - LASTER**

16. Ordinance 2015-1312

ORDINANCE tabulating the votes cast and canvassing the returns of the City of Houston Runoff Election held on December 12, 2015; making various findings and provisions related to the subject; declaring the Official Results of the Runoff Election

17. Ordinance 2015-1313

ORDINANCE relating to the rescheduling or postponement of certain city council meetings

18. Ordinance 2015-1314

ORDINANCE providing for an ad valorem tax exemption on the significant historic structure located at **308 Main Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - GALLEGOS**

19. Ordinance 2015-1315

ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **BLACK FOREST VENTURES AVIATION RE, LLC, INC**, for certain premises at William P. Hobby Airport - **DISTRICT I - GALLEGOS**

20. Not Received - Not Considered

ORDINANCE appropriating \$5,400,385 out of HAS Consolidated ITRP AMT Construction Fund and \$72,614 out of Airports Improvement Fund and approving and authorizing contract for Construction-Manager-At-Risk Services between the City of Houston and **AUSTIN-GILBANE, JOINT VENTURE**, for the IAH Mickey Leland International Terminal (Project No. 826); providing funding for the Civic Art Program - **DISTRICT B - DAVIS**

21. Not Received - Not Considered

ORDINANCE appropriating \$50,095,000 out of HAS Consolidated ITRP AMT Construction Fund and \$674,239 out of Airports Improvement Fund and approving and authorizing Professional Services Contract between the City of Houston and **FENTRESS ARCHITECTS, LTD.** for Architectural and Engineering Design Services for the IAH Mickey Leland International Terminal (Project No. 826); providing funding for the Civic Art Program **DISTRICT B - DAVIS**

ORDINANCES - continued

22. Not Received - Not Considered

ORDINANCE appropriating \$5,500,000 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **MARSH USA, INC** for the Owner Controlled Insurance Program in support of the IAH Terminal Redevelopment Program (Project No. 810) - **DISTRICT B - DAVIS**

23. Not Received - Not Considered

ORDINANCE appropriating \$4,733,000 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **HENSEL PHELPS CONSTRUCTION CO.** for Landside Enabling Utilities in support of the IAH Terminal Redevelopment Program (Project No. 822); providing funding for contingencies **DISTRICT B - DAVIS**

24. Not Received - Not Considered

ORDINANCE appropriating \$2,477,693 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **TEXAS STERLING - BANICKI, JV LLC** for the East Aircraft Parking Hardstand Project in support of the IAH Terminal Redevelopment Program (Project No. 823) - **DISTRICT B - DAVIS**

25. Ordinance 2015-1321

ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for a Category 12 Strategic Priority Project (IH 10 Noise Reduction) - **DISTRICT G - PENNINGTON**

26. Ordinance 2015-1307

ORDINANCE appropriating \$11,710.31 out of Fire Consolidated Construction Fund as an additional appropriation; approving and authorizing first amendment to agreement between the City of Houston and **AIA GENERAL CONTRACTORS, INC** for Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 34 - **DISTRICT H - GONZALEZ**

27. Ordinance 2015-1308

ORDINANCE awarding Construction Contract to **GADBERRY CONSTRUCTION COMPANY, INC** for Brays Bayou Tiger #6 Trail Improvements (MLK-OST); 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 - Houston Parks Board Fund - **DISTRICTS D - BOYKINS and I - GALLEGOS**

28. Ordinance 2015-1309

ORDINANCE appropriating \$980,000.00 out of Parks Consolidated Construction Fund, and \$489,250.00 out of Parks & Recreation Dedication Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for Wildheather Park; 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 services, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, the Parks and Recreation Dedication Fund, and the General Fund **DISTRICT K - GREEN**

29. Ordinance 2015-1316

ORDINANCE **AMENDING** certain volumes of the City of Houston Construction Code and the City of Houston Fire Code

ORDINANCES - continued

30. Ordinance 2015-1317

ORDINANCE approving and authorizing first amendment to Untreated Water Supply Contract between the City of Houston and **ENTERPRISE HOUSTON SHIP CHANNEL, LP** (Approved by Ordinance No. 1996-210)

31. Pulled-Not Considered

ORDINANCE No. 2015-1237, passed second reading December 16, 2015

ORDINANCE granting to **NORTHSTAR DEMOLITION AND REMEDIATION, LP, A Texas Limited Partnership**, 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 - **THIRD AND FINAL READING**

32. Ordinance 2015-1318

ORDINANCE amending Ordinance No. 2015-1258 to provide a maximum contract amount for the amended and restated interlocal agreement between the City and **HOUSTON CIVIC EVENTS, INC.**, a Local Government Corporation

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 33 through 36

33. Motion 2015-0913 – Adopt

MOTION by Council Member Gonzalez/Seconded by Council Member Costello to adopt recommendation from Director Planning and Development Department to modify and establish existing user fees - **TAGGED BY COUNCIL MEMBERS KUBOSH and ROBINSON**
This was Item 14 on Agenda of December 16, 2015

Motion 2015-0914 – Refer Item 34 back to the Administration – “FAILED”

34. Ordinance 2015-1319

ORDINANCE approving the creation of the Planning and Development Special Revenue Fund (“The Fund”) with zero beginning fund balance to receive revenues from development-related fees for the Planning and Development Department (The “Department”); establishing the sources and uses of the funds therein for the operation, maintenance and support of the Department’s Development related programs and functions; appropriating any and all funds received into the fund for the purposes set out herein and authorized expenditures consistent with the purpose thereof; approving the budget for the fund attached as Attachment A

This item should only be considered after approval of Item 32 above

TAGGED BY COUNCIL MEMBERS KUBOSH AND ROBINSON

This was Item 15 on Agenda of December 16, 2015

MATTERS HELD - continued

Motion 2015-0915 – Suspend rules to remain in session beyond the scheduled noon recess to complete the agenda

Motion 2015-0916 – Suspend rules to hear from Lisa Helfman, Representative of HEB relative to Item 35

Motion 2015-0917 – Call the question on Item 35

Motion 2015-0918 – Refer Item 35 back to the Administration – “FAILED”

35. Resolution 2015-0055

RESOLUTION supporting the creation of quality jobs and the provision of healthy food alternatives to serve the Third Ward and surrounding communities, including people living in food deserts, through development of a full service grocery store on publicly owned land near SH 288 and MacGregor Way - **DISTRICT D - BOYKINS**

TAGGED BY COUNCIL MEMBERS GREEN AND DAVIS

This was Item 33 on Agenda of December 16, 2015

36. Ordinance 2015-1320

ORDINANCE dedicating certain property generally known as Buffalo Bayou Park (The "Park") as a public park pursuant to that certain construction, operating and Management Agreement among **BUFFALO BAYOU PARTNERSHIP, HARRIS COUNTY FLOOD CONTROL DISTRICT, REINVESTMENT ZONE NUMBER THREE, DOWNTOWN REDEVELOPMENT AUTHORITY**, and the City of Houston, subject to all prior usages for other public purposes, all previous dedications for use for other public purposes and all granted easements; accepting title to certain improvements within the park pursuant to the dedication

TAGGED BY COUNCIL MEMBERS LASTER AND STARDIG

This was Item 49 on Agenda of December 16, 2015

Motion 2015-0919 – Suspend rules to allow Joseph Charles to speak for two (2) 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

12/22/2015 - All present