

AGENDA - COUNCIL MEETING - TUESDAY - MAY 5, 2015 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2015-0287 to 2015-0307
ORDINANCES – 2015-0394 to 2015-0418
RESOLUTIONS – None

2015-0286-1

1:30 P. M. - PRESENTATIONS

2:00 P.M. - INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Boykins

ROLL CALL AND 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 2015-0287 – Procedural motion

Motion 2015-0288 – Procedural motion

Motion 2015-0289 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 6, 2015 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **Motion 2015-0298 – Close hearing**

PUBLIC HEARING on proposals for the City of Houston to enter into separate strategic partnership agreements or amended and restated strategic partnership agreements with the below named districts in Harris County and Fort Bend County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on a separate proposal by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts:

1. **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 16**
2. **TRAIL OF THE LAKES MUNICIPAL UTILITY DISTRICT**
3. **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 133**
4. **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1**
5. **MALCOMSON ROAD UTILITY DISTRICT**

HEARINGS - 9:00 A.M.

2. Motion 2015-0299 – Close hearing

PUBLIC HEARING on the granting of a pipeline easement through a portion of Blackhawk Park to Fairway Energy Partners, LLC

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 38

MISCELLANEOUS - NUMBERS 3 through 9

Motion 2015-0290 – Suspend rules to consider Items 3 through 9 prior to the hearings

3. Motion 2015-0291

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE HOUSTON AMATEUR SPORTS PARK LGC, INC:**

- Position One - **CARLOS SHARPLESS**, reappointment, for a term to expire 1/1/2017
- Position Two - **JACKQUINE M. SWINDLE**, appointment, for a term to expire 1/1/2017
- Position Three - **ROKSAN OKAN-VICK**, reappointment, for a term to expire 1/1/2017
- Position Six - **MAXIMILIANO CÁRDENAS, III**, reappointment, for a term to expire 1/1/2018
- Position Seven - **MARTIN FOX**, reappointment, for a term to expire 1/1/2018

4. Motion 2015-0292

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

- Position Six - **MARTIN BASALDUA**, reappointment, for a term to expire 12/31/2016
- Position Seven - **ROGER BROWN**, Humble ISD, appointment, for a term to expire 12/31/2015

5. Motion 2015-0293

REQUEST from Mayor for confirmation of the reappointment of **VERGIL R. RATLIFF**, to Position Two of the **GREATER HARRIS COUNTY 911 EMERGENCY NETWORK BOARD OF DIRECTORS**, for a term to expire September 30, 2016

6. Motion 2015-0294

REQUEST from Mayor for confirmation of the appointment of **CHRISTY CHATHAM**, to Position Five of the **PUBLIC SAFETY ADVISORY COMMITTEE**, for a term to expire 7/1/2017

7. Motion 2015-0295

REQUEST from Mayor for confirmation of the reappointment of the following individuals as **Municipal Court Judges** for two year terms:

- | | |
|-------------------------------|-------------------------------|
| SHERILYN DAVIS EDWARDS | MARGARET MUNOZ HARKINS |
| MIMI BERKOWITZ | KIMBERLY MAURA GAMBLE |

8. Motion 2015-0296

REQUEST from Mayor for confirmation of the appointment or reappointment of the following as **Municipal Court Associate Judges** for two year terms:

- | | |
|---|--|
| JOSEFINA M. RENDON , reappointment | GERARDO S. MONTALVO , reappointment |
| TRACIE J. JACKSON , reappointment | KATHRYN DIAZ GARCIA , reappointment |
| NIKITA V. HARMON , appointment | NJERI MATHIS RUTLEDGE , reappointment |
| ELAINE JEFFERSON , reappointment | JOE VILLARREAL , reappointment |
| TOLA ORESUSI , reappointment | |

MISCELLANEOUS - continued

9. Motion 2015-0297

REQUEST from Mayor for confirmation of the appointment of **TERRY A. BRATTON**, to Position Six of the **CITY OF HOUSTON DEFERRED COMPENSATION ADVISORY COMMITTEE**

ACCEPT WORK - NUMBERS 10 and 11

10. Motion 2015-0302

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,393,595.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Hermann Square Park - 13.58% over the original contract amount and under the approved 13.7% contingency - **DISTRICT I - GALLEGOS**

11. Motion 2015-0300

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,393,302.94 and acceptance of work on contract with **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Sagemont Park Area 1 - 0.03% under the original contract amount - **DISTRICT D - BOYKINS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 15

12. Motion 2015-0303

BIO-RAD LABORATORIES, INC for Diagnostic and Virological Test Kits for the Houston Department of Health and Human Services - 3 Years with two one-year options - \$744,744.30 Laboratory Services Fund

13. Motion 2015-0301

AMEND MOTION #2011-407, 5/18/2011, TO EXTEND the term of the spending authority for one-year for On-Call Maintenance and Repair Services for the Department of Public Works & Engineering, awarded to **KELLOGG, BROWN & ROOT, LLC**

14. Pulled-Not Considered

ORDINANCE appropriating \$36,245.16 out of Equipment Acquisition Consolidated Fund for Purchase of Utility Carts for Parks & Recreation Department

15. Pulled-Not Considered

POLARIS SALES, INC for Utility Carts from the State of Texas Procurement and Support Services Contract through the State Cooperative Purchasing Program for Various Departments \$163,422.95 - Enterprise and Equipment Special Revenue Funds
This item should only be considered after passage of Item 14 above

ORDINANCES - NUMBERS 16 through 38

16. Ordinance 2015-0394

ORDINANCE authorizing the issuance of one or more series of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2015 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016; prescribing the terms and form thereof and authorizing the Finance Working Group to determine certain terms and conditions relating thereto; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of a Preliminary Official Statement and Official Notice of Sale to be used in connection with the sale of the Notes; authorizing the preparation and distribution of an Official Statement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement; authorizing a Bond Counsel Agreement and a Special Tax Counsel and Special Disclosure Counsel Agreement; and making other findings and provisions relating to such Notes and matters incident thereto: and declaring an emergency

ORDINANCES - continued

17. Ordinance 2015-0395

ORDINANCE approving a Supplemental Borrowing evidenced by City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2015A to provide for payment of current expenses of the City for a portion of the Fiscal Year beginning July 1, 2015 and ending June 30, 2016; providing for the payment of the principal of and interest on such Notes; authorizing the procedure for determining the terms and conditions of such Notes; authorizing the execution of a Note Purchase Agreement; approving Bond Counsel and Special Tax and Special Disclosure Counsel; making other findings and provisions related to such Notes and matters incident thereto; and declaring an emergency

This item should only be considered after passage of Item 16 above

18. Ordinance 2015-0396

ORDINANCE approving and authorizing Developer Loan Agreement between the City of Houston and **MAYBERRY HOMES, INC**, to provide a Performance-Based Loan in an amount not to exceed \$900,000.00 from Neighborhood Stabilization Program (NSP) Program Income Funds, to cover eligible costs for the development of six affordable single-family homes in NSP Target Areas - **DISTRICT D - BOYKINS**

19. Council Member Stardig

ORDINANCE approving and authorizing contract between the City of Houston and **LOCAL INITIATIVES SUPPORT CORPORATION**, to provide \$164,262.00 in Community Development Block Grant Funds for the administration and operation of a Job Training Program

20. Ordinance 2015-0409

ORDINANCE approving and authorizing the second contingent amendment to the amended and restated Ground Sublease Agreement between **AMELANG PARTNERS, INC** (as Lessor) and the City of Houston (as Lessee) relating to 2.619 acres of land and improvements thereon at 2250-2252 Holcombe Boulevard, Houston, Harris County, Texas, for Health and Human Services Facilities - **DISTRICT D - BOYKINS**

21. Ordinance 2015-0410

ORDINANCE amending City of Houston Ordinance No. 1987-670 to remove the designation as right-of-way from a portion of Avenidas de las Americas within the City of Houston - **DISTRICT I - GALLEGOS**

22. Ordinance 2015-0397

ORDINANCE consenting to the addition of 333.304 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 30**, for inclusion in its district

23. Ordinance 2015-0398

ORDINANCE consenting to the addition of 25.472 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, for inclusion in its district

24. Ordinance 2015-0399

ORDINANCE consenting to the addition of 51.6548 acres of land to **GRANT ROAD PUBLIC UTILITY DISTRICT**, for inclusion in its district

25. Ordinance 2015-0400

ORDINANCE consenting to the addition of 19.5230 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55**, for inclusion in its district

26. Ordinance 2015-0401

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 437**

ORDINANCES - continued

27. Ordinance 2015-0402

ORDINANCE consenting to the addition of 149.25 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 457**, for inclusion in its district

28. Ordinance 2015-0403

ORDINANCE consenting to the addition of 21.295 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 17**, for inclusion in its district

29. Ordinance 2015-0411

ORDINANCE awarding contract to **MAIN LANE INDUSTRIES, LTD** for Fiber Reinforcement Polymer Patching on Concrete Pavements Citywide for the Department of Public Works and Engineering; providing a maximum contract amount - 3 Years with two one-year options \$2,955,500.00 - Dedicated Drainage & Street Renewal Fund

30. Ordinance 2015-0412

ORDINANCE appropriating \$48,000.00 out of Metro Projects Construction DDSRF; approving and authorizing first amendment to Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Upgrade of existing Houston Arterial Traffic Signal System Intersections - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; F - NGUYEN; I - GALLEGOS and J - LASTER**

31. Ordinance 2015-0404

ORDINANCE appropriating \$232,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **LJA ENGINEERING, INC** for Local Drainage Projects Negotiated Work Orders (Approved by Ordinance No. 2012-0227, as amended); and as additional funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF

32. Ordinance 2015-0405

ORDINANCE appropriating \$434,600.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **UNITED ENGINEERS, INC** for Potomac and Nantucket Area Drainage and Paving (Approved by Ordinance No. 2014-0451); and as additional funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT G - PENNINGTON**

33. Ordinance 2015-0415

ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation; approving and authorizing second amendment to Professional Engineering Services Contract between the City of Houston and **KALLURI GROUP, INC** for Plant 1 & 2 Intertie Switchgear and Motor Control Center Replacement at East Water Purification Plant (Approved by Ordinance No. 2012-0222, as amended); providing funding for CIP Salary Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN**

ORDINANCES - continued

34. Ordinance 2015-0413

ORDINANCE appropriating \$3,741,000 out of HAS Airport Improvement Fund and \$10,799,711 out of HAS Consolidated 2004 NON-AMT Construction Fund and awarding Construction Contract to **TEAL CONSTRUCTION COMPANY** for Construction of the EcoPark II Parking Lot at George Bush Intercontinental Airport/Houston (IAH) (Project No. 711); 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 such funds - **DISTRICT B - DAVIS**

35. Ordinance 2015-0406

ORDINANCE approving and authorizing second amendment to agreement for Roof Repair/Replacement Services between the City and **CHARTER ROOFING COMPANY, INC**

36. Ordinance 2015-0407

ORDINANCE appropriating \$21,500.00 out of Street & Traffic Control and Storm Drainage DDSRF; and \$21,500.00 out of Contribution for Capital Projects Fund as an additional appropriation; approving and authorizing first amendment to construction contract between the City of Houston and **ISI CONTRACTING, INC** for Neighborhood Traffic Management Program in the Westwick Subdivision (Approved by Ordinance No. 2014-819) - **DISTRICT A - STARDIG**

37. Ordinance 2015-0408

ORDINANCE appropriating \$557,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **T CONSTRUCTION, LLC** for Wastewater System/Substitute Service Support - Sherman Street; 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, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

38. Ordinance 2015-0414 – Passed first reading

ORDINANCE granting to **PEDRO CISNEROS dba METRO GREASE TRAP**, A Texas Sole Proprietorship, 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 39

MISCELLANEOUS

39. Motion 2015-0304 – Adopt

MOTION TO SET A DATE not less than seven days from May 6, 2015, to receive nominations for At-Large Position 3, Positions B, E, H and K of the **PUBLIC SAFETY ADVISORY COMMITTEE**, for a three-year staggered term ending July 1, 2017

MATTERS HELD - NUMBERS 40 through 47

40. Motion 2015-0305 – Adopt

MOTION by Council Member Bradford/Seconded by Council Member Costello to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Dan Elkins, Kimley-Horn and Associates, on behalf of CRVI Westpoint, L.P., (Elizabeth Good, Vice President), and Buckingham Senior Living Community, Inc., (Jonathan Carrier, Vice President), for abandonment and sale of: 1) two 10-foot-wide water line easements; 2) a water meter easement; 3) a fire hydrant easement; and 4) a 20-foot-wide storm sewer easement, in exchange for conveyance of: 1) a variable width water line easement; 2) a water meter easement; and 3) a 20-foot-wide storm sewer easement, all located in the Creekside Apartments Second Replat and/or the Buckingham Westport Senior Living Community, all out of John D. Taylor League Survey, A-72, Parcels SY15-050A through E, KY15-171A through B, and LY15-013 - **DISTRICT G - PENNINGTON** - **TAGGED BY COUNCIL MEMBER PENNINGTON**

This was Item 5 on Agenda of April 29, 2015

41. Motion 2015-0306 – Adopt

MOTION by Council Member Bradford/Seconded by Council Member Pennington to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Erica Sanchez, Walter P. Moore and Associates, Inc., on behalf of TDC Tanglewood Real Estate Owner, L.L.C., (B. Jeff Knowles, Managing Director, TDC Tanglewood Real Estate Owner, LLC, TDC Tanglewood GP, LLC), for abandonment and sale of a 10-foot-wide utility easement located within Tract B, located within the San Felipe Square Subdivision out of the John D. Taylor Survey, A-72, Parcel SY15-095 **DISTRICT G - PENNINGTON** - **TAGGED BY COUNCIL MEMBER PENNINGTON**

This was Item 9 on Agenda of April 29, 2015

42. Ordinance 2015-0416

ORDINANCE making a general appropriation of certain revenues of the City in support of Annual Budgets for Fiscal year 2015; authorizing certain transfers; amending Ordinance 2014-602 relating to the Houston Civic Events Special Revenue Fund

TAGGED BY COUNCIL MEMBERS LASTER and KUBOSH

This was Item 23 on Agenda of April 29, 2015

43. Ordinance 2015-0417

ORDINANCE approving and authorizing first amendment to contract (Approved by Ordinance No. 2009-1352) between the City of Houston and **TEXHEALTH HARRIS COUNTY 3-SHARE, INC** to Market and provide low cost health benefits to previously uninsured citizens in the City of Houston and Harris County - **TAGGED BY COUNCIL MEMBERS CHRISTIE and LASTER**

This was Item 32 on Agenda of April 29, 2015

44. Ordinance 2015-0418

ORDINANCE appropriating \$5,766,000.00 out of Fire Consolidated Construction Fund as an additional appropriation; approving and authorizing second amendment to Design Build Contract between the City of Houston and **BARTLETT COCKE GENERAL CONTRACTORS, LLC** for Fire Station No. 67 Expansion and Renovation (Approved by Ordinance No. 2013-0784) - **DISTRICT B - DAVIS** - **TAGGED BY COUNCIL MEMBER MARTIN**

This was Item 35 on Agenda of April 29, 2015

MATTERS HELD – continued

45. Motion 2015-0307 – Consider Items 45 thru 47 together and refer back to the Administration

MOTION by Council Member Davis/Seconded by Council Member Laster to amend Item 46 below, written motion to delete “the director of public works and engineering” and to insert “the Mayor shall submit the proposed exchange to the city council agenda for consideration”

DELAYED BY MOTION #2015-286, 4/29/15

This was Item 67 on Agenda of April 29, 2015

46. Motion 2015-0307 – Consider Items 45 thru 47 together and refer back to the Administration

WRITTEN Motion by Council Member Davis to amend Item 47 below, the proposed ordinance amending Chapter 2 of the Code of Ordinances, City of Houston, Texas, by adding a new Section 2-242 authorizing the abandonment of certain easements as follows:

I move to amend Section 2 of the proposed Ordinance by amending and restating Subsection (d) of Section 2-242 of the Code of Ordinances, Houston, Texas, to read in its entirety as follows:

“(d) Notwithstanding the foregoing, before approving any easement exchange pursuant to subsection (a) of this section, the director of public works and engineering shall provide the members of the city council with at least two weeks’ notice of the proposed exchange. If any member of the city council objects to the proposed exchange within such two-week period, the director of public works and engineering shall submit the proposed exchange to the city council for consideration. In addition, the director of the department of public works and engineering, in his discretion, may submit any proposed easement exchange to the city council for consideration.”

This item should only be considered upon passage of Item 45 above

DELAYED BY MOTION #2015-286, 4/29/15

This was Item 68 on Agenda of April 29, 2015

47. Motion 2015-0307 – Consider Items 45 thru 47 together and refer back to the Administration

ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, TEXAS, by adding a new Section 2-242 authorizing the abandonment of certain easements owned by the City of Houston in exchange for other easements of equal or greater value; authorizing the Director of the Public Works & Engineering Department to execute and receive instruments in order to effect such exchanges; approving a form of quitclaim deed and easement conveyance; containing findings and other provisions relating to the subject; containing a repealer; providing for severability - **DELAYED BY MOTION #2015-286, 4/29/15**

This was Item 69 on Agenda of April 29, 2015

This item should only be considered upon passage of Items 45 and 46 above

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gonzalez 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

AGENDA - MAY 6, 2015 - PAGE 9

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

5/5/2015 - Council Member Pennington absent on personal business

5/6/2015 - All present