

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 13, 2015 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2015-0695 to 2015-0722
ORDINANCES – 2015-0968 to 2015-1003
RESOLUTION – 2015-0037

2015-0694-1

1:30 P. M. - PRESENTATIONS

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

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 2015-0695 – Procedural motion
Motion 2015-0696 – Procedural motion
Motion 2015-0697 – Procedural motion
Motion 2015-0698 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 14, 2015 - 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 52

MISCELLANEOUS - NUMBERS 1 through 4

1. **Motion 2015-0708**
CONFIRMATION of the appointment of **DR. MAX MILLER** to Position I of the **PUBLIC SAFETY ADVISORY COMMITTEE**, for a three-year staggered term ending July 1, 2018
2. **Motion 2015-0709**
RECOMMENDATION from Director of Human Resources Department to approve 730 calendar day period for military leave pay differential for employees called to active duty status during a time of war or state of emergency

MISCELLANEOUS - continued

3. Motion 2015-0699

RECOMMENDATION from Director of Human Resources Department for approval of the Holiday Schedule for Calendar Years 2016 and 2017

4. Motion 2015-0700

RECOMMENDATION from the Mayor's Office for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$82,811.00 - General Fund

ACCEPT WORK - NUMBERS 5 through 9

5. Council Member Davis tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,799,589.11 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, LTD.** for Ella (Wheatley) Paving and Drainage, W. Little York to W. Gulf Bank - 2.96% over the original contract amount and under 5% contingency amount
DISTRICT B - DAVIS

6. Motion 2015-0710

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,693,776.81 and acceptance of work on contract with **STATEWIDE TRAFFIC COMPANY** for Create Smart Arterial Corridors - 6.95% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; H - GONZALEZ; I - GALLEGOS and J - LASTER**

7. Motion 2015-0701

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,019,407.76 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Sims Bayou Widening Wastewater Utility Relocations: New Lift Station and Associated Piping - 0.07% under the original contract amount - **DISTRICT K - GREEN**

8. Motion 2015-0702

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,656,235.90 and acceptance of work on contract with **D.L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Westchester I Area - 0.40% under the original contract amount - **DISTRICT G - PENNINGTON**

9. Motion 2015-0711

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,378,019.98 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Water Storage Tanks at Various Locations - Package 3 6.11% under the original contract amount - **DISTRICTS A - STARDIG; C - COHEN; E - MARTIN; F - NGUYEN; G - PENNINGTON and J - LASTER**

PROPERTY - NUMBERS 10 and 11

10. Motion 2015-0712

RECOMMENDATION from Director Department of Public Works & Engineering to purchase and approve payment of relocation assistance expenses for Parcel AY15-091, located at 5835 Laura Koppe Road, owned by Jose Landaverde and wife, Luisa Landaverde, for the **LAURA KOPPE ROAD PAVING AND DRAINAGE PROJECT** from Hirsch Road to Homestead Road **DISTRICT B - DAVIS**

PROPERTY - continued

11. Motion 2015-0713

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel JY15-003, located in the 13800 Block of Blue Ridge Road, owned by D & M Realty, LLC, Nadyrshah Dhanani, President, for the **NEW/REPLACEMENT WATER WELLS PROJECT (Sims Bayou at Blue Ridge Road) - DISTRICT K - GREEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 18

12. Ordinance 2015-0968

ORDINANCE appropriating \$249,981.20 out of Equipment Acquisition Consolidated Fund for Purchase of GPS Devices, Monitoring and Tracking Services for the Fleet Management Department

13. Motion 2015-0703

APPROVE spending authority in an amount not to exceed \$249,981.20 to Purchase GPS Devices, Monitoring and Tracking Services from the General Service Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Fleet Management Department, from **ASSETWORKS, LLC**

This item should only be considered after passage of Item 12 above

14. Motion 2015-0704

APPROVE spending authority in an amount not to exceed \$269,665.55 to Purchase GPS Devices, Monitoring and Tracking Services from the General Service Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Department of Public Works & Engineering, from **ASSETWORKS, LLC** - Enterprise and CIP Salary Recovery Funds

15. Motion 2015-0705

APPROVE spending authority in an amount not to exceed \$300,000.00 for Emergency Hazard Preparedness, Planning Consulting and Financial Recovery Services through the Houston-Galveston Area Council for the Finance Department, with **WITT O'BRIEN & ASSOCIATES** Flood and Disaster Fund

16. Motion 2015-0706

THERMO FISHER SCIENTIFIC CO., LLC for Spectroscopy, Chemical Agent Detector through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Houston Police Department - \$113,567.20 - Grant Fund

17. Ordinance 2015-0969

ORDINANCE appropriating \$474,000.00 out of Equipment Acquisition Consolidated Fund for Purchase of Automated Refuse Carts for Solid Waste Management Department

18. Motion 2015-0707

TOTER, LLC for Automated Refuse Carts through the Interlocal Agreement for Cooperative Purchasing with the City of Tucson, Arizona for the Solid Waste Management Department

This item should only be considered after passage of Item 17 above

RESOLUTIONS - NUMBER 19

19. Resolution 2015-0037

RESOLUTION authorizing and approving amendment to Certificate of Formation of **HOUSTON RECOVERY CENTER LGC**, A Local Government Corporation

ORDINANCES - NUMBERS 20 through 52

20. Ordinance 2015-0970

ORDINANCE denying application of **ENTERGY TEXAS, INC**, for approval to amend its Distribution Cost Recovery Factor Rate filed with City of Houston, Texas on September 4, 2015 **DISTRICT E - MARTIN**

21. Ordinance 2015-0996

ORDINANCE giving notice of intent to establish a program under Texas Property Assessed Clean Energy ("PACE") Act of 2013 for City of Houston and its extraterritorial jurisdiction, as provided by Texas Local Government Code Chapter 399; and setting a public hearing

22. Ordinance 2015-0971

ORDINANCE authorizing Director of Mayor's Office of Public Safety and Homeland Security to execute an agreement between City of Houston and **UNITED STATES DEPARTMENT OF HOMELAND SECURITY** accepting a FY 2015 Port Security Grant in accordance with FY 2015 Port Security Grant Program; declaring the City's eligibility for such grant; authorizing the Director to execute any subsequent documents necessary to secure the City's allocations throughout the life of this grant program - **DISTRICTS E - MARTIN and I - GALLEGOS**

23. Ordinance 2015-0993

ORDINANCE approving and authorizing execution of an Interlocal Agreement between City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT** to conduct a Small Scale Pilot Project to remove submerged abandoned vehicles from Sims and Brays Bayous - \$20,000.00 General Fund

24. Ordinance 2015-0972

ORDINANCE amending Ordinance No. 2005-0619 to provide a maximum contract amount; approving first amendment to agreement for Professional Services, Contract No. C56949, between the City of Houston and **CLARENCE A. WEST**, Attorney at Law; increasing the maximum contract amount - \$80,000.00 - General Fund

25. Ordinance 2015-0994

ORDINANCE appropriating \$200,000.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing an Interlocal Agreement between City of Houston and **HOUSTON FIRST CORPORATION** for Air Handling Equipment Replacement at City Hall - North Wing; providing a maximum contract amount - **DISTRICT I - GALLEGOS**

26. Council Member Green tagged

ORDINANCE appropriating \$1,998,115.80 out of Reimbursement of Equipment/Projects Fund as an additional appropriation for the contract and approving and authorizing an amendment to the contract between the City of Houston and **T2 SYSTEMS CANADA INC, Formerly known as DIGITAL PAYMENT TECHNOLOGIES CORP.**, originally approved by Ordinance No. 2012-0096, for Parking Products and associated Software, Licenses, Installation, and Maintenance Services for the Administration and Regulatory Affairs Department; approving and authorizing first amendment to Ordinance No. 2012-0096 to increase the maximum contract amount \$160,990.00 - Parking Management Operating Fund

27. Ordinance 2015-0973

ORDINANCE awarding contract to **COASTAL PUMP SERVICES, INC** for Large Submersible Pump Repair Services for the Department of Public Works and Engineering; and providing a maximum contract amount - 3 Years with two one-year options - \$9,981,700.00 - Enterprise Fund

ORDINANCES - continued

28. Ordinance 2015-0995

ORDINANCE approving and authorizing Amendment No. 5 to Parking Operations and Management Concession Agreement between the City of Houston and **NEW SOUTH PARKING - TEXAS** for the Houston Airport System; amending Ordinance 2014-180 to increase the maximum contract amount - \$513,059.00 - Enterprise Fund - **DISTRICTS B - DAVIS and I - GALLEGOS**

29. Ordinance 2015-0974

ORDINANCE amending Ordinance No. 2012-0691 (Passed on August 8, 2012) to increase maximum contract amount for contract between City of Houston and **KOETTER FIRE PROTECTION OF HOUSTON, LLC** for Fire and Security Alarm System Maintenance, Inspections, Testing and Monitoring Services for Various Departments - \$2,470,160.00 - General and Enterprise Funds

30. Ordinance 2015-0975

ORDINANCE establishing the west side of the 200 block of Archer Street, between Cottage Street and Temple Street, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**

31. Ordinance 2015-0976

ORDINANCE establishing the north and south sides of the 1400 block of East 32nd ½ Street, between Eastman Street and Avernus Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**

32. Ordinance 2015-0977

ORDINANCE establishing the east and west sides of the 700 block of Tabor Street, between Heslep Street and W. Patton Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**

33. Ordinance 2015-0978

ORDINANCE establishing the west side of the 1300 block of Walton Street, between Petit Street and Cavalcade Street, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**

34. Ordinance 2015-0979

ORDINANCE establishing the north side of the 4000 block of Wyne Street, between Galveston Road and dead end at Sims Bayou, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT I - GALLEGOS**

35. Ordinance 2015-0980

ORDINANCE disannexing approximately 195 acres of undeveloped land in Northeast Houston in the vicinity east of Lake Houston in Council District E located within the municipal boundaries of City of Houston, Harris County, Texas - **DISTRICT E - MARTIN**

36. Ordinance 2015-0981

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 525**

This item should only be considered after passage of Item 35 above

ORDINANCES - continued

37. Ordinance 2015-0982

ORDINANCE appropriating \$11,935.20 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation; approving and authorizing first amendment to Advance Funding Agreement between City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Rehabilitation or Replacement of Westerland Drive Bridge at HCFCD Ditch (Approved by Ordinance No. 2012-0031, as amended) - **DISTRICT F - NGUYEN**

38. Ordinance 2015-0983

ORDINANCE appropriating \$11,935.20 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation; approving and authorizing first amendment to Advance Funding Agreement between City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Rehabilitation or Replacement of Windfern Road Bridge at Cole Creek (Approved by Ordinance No. 2012-0031, as amended) - **DISTRICT A - STARDIG**

39. Ordinance 2015-0984

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Gellhorn Drive paving and drainage project (from IH-610 to Wallisville Road); authorizing the acquisition of fee simple title interest in or easement to four parcels of land required for the project and situated in the J. Brown Survey, Abstract No. 8, the Reels & Trobough Survey, Abstract 59 and the J.H. Magee Survey, Abstract No. 1571, in Harris County, Texas, said parcels of land being out of property located along the northerly and southerly lines of Gellhorn Drive between IH-610 Frontage Road and Wallisville Road in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Relocation Assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of fee simple title interest in or easement to the four parcels of land required for the project - **DISTRICT I - GALLEGOS**

40. Ordinance 2015-0985

ORDINANCE consenting to the addition of 29.1335 acres of land to **DOWDELL PUBLIC UTILITY DISTRICT** for inclusion in its district

41. Ordinance 2015-0986

ORDINANCE consenting to the addition of 0.9133 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24**, for inclusion in its district

42. Ordinance 2015-0987

ORDINANCE consenting to the addition of 246.0047 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 171**, for inclusion in its district

43. Ordinance 2015-0988

ORDINANCE appropriating \$580,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between City of Houston and **ZARINKELK ENGINEERING SERVICES, INC** for Local Drainage Projects Negotiated Work Orders (Approved by Ordinance No. 2014-0381); and as additional funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF

ORDINANCES - continued

44. Ordinance 2015-0989

ORDINANCE appropriating \$2,734,582.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; 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 deadline; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (WW 4235-80)

45. Ordinance 2015-0990

ORDINANCE appropriating \$3,971,703.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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 (WW 4257-149)

46. Ordinance 2015-0991

ORDINANCE appropriating \$143,623.00 out of Metro Projects Construction DDSRF as additional appropriation to Professional Engineering Services Contract between the City of Houston and **DANNENBAUM ENGINEERING CORPORATION** for T.C. Jester Reconstruction from Washington Avenue to IH-10 (Approved by Ordinance No. 2014-0620); and as additional funding for CIP Cost Recovery relating to construction of facilities financed by Metro Projects Construction DDSRF - **DISTRICT C - COHEN**

47. Ordinance 2015-0992

ORDINANCE approving and authorizing first amendment to Ordinance No. 2013-0410 (Passed on May 8, 2013) to increase the maximum contract amount for contract with **GRANICUS, INC, Formally known as AMERICAN CADASTRE, LLC** for Vital Statistics Imaging and Retrieval Information System for Houston Health Department

48. Ordinance 2015-0966 – Passed second reading

ORDINANCE No. 2015-966, passed first reading October 7, 2015

ORDINANCE granting to **HOUSTON DUMPSTERS INC, A Georgia Corporation** 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 - **SECOND READING**

49. Ordinance 2015-0957 – Passed second reading

ORDINANCE No. 2015-957, passed first reading October 7, 2015

ORDINANCE granting to **ICM MARTINEZ INTERPRISES, INC, dba BIN THERE DUMP THAT HUMBLE, A Texas Corporation**, 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 - **SECOND READING**

ORDINANCES - continued

50. Ordinance 2015-0958 – Passed second reading

ORDINANCE No. 2015-958, passed first reading October 7, 2015

ORDINANCE granting to **KORDIE ENTERPRISES, INC dba BIN THERE DUMP THAT, A Texas Corporation**, 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 **SECOND READING**

51. Ordinance 2015-0919 – Passed third and final reading

ORDINANCE No. 2015-919, passed second reading October 7, 2015

ORDINANCE granting to **ROBERT H. MILLER, JR., dba MILLER & SONS DUMPSTER SERVICE, 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 - **THIRD AND FINAL READING**

52. Ordinance 2015-0920 – Passed third and final reading

ORDINANCE No. 2015-920, passed second reading October 7, 2015

ORDINANCE granting to **SYNAGRO OF TEXAS-CDR, INC., A Texas Corporation**, 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 53 and 54

MISCELLANEOUS

53. Motion 2015-0714

SET A PUBLIC HEARING DATE relating to the fourth amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER ONE (SAINT GEORGE PLACE ZONE) - DISTRICTS G - PENNINGTON and J - LASTER**
SUGGESTED HEARING DATE - WEDNESDAY - 9:00 A.M. - NOVEMBER 4, 2015

54. Motion 2015-0715

SET A PUBLIC HEARING DATE relating to the **TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-SIX, CITY OF HOUSTON (SUNNYSIDE ZONE) - DISTRICT D - BOYKINS**
SUGGESTED HEARING DATE - WEDNESDAY - 9:00 A.M. - NOVEMBER 4, 2015

MATTERS HELD - NUMBERS 55 through 68

55. Motion 2015-0716 – Adopt as amended

MOTION by Council Member Gonzalez/Seconded by Council Member Costello to adopt recommendation from the Mayor's Office to adopt the Houston Arts and Cultural Plan - **TAGGED BY COUNCIL MEMBERS LASTER, GREEN, KUBOSH and STARDIG**
This was Item 3 on Agenda of October 7, 2015

MATTERS HELD – continued

56. Motion 2015-0717 – Adopt

MOTION by Council Member Gonzalez/Seconded by Council Member Costello to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,768,700.04 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICE, L.P.** for Water Service Line Replacement - 9.77% under the original contract amount (WA 10983) - **TAGGED BY COUNCIL MEMBERS GREEN and DAVIS**

This was Item 4 on Agenda of October 7, 2015

57. Motion 2015-0718 – Adopt

WRITTEN Motion by Council Member Bradford to amend Section 46-340 (a) and (d) of Item 61 below:

~~“(a) Each jitney shall be operated upon a route, including a direction of travel upon that route, that has been filed by the permittee with the director. The permittee may file two or more routes for the same jitney if each route is specified for use during different times that are clearly specified. The rate shall be a fixed amount, per person, for transportation from any place on the route to any other place on the route. Rates may either be constant or may be differentiated between peak and off-peak hours, provided that the hours during which each rate will be imposed are specified.~~

~~(d) It shall be unlawful for a licensee or permittee while in service with any passenger for hire on board to deviate from the route or to deviate from the direction of travel as filed with the director for that jitney; unless provided however, the permittee shall submit and the director may approve a route deviation as is a result of a road closure or construction on a route currently authorized for use by the permittee and its licensees.”~~

TAGGED BY COUNCIL MEMBERS DAVIS, LASTER, MARTIN and STARDIG

58. Council Member Bradford withdrew motion

WRITTEN Motion by Council Member Bradford to amend Section 46-353 of Item 61 below:

~~“(a) No licensee or permittee shall drive or operate or cause to be driven or operated any jitney that is more than ten years old. For purposes of this requirement, a jitney is considered to be ten years old on the 31st day of ~~May~~ December of the tenth year following the manufacturer’s model year of the jitney, regardless of the date of its original purchase or the date it was first placed into service.~~

~~(b) A permittee or licensee may drive or cause to be driven a jitney beyond the age limitations prescribed in subsection (a) of this section provided:~~

~~(1) The licensee or permittee submits the jitney for inspection at a location authorized and identified by the director prior to the expiration of the permit issued authorizing the operation of the jitney; and~~

~~(2) The vehicle is determined to be in compliance with the provisions of Section 46-337 of this Code and any other conditions of operation prescribed by the director.”~~

TAGGED BY COUNCIL MEMBERS DAVIS, LASTER, MARTIN and STARDIG

MATTERS HELD – continued

59. Council Member Bradford withdrew motion

WRITTEN Motion by Council Member Bradford to amend Section 46-513 of Item 61 below:

Section 46-513. Transportation network vehicles – Age and mechanical condition.

In addition to the provisions of section 46-514 of this Code, no licensee or permittee shall drive or cause to be driven upon the streets of the city any transportation network vehicle that is more than seven years old ~~or has been driven more than 150,000 actual miles, whichever occurs first. Actual mileage shall be determined from the odometer and title records~~ except as otherwise provided in subsections (b) and (c). For purposes of this requirement, a transportation network vehicle will be considered to be seven years old on July 31st of the seventh year following the manufacturer's model year of the vehicle, regardless of the purchase date or the date it was originally placed into service.

Section 46-513. Transportation network vehicles - Age and mechanical condition.

(a) In addition to the provisions of section 46-514 of this Code, no licensee or permittee shall drive or cause to be driven upon the streets of the city any transportation network vehicle that is more than seven years old. For purposes of this requirement, a transportation network vehicle will be considered to be seven years old on July 31st of the seventh year following the manufacturer's model year of the vehicle, regardless of the purchase date or the date it was originally placed into service.

(b) A licensee or permittee may drive or cause to be driven, a transportation network vehicle for an additional three-year period beyond the age limitations described in subsection (a), if the licensee or permittee submits the vehicle for a third party Automotive Service Excellence (ASE) certified general conditions inspection each year at a location authorized and identified by the director prior to the expiration of the permit issued authorizing the operation of the transportation network vehicle.

(c) If the vehicle passes the inspection, the director is authorized to issue a certification decal for the vehicle. The transportation network vehicle is subject to the other provisions of Chapter 46 of this Code.

TAGGED BY COUNCIL MEMBERS DAVIS, LASTER, MARTIN and STARDIG

60. Council Member Martin withdrew motion

WRITTEN Motion by Council Member Martin to amend Section 46-7 of Item 61 below:

(a) Upon initial application for a license and at license renewal intervals stated in this chapter, the director shall cause the criminal history of each designated as a driver in an application for a license to be researched. Each person designated as a driver in an application shall complete any forms required for the director to obtain the report, and the applicant shall present the required completed forms to the director and shall bear the cost to cover any fees imposed by state or federal agencies for the report. The provision of this requirement shall not be construed to preclude the director from obtaining interim reports at the expense of the city.

(b) ~~An applicant who has met the other requirements of this chapter may be provisionally authorized to drive for a permittee if the permittee has caused the criminal history of the applicant to be researched by a company approved by the director, and such search discloses that the applicant has no convictions of any applicable offense listed in section 1-10 of this Code. Such a search shall include a national criminal history database and a national sex offender database. Drivers provisionally authorized pursuant to this subsection shall be required to comply with the requirements of section 46-6 (c) within 30 days of being provisionally authorized by the permittee."~~

TAGGED BY COUNCIL MEMBERS DAVIS, LASTER, MARTIN and STARDIG

MATTERS HELD – continued

Motion 2015-0719 – Written motion by Council Member Bradford to amend Chapter 46 Code of Ordinances, as follows:

- “Amend Sec. 46-20 to include new subsection (c). The new subsection (c) is listed below¹:
- (c) A permittee or licensee may initially submit a vehicle into service, during the vehicle age extension period, if such vehicle meets the requirements of Sec. 46-18 and subsection (a) and (b) above.
- Amend Sec. 46-237 to include new subsection (d). The new subsection (d) is listed below²:
- (d) A permittee or licensee may initially submit a vehicle into service, during the vehicle age extension period, if such vehicle meets the requirements of Sec. 46-191 and subsection (b) or (c) above.
- Amend Sec. 46-353 to include a new subsection (c). The new subsection (c) is listed below³:
- (c) A permittee or licensee may initially submit a vehicle into service beyond the age limitations prescribed in subsections (a) and (b) of this section provided:
1. The licensee or permittee submits the jitney for inspection at a location authorized and identified by the director; and
 2. The vehicle is determined to be in compliance with the provisions of section 46-337 of this Code and any other conditions of operation prescribed by the director.
- Amend Sec. 46-513 to include new subsection (c). The new subsection (c) is listed below⁴:
- (c) A permittee or licensee may initially submit a vehicle into service, during the vehicle age extension period, if such vehicle meets the requirements of Sec. 46-512 and subsection (a) and (b) above.
- **Adopted**

Motion 2015-0720 – Delay Item 61 as previously amended – “FAILED”

Motion 2015-0721 – Motion to override the tag on Item 61 – “FAILED”

Council Member Nguyen offered a written motion to amend Section 46-6(a)(b) and (c) – Council Member Martin tagged (see Motion 2015-0721)

61. Ordinance 2015-0997 – Adopt as amended

ORDINANCE AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to regulation of Vehicles for Hire; modifying licensee appearance requirements; amending regulations that pertain to physician’s certificates of medical examination; modifying permit installment payment due dates; amending Transportation Network Company Insurance requirements; declaring certain conduct unlawful and providing penalties therefore

TAGGED BY COUNCIL MEMBERS DAVIS, LASTER, MARTIN and STARDIG

This was Item 8 on Agenda of October 7, 2015

62. Ordinance 2015-0998

ORDINANCE adding a new **ARTICLE X TO CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to provision of Vehicle for Hire Service to Persons with Disabilities, especially those requiring wheelchairs

TAGGED BY COUNCIL MEMBERS DAVIS and STARDIG

This was Item 9 on Agenda of October 7, 2015

63. Motion 2015-0722 – “FAILED”

WRITTEN Motion by Council Member Boykins to amend Item 64 below

“An ordinance relating to the issuance of taxicab permits and substitute it with the attached language. This amendment will create a program to encourage the growth of small businesses and will allocate 25 permits, distributed in five (5) lots of five (5) permits, to small taxicab companies.”

TAGGED BY COUNCIL MEMBERS LASTER and DAVIS

MATTERS HELD – continued

64. Ordinance 2015-0999

ORDINANCE relating to the issuance of taxicab permits; addressing the allocation method for 205 permits originally intended to be distributed in 2014-2015; delaying the distribution of 180 permits until 2017; distributing 25 permits pursuant to the taxicab permit issuance process

TAGGED BY COUNCIL MEMBERS LASTER and DAVIS

This was Item 10 on Agenda of October 7, 2015

65. Ordinance 2015-1000

ORDINANCE enlarging the boundaries of **REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS (MIDTOWN ZONE) - DISTRICTS C - COHEN; D - BOYKINS and I - GALLEGOS** - **TAGGED BY COUNCIL MEMBER KUBOSH**

This was Item 15 on Agenda of October 7, 2015

66. Ordinance 2015-1001

ORDINANCE related to **REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS (MIDTOWN ZONE)** approving the sixth amended Project Plan and Reinvestment Zone Financing Plan for the Zone; authorizing the City Secretary to distribute such plans; extending the duration of the Zone to December 31, 2040 - **DISTRICTS C - COHEN; D - BOYKINS and I - GALLEGOS**

This item should only be considered after passage of Item 65 above

TAGGED BY COUNCIL MEMBER KUBOSH

This was Item 16 on Agenda of October 7, 2015

67. Ordinance 2015-1002

ORDINANCE approving the issuance of bonds by **MIDTOWN REDEVELOPMENT AUTHORITY**

DISTRICTS C - COHEN; D - BOYKINS and I - GALLEGOS

This item should only be considered after passage of Items 65 and 66 above

TAGGED BY COUNCIL MEMBER KUBOSH

This was Item 17 on Agenda of October 7, 2015

68. Ordinance 2015-1003

ORDINANCE appropriating \$3,000,000.00 out of Dangerous Building Consolidated Fund for demolition of dangerous buildings - **TAGGED BY COUNCIL MEMBER LASTER**

This was Item 21 on Agenda of October 7, 2015

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Green 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

10/13/2015 - Council Member Pennington absent on personal business

10/14/2015 - Council Member Pennington absent on personal business