

**AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 6, 2016 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2016-0005 to 2016-0020**  
**ORDINANCES – 2016-0001 to 2016-0018**  
**RESOLUTION – 2016-0001**

**2016-0004-1**

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 Cohen

**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**

**Motion 2016-0005 – 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**

**Motion 2016-0007 – Suspend rules to hear Mr. Gary Wade out of order**

**Motion 2016-0008 – Suspend rules to remain in session beyond the scheduled 12 noon recess**

**CONSENT AGENDA NUMBERS 1 through 33**

**MISCELLANEOUS** - NUMBERS 1 through 5

**1. Motion 2016-0009**

RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of a residential parking permit area in the 100 block of Dennis (north side), between Helena and Albany - **DISTRICT C - COHEN**

**2. Motion 2016-0010**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2016 Operations and Maintenance Budget for the **LAKE HOUSTON FACILITY PROJECT** operated by the Coastal Water Authority - \$2,715,908.00 - Enterprise Fund

**MISCELLANEOUS** - continued

**3. Motion 2016-0011**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2016 Operations and Maintenance Budget for the **LUCE BAYOU CANAL PROJECT** operated by the Coastal Water Authority - \$772,765.00 - Enterprise Fund

**4. Motion 2016-0012**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2016 Operations and Maintenance Budget for the **TRINITY RIVER WATER CONVEYANCE PROJECT** operated by the Coastal Water Authority - \$20,752,165.00 - Enterprise Fund

**5. Motion 2016-0013**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2016 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$3,640,196.00 - Enterprise Fund

**ACCEPT WORK** - NUMBERS 6 through 9

**6. Motion 2016-0014**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,987,745.76 and acceptance of work on contract with **T CONSTRUCTION, LLC** for FY2012 Local Drainage Project Negotiated Construction Work Order #2 - 0.61% under the original contract amount - **DISTRICTS E - MARTIN; F - LE; G - TRAVIS; H - CISNEROS; I - GALLEGOS and K - GREEN**

**7. Motion 2016-0015**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,525,095.25 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Water Control Improvement District #47 Wastewater Treatment Plant Improvements 8.80% under the original contract amount - **DISTRICT E - MARTIN**

**8. Motion 2016-0016**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$476,146.65 and acceptance of work on contract with **TEXAS ReEXCAVATION, L.C.** for New Front Easement Reconnections - 3.05% over the original contract amount (WW5019-06) - **DISTRICTS B - DAVIS; C - COHEN; D - BOYKINS; G - TRAVIS; H - CISNEROS; I - GALLEGOS and K - GREEN**

**9. Motion 2016-0017**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,774,335.03 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Fire Hydrant Replacement Project - 4.33% under the original contract amount

**PURCHASING AND TABULATION OF BIDS** - NUMBER 10

**10. Motion 2016-0018**

**PEPPER LAWSON WATERWORKS, LLC** for Emergency Surge Basin Rake Arm Replacement Services for the Department of Public Works & Engineering - \$87,822.00 - Enterprise Fund **DISTRICT E - MARTIN**

**RESOLUTIONS AND ORDINANCES** - NUMBER 11

**11. Resolution 2016-0001**

RESOLUTION supporting the request of a Waiver of the Local Match Requirements for the Federal Off-System Bridge Program for Synott Road at HCFC Ditch administered by the Texas Department of Transportation - **DISTRICTS F - LE and H - CISNEROS**

**ORDINANCES** - NUMBERS 12 through 33

**12. Ordinance 2016-0010**

ORDINANCE approving and authorizing second contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide up to \$304,921.00 in additional Emergency Solutions Grants Funds for the continuing administration and operation of the City's Homeless Services Program

**13. Not Received - Not Considered**

ORDINANCE approving and authorizing submission of a grant application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION** for the National HIV Behavioral Surveillance Grant; declaring the City's eligibility for such grant; authorizing the Director of the Houston Health Department to act as the City's representative in the application process, to accept the grant and expend the grant funds, as awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant

**14. Ordinance 2016-0011**

ORDINANCE approving agreement for Professional Services, between the City of Houston and **AYRES LAW OFFICE P.C.** for Legal Services in connection with a United States Drug Enforcement Administration Hearing; providing a maximum contract amount

**15. Ordinance 2016-0002**

ORDINANCE appropriating \$153,744.08 out of Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Houston Fire Department

**16. Council Member Cohen tagged**

ORDINANCE approving and authorizing first amendment to Power Purchase Agreement for Installed Capacity, Energy and Environmental Attributes between the City of Houston, **HECATE ENERGY BREWSTER LLC**, and **RELIANT ENERGY RETAIL SERVICES LLC** (Approved by Ordinance No. 2015-1120)

**Motion 2016-0006 – Suspend rules to consider Item 17 out of order**

**17. Ordinance 2016-0001**

ORDINANCE accepting into the City collection "Malcolm Marco Malcolm Marco" mural by Houston Artist and Conservator Mr. Bertram E. Samples, to be located in the Deluxe Theater, and approving and authorizing an agreement between the City of Houston and **MR. BERTRAM E. SAMPLES** for donation of such work of art - **DISTRICT B - DAVIS**

**18. Ordinance 2016-0003**

ORDINANCE amending Ordinance No. 2014-1184 (Passed by City Council on December 17, 2014) to increase the maximum contract amount for the Sole Source Contract with **MULTIFORCE SYSTEMS CORPORATION** for Hardware and Software Maintenance and Support Services for the Automated Fuel Management System for the Fleet Management Department - \$366,000.00 Fleet Management Fund

**ORDINANCES** - continued

**19. Ordinance 2016-0012**

ORDINANCE authorizing the Mayor to accept funding in an amount not exceeding \$33,020,959.00 by executing an Other Transaction Agreement by and between the City of Houston and the **DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION** for the Terminal C and E Recapitalization and Consolidation Project at George Bush Intercontinental Airport/Houston (Project No. 689A) - **DISTRICT B - DAVIS**

**20. Ordinance 2016-0004**

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 12-inch water line along I-10 from Baca to Centerwood Project; authorizing the acquisition of fee simple title interest in or easement to six parcels of land required for the project and situated in the Conception Martinez Survey, Abstract No. 545, Harris, County, Texas, said parcels of land being located along the northerly line of interstate Highway No. 10 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 six parcels of land required for the project - **DISTRICT I - GALLEGOS**

**21. Ordinance 2016-0005**

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 Lift Station Renewal and Replacement Project - Willie and Dockal; authorizing the acquisition of fee simple title interest in or easement to two parcels of land required for the project and situated in the M.B. Terrell Survey, Abstract No. 772, and the J.L. Stanley Survey, Abstract No. 700, in Harris, County, Texas, said parcels of land being located along the east line of Willie Street and the south line of Dockal 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 two parcels of land required for the project - **DISTRICTS B - DAVIS and H - CISNEROS**

**22. Ordinance 2016-0006**

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT** for Drainage and Flood Reduction Study of Harris County Flood Control Ditch Unit No. C118-00-00 (Salt Water Ditch) including Storm Drainage Analysis for City of Houston Pre-Engineering Need Area M-2014-D01(034) - **DISTRICT D - BOYKINS**

**23. Ordinance 2016-0013**

ORDINANCE issuing a permit to **FAIRWAY ENERGY PARTNERS, LLC** to construct, operate, maintain, improve, repair and replace two new pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICT D - BOYKINS**

**24. Ordinance 2016-0014**

ORDINANCE approving and authorizing Maintenance Agreement between the City of Houston and **FIVE CORNERS IMPROVEMENT DISTRICT**, Harris County, Texas - **DISTRICTS D - BOYKINS and K - GREEN**

**ORDINANCES** - continued

**25. Ordinance 2016-0007**

ORDINANCE approving and authorizing first amendment to Miscellaneous Professional Materials Engineering Laboratory Contracts between the City of Houston and **ASSOCIATED TESTING LABORATORIES, INC** (Approved by Ordinance No. 2011-0081), and between the City of Houston and **PARADIGM CONSULTANTS, INC** (Approved by Ordinance No. 2011-0081)

**26. Ordinance 2016-0008**

ORDINANCE appropriating \$3,811,700.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Garden Oaks and Shepherd Park (West) and (East) Drainage and Paving; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICTS C - COHEN and H - CISNEROS**

**27. Ordinance 2016-0009**

ORDINANCE appropriating \$141,500.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **HUITT-ZOLLARS, INC** for Linkwood Paving and Drainage (Approved by Ordinance No. 2014-0454) - **DISTRICT K - GREEN**

**28. Ordinance 2016-0015**

ORDINANCE appropriating \$535,500.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NEEL-SCHAFFER, INC** for Concrete Panel Replacement FY 16; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF

**29. Ordinance 2016-0016**

ORDINANCE appropriating \$424,000.00 out of Metro Projects Construction DDSRF and \$200,000.00 out of Street & Traffic Control and Storm Drainage DDSRF-A and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AIA ENGINEERS, LTD** for Roadway Surface Replacement FY16; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF and the Street & Traffic Control and Storm Drainage DDSRF-A

**30. Council Members Stardig and Green tagged**

ORDINANCE approving and authorizing third amendment to contract for Professional Engineering Services for Project Advisor/Technical Consultant for Northeast Water Purification Plant Expansion between the City of Houston and **CAROLLO ENGINEERS, INC** (Approved by Ordinance No. 2012-0121) - **DISTRICT E - MARTIN**

**31. Ordinance 2016-0017**

ORDINANCE appropriating \$3,748,044.00 out of Metro Projects Construction DDSRF Fund; awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD.** for Overlay Package #22; 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 Metro Projects Construction DDSRF Fund

**ORDINANCES** - continued

**32. Ordinance 2016-0018**

ORDINANCE appropriating \$3,604,351.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION COMPANY, 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 (WW4257-150)

**33. Ordinance 2015-1237 – Passed third and final reading**

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**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA** - NUMBERS 34 and 35

**MISCELLANEOUS**

**34. Motion 2016-0019**

**MOTION TO SET A DATE** not less than seven days from January 6, 2016, to receive nominations for Positions One and Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one-year terms to expire December 31, 2016

**35. Motion 2016-0020**

**SET A PUBLIC HEARING DATE** regarding the designation of the **FAIRWAY ENERGY PARTNERS, LLC REINVESTMENT ZONE** for tax abatement purposes - **DISTRICT K - GREEN**  
**HEARING DATE - WEDNESDAY - 9:00 A.M. - JANUARY 20, 2016**

**MATTERS HELD** - NUMBERS 36 through 38

**36. Pulled-Not Considered**

WRITTEN Motion by Council Member Gallegos to amend Section 32-60 of Item 38 below:

I move to amend Section 32-60 (1) and (2) as shown in Exhibit A as follows:

Any group activity or organized event involving more than 50 people, including but not limited to picnics, parties, family, church, community or school events, or other similar activities; or

Any group activity or organized event involving fewer than 50 people that involves the reservation or temporary exclusive use of a designated ~~areas~~ area of a park, park road, or other park property

**DELAYED BY MOTION #2015-871, 12/9/15**

**MATTERS HELD** - continued

**37. Pulled-Not Considered**

WRITTEN Motion by Council Member Laster to amend Item 38 below as follows:

I move to amend Exhibit A of the proposed Ordinance as follows:

1. Deleting the definition of the term central business district in Section 32-222.
2. Amending the definition of the term food truck in Section 32-222 by inserting the word park before the phrase food service establishment.
3. Amending the definition of the term mobile food unit by adding the phrase for purposes of this chapter to the end of the last sentence thereof.
4. Amending Item (3) of Section 32-225 to read as follows:  
"(3) A letter or other notice from the health officer, by which the director of public health certifies that, under chapter 20 of this Code, the applicant meets the requirement for a food dealer's permit and, if applicable, the mobile food unit meets the requirements for a mobile food unit medallion;"
5. Amending Section 32-231(a)(4) by replacing the phrase city's department of health and human services with the phrase Houston Health Department.

I move to amend Exhibit B, the definition of licensed park vending unit in Section 4 of the proposed Ordinance by adding the phrase fixed location before the phrase mobile food unit.

**DELAYED BY MOTION #2015-871, 12/9/15**

**38. Pulled-Not Considered**

**ORDINANCE UPDATING AND AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parks and Recreation and making conforming amendments to other Chapters of the Code of Ordinances - **DELAYED BY MOTION #2015-871, 12/9/15**

This was Item 78 on the Agenda of December 9, 2015

This item should only be considered after consideration of Items 36 and 37 above

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

**1/6/2016 - All present**