

City Council Chamber, City Hall, Wednesday, January 18, 2017

At 8:55 a.m. Ms. Anna Russell, City Secretary, read the description or captions of the Items on the Agenda and announced because of the weather and the flooding in the City the Council Meeting would be delayed

The Houston City Council convened at 10:00 a.m., Wednesday, January 18, 2017, Mayor Pro Tem Ellen Cohen presiding, with Council Members Brenda Stardig, Jerry Davis, Dwight Boykins, Dave Martin, Steve Le, Karla Cisneros, Mike Laster, Robert Gallegos, Larry Green, Mike Knox, David Robinson, Michael Kubosh, Amanda Edwards and Jack Christie D.C.; Mr. Ronald C. Lewis, City Attorney, Marta Crinejo, Agenda Director and Stella Ortega Agenda Office present. Mayor Turner out of the city on city business. Council Member Greg Travis absent due to being ill.

At 10:00 a.m. Mayor Pro Tem Cohen called the meeting of City Council to order and recognized Council Member Martin for the invocation and Pledge of Allegiance. Council Member Laster absent.

At 10:07 a.m. The Roll was Called. Mayor Turner out of the city on city business and Council Member Travis absent due to be ill.

Council Member Christie moved to delay adoption of the minutes of January 10 and 11, 2017 for one week and seconded by Council Member Davis, all voting aye, nays none. Council Member Laster absent. **MOTION ADOPTED**

Mayor Pro Tem Cohen recognized Council Member Davis for a procedural motion. Council Member Laster absent.

Council Member Davis moved to suspend the rules to take Items 1 and 16 out of order and seconded by Council Member Green, all voting aye, nays none. Council Member Laster absent. **MOTION 2017-0038 ADOPTED**

### **MAYOR'S REPORT**

Mayor Pro Tem Cohen stated that she was going to take a moment in place of Mayor Turner to give a brief Mayor's Report, Mayor Turner had been briefed on the situation as he is in Washington D.C., he is attending the U.S. Conference of Mayors and is due back this evening and he is monitoring the situation in terms on what has been taking place, she had a quick conference call with the National Weather Service and the National Weather Service indicates there will not be a change until about midday between 11:00 and 12:00 p.m. with additional rainfalls through the afternoon and they may see on the low end additional half inch of rain, up to a maximum amount up to 3 inches with the current weather conditions remaining in effect at least the next 30 hours with trailing rainfall expected to move in from San Antonio and the Austin region, the Bayou situation has improved and the big concern of Brays Bayou have improved and there are a few smaller Bayous that are out of their banks, Hunting Bayou, Keegens Bayou and Halls Bayou and they will improve quickly, there is currently 4 reports of structure flooding from 311 and these numbers may raise as the morning continues to advance.

1. **CONFIRMATION** of the appointment or reappointment of the following to the **PUBLIC SAFETY ADVISORY COMMITTEE**, for a three-year staggered term ending July 1, 2019:
  - Position A - **WILLIAM ALCORN**, appointment
  - Position D - **KENNETH BASILE**, appointment
  - Position G - **FRANK JONES**, reappointment
  - Position J - **SAMUEL C. BURTON**, reappointment
  - At-Large Position No. 5 - **ERICH ALMONTE**, appointment-was presented, moved by Council Member Davis and seconded by Council Member Green, all voting aye, nays none. Council Member Laster absent. **MOTION 2017-0039 ADOPTED**

Mayor Pro Tem Cohen invited Mr. Erich Almonte to the podium and thanked him for his services.

16. **RECEIVE** nominations for Position One on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term- was presented,

Council Member Davis presented the resume and nominated Dean E. Corgy for Re-Appointment to Position One of the Port of Houston Authority of Harris County.

There being no other nomination Council Member Knox moved to close nominations for Position One on the Port of Houston Authority of Harris Authority of Harris County and seconded by Council Member Davis, all voting aye, nays none. Council Member Laster absent. **MOTION 2017-0040 ADOPTED**

At 10:22 a.m. Mayor Pro Tem Cohen stated at this time they will move to the Public Session and requested the City Secretary to call the list of speakers.

Mr. Joe Trispan, 11223 Sagewind Dr., 77089, (713)249-2662 appeared and stated the reason he is here today was to speak on behalf of the Houston Golfers that are in Council Member Davis District, Brock Park Golf Course and he sent him an e-mail yesterday that stated that the Houston Golfers have been waiting for more than 5 months for the City to repair and reopen Brock Park Golf Course and now it has been brought to their attention there is a Resolution that is schedule for a vote at this meeting and this is unacceptable and their reasons are on 1/20/17 which is this Friday Gus Wortham Park will be closed for 12 months and Brock Park had been closed for over 6 months and Glenbrook Park Golf Course had been mentioned to be a future Botanical Garden, so these 3 course are closed what would be available for Houston area golfers, where would they play and what courses are going to be available to them, if they go to Memorial Park, they have to schedule a tee time almost 2 or 3 weeks ahead of the time, he had done a cost analysis for a Senior golfer and he explain cost increase to Members of Council, he is 71 years old and a native Houstonian and he asked them to please because there is a Resolution that is up that the Houston Parks and Recreation Department to submit an application to the Texas Parks and Wildlife Department for a program grant for Houston Parks Adventure Program which would be at the Brock Park location and no one has spoken to any of the Golf Associations in Houston. Council Member Laster absent.

Council Member Davis stated that he understands that price is an issue and he had been talking to the Parks and Recreational Director about cost and to figure out if this does happen, how do they work on that price for people with fixed incomes and he does have Melrose Golf Course and River Terrace Golf Course that is out in that area.

Members of Council questioned at length Mr. Trispan.

Ms. Frankie Cade, 3727 Winthrop, 77047, (713)386-9479 had reserved time to speak but was not present when his name was called. Council Member Laster absent.

Mr. Alvin Roy, 3606 Cleburner St., 77004, (713)408-6506 appeared and stated that he was originally here today to make a presentation to the Mayor and it is his understanding that the Mayor is not going to be here and so because of that and because the presentation is personal to the Mayor, he would like to reserve an opportunity to come back and make that presentation but however he does have one question since he is already here can he use the time to address another issue, he is President of College Oak Civic Club which is located in District D and the concern that he wanted to speak about is recently their neighborhood experienced a private land owner sought to circumvent City of Houston Ordinance regarding a building permit and also Deed Restrictions, the City of Houston Attorney's Office after being contacted stepped into their neighborhood to help and this property owner was told what he was proposing was not allowable and it was not going to be allowed within this residential area because the Deed Restrictions were enforceable and since then, they have found out that this property owner has started to circumvent the order from the City Attorney's Office as well as the Deed Restriction and his question to them is why is there no real true enforcement against developers and private owners who circumvent this City rule and falsifying information on City and State documents regarding development and this person that he is speaking about had been caught lying twice however nobody what's to press ant take enforcement on what he believes is perjury. Council Members Davis and Laster absent.

Members of Council questioned Mr. Roy.

Mayor Pro Tem Cohen stated that the Mayor is in Washington D.C. at the Conference of Mayors and they can arrange for him to come back to make that presentation to present it when he is here.

Mr. Scott Goldberg, 5925 South Braeswood Blvd., 77096, (832)641-7146 had reserved time to speak but was not present when his name was called. Council Members Davis and Laster absent.

Ms. Pat Grany, P.O. Box 33410, 77051, (713)965-4634 had reserved time to speak but was not present when her name was called. Council Members Davis and Laster absent.

Mr. William Beal, 10 Remington Ln., 77005, no phone number, had reserved time to speak but was not present when his name was called. Council Members Davis and Laster absent.

Ms. Shere Dore, no address, (713)282-4164 had reserved time to speak but was not present when her name was called. Council Members Davis and Laster absent.

Mr. Bruce Ward, 915 Franklin St. No.2L, 77002, (504)812-2766 appeared and stated that this concerns the Day and Night Festival which was held at the old Post Office building in Mid-December and Council Member Gallegos and Mayor Turner had already received e-mails from the Herman Loft's Homeowners Association and himself, Council Members Gallegos and Cisneros have hard copies of his report and along with a copy for the Mayor, this concerns the noise, the permit issued was from 8 a.m. to 10 p.m. on Friday, Saturday and Sunday, Saturday night the music went overtime by over 90 minutes and it did not stop until about around 11 p.m. and they only cut it short because the cold front came through and on Sunday night they went 2 hours 28 minutes in overtime and they shut down 20 minutes after midnight on Monday morning

on the 19<sup>th</sup>, he does have the Open Records Request copies of the sound permit and the incidents report from HPD, the top 2 incident reports in the spread sheet show that the complaints were called in after midnight on the 19<sup>th</sup>, when he called the dispatcher to call and complain in the response was well, they already gone down there once and they were told that they have a permit and at that point in time they were already 2 hours and 5 minutes in overtime on Monday morning and this is outrageous and at his living room the sound meter that he has on his I-Phone was reading 80 to 85 DB, the windows in the Lofts were rattling and he had taken pictures of where the stage was located at and in conclusion the Mayor's Office of Special Events should do their due diligent and conduct neighborhood outreach prior to events of this nature. Council Members Davis and Green absent.

Members of Council questioned Mr. Ward.

Mayor Pro Tem Cohen stated she wanted to give a quick update on the Bayou situation, at this point it is looking good and the report and posted information states from Harris County Flood Control warning system that all Major Bayous are in their banks and they are dropping at this moment, if Council Members or their staff would like to keep a monitoring on the Bayou status they can log on to harriscountyfws.org and that is the update at this moment.

Pastor James Nash, 8418 Colonial Ln., 77051, (713)725-1664 had reserved time to speak but was not present when his name was called. Council Member Green absent.

President Joseph Charles, Post Office Box 524373, 77052-4373, Houston, TX, had reserved time to speak but was not present when his name was called. Council Member Green absent.

Ms. Bridget Alexander McDaniel, 8114 St. Lo. Rd., 77033, (713)987-3854 had reserved time to speak but was not present when her name was called. Council Member Green absent.

**Note:** During the public session motions were offered to extend time for questions of various speakers, and votes taken, which were not prepared in written form and may be viewed on HTV Houston or on disc.

At 10:54 a.m. Mayor Pro Tem Cohen requested the City Secretary to call the Consent Agenda.

### **CONSENT AGENDA NUMBERS 2 through 15**

#### **ACCEPT WORK** - NUMBER 2

2. **RECOMMENDATION** from Director Houston Airport System for approval of final contract amount of \$1,490,599.88 and acceptance of work on contract with **R&B GROUP, INC** for Sanitary Sewer Lift Stations Upgrades at George Bush Intercontinental Airport - **DISTRICT B – DAVIS**- was presented, moved by Council Member Green and seconded by Council Member Christie, all voting aye, nays none. Council Member Davis absent. **MOTION 2017-0041 ADOPTED**

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 3 and 5

3. **SCOTT TECHNOLOGIES, INC dba SCOTT SAFETY** for EZ Radiocomm II Communication Interface System Equipment for the Houston Fire Department - \$347,907.30 - General Fund- was presented, moved by Council Member Knox and seconded by Council Member Christie, all voting aye, nays none. Council Member Davis absent. **MOTION 2017-0042 ADOPTED**
5. **AMEND MOTION #2012-664, 8/29/2012, subsequently amended by Motion #2015-789, 11/10/2015, TO INCREASE** spending authority from \$21,992,917.05 to \$30,790,083.87 for Chemical, Liquid Polymer Flocculents and **TO EXTEND** the term from September 18, 2017 to September 18, 2018 for the Department of Public Works & Engineering, awarded to **POLYDYNE, INC** - Water & Sewer Operating Fund- was presented, moved by Council Member Knox and seconded by Council Member Christie, all voting aye, nays none. Council Member Davis absent. **MOTION 2017-0043 ADOPTED**

#### **RESOLUTIONS** - NUMBER 6

6. **RESOLUTION** authorizing the Houston Parks and Recreation Department to submit an application for a Texas Parks and Wildlife Department Community Outdoor Outreach Program Grant to fund the Houston Parks Adventure Program; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program- was presented and after discussion was tagged by Council Member Stardig.

#### **ORDINANCES** - NUMBERS 9 through 15

9. **ORDINANCE** appropriating \$800,000.00 from the TIRZ Affordable Housing Fund (Fund 2409); approving and authorizing an agreement between the City of Houston and **STAR OF HOPE MISSION** to provide \$800,000.00 in TIRZ Funds to pay a portion of the construction costs on three residential buildings to be located within Star of Hope Mission's Cornerstone Community, at 2575 Reed Road, Houston, Texas - **DISTRICT D – BOYKINS**- the City Secretary advised that Item 9 had not been received but if received during the meeting, would be considered at the end of the agenda.
11. **ORDINANCE** approving and authorizing first amendment to agreement between the City of Houston and **BERING OMEGA COMMUNITY SERVICES** to add **HOUSTON AREA COMMUNITY SERVICES** as a party to the agreement to act as construction manager and take responsibility for program services at a facility to be located at 2920 Fannin Street, Houston, Texas - **DISTRICT D – BOYKINS**- the City Secretary advised Item 11 had been pulled by the Administration and will not be considered.
12. **ORDINANCE** approving and authorizing settlement, release, and Indemnity Agreement to settle a lawsuit styled **AKERROYD, et al** v. City of Houston; Civil Action No. 2015-000828, in the District Court of Harris County, 11th Judicial District Civil Court - \$129,229.32 - Property & Casualty Fund- was presented, all voting aye, nays none. Council Member Green absent. **ORDINANCE 2017-0038 ADOPTED**

14. **ORDINANCE** appropriating \$5,135,320.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **LOPEZ UTILITIES CONTRACTOR, 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 (4257-154)- was presented, all voting aye, nays none. Council Member Green absent. **ORDINANCE 2017-0039 ADOPTED**
15. **ORDINANCE** No. 2017-0007, passed second reading January 11, 2017  
ORDINANCE granting to **RS WASTE SERVICES, INC, dba REST STOP PORTABLE TOILETS**, 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**- was presented, all voting aye, nays none. **ORDINANCE 2017-0007 PASSED THIRD AND FINAL READING IN FULL**

### **END OF CONSENT AGENDA**

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

4. **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY AUTOCAR** for Autocar Replacement Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options - \$1,755,092.16 - Fleet Management Fund- was presented, moved by Council Member Robinson and seconded by Council Member Davis and tagged by Council Member Davis. Council Member Green absent.
- NOTE:** Later in the meeting Council Member Davis released the tag of Item 4.
7. **ORDINANCE** supplementing Ordinance No. 2015-76 relating to the City of Houston, Texas Public Improvement Bonds, as may be further designated, providing for an increase in the aggregate principal amount as described and provided herein; authorizing the preparation and distribution of an Official Statement and matters incident thereto; authorizing the execution and delivery of a Forward Delivery Bond Purchase Agreement and other related documents; making other provisions regarding such bonds; and declaring an emergency- was presented, all voting aye, nays none. Council Member Green absent. **ORDINANCE 2017-0040 ADOPTED**
8. **ORDINANCE** approving and authorizing first amendment to agreement between the City of Houston and **STAR OF HOPE MISSION** to provide for the transfer of the remaining term of a five year restricted use period from a facility located at 419 Dowling Street to three residential buildings under construction at 2575 Reed Road, Houston, Texas - **DISTRICT D – BOYKINS**- was presented, Council Member Green voting no, balance voting aye. **ORDINANCE 2017-0041 ADOPTED**

10. **ORDINANCE** approving and authorizing an amended and restated Loan Agreement between the City of Houston and **HY FS LLC, joined by AHG-C HARDY RESIDENTIAL, LP**, to provide a Performance-Based Loan of an additional \$4,700,000.00 of Federal Community Block Grant Disaster Relief Program - Rental Housing Projects Round 2 Funds to assist with construction of a 350 unit Mixed-Income Apartment Development, including 179 affordable units, located in Houston, Texas, near 1550 Leona Street - **DISTRICT H – CISNEROS**- was presented and tagged by Council Member Davis.
13. **ORDINANCE** approving and authorizing contract between the City of Houston and **HARRIS CORPORATION** for Vehicle Movement Area Transponders and Support Services for the Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options \$723,684.00 - Enterprise Fund - **DISTRICTS B - BOYKINS, E - MARTIN and I – GALLEGOS**- was presented and tagged by Council Member Edwards.

### **NON CONSENT AGENDA** - NUMBER 16

### **MATTERS HELD** - NUMBER 17

17. **MOTION** by Council Member Cohen/Seconded by Council Member Davis to adopt recommendation from Chief Procurement Officer to award to **GEOGRAPHIC INFORMATION SERVICES, INC** for approval of spending authority in an amount not to exceed \$300,000.00 for Development of an Impervious Cover Layer from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Department of Public Works & Engineering - \$225,000.00 plus contingencies for a total amount not to exceed \$300,000.00 Dedicated Drainage & Street Renewal Fund **TAGGED BY COUNCIL MEMBERS STARDIG and MARTIN**  
This was Item 3 on Agenda of January 11, 2017- was presented,

After a lengthy discussion relative to provisions contained in Chapter 47, Council Member Martin moved to delay Item 17 for 2 weeks and seconded by Council Member Stardig, all voting aye, nays none. Council Members Davis and Kubosh absent. **MOTION 2017-0044 ADOPTED**

Council Member Davis stated that he was going to release his tag on Item 4.

4. **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY AUTOCAR** for Autocar Replacement Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options - \$1,755,092.16 - Fleet Management Fund- was presented, all voting aye, nays none. Council Member Kubosh absent. **MOTION 2017-0045 ADOPTED**

The City Secretary advised that they have received Item 9.

9. **ORDINANCE** appropriating \$800,000.00 from the TIRZ Affordable Housing Fund (Fund 2409); approving and authorizing an agreement between the City of Houston and **STAR OF HOPE MISSION** to provide \$800,000.00 in TIRZ Funds to pay a portion of the construction costs on three residential buildings to be located within Star of Hope Mission's Cornerstone Community, at 2575 Reed Road, Houston, Texas - **DISTRICT D – BOYKINS**- was

presented, Council Member Green voting no, balance voting aye. Council Member Kubosh absent. **ORDINANCE 2017-0042 ADOPTED**

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Edwards first

Members of Council announced events and discussed matters of interest.

There being no further business before Council; the City Council adjourned at 11:45 a.m. Council Members Stardig, Davis, Boykins, Martin, Le, Green, Knox, Kubosh, Edwards and Christie absent. **DETAILED INFORMATION ON FILE ON THE OFFICE OF THE CITY SECRETARY**

**MINUTES READ AND APPROVED**

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Anna Russell, City Secretary