

AGENDA - COUNCIL MEETING - TUESDAY - MAY 1, 2018 - 2:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2018-0212 to 2018-0230
ORDINANCES – 2018-0354 to 2018-0376
RESOLUTION – None

2018-0211-1

2:30 P. M. - PRESENTATIONS

3:00 P.M. - INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Cisneros

ROLL CALL AND ADOPT MINUTES OF PREVIOUS MEETING

3:00 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 2018-0212 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 2, 2018 - 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 39

MISCELLANEOUS - NUMBER 1

1. Motion 2018-0213

RECOMMENDATION from Director Houston Airport System for approval of membership fees in the Airports Council International - North America for the Calendar Year 2018 - \$150,043.00 Enterprise Fund

ACCEPT WORK - NUMBERS 2 through 9

2. Motion 2018-0214

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$1,728,301.69 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Wrap Repairs - 1.08% over the original contract amount and under the 5% contingency amount (WA11241)

3. Motion 2018-0215

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$22,661,641.10 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION CO.** for Hirsch Road Paving and Drainage: Kelley Street to E. Crosstimbers 1.26% under the original contract amount - **DISTRICTS B - DAVIS and H - CISNEROS**

4. Motion 2018-0223

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$623,095.62 and acceptance of work on contract with **NBG CONSTRUCTORS, INC** for Cambridge Bridge Paving and Drainage Completions and Corrections to Construction Contract 6.88% under the original contract amount - **DISTRICT D - BOYKINS**

5. Motion 2018-0224

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$657,907.79 and acceptance of work on contract with **P^2MG, LLC dba P2MG, LLC** for Safe Sidewalk Program - 52.55% under the original contract amount - **DISTRICTS C - COHEN; E - MARTIN; H - CISNEROS and I - GALLEGOS**

6. Motion 2018-0216

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$738,637.63 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation - 2.00% over the original contract amount and under the 5% contingency amount (4277-74)

7. Motion 2018-0217

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$647,511.84 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation - 1.84% over the original contract amount and under the 5% contingency amount (4277-79)

8. Motion 2018-0218

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$9,296,302.36 and acceptance of work on contract with **HUFF & MITCHELL, INC** for Sims Bayou Widening Wastewater Utility Relocations - 0.89% under the revised contract amount **DISTRICT K - VACANT**

9. Motion 2018-0219

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$8,236,649.04 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION, L.P.** for 84-Inch Water Line Interconnection at East Water Purification Plant - 1.25% under the original contract amount - **DISTRICT E - MARTIN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 16

10. Motion 2018-0220

AECOM TECHNICAL SERVICES, INC for approval of payment to address Emergency Disaster Recovery Activities as a result of Hurricane Harvey for Pumps Repair and Water Restoration Services at City of Houston Facilities for the General Services Department - \$306,837.76 Maintenance Renewal and Replacement Fund

11. Motion 2018-0230

AECOM TECHNICAL SERVICES, INC for approval of payment to address Emergency Disaster Recovery Activities due to Hurricane Harvey for Flood Damage Repair Services at multiple City of Houston Facilities for Houston Public Works - \$3,556,663.80 - Disaster Recovery Fund - CUS Fund

12. Motion 2018-0225

AGGREKO, LLC for approval of payment to address Emergency Disaster Recovery Activities due to Hurricane Harvey for Portable Generator Rental for the City of Houston General Services Department - \$11,892.50 - Maintenance Renewal and Replacement Fund

13. Motion 2018-0221

AZTEC/SHAFFER, LLC for approval of payment to address Emergency Disaster Recovery Activities because of Hurricane Harvey for Tent Rental Services for the Mayor's Office for Homeless Initiatives - \$59,649.99 - TIRZ Affordable Housing Fund

14. Motion 2018-0222

APEX SYSTEMS, LLC for approval of spending authority in an amount not to exceed \$135,720.00 for Purchase of Information Technology Staff Augmentation Services through the Texas Department of Information Resource's for the Houston Health Department - Essential Public Health Services Fund

15. Motion 2018-0226

SPECTRAREP, LLC for Datacasting Service Renewal for Mayor's Office of Homeland Security 36 Months - \$142,650.00 - Grant Fund

16. Motion 2018-0227

AMERICAN SCIENCE AND ENGINEERING, INC for Service and Maintenance of ZBV Mobile Backscatter X-Ray Van for the Houston Police Department - 2 Years - \$119,157.00 - Grant Fund

ORDINANCES - NUMBERS 17 through 39

17. Ordinance 2018-0354

ORDINANCE authorizing the issuance of one or more series of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2018 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019; 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

18. Ordinance 2018-0355

ORDINANCE approving a supplemental borrowing evidenced by City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2018A to provide for payment of current expenses of the City for a portion of the Fiscal Year beginning July 1, 2018 and ending June 30, 2019; 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

19. Ordinance 2018-0356

ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299; providing for the issuance of the City of Houston, Texas, Combined Utility System Subordinate Lien Revenue Bonds, Series 2018B, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing a Co-Bond Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

20. Ordinance 2018-0366

ORDINANCE **AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a new article relating to Memorial Park, and **AMENDING PORTIONS OF CHAPTER 26**, relating to the same

21. Ordinance 2018-0367

ORDINANCE approving and authorizing amended and restated Development, Construction, Operations, Maintenance and Concession Agreement between the City of Houston, Texas, **UPTOWN DEVELOPMENT AUTHORITY**, and **MEMORIAL PARK CONSERVANCY, INC** relating to Memorial Park - **DISTRICTS C - COHEN and G - TRAVIS**
This item should only be considered after passage of Item 20 above

22. Ordinance 2018-0368

ORDINANCE approving and authorizing submission of an electronic application for grant assistance to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION** for the Houston Health Department's Immunization and Vaccines for Children Program; 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, with the authority 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

23. Ordinance 2018-0357

ORDINANCE appropriating \$2,327,112.88 out of Airports Improvement Fund and approving and authorizing Reimbursable Agreement between the City of Houston and the **FEDERAL AVIATION ADMINISTRATION** for Construction-Relocation of Remote Transmitter Receiver D Antenna at William P. Hobby Airport (Project No. 792D) - **DISTRICT I - GALLEGOS**

ORDINANCES - continued

24. Ordinance 2018-0358

ORDINANCE relating to the Retail Water and Sewer Rates of **AQUA TEXAS, INC, AQUA UTILITIES, INC**, and **AQUA DEVELOPMENT, INC d/b/a AQUA TEXAS (“AQUA TEXAS”)**; suspending for ninety days the effective date of the Federal Tax Change Credit Rider filed by Aqua Texas; establishing interim rates that shall constitute the legal rates of Aqua Texas until changed as provided by the Texas Water Code

25. Ordinance 2018-0359

ORDINANCE approving and authorizing between the City of Houston and **HARRIS COUNTY** relating to the special election to be held on May 5, 2018; providing a maximum contract amount \$130,000.00 - General Fund

26. Ordinance 2018-0369

ORDINANCE authorizing the use of electronic signatures and electronic communications

27. Ordinance 2018-0360

ORDINANCE approving and authorizing contract with **LEADSONLINE LLC** for Online Property Crimes Database Subscription Services for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$335,000.00 - General Fund

28. Ordinance 2018-0370

ORDINANCE amending Ordinance No. 2013-0365 (Passed by Council on May 1, 2013) and approving and authorizing first amendment to contract between the City of Houston and **PS LIGHTWAVE INC, dba PURE SPEED LIGHTWAVE PLW (Formerly known as Phonoscope Light Wave, Inc)**, to increase the maximum contract amount and extend the contract between the contract term for High-Capacity Fiber Circuit Services for the Houston Information Technology Services Department - \$4,168,061.34 - Central Service Revolving Fund

29. Ordinance 2018-0371

ORDINANCE awarding contract to **NOLA CONSTRUCTION & DEVELOPMENT GROUP, LLC** for Zika Abatement Debris Removal Services for the Solid Waste Management Department \$500,000.00 - Grant Fund

30. Ordinance 2018-0372

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 Pinewood Village South Area Drainage and Paving Improvements Project; authorizing the acquisition, by gift, dedication, purchase, or eminent domain proceedings, of the fee simple title or street easement in and to one parcel of land required for the Project, being situated in the W.J. Foster Survey, Abstract No. 279, in Houston, Harris County, Texas; authorizing payment of the costs of such acquisition, including the purchase price for the property interest and costs associated with relation assistance, appraisals, title policies/services, recordation of instruments, and eminent domain proceedings - **DISTRICT B - DAVIS**

31. Ordinance 2018-0361

ORDINANCE approving and authorizing an Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Bridge Replacement or Rehabilitation off the State System, Grapevine Street Bridge at HCFCD DITCH (Approved by Resolutions 2017-0017, 2016-0015, 2015-0046) - **DISTRICT K - VACANT**

ORDINANCES - continued

32. Ordinance 2018-0362

ORDINANCE appropriating \$1,262,728.68 out of Metro Projects Construction DDSRF for the Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT** for the Brays Bayou Flood Damage Reduction Plan for replacement of the Buffalo Speedway Boulevard Bridge (Approved by Ordinance No. 2003-1282); providing funding for construction of facilities financed by the Metro Projects Construction DDSRF **DISTRICTS C - COHEN and K - VACANT**

33. Ordinance 2018-0373

ORDINANCE approving and authorizing an interlocal purchasing agreement between the City of Houston and **THE CITY of NASSAU BAY, TEXAS**

34. Ordinance 2018-0363

ORDINANCE appropriating \$7,778,996.00 out of Water & Sewer System Contributed Capital Fund; \$2,005,604.00 out of the Water & Sewer System Consolidated Construction Fund, awarding contract to **BRH-GARVER CONSTRUCTION, L.P.** for Holmes Road Sanitary Sewer Kirby Drive to Knight Road; 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 testing services, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer contributed Capital Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT K - VACANT**

35. Ordinance 2018-0364

ORDINANCE appropriating \$10,491,161.09 out of Water Authorities Capital Contribution Fund NETL and \$9,003,838.91 out of PWE-NETL Construction Fund, awarding contract to **HARPER BROTHERS CONSTRUCTION, LLC**, for 108-inch water line from Lee Road to Vickery Drive; 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 testing services, CIP Cost Recovery, construction management, construction program management services, construction phase engineering services, and contingencies relating to construction of facilities financed by the Water Authorities Capital Contribution Fund NETL and PWE-NETL Construction Fund - **DISTRICT B - DAVIS**

36. Ordinance 2018-0365

ORDINANCE authorizing the transfer of \$4,383,690.43 from the NETL Expansion-SWIFT Fund (Fund 8426) to the PWE-NETL Construction Fund (Fund 8508) and appropriating said sum out of the PWE-NETL Construction Fund (Fund 8508), appropriating \$5,889,781.39 out of Water Authorities Capital Contribution-NETL Fund (Fund 8507), appropriating \$4,795,328.18 out of the Water and Sewer System Consolidated Construction Fund (Fund 8500), awarding contract to **HARPER BROTHERS CONSTRUCTION, LLC** for 54-inch water line along Vickery Drive from Aeropark Drive to World Houston Parkway; 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 testing services, CIP Cost Recovery, Construction Management, Construction Program Management Services, Construction Phase Engineering Services, Construction Phase Engineering Services for Non-Project Sanitary Sewer items and contingencies relating to construction of facilities financed by the PWE-NETL Construction Fund, Water Authorities Capital Contribution-NETL Fund, Water & Sewer System Consolidated Construction Fund - **DISTRICT B - DAVIS**

ORDINANCES - continued

37. Ordinance 2018-0374

ORDINANCE appropriating \$1,490,000.00 out of Miscellaneous Acquisition Capital Projects Series E Fund and authorizing the expenditure of the appropriated funds to the In-House Renovation Revolving Fund for the Municipal Courts Hurricane Harvey damage repairs; declaring the City's intent to seek reimbursement from the Federal Emergency Management Agency and other eligible sources for such expenditures - **DISTRICT I - GALLEGOS**

38. Ordinance 2018-0341 – Passed second reading

ORDINANCE No. 2018-0341, passed first reading April 25, 2018

ORDINANCE granting to **FLEET CLEAN, 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, and making certain findings related thereto - **SECOND READING**

39. Ordinance 2018-0342 – Passed second reading

ORDINANCE No. 2018-342, passed first reading April 25, 2018

ORDINANCE granting to **LRG POWER WASHING, LLC, a Texas Limited Liability Company**, 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, and making certain findings related thereto - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 40

MISCELLANEOUS

40. Pulled-Not Considered

REVIEW on the record and make determination relative to the appeal from the decision of the Historical Preservation Appeals Board, filed by Mark S. Hellinger, Attorney, on behalf of Ryan Strickland, owner of the structure at 901 Heights Boulevard, regarding denial of certificate of appropriateness to demolish the structure located at 901 Heights Boulevard **DISTRICT C - COHEN**

AGENDA - MAY 2, 2018 - PAGE 7

MATTERS HELD - NUMBERS 41 through 44

41. Motion 2018-0228 – Adopt

WRITTEN Motion by Council Member Gallegos to amend Item No. 42 below, Subsection 3 of proposed ordinance amending Section 39-62 of the Code of Ordinances relating to responsibility associated with replacement and retrieval of Solid Waste containers, as follows:

Amend Sec. 39-62, subsection (3) by inserting the following:

(3) The department will replace a container due to routine wear when necessary at no charge to the property owner, but not more frequently than once every ten years. and will provide a second replacement within the same time period at a reduced cost only if:

- a. The property owner requesting a second container is a senior citizen over the age of 65; or
- b. The property owner is enrolled in the department's pickup for persons with disabilities program as identified in Section 39-80.

For these categories of property owners, the replacement fee shall be waived for a second replacement and only the delivery fee shall be charged

TAGGED BY COUNCIL MEMBER LASTER

42. Ordinance 2018-0375 – Adopt as amended

ORDINANCE AMENDING SECTION 39-62 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to responsibility for and establishing fees associated with replacement and retrieval of City solid waste containers - **TAGGED BY COUNCIL MEMBER LASTER**

This was Item 13 on Agenda of April 25, 2018

43. Ordinance 2018-0376

ORDINANCE appropriating \$4,633,769.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **HALFF ASSOCIATES, INC** for the Storm Water Engineering Program Project (Approved by Ordinance No. 2015-0621); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **TAGGED BY COUNCIL MEMBER EDWARDS**

This was Item 27 on Agenda of April 25, 2018

44. Motion 2018-0229 – Adopt

CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY AUTOCAR - \$2,924,260.00, MCNEILUS FINANCIAL, INC d/b/a MCNEILUS TRUCK AND MANUFACTURING CO. - \$2,464,040.00 and HOUSTON FREIGHTLINER, INC - \$1,927,735.00 for Refuse and Recycling Trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Solid Waste Management Department - Equipment Acquisition Consolidated Fund - **TAGGED BY COUNCIL MEMBER CHRISTIE**

This was Item 39 on Agenda of April 25, 2018

SUPPLEMENTAL NOTICE FOR AGENDA OF MAY 2, 2018

45. Council Member Edwards tagged

ORDINANCE amending Ordinance No. 2011-390 to add a maximum contract amount for the Lease Agreement between the City of Houston and **HOUSTON FIRST CORPORATION Formerly HOUSTON CONVENTION CENTER HOTEL CORPORATION**; approving and authorizing an amendment to the aforementioned Lease Agreement and a form of a Promissory Note in connection with the same for the repair of City-owned properties damaged by Hurricane Harvey; authorizing the Mayor to execute Promissory Note(s)

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gallegos 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

5/1/2018 - Council Member Le absent on personal business
5/2/2018 - Council Member Le absent on personal business
Council Member Travis absent due to being ill