

AGENDA - COUNCIL MEETING - TUESDAY - MAY 22, 2018 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2018-0258 to 2018-0271
ORDINANCES – 2018-0415 to 2018-0430
RESOLUTIONS – 2018-0025 to 2018-0026

2018-0257-1

1:30 P. M. - PRESENTATIONS

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

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 23, 2018 - 9:00 A. M.

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

HEARING - 9:00 A.M.

Motion 2018-0258 – Suspend rules to consider Items 2, 1, 38, 39 and 40 out of order

1. Motion 2018-0260 – Close hearing

PUBLIC HEARING on the City Budgets for the time period July 1, 2018 through June 30, 2019

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 40

MISCELLANEOUS - NUMBERS 2 through 4

2. Motion 2018-0259

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

- Position One - **KIMBERLY ANN BRUSATORI**, reappointment, for a term to expire 12/31/19
- Position Two - **JEFFREY NIELSEN**, reappointment, for a term to expire 12/31/18
- Position Three - **PHILIP IVY**, reappointment, for a term to expire 12/31/19
- Position Four - **THOMAS L. BROAD**, reappointment, for a term to expire 12/31/18
- Position Five - **STANLEY J. SARMAN**, reappointment, for a term to expire 12/31/19 and to serve as Chair for a term ending 12/31/18
- Position Six - **MARTIN BASALDUA**, reappointment, for a term to expire 12/31/18
- Position Seven - **NOLAN CORREA**, appointment, for a term to expire 12/31/19

3. Motion 2018-0261

RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of residential parking permit area: 4726-4735 Waring (at Vossdale) - **DISTRICT G - TRAVIS**

4. Motion 2018-0267

RECOMMENDATION from Director Houston Public Works for approval of Change Order No. 2 in the amount of \$338,766.21 for Northside Sewer Relief Tunnel Rehabilitation Area #4 **DISTRICTS B - DAVIS and H - CISNEROS**

DAMAGES - NUMBER 5

5. Motion 2018-0262

RECOMMENDATION from City Attorney for settlement of claim styled **HUONG KIM PHAN v. City of Houston** - \$70,798.16 - Property and Casualty Fund

ACCEPT WORK - NUMBER 6

6. Motion 2018-0263

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$837,562.11 and acceptance of work on contract with **GADBERRY CONSTRUCTION COMPANY, INC** for Meadowcreek Pavilion - 5% over the original contract amount and within the approved 5% contingency - **DISTRICT E - MARTIN**

PROPERTY - NUMBERS 7 and 8

7. Motion 2018-0264

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of court in connection with eminent domain proceedings styled City of Houston v. Henlo Partners Limited Partnership, et al, Cause No. 1103633; for acquisition of Parcels DY14-037 & AY17-243, for the **NORTH CORRIDOR PLANT CONSOLIDATION PACKAGE 1A PROJECT - DISTRICT B - DAVIS**

PROPERTY - continued

8. Motion 2018-0268

RECOMMENDATION from Director Houston Public Works to purchase Parcel DY16-001, located at 5888 Westheimer Road, owned by 5860-5888 Westheimer Limited, a Texas Limited Partnership, for the **FOUNTAINVIEW REGIONAL LIFT STATION CONSTRUCTION and WESTHEIMER NO. 1 LIFT STATION ABANDONMENT PROJECT** - \$318,600.00 - Enterprise Fund - **DISTRICT J - LASTER**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 12

9. Motion 2018-0265

KONE, INC for approval of payment to address Emergency Disaster Recovery Activities due to Hurricane Harvey for Elevator Repair Services at multiple City of Houston Facilities for the General Services Department - \$94,211.62 - Maintenance Renewal and Replacement Fund

10. Motion 2018-0269

NORTH SHORE SUPPLY COMPANY, INC for Steel Construction Materials for Various Departments - \$1,272,666.19 - 3 Years with two one-year options - General and Other Funds

11. Motion 2018-0266

CALDWELL AUTOMOTIVE PARTNERS LLC, d/b/a CALDWELL COUNTRY CHEVROLET for purchase of three Utility Vehicles and one Pick-up Truck through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Fleet Management Department on behalf of the Houston Police Department - \$130,520.00 - General and Asset Forfeiture Funds

12. Council Member Christie tagged

CHASTANG ENTERPRISES, INC dba CHASTANG FORD - \$52,376.00, **SILSBEE FORD, INC** - \$3,713,464.83, **DONALDSON-UMPHREY AUTOMOBILE GROUP, INC d/b/a SILSBEE TOYOTA** - \$342,643.08 and **CALDWELL AUTOMOTIVE PARTNERS LLC, dba CALDWELL COUNTRY CHEVROLET** - \$6,656,279.06 for Automobiles, Utility Vehicles, Vans and Light Duty Trucks through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Purchasing Cooperative (BuyBoard) and the Houston-Galveston Area Council for Various Departments - \$10,764,762.97 - Equipment Acquisition Consolidated and Other Funds

RESOLUTIONS - NUMBERS 13 and 14

13. Resolution 2018-0025

RESOLUTION approving and authorizing the nomination of **PROS, INC** to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as a Texas State Enterprise Project - **DISTRICT C - COHEN**

14. Resolution 2018-0026

RESOLUTION approving and authorizing the nomination of **TOSHIBA INTERNATIONAL CORPORATION** to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as a Texas State Enterprise Project

ORDINANCES - NUMBERS 15 through 40

15. Ordinance 2018-0420

ORDINANCE AMENDING SECTION 40-485 OF THE CITY CODE OF ORDINANCES TO ADD THE WESTCHASE AREA MANAGEMENT DISTRICT to the list of design districts and provide for management districts created by state law to be considered for design district designation; containing findings and provisions related to the foregoing subject; declaring an effective date; providing for severability - **DISTRICTS F - LE; G - TRAVIS and J - LASTER**

16. Ordinance 2018-0421

ORDINANCE AMENDING ARTICLE II, CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Car-Share Houston; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability

17. Ordinance 2018-0422

ORDINANCE approving and authorizing the renewal of the On-Street Parking Performance period to the contract between the City of Houston and **ZIPCAR, INC** (as approved by Ordinance No. 2016-914) for the City of Houston Car Sharing Program for the Administration and Regulatory Affairs Department

18. Pulled-Not Considered

ORDINANCE authorizing the sale of 1.830 acres of land, located in the Frederick H. Rankin Survey, Abstract No. 57, Harris County, Texas, to the Texas Department of Transportation, in consideration of its payment to the City of \$339,521.00 and other consideration - **DISTRICT E - MARTIN**

19. Council Member Travis tagged

ORDINANCE approving and authorizing contract between the City and **THE DEAN G. PAPPAS LAW FIRM PLLC** for Legal Services relating to the City's Workers' Compensation Benefits Program; providing a maximum contract - \$1,650,000.00 - 3 Years with two one-year options Workers Compensation Admin Fund

20. Ordinance 2018-0415

ORDINANCE approving and authorizing Compromise and Settlement Agreement between City of Houston and **TANISHA C. GREEN** to settle a lawsuit - \$80,000.00 - Property and Casualty Fund

ORDINANCES - continued

21. Ordinance 2018-0423

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of 1) East 40th 1/2 Street, from Yale Street to Blackshear Street; 2) East 41st Street, from Yale Street to Blackshear Street; 3) east 42nd Street, from Yale Street to Blackshear Street; 4) East 42nd Street, from Blackshear Street to Harvard Street; 5) East 42nd 1/2 Street, from Blackshear Street to Harvard Street; 6) Harvard Street, from East 43rd Street to East 42nd Street; 7) Blackshear Street, from East 40th 1/2 Street north to its terminus south of East 43rd Street; 8) Douglas Street, from East 40th 1/2 Street north to its terminus south of East 43rd Street; and 9) a 10-foot-wide sanitary sewer easement, all out of the S.W. Allen and Ben Campbell Surveys; vacating and abandoning said street portions and easement to **HOUSTON INDEPENDENT SCHOOL DISTRICT** ("HISD"), the abutting owner, in consideration of HISD's net payment to the City of \$1,689,080.00, the conveyance to the City of 1) a 10-foot-wide strip of right-of-way for the widening of east 43rd Street, from Yale Street to Harvard Street; 2) a 10-foot-wide strip of right-of-way for the widening of east 39th Street, from Yale Street to Cortlandt Street; and 3) a 5-foot-wide street of right-of-way for the widening of Cortlandt Street, from east 40th Street to east 39th Street, all out of the S.W. Allen and O.P. Kelton Surveys, and other good and valuable consideration - **DISTRICT H - CISNEROS**

22. Ordinance 2018-0430

ORDINANCE approving and authorizing the City of Houston to submit the 2018 Annual Action Plan to the United States Department of Housing and Urban Development, including the following 2018 grant applications and budgets: 1) 44th Program Year Community Development Block Grant in the amount of \$24,102,816.00 (which amount includes \$23,946,316.00 in CDBG funds and \$156,500.00 in projected program income); 2) Home Investment Partnerships Grant in the amount of \$9,905,546.00 (which amount includes \$9,810,603.00 in Home Funds and \$94,943.00 in projected program income); 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$9,738,444.00; and 4) Emergency Solutions Grant, formerly known as the Emergency Shelter Grants, in the amount of \$1,968,996.00; to accept funds from the aforementioned grants, if awarded

23. Ordinance 2018-0416

ORDINANCE establishing the north and south sides of the **2600-2700 blocks of Arbor Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - BOYKINS**

24. Ordinance 2018-0424

ORDINANCE awarding contract to **RBEX INC, dba APPLE TOWING** for Towing Services for vehicles and equipment for the Fleet Department; providing a maximum contract amount - 3 Years with two one-year options - \$3,677,530.00 - Fleet Management Fund

25. Council Member Christie tagged

ORDINANCE approving and authorizing contract between the City of Houston and **MULTIFORCE SYSTEMS CORPORATION** for Hardware and Software Maintenance and Support Services for the Automated Fuel Management System for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$893,953.73 - Fleet Management Fund

ORDINANCES - continued

26. Ordinance 2018-0425

ORDINANCE awarding contract to **TIMES CONSTRUCTION, INC** for Concrete Repair Services for Various Departments; establishing a maximum contract amount - 3 Years with two one-year options - \$5,273,195.00 General and Other Funds

27. Council Member Travis tagged

ORDINANCE approving and authorizing an Interlocal Agreement for Post Oak Boulevard Bus Rapid Transit/Dedicated Bus Lane and Uptown Transit Center Project between **UPTOWN DEVELOPMENT AUTHORITY, HARRIS COUNTY IMPROVEMENT DISTRICT NO. 1, THE CITY OF HOUSTON** and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS DISTRICT G - TRAVIS**

28. Council Member Stardig tagged

ORDINANCE approving third amendment to Lease Agreement between **PHUONG M. NGUYEN** and the City of Houston, Texas related to the leased premises located at 8536 Hammerly Street, Houston, Texas - **DISTRICT A - STARDIG**

29. Ordinance 2018-0417

ORDINANCE appropriating \$2,943,669.50 out of Public Health Consolidated Construction Fund as an additional appropriation to Design-Build Contract between the City of Houston and **SPAWGLASS CONSTRUCTION CORP.** for the Northside Health Center Renovation Project; providing funding for the Civic Art Program, materials testing services and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund **DISTRICT H - CISNEROS**

30. Ordinance 2018-0426

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT** for Construction and Maintenance of Hike and Bike Trails

31. Ordinance 2018-0427

ORDINANCE appropriating \$172,266.76 out of Metro Construction – Other Fund and approving and authorizing Cooperative Agreement between the City of Houston and **THE HOUSTON PARKS BOARD LGC, INC** for the Connection Bikeway between the Missouri Kansas Texas Trails and Heritage West Trail; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Construction - Other Fund - **DISTRICT C - COHEN**

32. Ordinance 2018-0428

ORDINANCE approving and authorizing the Department Director of the City of Houston's Department Houston Public Works to accept a grant award from the Texas Division of Emergency Management of the Texas Department of Public Safety for administering the Federal Emergency Management Agency's Hazard Mitigation Grant Program; declaring the City's eligibility for such grant; authorizing the Director to expend the grant funds, as awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant; approving and authorizing a sub-award agreement between the City and the Texas Division of Emergency Management in connection with the above grant - **DISTRICT C - COHEN**

ORDINANCES - continued

33. Ordinance 2018-0418

ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Bridge Replacement or Rehabilitation Off the State System, Lee Road Bridge at HCFCD Ditch (Approved by Resolutions 2017-0015, 2016-0011, 2015-0043) - **DISTRICT B - DAVIS**

34. Ordinance 2018-0429

ORDINANCE appropriating \$3,960,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for Water Line Replacement in Briar Court area; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - TRAVIS**

35. Ordinance 2018-0419 – Passed first reading

ORDINANCE granting to **ECO BRIGHT SOLUTIONS, 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 - **FIRST READING**

36. Ordinance 2018-0383 – Passed third and final reading

ORDINANCE No. 2018-0383, passed second reading May 16, 2018
ORDINANCE granting to **CLEAR PERFECTION, 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**

37. Ordinance 2018-0384 – Passed third and final reading

ORDINANCE No. 2018-0384, passed second reading May 16, 2018
ORDINANCE granting to **NEWHOUSE SERVICES, 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**

BUDGET MATTERS

38. Council Member Kubosh tagged

ORDINANCE providing for the continuation of appropriations for the support of the City Government pursuant to the requirements of Article VIA, Section 1 of the City Charter; authorizing certain transfers; making other provisions related to the subject; containing a repealer and a severability clause

BUDGET MATTERS - continued

39. Council Member Kubosh tagged

ORDINANCE related to the Fiscal Affairs of the City; approving the Annual Budgets of the City of Houston, Texas, for Fiscal Year 2019, including provisions for future adjustment to certain fund balances; making various amendments to the proposed budgets; authorizing certain transfers; re-designating a cash reserve in the fund balance; establishing a cost for copies of the budget; making other provisions related to the subject; making certain findings related thereto; providing a repealing clause; providing for severability

40. Council Member Kubosh tagged

ORDINANCE ratifying the adoption of the Fiscal Year 2019 Annual Budgets raising more revenue from Ad Valorem (Property) Taxes due to increased property valuations and the addition of property to the tax roll than in Fiscal Year 2018; setting an effective date

This item should only be considered after passage of Item 39 above

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

41. Motion 2018-0270 – Uphold decision of Appeals Board

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

MATTERS HELD - NUMBER 42

42. Motion 2018-0271 – Adopt

MOTION by Council Member Cohen/Seconded by Council Member Robinson to adopt recommendation from Chief Procurement Officer, to **AMEND MOTION #2015-96, 2/4/15, TO INCREASE** spending authority from \$628,073.76 to \$878,073.76 to Lease High-Speed Document Printers and Associated Accessories, awarded to **KONICA MINOLTA BUSINESS SOLUTIONS U.S.A., INC** for the Houston Police Department \$250,000.00 - General Fund

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 14 on Agenda of May 16, 2018

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Travis 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

- 5/22/2018 - Council Member Martin absent on personal business**
- 5/23/2018 - Council Member Martin absent on personal business**