

Pat J. Daniel, Assistant City Secretary read the description or captions of the Items on the Agenda.

City Council Chamber, City Hall, Wednesday, January 23, 2019

The Houston City Council convened at 9:00 a.m., Wednesday, January 23, 2019, Mayor Sylvester Turner presiding, with Council Members Brenda Stardig, Jerry Davis, Ellen Cohen, Dwight Boykins, Dave Martin, Greg Travis, Karla Cisneros, Mike Laster, Martha Castex-Tatum, David Robinson, Mike Knox, Michael Kubosh, Amanda Edwards and Jack Christie D.C.; and Ronald C. Lewis, City Attorney; Marta Crinejo Agenda Director and Stella Ortega Agenda Office present. Council Member Robert Gallegos absent on City Business.

At 9:09 a.m. Mayor Turner called the meeting into order and stated that they would start the meeting with the Invocation and Pledge of Allegiance. Council Members Stardig, Davis, Le, Travis, Laster and Knox absent.

Council Member Boykins led the Invocation and the Pledge of Allegiance. Council Members Stardig, Davis, Le, Travis, Laster and Knox absent.

At 9:10 a.m. Roll Call. Council Members Davis, Le and Knox absent. Council Member Robert Gallegos absent on City Business.

Council Member Cohen moved delay the Adoption of the minutes and seconded by Council Member Kubosh, all voting aye, nays none. Council Members Davis, Le and Knox absent.

MOTION ADOPTED

MAYOR'S REPORT

Mayor Turner stated that he wanted to thank everyone that participated in the MLK Parade on Tuesday. It was a huge success and he too wanted to thank all of the Council Members who participated in the parade. He certainly wanted to acknowledge Congressman John Lewis and George Springer for being the Grand Marshalls for the parade and their respective families for being present. He wanted to thank all the participants, the four university bands that participated, along with all the Faith-Leaders and from all different denominations. The message that he takes away from this is that there are so many different people who came together to unite this City like never before. He is joining Bill Bowen and Janice Weaver to take the lead in providing relief to the thousands of Federal Workers who are without by not getting paid, the response the relief up effort because the responses have been overwhelming over the ten thousand responses. About 1250 are asking for assistance and they are asking people to donate the Houston Relief Hub and it could be in terms of monetary contribution or any kind of contributions. If they know anyone that wants to contribute monetarily to the relief, and this is going directly and solely to the Federal Employees who are working but without pay.

Members of Council commented about the Martin Luther's King Parade and about the Federal Employees.

At 9:30 a.m. Mayor Turner requested the Assistant City Secretary to call the List of Speakers: Marilyn Pickaree-Champagne, no address, no phone, appeared and stated that she is here on the matter of cause no. 201426462. Approximately 6 months ago, she introduced Mayor Turner of a dossier in relation to evidence in presumption in the case of Pickaree-Champagne vs Metro and she hoped that he had the opportunity to read over the dossier. Hopefully today her message is going to be clear and that she is going to seek to have her case settled, due in part to the issues that are part of her case. The defendants; Metro, has not produced any kind of results in wanting

to settle this case that has been going on since 2014. It is the slip and fall for her case and what she is requesting is some type of assistance from the Mayor's Office in relation to orchestrating a one on one meeting along with herself, Council and the CEO of Metro Mr. Thomas C. Lambert. She does have an appearance in being there tomorrow at 10:30 a.m. and hopefully they will see fit to meet with her one on one so they can discuss the issues that surround this case. She would like to free up the case from the 133rd District Court and the case is going to be heard by the end of this year. That is way too long for a case to be sitting up any one court. Council Members Boykins and Martin absent.

Towana Bryant, 1411 W. Donovan, 77091, (281)773-7384 had reserved time to speak but was not present when his name was called. Council Members Boykins and Martin absent.

Herman Che, 2827 Dunvale Rd., 77063, (832)428-4146 had reserved time to speak but was not present when his name was called. Council Members Boykins and Martin absent.

Jeremy Fair, 4200 Cypress Creek Parkway, 77068, (832)707-2419 had reserved time to speak but was not present when his name was called. Council Members Boykins and Martin absent.

Sylvester Shelley, 8735 FM 1960, Apt.#123, 77070, (713)408-9123 appeared and stated that he wanted to say good morning to Mayor Turner and the Council Members and especially a shout out to Council Member Kubosh because he really has helped him in the past. Today, he is seeking for help from the City Council; he is seeking to acquire or a purchase a permit or a Medallion from the City of Houston. He has heard that some of the Medallions are currently on hold and he would like to know why and why they still need a medallion when Uber is running around this City. Mr. Shelly commented on Mayor Turner's his press conference on April 27 concerning Uber and how he would not let them just flood the City with Ubers. He would also like to know, why the City of Houston is allowing the major cab companies to receive these permits and medallions and sell them at will for a profit when there are qualified taxi drivers like himself, which he has 43 years a experience, who can easily meet the criteria and posses the qualification and skills to compete successfully, why should he have to buy a medallion from a cab company or individual at an inflated price when they receive them at no cost from the City of Houston and the only requirements is to pay for the taxes at the end of the year. Can they explain this to him? Where is the level playing field? He is a native Houstonian and his number one concern is public safety and the glorification of this City. Council Members Stardig and Travis absent.

Mayor Turner stated to Mr. Shelley that the Uber and the Lift and the TNC are now regulated by the State of Texas and not by the City of Houston. He does know that he has met with ARA yesterday and they explain how these permits are authorized or issued. They're not in the position to give any permits out of free. Mayor Turner thinks that they can purchase permits from the companies that are willing to sell them, and they were working through the overall permitting process for cabs and they are on hold because they are working them the taxi cab issue, ARA are working with all of the stakeholders and at some point they are going to bring a recommendation on how they move forward with the permits that are being shelved by the other taxi companies.

Members of Council commented and questioned Mr. Shelley.

Joe Tirado, no address, (832)340-5011 appeared and stated that he is a Community filmmaker and a small-time real estate agent. He is here today to hopefully destroy some certain language of the Houston City Ordinance 47-68, "deposit to assure payment in," front of their yes. He has

been here to talk about water rates before and deposit requirements and the stranglehold mafia like grip the City holds over the availability of providing water essential ingredient to sustain life to more than 2 million City residents and he addressed Council Members before and even the previous Mayor Annise Parker thought she was being cute by saying the City does provide free water. Presumably this Ordinance was passed to address the problem of other citizens not paying their water bill. The current water bill on this small apartment complex that he recently bought would be around \$3500 a month and the City is demanding that he place a deposit of \$11,600.00 to put their water service in his name when he already has several years' experience paying high water bills on time. The problem with the ordinance is that there is no incentive for people that are paying their bills on time. He thinks that they should vote right now to revise that ordinance. Council Members Davis and Boykins absent.

Mayor Turner stated to Mr. Tirado from what he understands is that he has a 51 apartment complex unit and there are 3 ways to handle the deposit; either they can pay the entire amount or he can pay 1/3 of the amount down and the remaining 2/3 deposit to assure the bond or 1/3 down and the remaining balance through an irrevocable letter of credit and the deposit is retained 36 consecutive months. It is to protect everyone involved.

Members of Council commented and questioned Mr. Tirado at length.

Deborah Elaine Allen, Post Office Box 263252, 77027, (713)264-0127 had reserved time to speak but was not present when her name was called. Council Members Davis and Boykins absent.

Lorenza Butler, 4542 North Ripple Ridge Rd., 77053, (832)880-3733 had reserved time to speak but was not present when his name was called. Council Members Davis and Boykins 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.

Mayor Turner stated that just before they turn to the Consent Agenda, he does want to recognize Cypress Falls High School and request the students to stand to see who they are and thanked them for being here this morning.

At 9:59 a.m. Was the end of the Public Session and Mayor Turner requested the Assistant City Secretary to call the Agenda.

CONSENT AGENDA NUMBERS 2 through 28

ACCEPT WORK - NUMBER 2

- 2. RECOMMENDATION** from Director Houston Public Works for approval of final contract amount of \$15,158,576.23 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Wirt Road Drainage and Paving (Sub-Project II) - 0.49% under the original contract amount **DISTRICT A – STARDIG-** was presented, moved by Council Member Cohen

and seconded by Council Member Davis, all voting aye, nays none. Council Member Boykins absent. **MOTION 2019-0027 ADOPTED**

ORDINANCES - NUMBERS 11 through 28

- 11. ORDINANCE** appropriating up to \$103,888.00 in Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Funds; approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to provide up to \$103,888.00 in TIRZ Funds, \$204,000 in Homeless Housing and Services Program Funds and \$692,112.00 in Emergency Solutions Grant Funds for the administration and operation of the Rapid Rehousing Case Management Intermediary Program- Assistant City Secretary advised that Item 11 has not been received and if received during the course of the meeting, it will be considered at the end of the Agenda.
- 24. MUNICIPAL** Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 7.864 acres commonly known as 1500 West Loop North (9000 Hempstead Road), Houston, Harris County, Texas; supporting issuance of a municipal setting designation by the Texas Commission on Environmental Quality at the request of **ZEBRA TECHNOLOGIES CORPORATION - DISTRICT C – COHEN**- was presented, all voting aye, nays none. Council Member Boykins absent. **ORDINANCE 2019-0039 ADOPTED**
- 26. ORDINANCE** appropriating \$44,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **MIDDLETON BROWN, LLC** for Water and Wastewater Systems Projects; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund- was presented, all voting aye, nays none. Council Member Boykins absent. **ORDINANCE 2019-0040 ADOPTED**
- 28. ORDINANCE** awarding contract to **INDUSTRIAL TX CORP.** for Wastewater Process Unit Cleaning and Evaluation; 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 Operating Fund- was presented, all voting aye, nays none. Council Member Boykins absent. **ORDINANCE 2019-0041 ADOPTED**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

- 1. RECOMMENDATION** from Director Administration & Regulatory Affairs Department for the designation of Residential Parking Permit Areas in the Super Neighborhoods Greater Heights

and Washington Avenue Coalition/Memorial Park - **DISTRICTS C - COHEN and H - CISNEROS**- was presented, moved by Council Member Cohen and seconded by Council Member Davis, all voting aye, nays none. Council Member Boykins absent. **MOTION 2019-0028 ADOPTED**

3. **RECOMMENDATION** from Director Houston Public Works for approval of final contract amount of \$3,237,172.28 and acceptance of work on contract with **REPIPE CONSTRUCTION, LLC dba IPR SOUTH CENTRAL, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method - 1.64% under the original contract amount (4258-60) - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; E - MARTIN; G - TRAVIS; I - GALLEGOS; J - LASTER and K - CASTEX-TATUM**- was presented, moved by Council Member Cohen and seconded by Council Member Davis, all voting aye, nays none. Council Member Boykins absent. **MOTION 2019-0029 ADOPTED**
4. **ROSENBAUER MINNESOTA LLC.** for purchase Maintenance Services of a 2005 Rosenbauer Panther Rescue Pumper Truck for the Fleet Management Department - \$118,687.50 - Fleet Management Fund- was presented, moved by Council Member Cohen and seconded by Council Member Davis, all voting aye, nays none. Council Member Boykins absent. **MOTION 2019-0030 ADOPTED**
5. **ASSOCIATED SUPPLY COMPANY, INC** for Gradall, LeeBoy, and Case Loader Road Machinery Replacement Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options - \$1,587,693.88 - Fleet Management Fund- was presented, moved by Council Member Cohen and seconded by Council Member Davis, all voting aye, nays none. Council Member Boykins absent. **MOTION 2019-0031 ADOPTED**
6. **PRIORITY HEALTHCARE DISTRIBUTION, INC dba CURASCRIPT SD** for Nexplanon® Etonogestrel Implants for the Houston Health Department - 3 Years with two one-year options \$1,232,910.00 - Essential Public Health Services Fund- was presented, moved by Council Member Cohen and seconded by Council Member Davis, Council Member voting no, balance voting aye. Council Member Robinson absent. **MOTION 2019-0032 ADOPTED**
7. **MARTIN PRODUCTS SALES, LLC dba MARTIN ASPHALT COMPANY** for Asphalt Emulsion through the State of Texas Procurement and Support Services Contract for the Houston Public Works 6 Months - \$200,000.00 - Dedicated Drainage & Street Renewal Fund- was presented, moved by Council Member Cohen and seconded by Council Member Davis, all voting aye, nays none. Council Member Robinson absent. **MOTION 2019-0033 ADOPTED**
8. **ATOMAC LTD** for Anti-Float Covers for the Houston Public Works - 3 years with two one-year options \$726,816.25 - Enterprise Fund- was presented, moved by Council Member Cohen and seconded by Council Member Davis, all voting aye, nays none. Council Member Robinson absent. **MOTION 2019-0034 ADOPTED**
9. **SAFEWARE, INC** for approval of spending authority for purchase of Public Safety and Emergency Preparedness Equipment and Related Services through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for Various Departments - 5 Years - \$10,055,340.00 General, Enterprise and Other Funds- was

presented, moved by Council Member Cohen and seconded by Council Member Davis and tagged by Council Member Edwards. Council Member Robinson absent.

10. **ORDINANCE** approving and authorizing Loan Agreement between the City of Houston and **BOZRAH INTERNATIONAL MINISTRIES, INC**, joined by **YELLOWSTONE BOULEVARD LLC** to provide \$4,600,000.00 Performance-Based Loan of Federal Community Block Grant Disaster Recovery Program - Rental Housing Projects Round 2 Funds, to assist with acquisition and eligible soft costs related to the renovation of a 210 unit Affordable Housing Community, located in the vicinity of 3322 Yellowstone Boulevard in Houston, Texas - **DISTRICT D – BOYKINS**- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0042 ADOPTED**

12. **ORDINANCE** approving and authorizing contract between the City of Houston and **BRENTWOOD ECONOMIC COMMUNITY DEVELOPMENT CORPORATION dba BRENTWOOD COMMUNITY FOUNDATION**, providing up to \$650,789.10 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Community Residence and an Emergency Rental Assistance Program with supportive services - **DISTRICT K - CASTEX-TATUM**- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0043 ADOPTED**

13. **ORDINANCE** approving and authorizing contract between the City of Houston and **HEALTHCARE FOR THE HOMELESS-HOUSTON** providing Community Development Block Grant Funds for the Administration and Operation of Project Access, a Homeless Transportation Program to provide homeless persons with access to Essential Health and Social Services Resources - \$170,000.00 Grant Funds- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0044 ADOPTED**

14. **ORDINANCE** approving and authorizing contract between the City of Houston and **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC**, to provide Community Development Block Grant Funds for the administration and operation of the Housing Entrepreneurial and Readiness Training Program, a Job Training Program for Developmentally Disabled Low and Moderate Income Adults \$200,000.00 - Grant Fund - **DISTRICT H – CISNEROS**- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0045 ADOPTED**

15. **ORDINANCE** de-appropriating \$5,312,767.98 out of Airports Improvement Fund appropriated under Ordinance No. 2017-422 for Contract No. 4600014459 by and between the City of Houston and **SPAWGLASS CIVIL CONSTRUCTION, INC**, for Project No. 721 at George Bush Intercontinental Airport/Houston - **DISTRICT B – DAVIS**- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0046 ADOPTED**

16. **ORDINANCE** providing for cash match; approving and authorizing the submission of grant application to the U. S. Department of Housing and Urban Development and the acceptance of the award for the 2017 Lead Hazard Reduction Demonstration Grant Program for the Houston Health Department and the Housing and Community Development Department; 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; authorizing the Director to accept the grant award and expend the grant funds, as awarded, and to apply for

and accept all subsequent awards, if any, pertaining to the grant- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0047 ADOPTED**

17. **ORDINANCE** consenting to the addition of 686.13 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**, for inclusion in its district; imposing certain conditions to the consent- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0048 ADOPTED**
18. **ORDINANCE** consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 559**, containing 703.971 acres of land within the extraterritorial jurisdiction of the City of Houston, Texas; authorizing the district to exercise road powers and to issue bonds for road facilities; subject to certain conditions - was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0049 ADOPTED**
19. **ORDINANCE** approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT, MONTGOMERY COUNTY** and **SAN JACINTO RIVER AUTHORITY** for the Upper San Jacinto River Regional Watershed Flood Mitigation Plan \$169,262.98 - Enterprise Fund- was presented, all voting aye, nays none. Council Member Robinson absent. **ORDINANCE 2019-0050 ADOPTED**
20. **ORDINANCE** authorizing and approving a form of agreement for housing construction and repair services to be executed by the City of Houston, Texas, and each of the following contractors: **BURGLI INVESTMENTS, LLC dba BURGLI HOMES; DSW HOMES, LLC; JAMES W. TURNER CONSTRUCTION LTD; MOSS & ASSOCIATES, LLC; SLSCO LTD** and **TEGRITY HOUSTON LLC dba TTEGRITY HOMES**; authorizing the Mayor to execute an agreement for housing construction and repair services with each contractor; containing findings and provisions related to the foregoing subject; providing a maximum contract amount - \$400,000,000.00 - Grant Fund- was presented and tagged by Council Member Laster. Council Members Boykins and Robinson absent.
21. **ORDINANCE** approving and authorizing first amendment to the Design Build Contract between the City of Houston and **FLINTCO, LLC** to increase the Director's authority to approve change orders (Approved by Ordinance No. 2017-0391) - **DISTRICT B – DAVIS-** was presented, all voting aye, nays none. Council Members Boykins and Robinson absent. **ORDINANCE 2019-0051 ADOPTED**
22. **ORDINANCE** amending Ordinance No. 2014-54 to increase the maximum contract amount; approving and authorizing first amendment to the contract between the City of Houston and **TOMCO2 EQUIPMENT COMPANY** for lease of Two Carbon Dioxide Storage Tanks and the Complete Feed System for Houston Public Works - \$312,000.00 - Enterprise Fund- was presented, all voting aye, nays none. Council Members Boykins and Robinson absent. **ORDINANCE 2019-0052 ADOPTED**
23. **MUNICIPAL** Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 14.357 acres commonly known as 815 Dorsett Street, Houston, Harris County, Texas; supporting issuance of a municipal setting designation by the Texas Commission on Environmental Quality at the request of **HMR GROUP PROPERTY HOLDINGS, LLC** - **DISTRICT H – CISNEROS-** was presented, all voting aye, nays none. Council Members Boykins and Robinson absent. **ORDINANCE 2019-0053 ADOPTED**

25. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **TEXAS WATER DEVELOPMENT BOARD** for Community Flood Mitigation Assistance through the Federal Emergency Management Agency's Flood Mitigation Assistance Program; declaring the City's eligibility for such assistance; authorizing the Director of the City of Houston's Department Houston Public Works 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 - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; E - MARTIN; G - TRAVIS; H - CISNEROS; I - GALLEGOS; J - LASTER and K - CASTEX-TATUM**- was presented, all voting aye, nays none. Council Members Boykins and Robinson absent. **ORDINANCE 2019-0054 ADOPTED**

27. ORDINANCE appropriating \$4,116,575.00 out of Metro Projects Construction DDSRF, awarding contract to **T CONSTRUCTION, L.L.C.** for Citywide Work Orders for Council District Service Fund Projects #1; setting a deadline for 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, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF- was presented, all voting aye, nays none. Council Members Boykins and Robinson absent. **ORDINANCE 2019-0055 ADOPTED**

29.ORDINANCE awarding contract to **MAIN LANE INDUSTRIES, LTD.** for Open Ditch Improvements - Gano, Nichols and West Coke Areas; 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 contingencies relating to construction of facilities financed by the Federal State Local - Pass Thru Fund - \$4,040,000.00 Grant Fund - **DISTRICTS B - DAVIS and H - CISNEROS**- was presented, all voting aye, nays none. Council Members Boykins and Robinson absent. **ORDINANCE 2019-0056 ADOPTED**

NON CONSENT AGENDA - NUMBER 30

MISCELLANEOUS

30. MOTION TO SET A DATE not less than seven days from January 23, 2019, to receive nominations for Positions One and Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for a one-year term to expire December 31, 2019- was presented, moved by Council Member Cohen and seconded by Council Member Davis, all voting aye, nays none. Council Members Boykins and Robinson absent. **MOTION 2019-0035 ADOPTED**

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Le first

Members of Council announced events and discussed matters of interest.

There being no further business before Council; the City Council adjourned at 11:09 a.m. Mayor Turner, Council Members Stardig, Davis, Le, Travis. Laster, Knox, Robinson and Kubosh absent.

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY

MINUTES READ AND APPROVED

Pat J. Daniel, Assistant City Secretary