

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 23, 2019 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2019-0196 to 2019-0210
ORDINANCES – 2019-0293 to 2019-0314
RESOLUTION – 2019-0010

2019-0195-1

1:30 P. M. - PRESENTATIONS

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

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

Motion 2019-0196 – Procedural motion
Motion 2019-0197 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 24, 2019 - 9:00 A. M.

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

Motion 2019-0200 – 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 and a Quarterly Investment Report by the City Controller

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 29

AGENDA - APRIL 24, 2019 - PAGE 2

MISCELLANEOUS - NUMBER 1

Motion 2019-0198 – Divide the question on Item 1

1. Motion 2019-0199

CONFIRMATION of the appointment or reappointment of the following individuals to the **HOUSTON CLEAN CITY COMMISSION BOARD OF DIRECTORS**, for terms ending January 1, 2021:

- Position A - **WARREN SLOAN**, reappointment
- Position B - **HUEY GERMAN-WILSON**, appointment
- Position C - **BEN PROLER**, reappointment
- Position D - **JONATHAN HOWARD**, reappointment
- Position E - **CHET MOHR**, appointment
- Position G - **SARA TYLER**, appointment
- Position H - **ARTURO GUTIERREZ**, appointment
- Position I - **PRISCILLA ARGUETA**, appointment
- Position J - **JOYCE AKINS**, reappointment
- Position K - **BECKY EDMONSON**, reappointment
- At-Large Position No. 1 - **MELISSA MOSS**, appointment
- At-Large Position No. 2 - **JASON SMITH**, reappointment
- At-Large Position No. 3 - **LORA-MARIE BERNARD**, reappointment
- At-Large Position No. 4 - **WENDELL E. (TERRY) PHILLIPS**, appointment
- At-Large Position No. 5 - **LUIS H. LAROTTA**, appointment

ACCEPT WORK - NUMBER 2

2. Motion 2019-0201

RECOMMENDATION from the Director Houston Public Works Department for approval of final contract amount of \$559,843.68, and acceptance of work on contract with **MMG CONTRACTORS, LLC** for Wastewater System/Substitute Service Support - Braesmont Package 1 (WW5108-14) - 2.62% under the original contract amount - **DISTRICT C - COHEN**

PROPERTY - NUMBER 3

3. Motion 2019-0202

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, for City of Houston v. Allen E. Russell, et al.; Cause No. 1113370, for acquisition of Parcel KY17-018; for the **108-INCH WATER LINE PROJECT (from Milner Road to Aldine Westfield)** - **DISTRICT B - DAVIS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 7

4. **Motion 2019-0203**

METRO FIRE APPARATUS SPECIALISTS, INC for Spartan Replacement Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options - \$2,970,008.83
Fleet Management Fund

5. **Motion 2019-0204**

GRIDLESS POWER CORPORATION for Emergency Backup Battery Systems through the Houston-Galveston Area Council for the Houston Health Department - \$119,955.00 - Grant Fund

6. **Motion 2019-0205**

MACAULAY CONTROLS COMPANY for Water Treatment Controls and Monitoring Systems for Houston Public Works - \$632,645.00 - Enterprise Fund

7. **Motion 2019-0206**

SMITH PUMP COMPANY, INC for Flowserve® Sludge Pumps and Rotating Assemblies for Houston Public Works - \$408,979.00 - Enterprise Fund

RESOLUTIONS - NUMBER 8

8. **Resolution 2019-0010**

RESOLUTION of the City Council adopting the Fiscal Year 2020 (July 1, 2019 through June 30, 2020) budget schedule for the City budgets

ORDINANCES - NUMBERS 9 through 30

9. **Ordinance 2019-0306**

ORDINANCE making a general appropriation of certain revenues of the City in support of annual budgets for Fiscal Year 2019; authorizing certain transfers; making other findings and declaring an emergency

10. **Ordinance 2019-0304**

ORDINANCE authorizing issuance of City of Houston, Texas, Subordinate Lien Hotel Occupancy Tax and Parking Revenue Flexible Rate Notes, Series B, in an aggregate principal amount not to exceed \$50,000,000; prescribing the terms and conditions thereof; providing for the payment thereof; approving and authorizing certain authorized officers and employees to act on behalf of the city in the selling and delivery of such flexible rate notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, security and delivery of such flexible rate notes, including the approval of a Paying Agent/Registrar Agreement and Note Purchase Agreements; making other provisions regarding such flexible rate notes and matters incident thereto; authorizing a Co-Bond Counsel Agreement; and declaring an emergency.

11. **Ordinance 2019-0293**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of 10-foot-wide utility easement and two 5-foot-wide aerial easements, being out of and a part of Unrestricted Reserve "A", Block 1 of Powerhouse Unrestricted Reserve, out of the A. Daly Survey, Abstract No. 239, Harris County, Texas; abandoning the easements to Powerhouse Church Of God In Christ, Inc., in consideration of its conveyance to the City of 10-foot-wide access easement, payment to the City of \$2,800.00, and other good and valuable consideration - **DISTRICT B - DAVIS**

ORDINANCES - continued

12. Ordinance 2019-0294

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of 5 feet of 10-foot-wide water line easement, located in Lot 15, Block 3, of the Ashford Forest Section 1 Subdivision, and being out of WM. Hardin Survey, Abstract No. 24, Harris County, Texas; abandoning the easement to the Hoffman Family Living Trust, in consideration of the trust's payment to the City of \$11,594.00 and other good and valuable consideration - **DISTRICT G - TRAVIS**

13. Ordinance 2019-0295

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of portion of Chester Street from Lot 19, Block 2 west to its terminus, situated in the John Austin Survey, Abstract No. 1, Harris County, Texas; vacating and abandoning said street portion to Childress Family Investments, Inc., the abutting owner, in exchange for the conveyance to the City of a 10-foot-wide water line easement, situated in the John Austin Survey, Abstract No. 1, Harris County, Texas, its cash payment to the City of \$137,887.60, and other good and valuable consideration **DISTRICT C - COHEN**

14. Ordinance 2019-0305

ORDINANCE relating to the construction of State Highway 99/Grand Parkway Segments H and I-1 (the "Project"); making findings related to the use or taking of portion of Lake Houston Wilderness Park for the Project; authorizing Second Deed Modification Agreement between the City of Houston and **THE TEXAS PARKS AND WILDLIFE DEPARTMENT** relating to the Project; approving and authorizing the sale and conveyance of approximately 4.703 acres of land out of the Semore (Seymor) Garsee Survey, Abstract No. 229, Montgomery County, Texas, to the State of Texas for the Project; approving and authorizing a Special Warranty Deed - **DISTRICT E - MARTIN**

15. Ordinance 2019-0296

ORDINANCE appropriating \$99,700.83 out of Airports Improvement Fund and approving and authorizing the limited design and implementation small-scale reimbursable agreement between the City of Houston and the Federal Aviation Administration for an evaluation study of impacts to FAA facilities, including the radio transmitter receiver D and to make the determination, if needed, for a third radio transmitter J, at William P. Hobby Airport, Project No. 792F - **DISTRICT I - GALLEGOS**

16. Ordinance 2019-0297

ORDINANCE appropriating \$99,700.83 out of Airports Improvement Fund and approving and authorizing the limited design and implementation small-scale reimbursable agreement between the City of Houston and the Federal Aviation Administration for evaluation, decommission, and removal of the very high frequency omnidirectional range distance measuring equipment at the red parking garage at William P. Hobby Airport, Project No. 792F - **DISTRICT I - GALLEGOS**

17. Ordinance 2019-0307

ORDINANCE approving and authorizing Parking Rights License Agreement by and between **KIM HUNG DEVELOPMENT, INC.** (Licensor) and the City of Houston, Texas (Licensee), relating to the use of a portion of a certain tract of land located at 1005 Saint Emanuel Street, Houston, Texas, for parking purposes - \$109,899.00 - Parking Management Operating Fund - **DISTRICT I - GALLEGOS**

18. Ordinance 2019-0298

ORDINANCE approving and authorizing first amendment to an Interlocal Lease Agreement between **HARRIS COUNTY** (Owner) and the City of Houston (Tenant) relating to Suite 148 in The Delta Building located at 10555 Northwest Freeway - **DISTRICT A - STARDIG**

ORDINANCES - continued

19. Ordinance 2019-0299

ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **FORT BEND COUNTY** for the Internet Crimes Against Children Task Force Program - \$146,040.00 Grant Fund

20. Ordinance 2019-0308

ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City of Houston and **JERALD ROSEN**, individually and for the benefit of all the children of **MARIE WASSON ROSEN**, deceased; to settle a lawsuit - \$250,000.00 - Property & Casualty Fund

21. Ordinance 2019-0300

ORDINANCE consenting to the addition of 17.317 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153**, for inclusion in its district

22. Ordinance 2019-0301

ORDINANCE amending Ordinance No. 2013-1013, as amended, to increase the maximum contract amount for contract between the City of Houston and **BAKER WOTRING LLP f/k/a CONNELLY BAKER WOTRING LLP** for Legal Services for representation of the City in negotiations with the United States Environmental Protection Agency - \$900,000.00 - Enterprise Fund

23. Ordinance 2019-0309

ORDINANCE appropriating \$35,805.00 out of Metro Projects Construction DDSRF and approving and authorizing an Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Surface Transportation Block Grant Program Project Off-System for Greens Road from JFK Boulevard to US 59 (Approved by Ordinance No. 2004-1030); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT B - DAVIS**

24. Ordinance 2019-0302

ORDINANCE approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **R.G. MILLER ENGINEERS, INC** for DR15 SWAT 12A Bonita Gardens Drainage and Paving Improvements (Approved by Ordinance No. 2017-0844); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Federal Government - Grant Fund \$132,000.00 - **DISTRICTS B - DAVIS and H - CISNEROS**

25. Ordinance 2019-0303

ORDINANCE approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **HR GREEN, INC** for DR15 SWAT 4A Northside/Northline Drainage and Paving Improvements (Approved by Ordinance No. 2017-0843); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Federal Government - Grant Fund - \$257,400.00 **DISTRICT H - CISNEROS**

26. Ordinance 2019-0310

ORDINANCE appropriating \$167,750.73 out of Metro Projects Construction DDSRF as an additional appropriation; approving and authorizing first amendment to the contract between the City of Houston and **MAIN LANE INDUSTRIES, LTD.** for the Mulford Street and Sidewalk Improvements Projects (Lawndale and Magnolia Park Area Improvements – Package #2) (Approved by Ordinance No. 2018-0571); providing funding for testing services, and CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT I - GALLEGOS**

ORDINANCES - continued

27. Ordinance 2019-0311

ORDINANCE de-appropriating \$1,012,000.00 out of Police Consolidated Construction Fund from Task Order and Job Order Contracting Program (as Approved by Ordinance 2018-0901); appropriating \$1,012,000.00 out Police Consolidated Construction Fund; awarding construction contract to **E CONTRACTORS USA, LLC** for the Houston Police Department Northeast Police Station - HVAC and Roof Replacement; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT B - DAVIS**

28. Ordinance 2019-0312

ORDINANCE appropriating \$277,522.00 out of Street & Traffic Control and Storm Drainage – DDSRF, \$1,100,139.00 out of Metro Projects Construction DDSRF, and \$535,349.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for Dunlavy Street Paving and Drainage from West Main Street to Richmond Avenue; 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, design services during construction and construction management contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage – DDSRF, Metro Projects Construction DDSRF and Water & Sewer System Consolidated Construction Fund - **DISTRICT C - COHEN**

29. Council Members Castex-Tatum and Edwards tagged

ORDINANCE authorizing transfer of \$15,310,997.73 from NETL Expansion-SWIFT Fund to the HPW-NETL Construction Fund and appropriating said sum out of HPW-NETL Construction Fund, appropriating \$20,571,349.88 out of Water Authorities Capital Contribution-NETL Fund, appropriating \$1,121,952.39 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **MAIN LANE INDUSTRIES, LTD.** for 108-inch water line along City easements from John Ralston Road to Bellows Falls Lane; 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, and contingencies relating to construction of facilities financed by the HPW-NETL Construction Fund, Water Authorities Capital Contribution-NETL Fund and Water & Sewer System Consolidated Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 30

MISCELLANEOUS

30. Motion 2019-0207

SET A PUBLIC HEARING DATE from Director Parks & Recreation Department to approve an aerial easement within the City of Houston, Texas; setting a hearing regarding such - **DISTRICT D - BOYKINS**
HEARING DATE - 9:00 A.M. - WEDNESDAY - MAY 29, 2019

Motion 2019-0208 – Remain in session beyond the noon recess

MATTERS HELD - NUMBERS 31 and 32

Motion 2019-0209 - Amend motion relative to Item 31 to allow special meeting – “FAILED”

Motion 2019-0210 - Refer Item 31 back to the Administration – “FAILED”

31. Ordinance 2019-0313 – Adopt

ORDINANCE amending Exhibit “A” of the City of Houston Ordinance No. 2017-290 and Exhibit “E” of the City of Houston Ordinance No. 2017-462 to abolish, vacate, and/or add positions, and substituting the Amended Exhibit as part of the current Houston Fire Department Classified Personnel Ordinance; providing a repealer; providing for severability

TAGGED BY COUNCIL MEMBER BOYKINS

This was Item 13 on Agenda of April 17, 2019

32. Ordinance 2019-0314 – Adopt

ORDINANCE approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAROLLO ENGINEERS, INC** for the Development of Advanced Water and Wastewater Infrastructure Analytics; providing a maximum contract amount - \$1,000,000.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBER STARDIG

This was Item 32 on Agenda of April 17, 2019

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Castex-Tatum 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

4/23/2019 - Council Members Martin, Le and Travis absent on personal business

4/24/2019 - Council Member Travis absent on personal business