

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 24, 2023 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY – HOUSTON, TEXAS

with notes of action taken

MOTIONS 2023-0051 to 2023-0067
ORDINANCES – 2023-0048 to 2023-0064
RESOLUTION – None

2023-0050-1

1:30 P. M. - PRESENTATIONS

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

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 2023-0051 – Procedural motion
Motion 2023-0052 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 25, 2023 - 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 32

MISCELLANEOUS - NUMBERS 1 through 10

1. **Motion 2023-0053**

REQUEST from Mayor for confirmation of the reappointment of **CATHY EVANS-JACKSON** to Position Six of the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE (TIRZ NO. 7)** for a term to expire May 6, 2024

2. **Motion 2023-0054**

REQUEST from Mayor for confirmation of the reappointment of **CATHY EVANS-JACKSON** to Position Six of the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY** for a term to expire May 6, 2024

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MISCELLANEOUS - continued

3. **Motion 2023-0055**

REQUEST from Mayor for confirmation of the reappointment of **MYA CARROLL** to Position Eight of **REINVESTMENT ZONE NUMBER NINE, CITY OF HOUSTON, TEXAS (SOUTH POST OAK ZONE) BOARD OF DIRECTORS** for a term to expire December 31, 2024

4. **Motion 2023-0056**

REQUEST from Mayor for confirmation of the reappointment of **MYA CARROLL** to Position Eight of the **SOUTH POST OAK REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS** for a term to expire December 31, 2024

MISCELLANEOUS - NUMBERS 1 through 10

5. **Motion 2023-0057**

RECOMMENDATION from the Chief Development Officer for approval of payment to the **GREATER HOUSTON PARTNERSHIP** for Corporate Membership at the Managing Partner Level - \$80,000.00 Tourism Promotion Fund

6. **Ordinance 2023-0048**

ORDINANCE appropriating \$775,978.47 out of Metro Projects Construction DDSRF; approving and authorizing first amendment to the Contract between the City of Houston and **ISI CONTRACTING, INC** for Roadway Pavement Replacement Project - Miles Street: Market Street to Industrial Road (Approved by Ordinance No. 2019-0326); providing funding for CIP Cost Recovery and testing services relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT E - MARTIN**

7. **Motion 2023-0058**

RECOMMENDATION from Director Houston Public Works for approval of Change Order Nos. 2, 3 and 4 in the amount of \$687,581.53 awarded to **ISI CONTRACTING, INC**, for Roadway Replacement Project - Miles Street: Market Street to Industrial Road - 32.10% above the original contract amount **DISTRICT E - MARTIN**
This item should only be considered after passage of Item 6 above

8. **Motion 2023-0059**

RECOMMENDATION from the Chief of Police for extension of Injury on Duty Leave (Salary Continuation) for **Officer DAVID DUNNING**, from January 8, 2023 through January 7, 2024

9. **Motion 2023-0060**

RECOMMENDATION from the Chief of Police for extension of Injury on Duty Leave (Salary Continuation) for **Sgt. SAMUEL CLEVELAND**, from January 2, 2023 through July 5, 2023

10. **Motion 2023-0061**

RECOMMENDATION from the Chief of Police for extension of Injury on Duty Leave (Salary Continuation) for **Sgt. MICHAEL VANCE**, from December 20, 2022 through September 20, 2023

ACCEPT WORK - NUMBERS 11 and 12

11. Motion 2023-0065

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$1,605,795.62 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Citywide Work Orders for Council District Service Fund Projects # 7 - 0.96% under the original contract amount and under the 5% contingency amount - **DISTRICTS F - THOMAS; G - HUFFMAN; I - GALLEGOS; J - POLLARD and K - CASTEX-TATUM**

12. Motion 2023-0066

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$3,434,150.12 and acceptance of work on contract with **T CONSTRUCTION, LLC** for FY2020 Local Drainage Program Contract #4 - 23.69% under the original contract amount - **DISTRICTS A - PECK; B - JACKSON; D - EVANS-SHABAZZ; E - MARTIN; F - THOMAS; G - HUFFMAN; I - GALLEGOS; J - POLLARD and K - CASTEX-TATUM**

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 15

13. Motion 2023-0062

COBURN SUPPLY COMPANY, INC for purchase of Brass Fittings for Houston Public Works \$15,392.00 - Enterprise Fund

14. Motion 2023-0063

ABACUS QUALITY SYSTEM SERVICES, INC for purchase of Connectors, Flex-Line for Houston Public Works - \$21,264.60 - Enterprise Fund

15. Motion 2023-0064

SCM CONSULTANTS, INC for purchase of Gate Valves for Houston Public Works - \$18,400.00 Enterprise Fund

ORDINANCES - NUMBERS 16 through 32

16. Ordinance 2023-0058

ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF HOUSTON by replacing Article XXII, Sidewalks, in its entirety, to establish requirements for the Construction of Sidewalks, Modifications, and Exceptions; establishing application fees; providing for refunds; providing for other matters related to the subject; establishing a penalty under Sec. 1-6 of the Code of Ordinances of the City of Houston; and establishing an effective date

17. Ordinance 2023-0049

ORDINANCE authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series E-2, in an aggregate principal amount not to exceed \$100,000,000 for the purpose of financing certain authorized purposes; causing the levy of an Ad Valorem Tax in payment of such Notes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such Notes; making covenants and agreements in connection therewith and resolving other matters incident and related to the issuance, sale, delivery and security of the Notes including the approval of a Credit Agreement; approving of the form of Dealer Agreement and issuing and paying Agency Agreement; authorizing and approving the Offering Memorandum relating to such Notes; amending certain prior ordinances pertaining to existing Commercial Paper General Obligation Programs; and declaring an emergency

ORDINANCES - continued

18. Ordinance 2023-0050

ORDINANCE setting a Public Hearing to discuss and review the update of the Land Use Assumptions and Capital Improvements Plan and designating the Planning Commission as the Capital Improvements Advisory Committee in accordance with Chapter 395 of the Texas Local Government Code

HEARING DATE - WEDNESDAY - 9:00 A.M. - MARCH 8, 2023

19. Ordinance 2023-0059

ORDINANCE authorizing Loan Agreement between City of Houston and **COVENANT HOUSE TEXAS** to provide Community Development Block Grant Coronavirus Funds and Community Development Block Grant Funds to partially finance the construction for Covenant House Texas - Building for Life Campus, a 60-unit housing development which will support proven programs that successfully guide homeless youth to independence - **DISTRICT C - KAMIN**

20. Ordinance 2023-0060

ORDINANCE amending Ordinance No. 2021-354 to substantially amend the allocation of funds previously appropriated under said ordinance

21. Ordinance 2023-0061

ORDINANCE appropriating \$4,850,255.00 out of Airports Renewal and Replacement Fund and awarding Construction Contract to **FMG CONSTRUCTION GROUP, LLC** for the IAH Terminal B Garage, 3rd & 4th Levels Rehab Project at George Bush Intercontinental Airport/Houston (IAH) (Project No. 466B); 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 construction services, testing, commissioning, and contingencies relating to the IAH Terminal B Garage, 3rd & 4th Levels Rehab Project financed by the Airports Renewal and Replacement Fund - **DISTRICT B - JACKSON**

22. Ordinance 2023-0062

ORDINANCE relating to Fiscal Affairs of **CITY PARK REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE)**; approving Fiscal Year 2023 Operating Budget for the Authority and Fiscal Years 2023-2027 Capital Improvements Budget for the Zone - **DISTRICTS A - PECK and C - KAMIN**

23. Ordinance 2023-0051

ORDINANCE relating to Fiscal Affairs of **EAST DOWNTOWN REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**; approving Fiscal Year 2023 Operating Budget for the Authority and Fiscal Years 2023-2027 Capital Improvement Projects Budget for the Zone - **DISTRICT I - GALLEGOS**

24. Council Member Thomas tagged

ORDINANCE relating to Fiscal Affairs of **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER TWENTY, CITY OF HOUSTON, TEXAS (SOUTHWEST HOUSTON ZONE)**; approving Fiscal Year 2023 Operating Budget for the Authority and Fiscal Years 2023-2027 Capital Improvement Plan Budget for the Zone - **DISTRICTS F - THOMAS and J - POLLARD**

ORDINANCES - continued

25. Ordinance 2023-0052

ORDINANCE approving and authorizing submission of a Grant Application for and acceptance of Grant Funds through **TEXAS PARKS & WILDLIFE DEPARTMENT** for the Land and Water Conservation Fund Outdoor Recreation Legacy Partnership Program related to the proposed improvements of MacGregor Park; declaring the City's eligibility for such Grant; authorizing the Director of the Houston Parks and Recreation Department to act as the City's representative in the application process, to apply for, accept, and expend the Grant Funds as awarded and to apply for, accept, and expend all subsequent awards, if any, pertaining to the Grant and to extend the budget period

26. Ordinance 2023-0053

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Houston & Clinton Public Road, from Clinton Drive south to its terminus, out of the Ezekiel Thomas Survey, Abstract No. 73, Harris County, Texas; abandoning said street easement to the Port of Houston Authority of Harris County, the abutting property owner, in consideration of its payment to the City in the amount of \$174,169.00, and other good and valuable consideration
DISTRICT I - GALLEGOS

27. Ordinance 2023-0054

ORDINANCE approving and authorizing Purchase and Sale Agreement between City of Houston, Texas, Seller, and Dicarlos P. Davis and Myra Davis, Purchaser, for the sale of approximately 5,000 square feet of land, in the Luke Moore Survey, being all of Lot 12, Block V of Leeland Park Addition, Harris County, Texas, for \$143,775.00 - **DISTRICT D - EVANS-SHABAZZ**

28. Ordinance 2023-0055

ORDINANCE approving and authorizing the conveyance of various easements and fee parcels to **Harris County Flood Control District (District)** for Planning, Implementing, and Maintaining Flood Damage Reduction and Drainage as part of the Houston Public Works "Asset Exchange Program" and pursuant to the terms of the Interlocal Agreement between the **DISTRICT** and City of Houston establishing said program - **DISTRICTS D - EVANS-SHABAZZ and I - GALLEGOS**

29. Ordinance 2023-0056

ORDINANCE approving and authorizing Lease of Water Rights between City of Houston and **NORTH FORT BEND WATER AUTHORITY** for Houston Public Works; providing a maximum contract amount \$10,220,000.00 - Enterprise Fund

30. Council Members Jackson, Evans-Shabazz, Thomas, Pollard and Castex-Tatum tagged

ORDINANCE appropriating \$396,471.60 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Interlocal Agreement between City of Houston, **HARRIS COUNTY**, and **TEXAS SOUTHERN UNIVERSITY** for Transportation Improvements near Texas Southern University - **DISTRICT D - EVANS-SHABAZZ**

31. Ordinance 2023-0063

ORDINANCE awarding contract to **DL GLOVER CLEARING LLC** for FY 2023 Mowing and Litter Pick-Up Contract; 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 Stormwater Fund; providing a maximum contract amount - \$525,000.00 - Stormwater Fund

ORDINANCES - continued

32. Ordinance 2023-0057

ORDINANCE appropriating \$6,100,000.00 out of Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax; awarding contract to **DL GLOVER UTILITIES, LLC** for FY2023 Street & Drainage Rehabilitation Contract #1; 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, contingency, construction management services, and CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBER 33

Motion 2023-0067 – Amend Item 33 as follows:

“Amendment 1: Correct the numbering for the Section of the Construction Code referenced in Section 5, Page 6, delete the references to Sec. 406.1.1 and insert Sec. 406.4.9.

Amendment 2: Section 5, page 6, should be amended by deleting the following language:

An applicant may provide evidence to the building official that 48 inches exterior cover will require the garage to have a mechanical ventilation system, and may request approval for an alternate design to minimize the light trespass onto adjacent residential property and meet the open ventilation requirements of the code, but the exterior cover may not be reduced below 42 inches.

And replacing it with this new provision:

Where an applicant provides evidence to the building official that a 48 inch exterior cover will require the garage to have a mechanical ventilation system, the applicant may reduce the exterior cover enough to meet open ventilation requirements but in no instance may it be less than 42 inches.

33. Ordinance 2023-0064 – Adopt as amended

ORDINANCE **AMENDING BUFFERING STANDARDS CONTAINED IN CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to subdivision platting and development; amending the National Electrical Code as adopted and amended by the City of Houston on Light Buffering; **AMENDING CHAPTER 39**, Solid Waste and Litter Control on related matters; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause; establishing an effective date

TAGGED BY COUNCIL MEMBERS KNOX, ROBINSON, KUBOSH and ALCORN

This was Item 12 on Agenda of January 18, 2023

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MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Cisneros 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

1/24/2023 - Council Member Castex-Tatum absent on City business

Council Members Peck, Jackson and Knox absent on personal business

1/25/2023 - Council Member Peck absent on personal business