

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 4, 2016 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2016-0470 to 2016-0491
ORDINANCES – 2016-0736 to 2016-0764
RESOLUTION – 2016-0039

2016-0469-1

1:30 P. M. - PRESENTATIONS

2:00 P.M. - INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Turner

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 2016-0470 – Procedural motion

Motion 2016-0471 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 5, 2016 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **Motion 2016-0481**
PUBLIC HEARING for the proposed amendment of Chapter 40, Code of Ordinances, to extend the provisions of the Civility Ordinance to the Near Northside - **DISTRICT H - CISNEROS**
2. **Motion 2016-0482**
PUBLIC HEARING on request to provide a Resolution of No Objection for the 4% Housing Tax Credit application for the following affordable housing community:
INDEPENDENCE HEIGHTS 8606 North Main Street DISTRICT H - CISNEROS
3. **Motion 2016-0483 – Delayed three (3) weeks**
PUBLIC HEARING regarding just and reasonable rates to be observed within the City of Houston relating to the Retail Water and Sewer Rates of **NITSCH AND SON UTILITY COMPANY, INC DISTRICT H - CISNEROS**

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 4 through 43

MISCELLANEOUS - NUMBERS 4 through 9

Motion 2016-0472 Suspend rules to consider Items 4 thru 8 out of order

4. Motion 2016-0473

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **COASTAL WATER AUTHORITY BOARD OF DIRECTORS**, for terms to expire March 31, 2018:

Position One - **GITI ZARINKELK**, reappointment

Position Two - **JOSEPH G. SOLIZ**, appointment

5. Motion 2016-0474

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2018:

Position One - **CINDY CLIFFORD**

Position Two - **RONALD G. FRANKLIN**

Position Three - **WILLIE J. ALEXANDER**

6. Motion 2016-0475

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HOUSTON BARC FOUNDATION BOARD OF DIRECTORS**, for an unexpired term ending December 31, 2017:

Position Five - **MICHELE MATALON HEDGES**

Position Thirteen - **FRANCES CASTAÑEDA DYESS**

7. Motion 2016-0476

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON COMMISSION ON DISABILITIES**, for terms to expire July 26, 2018:

Position Two - **LESA JACKSON-LAZARD**, appointment

Position Four - **TOBIAS A. COLE**, appointment

Position Six - **RICHARD E. PETTY**, appointment, and to serve as Chair

Position Eight - **EMMANUEL ARIZONA EZIASHI**, appointment

Position Ten - **ASHA DHUKA**, appointment

Position Twelve - **SHELLEY A. TOWNSEND**, reappointment

Alternate Position Two - **MICHAEL MCCULLOCH**, appointment

Alternate Position Four - **ELIZABETH C. DELLEDERA**, reappointment

8. Motion 2016-0477

REQUEST from Mayor for confirmation of the appointment of **LISA KENT** as **CHIEF INFORMATION OFFICER** and **DIRECTOR** of the **HOUSTON INFORMATION TECHNOLOGY SERVICES DEPARTMENT**

MISCELLANEOUS - continued

9. Motion 2016-0486

RECOMMENDATION from Director Planning & Development Department for approval of an Honorary Street Marker honoring **REVEREND FRANKLIN DELANO SAMPSON, SR.**, to be located at the intersection of Lockwood Drive and Bennington Street - **DISTRICT B - DAVIS**

ACCEPT WORK - NUMBERS 10 through 12

10. Council Member Green tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$810,776.71 and acceptance of work on contract with **TIKON GROUP, INC** for Safe Sidewalk Program - 16.17% under the original contract amount **DISTRICTS F - LE; G - TRAVIS; J - LASTER and K - GREEN**

11. Motion 2016-0488

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$12,938,738.00 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LLC** for Parker Road Paving and Drainage: Hardy Toll Road to Eastex Freeway 1.89% over the original contract amount and under 5% contingency amount - **DISTRICTS B - DAVIS and H - CISNEROS**

12. Motion 2016-0485

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,973,081.90 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Repair Project 1 - 5.02% under the original contract amount (WA 11144)

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 and 14

13. Motion 2016-0489

HACH COMPANY for Water Testing Chemical Materials for Various Departments - 3 Years with two one-year options - \$2,031,408.00 - Enterprise and Grant Funds

14. Motion 2016-0490

TOTER, LLC for Automated Refuse Carts through the Interlocal Agreement for Cooperative Purchasing with the City of Tucson, Arizona for the Solid Waste Management Department \$456,100.00 - General Fund

RESOLUTIONS - NUMBER 15

15. Resolution 2016-0039

RESOLUTION designating the Peacock and Plaza Court Apartments located at 1414-1416 Austin Street, within the City of Houston as a landmark - **DISTRICT I - GALLEGOS**

ORDINANCES - NUMBERS 16 through 43

16. Ordinance 2016-0748

ORDINANCE ratifying and confirming the authority delegated pursuant to Ordinance No. 2015-1004 relating to the issuance of City of Houston, Texas Airport System Inferior Lien Revenue Bonds as may be further designated and described therein; ratifying and confirming various related agreements; and making certain findings and other declarations necessary and incidental to the issuance of bonds; and declaring an emergency

ORDINANCES - continued

17. Ordinance 2016-0738

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Linwood Street, from Texas Avenue to north Capitol Avenue; north Capitol Avenue, from Norwood Street to Linwood Street; Norwood Street, from Texas Avenue to north Capitol Avenue; a corner clip located at the intersection of Linwood Street and Texas Avenue; four utility easements; four general utility easements; two prescriptive utility easements; three prescriptive sanitary sewer easements and a prescriptive water line easement; vacating and abandoning the streets, corner clip and all easements to the Metropolitan Transit Authority of Harris County, Texas (Metro) and **HOUSTON ARMATURE WORKS, INC (HAW)**, abutting owners, in consideration of HAW's payment to the City of \$31,556.00, METRO's payment to the City of \$650,621.00 (\$18,700.00 in cash and the remainder deducted from the balance of the credit account established pursuant to the agreement between the City and **METRO** authorized by Ordinance No. 2013-0954), the conveyance to the City of a 25-foot-wide storm sewer easement, a 25-foot-wide sanitary sewer easement and a 20-foot-wide water line easement, all located in the Young Men's Addition, S.M. Williams Survey, A-87, Harris County, Texas, and other consideration - **DISTRICTS H - CISNEROS and I - GALLEGOS**

18. Ordinance 2016-0739

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of the northern portion of excess Memel Street, from Des Chaumes Street (aka Des Jardines Street) east 100 feet, more or less, located in the Bay Street Gardens Subdivision; vacating and abandoning the street to Al Tonette Aileen Perry, abutting owner, in consideration of the payment of \$5,250.00 to the City and other consideration - **DISTRICT B - DAVIS**

19. Ordinance 2016-0740

ORDINANCE declaring Parcel SY16-082 surplus property; approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, Seller, and **TEXAS BASTROP STREET, LLC, Buyer**, for the sale of 5,051 square feet located at 2311 Texas Avenue, Houston, Harris County, Texas, within Reinvestment Zone Number Fifteen, City of Houston, Texas for \$313,162.00 - **DISTRICT I - GALLEGOS**

20. Ordinance 2016-0749

ORDINANCE approving and authorizing agreement of resolution between the City of Houston (City) and the **HOUSTON BUSINESS DEVELOPMENT, INC (HBDI)**, relating to the City's Section 108 Loan Guarantee Assistance Program, to provide for the resolution of HBDI'S Section 108 Small Business Loan Balance in exchange for the provision of bridge financing for future economic development projects in partnership with the City - **DISTRICT D - BOYKINS**

21. Ordinance 2016-0750

ORDINANCE approving and authorizing Amendment #2 to contract for the Texas Lifespan Respite Care Program between the City of Houston and The **TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES (DADS)** (DADS Contract No. 539-16-0031-00003) for the Houston Health Department; approving the acceptance and disbursement of grant funds thereunder

22. Ordinance 2016-0741

ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Station and voting precincts for the City of Houston Special Election to be held on November 8, 2016; relating to the legalization of the sale of beer and wine for off-premise consumption only in the area formerly known as the City of Houston Heights as it existed on February 19, 1918; prescribing the maximum number of election clerks for each voting precinct - **DISTRICT C - COHEN**

ORDINANCES - continued

23. Ordinance 2016-0752

ORDINANCE approving and authorizing Amendment No. 1 to Professional Services Contract between the City of Houston and **TURNER & TOWNSEND, INC** for Executive Program Management Services for the Houston Airport System (Project No. 800; Contract No. 4600013156) - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**

24. Ordinance 2016-0752

ORDINANCE approving and authorizing third amendment to Ordinance No. 2007-821 to increase the maximum contract amount in the contract between the City and **MUNICIPAL CODE CORPORATION** for Codification Services of the City's Code of Ordinances which was approved and authorized by the foregoing ordinance - \$100,000.00 - General Fund

25. Ordinance 2016-0753

ORDINANCE appropriating \$344,264.20 out of FY2017 Equipment Acquisition Consolidated Fund for Purchase of Capital Equipment for Houston Fire Department

26. Ordinance 2016-0742

ORDINANCE awarding contract to **HERITAGE-CRYSTAL CLEAN, LLC**, for Parts Immersion Cleaning Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$804,781.55 - Enterprise and Fleet Management Funds

27. Ordinance 2016-0743

ORDINANCE consenting to the addition of 8.661 acres of land to **NORTHPOINTE WATER CONTROL AND IMPROVEMENT DISTRICT** for inclusion in its district

28. Ordinance 2016-0744

ORDINANCE consenting to the addition of 57.29 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district

29. Ordinance 2016-0745

ORDINANCE consenting to the addition of 1.7917 acres of land to **TIMBER LANE UTILITY DISTRICT**, for inclusion in its district

30. Ordinance 2016-0754

ORDINANCE establishing the Denver Harbor Addition Sections 1, 2, & 3 Subdivisions and Harbourdale Section 1 Subdivision, within the City of Houston as a special minimum lot size area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - CISNEROS**

31. Ordinance 2016-0755

ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on: proposed amendments to the Strategic Partnership Agreements between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 142** and **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 119** and on a proposal to annex for limited purposes territory located within and in the vicinity of such districts in Fort Bend and Montgomery Counties; proposed amendments to Strategic Partnership Agreements between the City of Houston and **LAKE FOREST UTILITY DISTRICT**, **REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1**, and **TRAIL OF THE LAKES MUNICIPAL UTILITY DISTRICT** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris County; proposals of the City of Houston to impose the City of Houston's sales and use tax in such territories; providing for the publication of notice of such hearings - **DISTRICTS A - STARDIG; E - MARTIN and F - LE**

ORDINANCES - continued

32. Ordinance 2016-0756

ORDINANCE amending Ordinance Number 2016-485 to include the acquisition of two additional parcels of land situated in the Callahan and Vance Survey, Abstract No. 9, in Harris County, Texas, for the acquisitions of real estate for lift station renewal and replacement - Findlay, Garden Villas, Goodyear and Reveille Lift Station Project; said parcels of land being located along the southeasterly line of Sims Bayou and the southerly line of State Highway 225 in Houston, Harris County, Texas, and further finding and determining public convenience and necessity for the acquisition of such parcels by gift, dedication, purchase and if necessary the use of eminent domain - **DISTRICT E - MARTIN**

33. Ordinance 2016-0757

ORDINANCE appropriating \$3,000,000.00 out of Street & Traffic Control and Storm Drainage DDSRF; approving and authorizing purchase of land acquisitions and other interests in real property and payment of the costs of such purchases and/or condemnations, with associated costs for appraisal fees, title policies and services, expenses associated with removing improvements from the right-of-way, relocation expenses, recording fees and other services, in connection with negotiations to settle purchases, court costs and expert witness fees for and in connection with construction of facilities financed by Street & Traffic Control and Storm Drainage DDSRF

34. Ordinance 2016-0758

ORDINANCE appropriating \$9,000,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations, with associated costs for appraisal fees, title policies and services, expenses associated with removing improvements from the purchased interest, relocation expenses, recording fees and other services, in connection with negotiations to settle purchases, court costs and expert witness fees for and in connection with construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

35. Ordinance 2016-0759

ORDINANCE approving and authorizing Joint Funding Agreement between the City of Houston and **UNITED STATES GEOLOGICAL SURVEY** for Water Resource Investigation and Monitoring

36. Ordinance 2016-0746

ORDINANCE appropriating \$21,111.00 out of Metro Projects Construction DDSRF Fund; approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT** for costs associated with U.S. Army Corps of Engineers review of Yale Street Bridge over White Oak Bayou (Approved by Ordinance No. 2012-0027) **DISTRICT C - COHEN**

37. Ordinance 2016-0747

ORDINANCE appropriating \$10,868.68 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to an Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for construction of the White Heather Street and Storm Sewer Improvements (Approved by Ordinance No. 2008-0917, as amended) - **DISTRICT K - GREEN**

38. Ordinance 2016-0760

ORDINANCE approving and authorizing Treated Water Supply Contract between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT - FONDREN ROAD**

ORDINANCES - continued

39. Ordinance 2016-0761

ORDINANCE approving and authorizing agreement to terminate Water Supply Contract between the City of Houston and **SOUTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1**

40. Ordinance 2016-0762

ORDINANCE appropriating \$750,000.00 out of Metro Projects Construction DDSRF as an additional appropriation; approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **GUNDA CORPORATION, LLC** for Negotiated Work Orders for Pre-engineering for Street and Traffic (Thoroughfares) Improvements (Approved by Ordinance No. 2014-502)

41. Ordinance 2016-0763

ORDINANCE appropriating \$520,506.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Construction Management and Inspection Services Agreement between the City of Houston and **S&B INFRASTRUCTURE, LTD.** for Water and Sewer Capital Projects (Approved by Ordinance No. 2012-0145, as amended)

42. Ordinance 2016-0764

ORDINANCE awarding Work Order Sidewalk Repair Contract to **GRAVA LLC**; appropriating any and all contributed funds as received into the fund for the purposes set out herein

43. Ordinance 2016-0726 – Passed second reading

ORDINANCE No. 2016-726, passed first reading September 28, 2016

ORDINANCE granting to **BJ PORTACAN, 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 - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 44 through 46

44. Motion 2016-0491 – Adopt

MOTION by Council Member Cohen/Seconded by Council Member Robinson to adopt recommendation from Director Administration & Regulatory Affairs Department for the designation of a residential permit parking area in the Super Neighborhoods of Neartown/Montrose Super Neighborhood, Montrose Management District, East Montrose Civic Association, Museum Park Super Neighborhood, and the Southeast Management District - **DISTRICTS C - COHEN; D - BOYKINS and G - TRAVIS** - **TAGGED BY COUNCIL MEMBER KUBOSH**

This was Item 2 on Agenda of September 28, 2016

MATTERS HELD – continued

Motion 2016-0484 – Suspend rules to consider Items 45 and 46 out of order

45. Ordinance 2016-0736

ORDINANCE **AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Vehicles for Hire, including the promulgation of a designated Electronic Dispatching Application for Vehicles for Hire; declaring certain conduct unlawful and providing penalties therefore - **TAGGED BY COUNCIL MEMBER TRAVIS**

This was Item 19 on Agenda of September 28, 2016

46. Ordinance 2016-0737

ORDINANCE approving and authorizing contract between the City of Houston and **ARRO INC** for services relating to a Dispatch Application for Vehicles for Hire
TAGGED BY COUNCIL MEMBER TRAVIS

This was Item 20 on Agenda of September 28, 2016

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Boykins 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

10/4/2016 - All present

10/5/2016 - All present