

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 23, 2014 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2014-0860 to 2014-0871
ORDINANCES – 2014-0858 to 2014-0881
RESOLUTION – None

2014-0859-1

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Cohen

1:30 P. M. - ROLL CALL

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 2014-0860 – Procedural motion

Motion 2014-0861 – Procedural motion

Motion 2014-0862 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

TUESDAY - SEPTEMBER 23, 2014 - 6:00 P. M.

HEARING - 6:00 P.M.

1. **Motion 2014-863 – Close hearing**

PUBLIC HEARING relating to the Proposed 2014 Tax Rate of \$0.63108/\$100 of value

RECONVENE

WEDNESDAY - SEPTEMBER 24, 2014 - 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 2 through 36

PROPERTY - NUMBERS 2 through 6

2. Motion 2014-0864

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ginger Dawson Thornton, GDT Land Consultants, Inc., on behalf of Magellan Pipeline Company, L.P., (Magellan) [Magellan Pipeline GP, LLC, (Larry J. Davied, Vice President) General Partner], for the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres UR, all out of the John Harris Survey, A-27, Parcels SY14-113A and SY14-113B - **DISTRICT I - GALLEGOS**

3. Council Member Pennington tagged

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis, C. L. Davis & Company, on behalf of Cameron Village, LLC, (Jeffrey Kloiber, Director of Corporate Real Estate), for abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survey, A-3, Parcels SY14-092A, SY14-092B and KY15-071 - **DISTRICT G - PENNINGTON**

4. Motion 2014-0865

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ryan Owens, on behalf of Hale Family Living Trust (Sheila Smet, Executor), declining the acceptance of, rejecting, and refusing the dedication of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J. B. Gardner Survey, Parcel SY14-066 **DISTRICT A - STARDIG**

5. Motion 2014-0866

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Brewer, Brewer Escalante, on behalf of F. L. Tucker, Ltd. (Kurt M. Hanson, Vice President) and Crown Business Park, Inc. (M. J. Iqbal, Owner), declining the acceptance of, rejecting, and refusing the dedication of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey, Parcel SY15-029 - **DISTRICT A - STARDIG**

6. Motion 2014-0867

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY13-005, located at 8209 Gulf Freeway, owned by Harris County Flood Control District, for the **GULF FREEWAY #2 LIFT STATION PROJECT - DISTRICT I - GALLEGOS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 10

7. Motion 2014-0868

DOGGETT HEAVY MACHINERY SERVICES, LLC - \$572,146.00 and **BROOKSIDE EQUIPMENT SALES, INC** - \$54,250.00 for John Deere Tractor Replacement Parts and Repair Services for the Fleet Management Department - Fleet Management Fund

PURCHASING AND TABULATION OF BIDS - continued

8. Motion 2014-0869

AMEND MOTION #2011-855, passed November 16, 2011, **TO INCREASE** spending authority from \$345,128.84 to \$514,241.97, for Medical Diagnostic and Virological Test Kits for the Houston Department of Health & Human Services on award to **BIO-RAD LABORATORIES, INC** \$169,113.13 - Laboratory Services and Grant Funds

9. Ordinance 2014-0872

ORDINANCE appropriating \$4,437,352.00 out of Equipment Acquisition Consolidated Fund for purchase of Refuse and Recycling Trucks for the Solid Waste Management Department

10. Motion 2014-0870

MCNEILUS FINANCIAL, INC d/b/a MCNEILUS TRUCK AND MANUFACTURING CO - \$1,852,096.00 and **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** \$2,585,256.00 for Refuse and Recycling Trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council and Texas Local Government Purchasing Cooperative (BuyBoard) for the Solid Waste Management Department - Equipment Acquisition Consolidated Fund

This item should only be considered after passage of Item 9 above

ORDINANCES - NUMBERS 11 through 36

11. Council Member Green tagged

ORDINANCE **AMENDING SECTIONS 21-236 and 21-244 and adding a new SECTION 21-237.1 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to smoking; containing findings and other provisions relating to the foregoing subject; providing for severability

12. Council Member Pennington

SECOND amended and restated ordinance authorizing, approving, confirming and ratifying certain matters relating to the City of Houston, Texas, General Obligation Commercial Paper Notes, Series H-2, in an aggregate principal amount not to exceed \$100,000,000 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such 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, delivery and security of the Notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Commercial Paper Dealer Agreement; and declaring an emergency

13. Ordinance 2014-0873

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (1) a 65 foot wide portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; (2) a variable width portion of Bentbrook Drive, from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; (3) one sanitary sewer easement; (4) two storm sewer easements; and (5) nine water line easements; vacating and abandoning said parcels to Baybrook Mall, LLC, Baybrook LPC, LLC, Dillard Texas East, LLC, and Southbrook Corporation, the abutting owners ("Owners"), in consideration of (A) owners' payment of \$488,664.00 to the City; (B) the conveyance to the City of a 80 foot wide right of way for, and construction of, Gulfbrook Drive to City standards, from its dead end north to the IH 45 South Service Road; (C) the conveyance to the City of three water line easements and one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Surveys, A-793 and A794, Harris County, Texas; and (D) other good and valuable consideration - **DISTRICT E - MARTIN**

ORDINANCES - continued

14. Ordinance 2014-0881

ORDINANCE approving and authorizing submittal of an amended application to the Texas General Land Office increasing the amount of Community Development Block Grant Program 2008 Supplemental Disaster Recovery Funds requested to \$26,148,986.00 and specifying additional qualified projects to be funded thereby, acceptance of the requested funds and execution of the related contract amendment - **DISTRICTS B - DAVIS; D - BOYKINS and H - GONZALEZ**

15. Not Received - Not Considered

ORDINANCE approving the allocation of \$550,000 as a Cash Match; approving a grant from the Department of Aging and Disability Services (DADS) and accepting the FY 2015-2016 Area Plan for the Harris County Area Agency on Aging ("HCAAA"); declaring HCAAA'S eligibility for the Area Plan Grant Funding for FY 2015-2016; authorizing the Director of the Health & Human Services Department of the City of Houston ("the Director") to act as the HCAAA'S representative for purposes of the DADS Area Plan for FY 2015-2016; authorizing the Director to apply for, accept and expend the DADS Area FY 2015-2016 Plan Funds, and to apply for, accept and expend all subsequent DADS Area Plan Awards, if any, pertaining to said DADS Area Plan - General and Grant Funds

16. Ordinance 2014-0858

ORDINANCE approving and authorizing Community Garden Maintenance Agreement between the City of Houston, Texas, and the **BRAYS OAKS MANAGEMENT DISTRICT**

17. Ordinance 2014-0859

ORDINANCE relating to the Fiscal Affairs of the **FOURTH WARD REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvement Projects Budget for the Zone - **DISTRICT C - COHEN**

18. Ordinance 2014-0860

ORDINANCE relating to the Fiscal Affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY d/b/a DOWNTOWN REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvement Projects Budget for the Zone - **DISTRICTS C - COHEN; H - GONZALEZ and I - GALLEGOS**

19. Pulled-Not Considered

ORDINANCE relating to the Fiscal Affairs of the **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvements Budget for the Zone **DISTRICTS F - NGUYEN and J - LASTER**

20. Ordinance 2014-0861

ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services to promote Tourism and Economic Development on behalf of the City of Houston; providing a maximum contract amount 3 Years - \$150,000.00 - Hotel Occupancy Tax Fund

ORDINANCES - continued

21. Ordinance 2014-0862

ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services for the Houston Airport System; providing a maximum contract amount - 3 Years - \$285,000.00 - Enterprise Fund

22. Ordinance 2014-0863

ORDINANCE appropriating \$6,000,000.00 out of airports improvement fund as an additional appropriation to the contract between the City of Houston and **GCR, INC** for Professional Information Technology Services for the Houston Airport System (Project No. 412); amending Ordinance No. 2013-407 to increase the maximum contract amount - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**

23. Ordinance 2014-0864

ORDINANCE appropriating \$6,230,378.00 out of Airports Improvement Fund as additional appropriation for Construction Phase III Services for the Design Build Agreement between the City of Houston and **MICA CORPORATION** (Approved by Ordinance No. 2012-472) for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Airport (Project No. 684); providing funding for contingencies and the Civic Art Program - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**

24. Council Member Gallegos tagged

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BLACK FOREST VENTURES AVIATION RE, LLC**, operated by Wing Aviation Charter Management Services LLC, for certain premises at William P. Hobby Airport - **DISTRICT I - GALLEGOS**

25. Ordinance 2014-0865

ORDINANCE consenting to the addition of 2,753.092 acres of land to **GENERATION PARK MANAGEMENT DISTRICT**, for inclusion in its district

26. Ordinance 2014-0866

ORDINANCE establishing the west side of the 100-300 block of Glenwood Drive, between Memorial Drive and Westcott Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN**

27. Ordinance 2014-0867

ORDINANCE establishing the east side of the 1500-1600 block of Wycliffe Drive, between Timberline Drive and Mayfield Road, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT A - STARDIG**

28. Ordinance 2014-0868

ORDINANCE awarding contract to **CLEAR LAKE POWERBOAT SERVICE, INC** for Boat Maintenance and Repair Services for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$969,191.31 - Fleet Management Fund

ORDINANCES - continued

29. Council Members Gonzalez and Stardig tagged

ORDINANCE approving and authorizing contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON, INC, AT WORK STAFFING, INC, EXECUTEAM STAFFING L.P., ICON INFORMATION CONSULTANTS, L.P., LANESTAFFING, INC, SILVER & ASSOCIATES CONSULTING, INC, SMITH & DEAN, INC d/b/a DEAN'S PROFESSIONAL SERVICES, TOPP KNOTCH PERSONNEL, INC,** and **MSHANA GROUP LLC d/b/a ARIES PRO** for Temporary Employee Staffing Services and Information Technology Staffing Resources; providing a maximum contract amount - 3 Years with two one-year options - \$75,000,000.00 - Central Services Revolving Fund

30. Council Member Stardig tagged

ORDINANCE appropriating \$3,000,000.00 out of Equipment Acquisition Consolidated Fund for the Information and Cyber Security Program for the Houston Information Technology Services Department

31. Ordinance 2014-0874

ORDINANCE approving and authorizing contract between City of Houston and **SELEX ES INC** for an Automatic License Plate Recognition Solution for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$514,221.25 General and Asset Forfeiture Funds

32. Pulled-Not Considered

ORDINANCE approving and authorizing an agreement between the City of Houston and **THE SEGAL COMPANY (WESTERN STATES), INC, known as SEGAL WATERS CONSULTING** for Human Resources Consulting Services; providing a maximum contract amount 3 Years with two one-year options

33. Ordinance 2014-0875

ORDINANCE allocating the amount of \$196,685.00 from the Greater Houston Transportation & Emergency Management Center Fund; approving and authorizing first amendment to the Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for funding the construction of building expansion at the Houston TranStar Center (Approved by Ordinance 1993-451)

34. Ordinance 2014-0869

ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **IP INVESTMENTS, LLC** - Revenue

35. Ordinance 2014-0870

ORDINANCE approving payment of \$64,565.32 to **HUFF & MITCHELL, INC** under contract with the City for Airline Drive Drainage Improvements authorized by Ordinance No. 2010-0062 **DISTRICT H - GONZALEZ**

ORDINANCES - continued

36. Ordinance 2014-0871

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Northeast Transmission 108-inch Water Line Easement Acquisition Project (from Smith Road to Lee Road); authorizing the acquisition of fee simple title interest in or easement to eighteen parcels of land required for the project and situated in the Samuel Upshaw Survey, Abstract No. 818, and the Thomas Norments Survey, Abstract No. 601, in Harris County, Texas, said parcels of land being located along the north and south lines of Aldine Bender Road and along the easterly line of the H.E. & W.T. Railroad easement between Lee Road and Smith Road in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of fee simple title interest in or easement to the eighteen parcels of land required for the project - **DISTRICT B - DAVIS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 37

MISCELLANEOUS

37. Motion 2014-871 - Delay one week

REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Jonathan E. Bruce, Attorney at Law, on behalf of Ibrahim Eter - Sarah Investments, Inc., d/b/a Prestige Collision, 9001 Bellflower Street, Houston, Texas, 77063, regarding the revocation of license and application

MATTERS HELD - NUMBERS 38 through 42

38. Ordinance 2014-0876

ORDINANCE adopting the 2014 National Electrical Code and amendments thereto, as the City of Houston Electrical Code, and containing other provisions; containing findings; providing an effective date; providing for severability

TAGGED BY COUNCIL MEMBERS STARDIG and PENNINGTON

This was Item 11 on Agenda of September 17, 2014

39. Ordinance 2014-0877

ORDINANCE approving and authorizing an agreement between the City of Houston and **FROST INSURANCE AGENCY, INC d/b/a FROST HR CONSULTING** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options

TAGGED BY COUNCIL MEMBERS STARDIG and MARTIN

This was Item 19 on Agenda of September 17, 2014

MATTERS HELD - continued

40. Ordinance 2014-0878

ORDINANCE approving and authorizing an agreement between the City of Houston and **GALLAGHER BENEFIT SERVICES, INC** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options

TAGGED BY COUNCIL MEMBERS STARDIG and MARTIN

This was Item 20 on Agenda of September 17, 2014

41. Ordinance 2014-0879

ORDINANCE awarding contract to **THR ENTERPRISES, INC** for Street Sweeping Services for the Public Works & Engineering Department providing a maximum contract amount 3 Years with two one-year options - \$4,294,190.60 - Storm Water Fund

TAGGED BY COUNCIL MEMBERS STARDIG and CHRISTIE

This was Item 22 on Agenda of September 17, 2014

42. Ordinance 2014-0880

ORDINANCE appropriating \$9,215,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for proposed 66-inch water line along Moers Road from proposed Moers right of way to Alameda-Genoa Road; 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, construction management and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT D - BOYKINS** - **TAGGED BY COUNCIL MEMBER COSTELLO**

This was Item 32 on Agenda of September 17, 2014

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gallegos 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

**9/23/2014 – Mayor Parker out of the City on City business
Mayor Pro Tem Gonzalez presiding**

Item #1 Tax Hearing - Mayor Parker presiding

9/24/2014 – All present