

City Council Chamber, City Hall, Wednesday, January 23, 2013

A Regular Meeting of the Houston City Council was held at 9:00 a.m., Wednesday, January 23, 2013, with Mayor Annise D. Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director, present.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:10 a.m. Mayor Parker called the meeting to order and called on Council Member Green for the invocation and pledge of allegiance, and Council Member Green invited Rabbi Steven Morgen, Congregation Beth Yeshurun, to lead them in prayer and Council Member Green led all in the pledge. Council Members Davis and Rodriguez absent.

At 9:14 a.m. the City Secretary called the roll. Council Members Davis and Rodriguez absent.

Council Members Gonzalez and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Davis and Rodriguez absent. MOTION ADOPTED

Council Members Gonzalez moved to suspend the rules to consider Item No. 6 after the Miscellaneous consent items, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent. MOTION 2013-0046 ADOPTED.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 36**

#### **MISCELLANEOUS** - NUMBERS 1 through 8

1. REQUEST from Mayor for confirmation of the appointment of the following as **Municipal Court Associate Judges**, for two year terms:

**JOSEFINA M. RENDÓN**  
**ELAINE JEFFERSON**  
**STEVEN E. KIRKLAND**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent. MOTION 2013-0047 ADOPTED.

2. CONFIRMATION of the appointment of the following to the **HOUSTON ETHICS COMMISSION**, for two-year staggered terms:

Position Four - **DR. FRANKLIN D. JONES**  
Position Five - **RICK CAGNEY**  
Position Six - **NOMAAN HUSAIN**  
Position Seven - **JOHN JAY DOUGLASS**

- was presented, moved by Council Member Gonzalez, seconded by Council Member

Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent.  
MOTION 2013-0048 ADOPTED.

3. REQUEST from Mayor on recommendation from the Houston Bar Association to confirm the reappointment of **AMY DUNN TAYLOR** to Position One and on recommendation from the Harris County Medical Society to confirm the reappointment of **EUGENE V. BOISAUBIN, M.D.** to Position Three of the **HOUSTON ETHICS COMMISSION**, for terms to expire December 31, 2013 - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent. MOTION 2013-0049 ADOPTED.
4. REQUEST from Mayor for confirmation of the reappointment of **CHRISTINE DIAZ** (Harris County AFL-CIO Council nominee) to Position Two of the **HOUSTON ETHICS COMMISSION**, for a term to expire December 31, 2013 - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent. MOTION 2013-0050 ADOPTED.
5. CONFIRMATION of the appointment of the following to the **HOUSTON AREA LIBRARY AUTOMATED NETWORK ADVISORY BOARD**, for two year terms:

Position One - **DEBBIE ALLEN**  
Position Two - **SYMA ZERKOW**  
Position Three - **GENE ROLLINS**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent.  
MOTION 2013-0051 ADOPTED.

7. REQUEST from Mayor for confirmation of the reappointment of the following to the **BUILDING AND STANDARDS COMMISSION**, for terms to expire December 31, 2013:  
Panel A:  
Position A2- **MARY L. RAMOS**  
Position A4- **JENIFER RENÉ POOL**  
  
Panel B:  
Position B2- **VICTOR L. CARDENAS, JR.**  
Position B4- **MICHAEL E. CRAMER**  
  
Alternates:  
Position 4 - **PETER EICHENLAUB**  
Position 6 - **DOUGLAS E. HAMMEL**  
Position 8 - **JEFFREY E. COOMER**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent.  
MOTION 2013-0052 ADOPTED.

8. REQUEST from Mayor for confirmation of the following individuals to the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**, for terms to expire June 1, 2013:  
Position Four - **DONALD ROZUM**  
Position Five - **DIONICIO VIDAL (SONNY) FLORES**

- was presented, moved by Council Member Gonzalez, seconded by Council Member

Bradford. All voting aye. Nays none. Council Members Davis and Rodriguez absent.  
MOTION 2013-0053 ADOPTED.

6. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **AUTOMOTIVE BOARD**, for one-year terms:

Position Three - **SHELLY E. RICHARDSON**  
Position Four - **ERMA PALMER**  
Position Five - **MAZEN ALLAHAM**  
Position Six - **KEN W. ULMER**, and to serve as Chair  
Position Seven - **BENJAMIN K. SANCHEZ**  
Position Eight - **OWEN C. WANG**  
Position Nine - **TIMOTHY STRANEY**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Davis and Rodriguez absent.  
MOTION 2013-0054 ADOPTED.

Mayor Parker stated that they had made a number of appointments, Item No. 1 was Associate Judges for the Municipal Courts and asked the judges to come forward and be recognized and thanked them for serving. Council Member Davis absent.

Mayor Parker stated that from the Houston Ethics Commission not one of the City of Houston appointees, but the Harris County AFL/CIO Council appointee Christine Diaz was present and thanked her for serving on the Houston Ethics Commission, they appreciated her service. Council Members Davis and Noriega absent.

Mayor Parker stated that they appointed a member of the Houston Area Library Automated Network Advisory Board, Syma Zerkow, and stated that they appreciated her service. Council Members Davis and Noriega absent.

Mayor Parker stated that they reappointed Members of the Automotive Board and asked that Shelly Richardson, Erma Palmer and Ken Ulmer come forward and thanked them for their willingness to serve, and Council Member Laster stated that he wanted to thank them for their continued service. Council Members Davis and Noriega absent.

Mayor Parker stated that Members of the Building and Standards Commission were reappointments, that it was not a glamour position but a lot of work, and asked that they come forward to be recognized and thanked them for their service. Council Members Davis and Noriega absent.

#### **PROPERTY** - NUMBER 12

12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Manoj Adwaney, Walter P. Moore & Associates, Inc., on behalf of Leslie and Ann Doggett, for abandonment and sale of a 10-foot-wide prescriptive storm sewer easement, out of the A. C. Reynolds Survey, A-61, Parcel SY13-013 **DISTRICT G – PENNINGTON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Noriega absent. MOTION 2013-0054 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBER 13

13. **PENCCO, INC** Emergency Chemical, Inorganic Metal Salt Coagulant (Ferric Sulfate) for Department of Public Works & Engineering - \$87,523.29 - Enterprise Fund – was

presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Noriega absent. MOTION 2013-0055 ADOPTED.

**ORDINANCES** - NUMBERS 28 through 36

22. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and the **HOUSTON RECOVERY CENTER LGC, A Local Government Corporation (“Corporation”)**; approving the appointment of an Ex-Officio, non-voting member to the Corporation’s Board of Directors - \$250,000.00 - General Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Davis absent.
28. ORDINANCE approving and authorizing agreement between the City of Houston and the **EAST DOWNTOWN MANAGEMENT DISTRICT** for right-of-way improvements - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Davis absent. ORDINANCE 2013-0050 ADOPTED.
31. ORDINANCE appropriating \$600,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARKK ENGINEERS, LLC** for Intersection Redesign and Street Safety Improvement; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF – was presented. All voting aye. Nays none. Council Member Davis absent. ORDINANCE 2013-0051 ADOPTED.
32. ORDINANCE appropriating \$316,250.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS INC** for Gessner Paving and Drainage from Long Point to Neuens Road; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Member Davis absent. ORDINANCE 2013-0052 ADOPTED.
33. ORDINANCE appropriating \$1,210,400.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **OTHON, INC** for Design of Neighborhood Sewer System Improvements (AS069); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - COHEN and G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Davis absent. ORDINANCE 2013-0053 ADOPTED.
35. ORDINANCE granting to **UNITED SITE SERVICES OF TEXAS, INC, A Texas Corporation**, 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 - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Davis absent. ORDINANCE 2013-0054 PASSED FIRST READING IN FULL.
36. ORDINANCE granting to **FRANK LEYVA FELIX dba PAYLESS PORTA JONS, A Texas Corporation**, 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 **FIRST READING** – was presented. All voting aye. Nays none. Council Member Davis absent. ORDINANCE 2013-0051 PASSED FIRST READING IN FULL.

Council Member Adams moved to suspend the rules to consider Item No. 20 at this time, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Davis absent. MOTION 2013-0057 ADOPTED.

20. ORDINANCE approving and authorizing agreement between the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for a Special Assistant to the Mayor for Homeless Initiatives; de-appropriating \$81,500.00 of funds previously appropriated out of Homeless and Housing Consolidated Bond Fund to fund costs related to a single resident occupancy facility; re-appropriating the same \$81,500.00 of Homeless and Housing Consolidated Bond Funds - was presented. Council Member Davis absent.

After discussion by Council Members Adams and Gonzalez, Mayor Parker stated that Mandy did come to them through the collaboration they had with HUD where they had asked for technical assistance on getting them on the right track in dealing with homelessness, that she had a great deal of experience and had been on the ground, but she would be the one point of contact within the City, just as they had a Director for Veterans issues and a Director for Sustainability issues, Mandy would be the person on Homeless issues.

Council Member Rodriguez stated that he would tag Item No. 20.

Council Member Davis asked for a point of personal privilege to recognize Ms. Debbie Allen, and asked that Ms. Allen come forward to the podium, that today she was confirmed to the Houston Area Library Automated Network Advisory Board, that she was a constituent from District B.

Mayor Parker stated that they were all familiar with Ms. Allen and appreciated her service.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**MISCELLANEOUS**

9. RECOMMENDATION from Director Houston Airport System for approval of membership fees in the Airports Council International for the Calendar Year 2013 - \$169,334.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. MOTION 2013-0058 ADOPTED.
10. RECOMMENDATION from Director Department Public Works & Engineering to accept the January 2013 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$10,509,674.67 for Revenue Bond Debt Service as recommended in the Report - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2013-0059 ADOPTED.

**ACCEPT WORK**

11. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$2,228,610.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Acres Homes Multi-Service Center Renovation - 19.75% over the original contract amount and under the approved 20% contingency - **DISTRICT B** –

**DAVIS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang.

After discussion by Council Members Davis and Gonzalez a vote was called on Item No. 11. All voting aye. Nays none. MOTION 2013-0060 ADOPTED.

### **ORDINANCES**

14. ORDINANCE amending, restating and ratifying Ordinance No. 2011-932 relating to the City of Houston, Texas General Obligation Commercial Paper Notes, Series G; approving and authorizing an amendment to the authorized purposes of such Commercial Paper Program; approving other matters relating thereto; and declaring an emergency - was presented and tagged by Council Member Brown.
15. ORDINANCE amending, restating and ratifying Ordinance No. 2009-48 relating to the City of Houston, Texas General Obligation Commercial Paper Notes, Series H-2; approving and authorizing an amendment to the authorized purposes of such Commercial Paper Program; approving other matters relating thereto; and declaring an emergency - was presented and tagged by Council Member Brown.
16. ORDINANCE amending, restating and ratifying Ordinance No. 2010-0327 relating to the City of Houston, Texas General Obligation Commercial Paper Notes, Series J; approving and authorizing an amendment to the authorized purposes of such Commercial Paper Program; approving other matters relating thereto; and declaring an emergency - was presented and tagged by Council Member Brown.
17. ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **GULF COAST ARMS, LTD.**, to provide a \$5,975,000.00 loan, to be funded with \$5,534,869.00 of Federal "HOME" Funds and \$440,131.00 of Federal "CDBG" Funds, to assist with acquisition, demolition and reconstruction of a 160 unit Affordable Housing Community, located in the vicinity of 6603 Hirsch Road, Houston, Texas - **DISTRICT B – DAVIS** – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0056 ADOPTED.

After discussion by Council Members Davis, Brown and Gonzalez, Mayor Parker stated that they continued their march of demolition across the City, taking down the worst of the worst, that this was a good one because not only were they demolishing, they were immediately turning around and reconstructing; that it was going to be one of the first LED Platinum Projects, which was a great use of their CDBG Funds.

At 9:31 a.m. Mayor Parker stated that they would move to the public session, and the City Secretary began call the public speakers.

Mr. Tyson Sowell, 3100 Richmond Avenue #290, Houston, Texas 77098 (217-418-9415) had reserved time to speak but was not present when his name was called. Council Member Rodriguez absent.

Dr. Alkebu Motapa, 5022 Cosby, Houston, Texas 77021 (713-741-5150) had reserved time to speak but was not present when his name was called. Council Members Davis, Rodriguez and Noriega absent.

Mr. Eddie Bradley, 7825 Sparta, Houston, Texas 77028 (832-563-4210) appeared and described a situation which he considered to be police misconduct and stated that he and his children had been pulled over by police and all of I-10 East was shut down while they

handcuffed him with guns pulled on him and his children, eventually releasing him without explanation. Council Members Davis and Rodriguez absent.

Mayor Parker stated that she understood it to be a frightening and difficult situation; that from her information she understood there was a crime committed in a similar vehicle in that vicinity and police had to stop him until receiving more information with a better description and then ultimately let him go; that she understood he filed an IAD complaint, but understood in this situation police had acted within the bounds of their job, but if he was treated inappropriately his IAD complaint would address it, she understood he would have mediation and be able to get more information from the officers involved and hoped he would take advantage of it with his children so they too could better understand; and apologized for he and his children being caught up in it. Council Members Davis and Rodriguez absent.

Upon questions by Council Member Green, Mr. Bradley stated that they had released him but told him nothing and he was so shaken he could not drive at first; and Council Member Green apologized for the officers and stated that he understood it was humiliating in front of his children, but suggested he and his children attend the mediation. Council Members Davis and Rodriguez absent.

Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Mr. Eddie Bradley, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis, Adams and Rodriguez absent. MOTION 2013-0061 ADOPTED.

Council Member Noriega stated that she was so sorry for what happened, but there was something very powerful about looking someone in the eye and telling them how what they did affected you; that maybe his children should right the officers a letter, but the opportunity of mediation was as important for his children as him and it could be a teachable moment for the officers as well. Council Members Davis, Adams and Rodriguez absent.

Council Member Bradford stated that the situation needed to be fully investigated, it was not uncommon for officers to receive preliminary or partial information concerning suspect vehicles, but it did not relieve them of their responsibility to exercise due diligence; and after the situation was under control it did not seem to be that much to subsequently let him know why they did what they did; and he too apologized on behalf of the city. Council Members Davis and Rodriguez absent.

Council Member Burks stated that he understood how he felt as he had been in that position before; and moved the rules be suspended for the purpose of extending the time for questions of Mr. Eddie Bradley, seconded by Council Member Bradford, a vote was not called nor recorded; and Council Member Burks further stated that they should try and gain something good out of this and his children should go to the negotiating table and let the officers say something to them. Council Members Davis and Pennington absent.

Council Member Adams thanked Mayor Parker for offering apologies on behalf of the city and HPD and she too apologized on behalf of the city. Council Members Davis and Pennington absent.

Council Member Bradford stated that it was not enough to say officers were doing their job and acted on what they thought, he needed answers and this needed to be investigated and he should feel comfortable that a full investigation was done which substantiated information officers had and it was necessary to do what was done at that time. Council Members Davis, Cohen, Adams and Pennington absent.

Mr. Charles Stoneham, 5538 Poplar Terrace Lane, Katy, Texas 77449 (281-858-1064) had reserved time to speak but was not present when his name was called. Council Members Davis, Cohen, Adams and Pennington absent.

Ms. Shirley Williams, 5838 Southgood, Houston, Texas 77033 (281-690-1583) had reserved time to speak but was not present when her name was called. Council Members Davis, Cohen, Adams, Pennington and Green absent.

Ms. Maria Isabel, 1518 Washington Avenue #H, Houston, Texas 77007 (713-542-0721) appeared and stated that she supported "green building" and they were in the process of building their own home and she had gone to Public Works Permit Office about their 65 foot driveway as she had questions on permeable materials in residential driveways, a suggestion was true grit made out of recyclable materials and in Houston, but she wanted to know if that material would be recognized as "green" in a residential situation. Council Members Davis, Cohen, Adams, Pennington, Rodriguez, Laster, Green and Burks absent.

Mayor Parker stated that no one at the table was qualified to answer her question, it was a good question and there was a process in Public Works to determine the permeability of various materials; that Mr. Gary Norman was present and could speak with her at this time. Council Members Davis, Adams, Pennington, Rodriguez, Laster, Green and Burks absent.

Upon questions by Council Member Bradford, Ms. Isabel stated that she had requested the information through Public Works about three weeks ago; and Council Member Bradford stated that time frame was not too long and true grit was manufactured for that purpose, hopefully she would get an answer soon. Council Members Davis, Adams, Rodriguez, Laster and Burks absent.

Upon questions by Council Member Costello, Ms. Isabel stated that she wanted the porous pavement for credit against the drainage impact fee, but basically she wanted to get rid of the look of a driveway; and Ms. Isabel stated that if the city had information the material was pervious for a driveway then it should be recognized. Council Members Davis, Rodriguez, Laster and Burks absent.

Council Member Gonzalez stated that a good point was raised, the department should be prepared to anticipate such request and be supportive of permeable pavement and have a recommended list of materials available. Council Members Davis, Rodriguez, Laster and Burks absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (no phone) had reserved time to speak but was not present when his name was called. Council Members Davis, Rodriguez, Laster, Costello, Burks and Noriega absent.

Ms. Flor Cevallos, 10202 Tolnan, Houston, Texas 77034 (281-865-9668) appeared and stated that she was present regarding an abandoned property located at 10130 Tolnan across from her home; that in the past five years there was lack of any action from Harris County and the City of Houston regarding the crumbling and vandalized property; which had broken windows, caved in roof, graffiti, overgrowth, etc., which drew vandals, gang members, etc., and pleaded for it to be sold or demolished. Council Members Hoang, Burks and Noriega absent.

Mayor Parker stated that she believed it had been explained to her by the Department of Neighborhoods that the city was constrained by state law in processes they could use for demolition and if it was boarded and secured from the outside it was not considered dangerous; she could be helpful in contacting the state legislature; that they could make sure it was secured, but could not tear it down; and Ms. Cevallos stated that they would at least like it

cleaned up and secured. Council Members Adams, Hoang, Burks and Noriega absent.

Council Member Martin stated that he would guarantee he would be out this week to look at it, but state law did supersede anything the city was trying to do; that a staff member of his would meet with her at this time. Council Members Adams, Hoang, Burks and Noriega absent.

Council Member Gonzalez stated that Council Member Martin did commit to look at it and he did just take office, but it was a big frustration for a Council Member not to be able to eliminate what they saw as an eyesore and nuisance and hopefully state law would change, but she spoke of criminal activity and that should be her focus working with police as it could be addressed. Council Members Adams, Hoang, Burks and Noriega absent.

Ms. Deloris Jones, 6738 Liverpool, Houston, Texas 77021 (713-377-8067) had reserved time to speak but was not present when her name was called. Council Members Adams, Hoang, Burks and Noriega absent.

Coach Dan Hart, 71 Hibury Drive, Houston, Texas 77024 (713-781-2867) appeared, presented information to Council Members and stated that he was present with a unique opportunity as Council could exercise help in many ways such as changing laws; that Ken Wilkerson was the type of person needing to be brought in to replace the Chief Appraiser of Harris County; and the earned home appraisal cap portability was needed along with transparency. Council Members Adams, Hoang and Burks absent.

Mayor Parker stated that the issues he raised were not within the ability of the City. Council Members Adams, Hoang and Burks absent.

Upon questions by Council Member Christie, Coach Hart stated that the Council body had the contacts or know how to reach out to senators, etc., to get a bill put in place; Texas did not have a home appraisal manual and because of that counties could do what was called Beaver Pond Taxation, when they shifted money between counties for schools it created inequities all over and a check list should be put together for homeowners just like companies so every possible savings could be accrued to the individual. Mayor Parker and Council Member Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Pennington stated that he was looking at his information and discussed changes in personnel at the Harris County Appraisal District and if he would give him changes he would be glad to work with him; and Coach Hart stated that his changes were submitted in his information presented.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called.

Ms. Margaret Torres, 6009 North Freeway #45, Houston, Texas 77076 (713-493-1005) appeared and stated she was representing Guest Inn Suites located at 6009 North Freeway; that they were having a problem with extremely high water bills and they would like to know who to discuss it with; that they also wanted information on any grant program as they started a program regarding homelessness housing. Council Member Adams absent.

Mayor Parker stated that she raised different issues and if she thought their water bill was incorrect she could speak with Mr. Gary Norman to try and work through it, but the city did not waive water bills for nonprofits; as to various programs for the homeless she could speak with Ms. Mandy Chapman Semple, but at this time they had more vouchers for the homeless than they ever had. Council Member Adams absent.

Council Member Christie stated that he did appreciate what they were doing for the homeless, there was no long-term solution without permanent housing for the homeless; that he had been through the process of objecting to his water bill and though he still had to pay it all were polite, etc. Council Member Adams absent.

Ms. Pauletta Harrison, 9550 North Wayside #3102, Houston, Texas 77028 (281-739-3627) appeared, presented information and stated that she was present regarding the north side of Houston beginning at Liberty Road to the city limits, there had been no development there for 100 years and homes were in poor condition and they were seeking new development, she spoke to well known people in sports who wanted to get a program to develop the land and needed city support and she needed to know if they could place peach orchards in the area. Council Member Hoang absent.

Mayor Parker stated that if you owned property you could plant anything on it which was legal. Council Member Hoang absent.

Mr. Jonas Richardson, no address (979-922-3060) appeared, presented information to Council Members and stated that he had been under duress by officers and filed a complaint; that no one had been charged in the case, but he was the victim and there was no follow-up and no arrests; that he lost a good job and would like Victims Rights to call his employer and try and get his job back. Council Member Hoang absent.

Mayor Parker stated that she had a little trouble following his story, but he had provided his witness statement and more background information which she appreciated. Council Member Hoang absent.

Council Member Green stated that from what he read in his information it seemed he was upset a gun was pulled on him and no one was arrested and he could understand that, but the District Attorney was the responsible party in making the determination as to whether or not charges were filed; that the City of Houston had no jurisdiction as to accepting cases or filing charges; and suggested he write the D. A. and hopefully they would reconsider. Council Member Hoang absent.

Ms. Emily Nghiem, P. O. Box 981101, Houston, Texas (713-867-5998) appeared, presented information, displayed a wreath and stated that she had presented a mission statement, the Code of Ethics for Government Service and the Bill of Rights Act distributed to try and help police, government and citizens to promote cooperation. Resolution to stop bullying to end violence; that in the Code of Ethics the city only used a City Attorney there was no independent integrity officer and that was recommended and she would recommend it for each Council District; and stated they were trying to save the last 10 row houses in Freedmen's Town and using them to have officers teach and prevent bullying and violence and she had a wreath for each house. Council Members Adams and Hoang absent.

Mr. Donald Spencer, 20302 Broad Run Lane, Richmond, Texas 77407 (281-235-2102) had reserved time to speak but was not present when his name was called. Council Members Adams and Hoang absent.

Mr. Bryon Thomas, 11514 Sandstone Canyon Drive, Humble, Texas 77396 (713-299-7798) appeared and stated that he was a disabled veteran and unjustly terminated from his employment with the City of Houston; that in his records it stated he was terminated for selling city property and it was untrue and he just had that document removed. Council Members Adams and Hoang absent.

Mayor Parker stated that Mr. Thomas had an active law suit against the City of Houston

and they would not be able to respond. Council Members Adams and Hoang absent.

Mr. Dwight, Bordelon, 5002 Eigel, Houston, Texas 77007 (832-627-0295) appeared and stated that he was present last week regarding significant crime in his neighborhood with five events costing a few thousand dollars at his home; that less than 24 hours after he addressed Council a home four houses down was broken into in the middle of the day; that crime was significant, he did not see police any time of the day and he would keep coming for support until they received it. Council Members Adams and Hoang absent.

Mayor Parker stated that she could understand his frustration, she was under the impression he had been contacted by the captain of the area or someone engaged in patrol in his immediate area; and Mr. Bordelon stated that he received a call from Sergeant Herndon who gave him a number for another officer, but the Mayor had indicated a captain would call him; that after they saw he signed up again for today he received a call yesterday so he would guess the squeaky wheel would get the grease; and Mayor Parker stated that she would find out why he did not receive a call from the captain and she had also asked that he speak with his Council Member and suggested he attend his PIP meetings. Council Member Adams absent.

Council Member Cohen stated that her office had communicated with him on a number of occasions and issues; that in his opinion he wants her office to make sure there were more police cars patrolling and they contacted HPD and the sergeant contacted him; that on a number of occasions bulletins were sent out to police in the area, etc., and she felt badly he was running into the problems, but it was not that they had not tried to satisfy the issue; that crime across the city was an issue and they were working with him and police were out and she did not know what else they could do. Council Members Pennington and Green absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that Moody Park still had a water leak; that soccer players still played there and last night they were disrespected by someone at the park and he would upload all video onto his channel mayorgalvan1956; and his patience was lost. Council Members Pennington, Green and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the official U. S. President and had declared martial law; and continued expressing his personal opinions until his time expired. Council Members Cohen, Pennington and Noriega absent.

At 10:42 a.m. Mayor Parker stated that they would move back to the consent agenda. Council Members Cohn and Noriega absent.

18. ORDINANCE approving and authorizing Grant Agreement between the City of Houston and **HOUSTON HEIGHTS TOWERS** to provide a \$8,500,000.00 grant of Federal "CDBG" Funds to assist with renovation of a 223 unit Affordable Housing Community for seniors and the disabled, located in the vicinity of 330 West 19th Street, Houston, Texas - **DISTRICT C – COHEN** – was presented. Council Member Brown voting no, balance voting aye. Council Member Cohen absent. ORDINANCE 2013-0057 ADOPTED.
19. ORDINANCE approving and authorizing first amendment to the contract between the City of Houston and **BRENTWOOD COMMUNITY FOUNDATION** to extend the original contract and provide an additional \$463,117.00 in Housing Opportunities for Persons With AIDS Funds for the continuing administration and operation of a community residence and multiple rental assistance programs with supportive services - **DISTRICT K – GREEN** – was presented.

After discussion by Council Members Green and Adams, Mayor Parker stated that this was a hugely controversial project when it first came forward and the neighborhood came to Council over and over again, but it had proven to be a good thing.

A vote was called on Item No. 19. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0058 ADOPTED.

21. ORDINANCE authorizing first amendment to Construction, Operating and Maintenance Agreement for Buffalo Bayou Park by and among the City of Houston, Texas, Reinvestment Zone Number Three, City of Houston, Texas, Downtown Redevelopment Authority, **HARRIS COUNTY FLOOD CONTROL DISTRICT** and **BUFFALO BAYOU PARTNERSHIP**; transferring responsibility of Dunlavy Street right-of-way, North of Allen Parkway, to the Houston Parks and Recreation Department; finding certain planning-related items to be acceptable under the Code of Ordinances, City of Houston, Texas - **DISTRICTS C - COHEN and H – GONZALEZ** – was presented. All voting aye. Nays none. ORDINANCE 2013-0059 ADOPTED.
23. ORDINANCE adopting Land Use Assumptions and a Capital Improvement Plan (Internally known as the “Drainage Impact Fee Improvement Plan”) for the possible adoption of Impact Fees for drainage, appointing Planning Commission as the Capital Improvements Advisory Committee, and calling a public hearing at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston to adopt Impact Fees for drainage, in accordance with Chapter 395 of the Texas Local Government Code - **HEARING DATE - 9:00 A.M. - WEDNESDAY - MARCH 6, 2013 – FIRST READING** – was presented. All voting aye. Nays none. ORDINANCE 2013-0060 PASSED FIRST READING IN FULL.
24. ORDINANCE approving and authorizing contract between the City of Houston and **TEXAS CORRECTIONAL INDUSTRIES DARRINGTON TIRE RETREADING FACILITY** for Tire Retreading and Repair Services for the Fleet Management Department - 5 Years with two one-year options - \$7,230,303.40 - Fleet Management Fund – was presented. All voting aye. Nays none. ORDINANCE 2013-0061 ADOPTED.
25. ORDINANCE approving and authorizing agreement between the City of Houston and **WASTE MANAGEMENT OF TEXAS, INC**, for Processing Services for Residential Drop-Off and Curbside Single Stream Commingled Recyclable Materials for the Solid Waste Department - 3 Years with 2 two-year options - Revenue - was presented, and tagged by Council Member Green.
26. ORDINANCE approving and authorizing Interlocal Agreement between the **SAN JACINTO RIVER AUTHORITY** and the City of Houston for Evaluation of various water rights – was presented. All voting aye. Nays none. ORDINANCE 2013-0062 ADOPTED.
27. ORDINANCE consenting to the addition of 134.8755 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Costello absent. ORDINANCE 2013-0063 ADOPTED.
29. ORDINANCE appropriating \$221,630.00 out of Parks & Recreation Dedication Fund, and \$50,000.00 out of Parks Special Fund, awarding construction contract to **JERDON ENTERPRISE, L.P.** for West End Park - Phase II; 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 management, engineering and materials testing

services, and contingencies relating to construction of facilities financed by the Parks & Recreation Dedication Fund, and the Parks Special Fund - **DISTRICT C - COHEN** – was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent. ORDINANCE 2013-0064 ADOPTED.

30. ORDINANCE appropriating \$211,897.00 out of Parks Consolidated Construction Fund and \$654,559.00 out of Parks & Recreation Dedication Fund, awarding construction contract to **JERDON ENTERPRISE, L.P.** for Westbury, Brewster and Sagemont Playground Sitework and Fall Surface Material for Various Parks; 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 material testing, construction management services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Parks & Recreation Dedication Fund - **DISTRICTS B - DAVIS; D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K – GREEN** – was presented.

After discussion by Council Members Davis, Green and Adams a vote was called on Item No. 30. All voting aye. Nays none. ORDINANCE 2013-0065 ADOPTED.

34. ORDINANCE appropriating \$5,613,020.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION COMPANY, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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 Consolidated Construction Fund (4257-134) – was presented. All voting aye. Nays none. ORDINANCE 2013-0066 ADOPTED.

#### **NON CONSENT AGENDA** - NUMBERS 37 and 38

#### **MISCELLANEOUS**

37. RECEIVE nominations for Position 10 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for a three year term – was presented.

Council Member Gonzalez stated that he wanted to nominate Mr. Adrian Patterson for Position 10 of the Houston Municipal Employees Pension System Board of Trustees, that he had submitted his resume for review.

Council Member Bradford stated that he wanted to nominate Dr. Bernard Harris for Position 10 of the Houston Municipal Employees Pension System Board of Trustees, that the hand out had been disseminated.

Council Member Adams moved to close nominations for Position 10 of the Houston Municipal Employees Pension System Board of Trustees, seconded by Council Member Laster. All voting aye. Nays none. MOTION 2013-0062 ADOPTED.

38. **SET A HEARING DATE** for the second amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TWENTY (SOUTHWEST HOUSTON ZONE) - DISTRICTS F - HOANG and J – LASTER - HEARING DATE - 9:00 A.M. - WEDNESDAY - FEBRUARY 6, 2013** – was presented.

Council Member Gonzalez moved to set a hearing for February 6, 2013 for the second

amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty (Southwest Houston Zone), seconded by Council Member Laster. All voting aye. Nays none. MOTION 2013-00063 ADOPTED.

**MATTERS HELD** - NUMBERS 39 through 41

39. ORDINANCE **AMENDING SECTIONS 45-114 AND 45-115 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to angle parking on streets; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 11 on Agenda of January 16, 2013, TAGGED BY COUNCIL MEMBERS COHEN, BURKS, BROWN, GREEN and ADAMS)** - was presented.

After discussion Council Member Burks moved to postpone Item No. 39 for two weeks, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2013-00064 ADOPTED.

40. ORDINANCE authorizing the **GREATER EAST END MANAGEMENT DISTRICT** to issue a Promissory Note for a \$750,000.00 Line of Credit - **DISTRICTS B - DAVIS; H - GONZALEZ and I - RODRIGUEZ** – **(This was Item 20 on Agenda of January 16, 2013, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented.

Council Member Rodriguez stated that he wanted to thank Ms. Diane Schenke of the Greater East End Management District for visiting with him yesterday and giving him a through briefing on why the line of credit was needed.

A vote was called on Item No. 40. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0067 ADOPTED.

41. ORDINANCE appropriating \$47,772.00 out of Woodlands Regional Participation Fund as an additional appropriation to Professional Landscape Architectural Services Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** for the Design of Museum District/Main Street Corridor Improvement Project (Approved by Ordinance No. 2009-0973, as amended); approving and authorizing second amendment to the contract - **DISTRICTS C - COHEN and D - ADAMS** – **(This was Item 28 on Agenda of January 16, 2013, TAGGED BY COUNCIL MEMBER BROWN)** – was presented. All voting aye. Nays none. ORDINANCE 2013-0068 ADOPTED.

**Item received during meeting.**

22. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and the **HOUSTON RECOVERY CENTER LGC, A Local Government Corporation (“Corporation”)**; approving the appointment of an Ex-Officio, non-voting member to the Corporation’s Board of Directors - \$250,000.00 - General Fund – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0069 ADOPTED.

Council Member Rodriguez stated that he appreciated the information on Item No. 20, that he appreciated Mr. Icken giving him a briefing, that he would release his tag but would like for someone to come and meet with him so he would have a better understanding of what the position was going to do and work on, that it had been a major issue in District I and he had made a commitment to try and do something about this issue in his last term, that he looked forward to be engaged.

Mayor Parker stated that it was recognizing the desperate impact on his district of this

issue which was why the management district had stepped forward.

20. ORDINANCE approving and authorizing agreement between the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for a Special Assistant to the Mayor for Homeless Initiatives; de-appropriating \$81,500.00 of funds previously appropriated out of Homeless and Housing Consolidated Bond Fund to fund costs related to a single resident occupancy facility; re-appropriating the same \$81,500.00 of Homeless and Housing Consolidated Bond Funds – was again before Council. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0070 ADOPTED.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Laster stated that he wanted to remind the viewing public that Neighborhood Tax Centers provided free, quality, tax preparation services who earned up to \$50,000 per year or individuals earning up to \$30,000 per year, that there were 15 Neighborhood Tax Center located to serve the City, that all services were free including e-filing and direct deposit, that if they would like to participate through the program they could call 2-1-1, the Texas United Way Helpline or visit FreeTaxCenters.org for more information and to find the nearest location near to them, for District J residents the location was the Baker Ripley Facility off of Hillcroft. Council Members Brown, Hoang, Pennington and Noriega absent.

Mayor Parker stated that she wanted to thank Council Member Laster for bringing it up, that it was a great program, that she worked on it when she was in the Controllers Office and trusted that the current Controller was also engaged in it, that it provided an important service for people who needed their taxes done but it also meant that more dollars would come back to Houston for the Earned Income Tax Credit. Council Members Brown, Hoang, Pennington and Noriega absent.

Council Member Costello stated that the next Budget and Fiscal Affairs meeting would be on January 29, 2012, that the Finance Director and Controller would present the 6 plus 6 MOFR, which was the ideal location as half way through the budget year, that he had also requested from the administration a possible update on the five year forecast; that they were going to have their final Health Benefits Sub Committee meeting on February 6, 2013 in the Mayor's Conference Room where the HR Director would be presenting plan design, cost saving initiatives as well as an incentive program. Council Members Brown, Hoang, Pennington and Noriega absent.

Council Member Rodriguez stated that he wanted to publicly thank William Paul Thomas for all of his hard work and effort in getting information to Council. Council Members Brown, Hoang, Pennington and Noriega absent.

Council Member Gonzalez announced events he attended or would be attending; and stated that the City of Houston Municipal Courts had announced an Amnesty Program for certain citations that was now in effect through February 9, 2013, citizens were urged to pay any outstanding fines while cost savings were still available and ahead of upcoming warrant sweeps, that for more information they could visit their website at HoustonTX.Gov/Courts or reach out to the City's helpline at 3-1-1; that he wanted to encourage all Houstonians to take advantage of free quality tax preparation services that were provided throughout the City by the Neighborhood Tax Centers in District H at Ripley House, 4410 Navigation Boulevard, that he knew that the M.D. Anderson Y.M.C.A. also partnered annually with St. Thomas University to offer similar services. Council Members Brown, Davis, Hoang, Pennington and Noriega absent.

Council Member Adams announced events she attended or would be attending; and

stated that today they passed Item No. 20 for a special assistant to the Mayor, that she looked forward to working with Mandy as they moved forward in this initiative. Council Members Brown, Hoang, Pennington and Noriega absent.

Council Member Green announced events he attended or would be attending. Council Members Brown, Hoang, Pennington, Laster and Noriega absent.

Council Member Davis announced events he attended or would be attending. Council Members Brown, Hoang, Pennington, Laster and Noriega absent.

Council Member Cohen stated that she wanted to congratulate the Waltrip High School Ram Band who played this week at the inaugural festivities in Washington, D.C., that they were only one of two bands representing the State of Texas; that a new farmers market was being set up at HEB on West Alabama and Dunlavy, that it would occur the second and fourth Thursdays each month from 3:00 p.m. to 7 p.m.; that Stevens Elementary was beginning a "Stand for Stevens Campaign" to improve their school campus and would be hosting a series of events throughout January and February, for more information they could contact Lucy Anderson at [Landers4@houstonisd.org](mailto:Landers4@houstonisd.org). Council Members Brown, Hoang, Pennington, Laster, Costello and Noriega absent.

Council Member Christi stated that Council Member Cohen took one of his shout outs, that it was another example of how the City was such a giving City, that everybody pitched together to get Waltrip to Washington, D.C.; that there was a touching story about an 83 year old veteran who had his house vandalized, that citizens of Houston came in and replaced everything that was destroyed in his house, that it was a delight to see that Houston was a tremendous giving City; that citizens of Houston please use their turn signals. Council Members Brown, Hoang, Pennington, Laster, Costello and Noriega absent.

Council Member Burks stated that it was in two parades on Martin Luther King Day; that he wanted to recognize former Council Members Michael Yarborough and Gracie Saenz who had been present in the Chamber; that he encouraged every Houstonian to go to the Alley Theater and see the play "The Mountain Top", that it would move them; that he was going to ride the MS150 and was in need of a road bike. Council Members Brown, Hoang, Pennington, Laster, Costello and Noriega absent.

There being no further business before Council, the City Council adjourned at 11:18 a.m. Council Members Brown, Hoang, Pennington, Laster, Costello and Noriega absent.

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary