

City Council Chamber, City Hall, Tuesday, June 4, 2013

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 4, 2013, Mayor Annise 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. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director, present.

At 1:37 p.m. Mayor Parker called the meeting to order and stated that when they formally convened the meeting she had some announcements to make pertaining to the memorial service that would be tomorrow morning for their firefighters; and recognized Council Member Pennington for the first proclamation. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Laster and Burks absent.

Council Member Pennington introduced members of Houston West Chamber of Commerce, Ms. Jeannie Bollinger, President and CEO, Ms. Ilene Duwaji, Ms. Kathy Edwards, Ms. Samaria Chicas, Ms. Joanne Ericksen and Mr. Eric Kleiman and invited them to the podium, and stated that they had over 650 members and had been active since 1975, they had over 230 events per year, and Mayor Parker stated that therefore she, Annise Parker, Mayor of the City of Houston, hereby proclaimed Tuesday, June 4, 2013, as Houston West Chamber of Commerce Day in Houston, Texas, and thanked them for all they did. Council Members Davis, Adams, Hoang, Rodriguez and Laster absent.

Ms. Bollinger stated that they were deeply grateful for the honor. Council Members Davis, Adams, Hoang and Rodriguez absent.

Council Members Christi and Brown thanked them for their service to the City of Houston as the Chamber did a wonder full job. Council Members Davis, Adams, Hoang and Rodriguez absent.

Mayor Parker recognized Council Member Martin for the next presentation. Council Members Davis, Adams, Hoang and Rodriguez absent.

Council Member Martin invited students from the University of Texas, the Texas 4000, who were on day 4 of a 70 day journey, who were traveling on bikes from Austin through Houston to Little Rock, Saint Louis, Chicago, Minneapolis, through Canada and on to Anchorage, Alaska, 4,700 miles to raise money for cancer research, they had raised over \$4 million, with each member raising \$5,000 each and completed over 50 hours of community services to be part of the journey, that they were joined by two staff members, Mr. Lance Payburn and Ms. Jen Garza; they will meet people who had a story to tell about cancer and how it had affected their lives, that today they would be heading to M.D. Anderson at 5:00 p.m. to meet a lot of the kids that had been touched by this dreaded disease, and Mayor Parker stated that the City of Houston commended the Texas 4000 team, extended best wishes for a successful journey, and therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed, today, as Texas 4000 Day in Houston, Texas. Council Members Adams and Rodriguez absent.

Council Members Laster, Cohen, Burks, Pennington and Gonzalez thanked and congratulated the members of the Texas 4000 and wished them best of luck on their journey. Council Members Adams and Rodriguez absent.

Council Member Gonzalez introduced members of the City Assembly from Chiba City, Japan, T.H Toshiyuki Ogawa, Chairperson of the Cheba City Assembly, and TH Hiroaki Kawamura, Council Member of the Chiba City Assembly, and stated that he and Council

Member Hoang had the privilege of meeting with these gentlemen and many others during their visit to Chiba, Japan in March 2013, they greatly enjoyed their time there and were very impressed by the warm hospitality that was extended to them during their stay in Chiba, Japan, and invited Chairperson Ogawa to say a few words to the City Council. Council Members Martin and Rodriguez absent.

Chairperson Ogawa stated that he wanted to express his condolences to the City of Houston for the loss of lives of the four firefighters last week; that he was Chairman of the Chiba City Assembly and was pleased to have the opportunity to make this visit to Houston and would like to express his thanks for the Houston delegations visit to Chiba City last March, that last year marked 40 years since Houston and Chiba City became Sister Cities in 1972, that he was delighted to say that in that time both cities had conducted extensive meeting exchanges and deepened their mutual understanding and goodwill, that he hoped to use their visit as an opportunity to deepen the bond of friendship between Houston and Chiba City and hoped the exchange between them would become even more active in the future, that in closing he would like to express his wishes for the continued prosperity of Houston and health and happiness of everyone present today. Council Members Martin and Rodriguez absent.

Council Member Gonzalez stated that they were also joined by other members that were part of the delegation, Mr. Masayoshi Kazato, Food Ambassador, Sushi Chief, the Acting Head Post of Japan, Counsel T.H. Watabe, Vice Counsel [Ayako Kiode](#), Mr. J. J. Naoki, President of the Japan American Society of Houston, Ms. Patsy Brown, Executive Director of Japan American Society of Houston, Ms. Judy Izumi, Ms. Takako Yamaguchi, Ms. Akemi Saitoh, Chairperson of Houston Chiba Sister City Committee and Ms. Cheryl Mitchell, Protocol Manager, City of Houston, that Houston's relationship with Chiba City had led to increased understanding among their respective citizenry and tangible mutual benefits, including the Johnston Middle School Student Exchange Program, Japanese Garden in Hermann Park, and growing economic opportunities for their respective business communities, and Mayor Parker stated therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed today as Houston Chiba Sister City Day in Houston, Texas, celebrating 40 years of a relationship. Council Members Martin and Rodriguez absent.

Council Member Hoang stated that in March he was in Chiba City with Council Member Gonzalez and it was a great experience and Chiba City welcomed them, especially the good chef, who prepared the best Sushi. Council Members Adams and Rodriguez absent.

At 2:20 p.m. Mayor Parker stated that as they all knew they had a terrible tragedy occur last Friday afternoon where they lost four Houston firefighters, they had another Houston Firefighter in extremely critical condition, that it would be recorded as the worst loss of life in the History of the Houston Fire Department, tomorrow morning they would have a citywide community memorial service for the four fallen firefighters, it would be held at 10:00 a.m. in Reliant Stadium, there would be a formal procession of public officials, firefighters, guest firefighters from around the State and Nation, that Council Members would have received information about the timing of that event, but the memorial service at Reliant was open to the public and they certainly would invite members of the public who were so moved to attend, that in addition to their prayers for the families and for the firefighter who was still in jeopardy, and perhaps their presence at the memorial, anyone who wished to contribute to expenses for the families of the firefighters should direct those donations through the 100 Club of Houston, which honored their fallen police officers and firefighters, that in order to accommodate the public memorial service when they concluded today's Council meeting rather than recessing until tomorrow morning at 9:00 a.m. they would recess until tomorrow afternoon at 2:00 p.m., that just for their information there would be four individual funerals held over Thursday and Friday that were not open to the public and were for the family members, if there were any questions about how tomorrow would be handled she appreciated their funneling them through William Paul Thomas, but this was

being planned and organized by the Houston Fire Department and would be a full honors funeral, that she would encourage all Council Members, at all possible, to be part of the ceremony, and would ask everyone in the Chamber and anyone who may be watching to join her in a moment of silence and to offer their prayers.

Council Members Rodriguez, Adams, Burks and Laster offered their condolences to the families of the fallen firefighters and support to the firefighters who were still recovering, and Mayor Parker stated that she had the opportunity on Saturday to meet with all four families and their grace in this situation and the way they were handling it was remarkable and worthy of note; that Houstonians had certainly come forward and offered support in many different ways, since they did have so many visiting firefighters the SIMA, Small Independent Motel Association of Houston had donated hundreds of rooms so they could stay free of charge and they appreciated that and the many other gestures of kindness; that again, at the conclusion of this meeting, they would recess until 2:00 p.m. tomorrow afternoon for the business session of Council, that she knew a number of them had to rearrange schedules and they appreciated Council Member Costello working with them as they rescheduled other things having to do with budget, and knew that there may be some Council Members would be attending some of the personal funeral services so they understood that and as the Fire Department, would get back to a normal schedule as rapidly as they could.

Mayor Parker recognized Council Member Davis for a point of privilege.

Council Member Davis asked Principal Khristi Rangel, Kashmere Gardens Elementary, to stand and be recognized and stated that it was an HISD school where currently 98% of the students received free and reduced lunch, 25% mobility rate, 96.2 attendance rate and the average enrollment about 450 kids, that it was reported that poverty in Houston central city, a report from the U.S. Department of Education, 45% of the community surrounding Kashmere Gardens was at poverty level, 95% of the adults over the age of 25 did not have a post secondary education, so Ms. Rangel decided to launch a 450 word challenge in the area, they also did the Walk Towards Literacy using the school, and Mayor Parker had been out to read, that there was a big push, and they had also been a part of three schools receiving \$750,000 in literacy grants for the library, that he wanted to thank their Library Department and the Director for working with the school and the community and working for the neighborhood to improve their literacy and improving their quality of life.

At 2:35 Mayor Parker recognized Council Member Davis for the invocation and pledge of allegiance, and Council Member Davis invited Mr. Pastor John E. Fields, First Shiloh Missionary Baptist Church in the Fifth Ward on Lyons Avenue for the innovation, and Council Member Davis led all in the pledge.

At 2:37 Mayor Parker requested the City Secretary to call the roll.

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

The City Secretary began calling the public speakers. Council Members Davis, Pennington and Green absent.

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

Ms. Gwyn Matthews, 2500 E. TC Jester, Ste. 368, Houston, Texas 77008 (713-283-4736)

had reserved time to speak, but was not present when her name was called. Council Members Davis, Pennington and Green absent.

Mr. Michael Clark, 1810 Bissonnet, Houston, Texas 77005 (713-523-7130) had reserved time to speak, but was not present when his name was called. Council Members Davis, Pennington and Green absent.

Council Member Costello moved to suspend the rules to hear from Ms. Paula Rupert before Ms. Linda Patterson, seconded by Council Member Adams. All voting aye. Nays none. Council Members Davis and Green absent. MOTION 2013-0349 ADOPTED.

Ms. Paula Rupert, 7447 Cambridge St., Houston, Texas 77054 (713-398-7447) appeared, presented information, and stated that they were present on behalf of residents of City Place Townhomes, the property was built in 1980, surrounded by an 8 foot brick wall, there were 125 townhomes, 75% owner occupied, they were in the Medical Center, that in 2010 they began the maintenance and renovation of their property, they noticed increase in crime and different things in the area, they raised half a million dollars to enhance their brick wall by tearing that one done and in the exact same place going up another 12 inches to 9 feet for their entire perimeter, they had obtained permits from the City of Houston through Houston Permit Service and contracted to build their fence, in September they began their project and by December they were half way through, that once they reached the corner of Old Spanish Trail and Cambridge they were informed that the City would not longer allow them to increase their brick fence that they had already started 12 inches up, they had Houston Permit Services, Shawn Royer, contact Ms. Dipti Mathur and Mr. Brian Smyers of Planning and they were denied without any valid reason, and Ms. Rupert further stated and reviewed a list of rationale for the brick wall variance and pictures, which were presented, and that was why they were present. Council Member Green absent.

After discussion by Council Members Adams and Burks, Mayor Parker asked Ms. Rupert if they were originally given a permit through Public Works, and Ms. Rupert stated yes, and Mayor Parker stated that Ms. Susie Hartgrove and a Public Works representative were present, that if she was initially permitted and building a fence in a safe manner and it was on their property she could see no reason why they should have stopped you, that she would ask Ms. Hartgrove and Mr. Gary Norman, Public Works, to explain exactly what happened. Council Members Pennington, Gonzalez and Green absent.

Ms. Linda Patterson, 7447 Cambridge St., Houston, Texas 77054 (713-398-7447) appeared and stated that Ms. Rupert pretty much said most of it, but she would like to have everybody's help in trying to get this resolved because they felt like they raised the money and it was not going to cost the City anything, their wall was in the same spot and it was not going to be moved, they just wanted to enhance their property and be a little safer. Council Members Pennington, Gonzalez and Green absent.

Mayor Parker asked Ms. Patterson to visit with Ms. Hartgrove and Mr. Norman and they would see what the hold up was and see if they could figure how to get them moving again. Council Members Pennington, Gonzalez and Green absent.

Mr. Andre Perez-Gomes, 7447 Cambridge St., Houston, Texas 77054 (713-503-9353) was present, but stated that he would pass. Council Members Pennington, Gonzalez and Green absent.

Mr. Paul Senegal, 7447 Cambridge St., Houston, Texas 77054 (713-503-9353) had reserved time to speak, but was not present when his name was called. Council Members Pennington, Gonzalez and Green absent.

Mr. Perry James, No. Address, (832-236-2468) had reserved time to speak, but was not present when his name was called. Council Members Pennington, Gonzalez and Green absent.

Ms. Bridgett Vaughns, 11647 White Water Trail, Houston, Texas 77013 (713-831-5089) appeared and stated that she was present to voice her opinion and complain about the Prohibited Yard Parking Ordinance and Right-of-Way Mowing, that unfortunately she lived in an area that did not have an active homeowners association or a civic club, so therefore it looked like "anything goes", that the yard parking in her area had gotten completely out of control and this had happened within the last six to twelve months, that she saw parking four or five cars across the front of the yard and they were not parking between two houses, she had even witnessed cars parking in the backyard if they could find a way to get there, that she had been in the neighborhood for 27 years and had been complaining about the right-of-way moving for almost half of those years, she had checked out the City's Prohibited Yard Parking Website and understood that they had to opt into it, she had reviewed the procedures, the application and what she had to do and thought it was a lot of work, that she did not understand the reasoning for having to opt in, she thought any sensible person would think their home was their most expensive investment and therefore they wanted their property values to be preserved, this law said to her that the City of Houston felt like parking across the front of their yard was perfectly okay, and those who thought it was not had to do the extra legwork and the effort to do something about it, to have someone ticketed to stop this; that as far as the right-of-way moving, the right-of-way property stretched about a five or six block area, down the side of some homes, she was told that they only mowed twice a year and they could imagine how out of control the grass would get with twice a year, but over the years if she had gotten someone in the City of Houston that she could contact directly they might get it done when she called in and requested, that she certainly did not expect for it to be done every two weeks or once a month, but certainly a little bit more often than six months or twice a year, that she felt that she had been fighting a losing battle, she had even volunteered her home to have cameras put on or the trees near her home, whatever they could do to catch the illegal dumping, of course she never ran up on anybody doing it because if she did she would write the license plate down and report them, that she asked that they put out some "no dumping" signs and they said they were short of resources. Council Members Green and Noriega absent.

Mayor Parker stated that Ms. Vaughns had a multiple number of issues to address, she would start with the prohibited yard parking, she did not know what the thought process was in the ordinance, it was passed before she became Mayor, but did know that they were reluctant to tell people what to do on their private property, that the ordinance was a compromise whereby neighborhoods came together and said they believed it was important not to have parking in front yards and would uphold that and other community standards and they petitioned the City Council, it was not something that Council would do to impose on a neighborhood, it really had to come from a request by the neighborhood and while she was willing to visit with the District Council Member if there was a desire to revisit the ordinance, as it was it required an expression of neighborhood support before they would take those property rights away from folks; that on the issue of mowing if Ms. Vaughns would tell her where the area was that was being mowed not frequently enough, she could not say that they would necessarily go out and mow it that much more, but she would like Neighborhood Protection to look at it and see if there were problems being caused by the high weeds; and the issue of signage on a dump site, they normally did not post those signs because the signs themselves became detrimental, the goal was to have enforcement, and again she would invite Ms. Vaughns to visit with Citizens Assistance and see if they could do some more aggressive enforcement out there on the illegal dumping. Council Members Green and Noriega absent.

After discussion by Council Members Rodriguez, Davis and Laster, Council Member

Laster moved to suspend the rules to extend time for questions of Ms. Vaughns, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Green, Burks and Noriega absent. MOTION 2013-0350 ADOPTED.

Council Member Rodriguez stated that he knew Ms. Vaughns had been contacted by staff and would like to ask for her indulgence and let them get to work on some of the issues that she related to his staff. Council Members Adams, Green, Burks and Noriega absent.

Ms. Maria Gonzalez, 502 Ogilvie, Houston, Texas 77017 (281-989-2132) appeared and stated through an interpreter that she was present regarding her property of 20 years, that for the last three years she had been having problems with standing water and the street was unleveled, that since they paved the street for the last two years she had made reports to the City of Houston and had worked with Public Works who had been out there, but ever since there was nothing that had been done and they stated that it was her responsibility to handle the issue on the gutter line, that she brought some pictures so they could look at what her issue was because the water stood there when it rained and it did not go down because she believed it was really far down where the water could drain, that because of the long standing water her property had been damaged and there was a lot of dirt that had been disappearing from her property because of all the water that stood there and flooded up to her property, and there was also mosquitoes because of that, that she had various reports that she had made since 2011 and various names of people who she had spoken to and the issue had not been resolved. Council Members Green, Burks and Noriega absent.

Mayor Parker stated that the issue would be ponding in front of her house, and if Mr. Norman had returned to the room if she would sit with him to discuss the issue.

Council Member Martin stated that his office had been in contact with Mrs. Gonzalez and Public Works, that the sad thing was that this was not new construction on the road and was a problem that had existed for a while and there was not a lot they could do about it, but they had been in communication with both Public Works and Mrs. Gonzalez. Council Member Noriega absent.

After discussion by Council Members Pennington, Gonzalez and Costello, Mayor Parker stated that it was a problem across the City, the ponding, that Mr. Norman was present and knew that Ms. Gonzalez's District Council Member was aware of the situation, they would have to figure out if it was caused by something in the street or if it was unique to her home, that she wished they had the resources to deal with all of the incidents of ponding, but let them get further information while she was at Council; that if Public Works had been out there twice they should be very familiar with the situation and there may not be anything that they could do to address the problem; that it was not going to be solved in the Council Chamber today, she did not know if they could help her but to please sit down with Mr. Norman, that no one wanted to have ponding in front of their house, but it may not be something they could immediately address. Council Members Green and Noriega absent.

Council Member Martin stated that after dialoging with Public Works it seemed that within a certain area of the street, from the curb to maybe 10 feet, he was being told that it was the responsibility of the homeowner, so this was ponding in a street, not in a yard, that was causing mosquitoes and things of that nature and the explanation they received from Public Works was that it was not the City's responsibility, and asked Council Member Pennington if they could have a state of what Public Works was responsible for versus what was a homeowner responsible for within the street confines, and Mayor Parker stated that if it was in the street it was Public Works, but if the street was reconstructed and had been conveying water appropriately, but for whatever reason there had been a depression formed, they did not necessarily go back and fix it until and unless they went back and reconstructed the entire

street, that if the issue was this amount of the street was Public Works and that was the homeowner's, "no". Council Members Green and Noriega absent.

Mayor Parker further stated that in order to construct a driveway apron that touched out into the street they had to get a permit from Public Works, Public Works owned the street. Council Members Green and Noriega absent.

Mr. Dwight Daniels, 2407 M. Main, Houston, Texas 77009 (832-771-1229) appeared and stated that he was present about a situation that they had with their homeless, he had been volunteering time for an "access bus", they picked up homeless people and commuted them from one place to another, as far as where they had to go, SEARCH, or whatever, that in the last couple of months they had been experiencing a lot of people with excessive mental and physical problems, that there were only two people on the access bus who controlled and kept everything in order on the bus, that was himself and the driver, they had been plagued with people with mental problems, excessive physical problems, problems if it happened on the bus, they were not equipped to deal with situations such as this and they had several shelters pass the buck, they would bring them out and tell the access bus that they had to take them, when they had people with excessive mental and physical problems with no way to stop anything that might happen physically and mentally, that there should be someone looking over the shelters to see if they were doing what they were set up to do, doing as much as they possibly could. Council Members Davis, Martin, Gonzalez, Green and Noriega absent.

Mayor Parker stated that she did not believe anyone expected a transport for someone who was violent or disruptive or could be distracting to the driver, that would be a dangerous situation, that maybe they needed to clarify with the various agencies what they could or could not do, that she would tell him if someone was violent or acting out they did not need to be on a bus with other people and certainly in a way that would distract the driver, that she would ask that he visit with Ms. Mandy Chapman Semple, Special Advisor to the Mayor for issues around homelessness, who was present in the Chamber, and Mr. Todd Curry who was the acting person in the Mayor's Office for People with Disabilities, would be willing to visit with Mr. Daniels as well, and see if they could get to the root of the problem. Council Members Davis, Martin and Noriega absent.

Mayor Parker further stated that unless someone was acting out their assumption was that they were there to provide services and would provide those services, on the other hand if someone began to act out or had been disruptive in one of the shelters she could understand Mr. Daniels reluctance to be on the bus with them, they would figure out what the appropriate level was. Council Members Davis, Martin and Noriega absent.

Upon questions by Council Member Christi, Mayor Parker stated that Health Care for the Homeless operated the bus, but they were CDBG Funds who paid for it, federal dollars. Council Members Davis, Cohen, Rodriguez and Noriega absent.

Ms. Tiffany Scales, 4206 Douglas, Houston, Texas 77018 (832-578-6779) had reserved time to speak and when called Ms. Markey Mills appeared and stated that she was present to invite them to an event on June 8, 2013, "My Own Vagina Monologue", a compilation of poems, prayers and monologues, created to stop violence and abuse against women and young girls, that she needed each of them to stand with her at the event against violence and abuse plaguing their women by coming out to 1010 Prairie Street, ISIS Houston, at 10:00 p.m. and take time to state their position and make financial contributions and help bring awareness to this event. Council Members Davis, Rodriguez and Noriega absent.

Mr. Raymond Gibson, 1162 Cottage Oak, Houston, Texas 77091 (713-688-5432) appeared and stated that he was present to ask Mayor Parker to loan Ms. Pope and Ms. Breeze

some money to get some land cleared next door to their houses, they were overrun with rats, that the problem was that the property the rodents were on belonged to the City, there was a LARA Authority that had more property on Hoffman Street that was overgrown, that Ms. Pope had not cooked at her house in over a year and a half, she was 85 years old, they would not want their parents to live like they had to, the rats were so big that Ms. Pope put bread in a Tupperware container and the rats ate the plastic to get the bread, that he had been Gary to come out and walk the street and he did everything he told him to do, he called 3-1-1 and talked to everybody and nothing was being done, that he had pictures of the property, that he was present to see if they could find some money to clean the lot and they would keep it clean. Council Members Rodriguez and Noriega absent.

Council Member Davis stated that this was one of the lots they talked about a few weeks ago, they had talked to Legal and Department of Neighborhoods about who owned the lot, it was a future street, and Mayor Parker asked if this was another stub street that was never dedicated to anybody and was just there, and Council Member Davis stated yes, that they were looking to work on that street as far as getting people to come out and help, but also there were some Houston HOPE lots on Hoffman Street that they did not develop, so it went back into the LARA Bank, so that was what they were working on now. Council Members Rodriguez and Noriega absent.

Mayor Parker stated that she would follow up with the City Attorney, that she knew Council Member Davis raised that issue and they were going to have to take some formal action in order for the City to spend their money because technically they did not own these streets, that she understood what the situation was, that she had to solve the problem in the long term, that Mr. Landon Taylor would figure out how to get that lot mowed, that the good news was that this week they had hundreds of volunteers fanning out across the City in a program called "Loving Houston" and she was going to put some of those Baptist to work. Council Members Rodriguez and Noriega absent.

Mr. John Calaway, 232 Emerson, Houston, Texas 77006 (713-236-9840) appeared and stated that he lived in the Westmorland Historic District, which was near downtown and one of the oldest neighborhoods in Houston, he had been working trying to restore his old home, which was built in 1906 and was very proud, that he had Council Member Adams at his home to speak to their community, they had an active community that cared a lot about their neighborhood and unfortunately for them they should be concerned about preserving these beautiful old homes, but their neighborhood and infrastructure and just fallen apart, they worked as a community and got the 70% signed on a petition, which was six years ago and they presented it, he had been down to City Council many times and spoken with the Mayor about this several times and there came a point in time where people got really upset that they had now these Historic Districts that had been established which basically prohibited people from taking down their buildings, from modifying their buildings, it basically locked in the whole idea of Historic Districts, and he was a big supporter and had spent a lot of money and time to restore a great old house, to preserve it for the future, but the City was not doing it's share, it was a disaster, their curbs were all broken, the sidewalks were buckled and broken, their streets had terrible humps, that in front of his beautiful house he could not walk over from the street to his house because there had been a ditch that was almost up to his waist that had been crated by overlays after overlays for decades, that it was not good enough to just keep overlaying, they created a terrible problem with drainage and water sitting, that they needed historic preservation but if they did not start to pay attention to the Montrose area and the inner City and start allocating funds to start rebuilding their streets they were going to run good people out and get outside of the City of Houston. Council Members Rodriguez and Noriega absent.

Mayor Parker stated that she was very familiar with the neighborhood, she lived around the corner from him, and they had this conversation and she was going to say to him today what

she had said to him privately and that was that all neighborhoods were important to her, not just the one she lived in, and there were neighborhoods in greater need than their neighborhood, that she understood the argument that they ought to put new streets down where the property values were high, but she would tell him that there were streets in poor neighborhoods that needed to be reconstructed that were in much worse shape and there was just a philosophical difference, that she believed they ought to repair the worst streets first and not the street with the highest property value on them, that obviously she could be out voted on the Council table when it came to the CIP projects but that was a philosophical divide that they had. Council Members Rodriguez and Noriega absent.

Mr. Tony Morris, 2400 South Loop West, Ste. 575, Houston, Texas 77054 (832-785-4855) appeared and stated that he was hurt today and was hurt since Friday morning when he drove on the Southwest Freeway and saw a fire, that he thought it was a routine fire and had no idea that there would be so much tragedy following the fire, that it was hard for him to believe that he was at City Council and no one was talking about the death of the firefighters or the need of the Houston Fire Department and the families need to be consoled, that they were going to set a date for tomorrow for the families, but thought this date and every date afterward for the week should be dedicated to the firefighters and family members who had died fighting fires and doing what they did every day, that on this occasion they lost four at one time, that he thought the City Council owed it to the employees who had died on the job to take time out and bring the families and the Fire Department to Council and ask them what the City could do for them as opposed to going through their normal routine and pretending that nothing had happened, to find out what they needed today, tomorrow and from this point on to make their jobs a lot safer and secure, without asking the question about money, why could they not have more firefighters on the truck, they had to wait until somebody died until they put enough compliments on the truck to make sure it was safe. Council Members Davis, Rodriguez, Noriega and Christi absent.

Mayor Parker stated that perhaps Mr. Morris missed the fact that they spent about 10 minutes at the beginning of the Council meeting talking about firefighters, and she would also suggest that he not presume that they had ignored the firefighters nor that it would be appropriate for them to drag grieving families down to the Council Chamber at this point, that she met with all four families on Saturday, as did the Fire Department, and they were working closely with them to make sure they got through the process as well as they possibly could and there was not any indication, and she thought Mr. Morris should be very cautious about making statements like that, if there was anything that was done wrong at the fire ground or if there was equipment failure or anything like that, that they were at the right place at the wrong time, and if she was a little touchy about it, absolutely she was a little touchy about it, she resented the implication that they had in any way disrespected their firefighters. Council Members Davis, Rodriguez, Noriega and Christi absent.

Council Member Burks stated that they were very sensitive as a body and were very sensitive to what had happened to their firefighters, that Mayor Parker was at Hermann Memorial in the Medical Center and he was at Southwest Memorial Hermann meeting the grieving families and praying with each and everyone of them and consoling them and representing the City government and their people. Mayor Parker and Council Members Davis, Pennington, Rodriguez, Laster, Noriega and Christi absent.

Mr. James Patsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called. Mayor Parker and Council Members Davis, Pennington, Rodriguez, Laster, Noriega and Christi absent. Mayor Pro Tem Gonzalez presiding.

Ms. Mary Wheeler, 3334 Dragonwick, Houston, Texas 77045 (713-434-0258) appeared and stated that she first wanted to give her condolence and sympathy to the firefighters; that

she was present because of the stuff that took place in her home, that she came back to recognize when Council Member Adams said that she had denied help for her home, that she wanted for Council Member Adams to consider that she never said she did not want no help cause she needed help. Mayor Parker and Council Members Davis, Pennington, Rodriguez, Laster, Noriega and Christi absent. Mayor Pro Tem Gonzalez presiding.

Council Member Burks stated that her son was trying to make a point at the end the other day, that he wanted to understand what they were saying, and Ms. Wheeler stated that it was a lie, they had not fulfilled what they were saying and Claude Foster would call her and say he was coming out to the house, but never showed up. Mayor Parker and Council Members Davis, Pennington, Rodriguez, Laster, Noriega and Christi absent. Mayor Pro Tem Gonzalez presiding.

Council Member Gonzalez stated that a search had been done of their records and they did not see a contractor or sub contractor doing work for one of her neighbors, they had double checked and Mr. Gary Norman, Public Works, was present and he could tell her what review was done of the records, that unfortunately the information was not matching with what she was indicating and their records in terms of any work, that he would encourage her to visit with Mr. Norman again. Mayor Parker and Council Members Davis, Pennington, Rodriguez, Laster, Noriega and Christi absent. Mayor Pro Tem Gonzalez presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the official U. S. President; and continued expressing his personal opinions until his time expired. Council Members Davis, Rodriguez, Green, Noriega and Christi absent.

At 3:35 p. m. Mayor Parker stated that City Council was recessed until 2:00 p.m., Wednesday, June 5, 2013. Council Members Davis, Rodriguez, Green, Noriega and Christi absent.

The Houston City Council reconvened at 2:00 p.m., Wednesday, June 5, 2013, with Mayor Annise D. Parker presiding and 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; and Ms. Marta Crinejo, Agenda Director, present.

At 1:18 p.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 2:12 p.m. Mayor Parker called the meeting of the Houston City Council to order and stated that she appreciated that every Member of Council was at the service, and she wanted to acknowledge that and the many visitors who attended the memorial service, that she wanted to thank the Governor of Texas for flying in and speaking and staying at the service, to Cardinal DiNardo for speaking and Brentwood Baptist Church for providing the music, as well as the Houston Symphony, that they had pipe and drum corps and honor guards from across the Americas, Canada and Mexico and all across the United States, that she most particularly wanted to thank the local fire crews from surrounding cities who filled in at their fire stations so that their fire fighters could be at the memorial service today and that Houstonians could know that they could still be safe, that she also wanted to thank NASA, those who were in the procession saw the fly over in the missing man formation, those were jets that she had requested that NASA participate in the ceremony and she was very grateful that they did, so all around the Fire Department did an excellent job of planning and execution of what was a very difficult memorial service for them. Council Members Davis, Adams, Rodriguez, Laster and Noriega absent.

MAYOR'S REPORT

Mayor Parker recognized Council Member Gonzalez for a point of order. Council Members Adams, Rodriguez, Laster and Noriega absent.

Council Member Gonzalez moved to postpone Item Numbers 1 and 2 for one week, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0351 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE EAST DOWNTOWN REDEVELOPMENT AUTHORITY:**

Position One - **GORDON J. QUAN**, reappointment, for a term to expire 7/6/2015, and to serve as Chair for a term ending 12/31/2013

Position Two - **KARIN R. WERNESS**, reappointment, for a term to expire 7/6/2014

Position Three- **ALEXANDER WEBB**, appointment, for a term to expire 7/6/2015

Position Four - **SERGIO J. SELVERA**, appointment, for a term to expire 7/6/2014

Position Five - **S. DAVID KORET**, appointment, for a term to expire 7/6/2015

- was postponed by MOTION 2013-0351.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON DOWNTOWN PARK CORPORATION'S BOARD OF DIRECTORS:**

Position One - **BARRON F. WALLACE**, reappointment, for a term to expire 6/30/2016

Position Two - **PAMELA J. BRASSEUX**, appointment, for a term to expire 6/30/2016

Position Three - **GUY HAGSTETTE**, appointment, for a term to expire 6/30/2014

Position Four - **BRADY F. CARRUTH**, reappointment, for a term to expire 6/30/2014

Position Five - **SHERYL JOHNS**, appointment, for a term to expire 6/30/2015

Position Six - **JACQUELINE S. MARTIN**, appointment, for a term to expire 6/30/2015

Position Seven - **NANCY G. KINDER**, reappointment, and to serve as Chair, for a term to expire 6/30/2015

- was postponed by MOTION 2013-0351.

CONSENT AGENDA NUMBERS 1 through 35

ACCEPT WORK - NUMBERS 5 and 6

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$411,668.42 and acceptance of work on contract with **PIPELINE VIDEO INSPECTION & CLEANING, LLC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation - 9.76% under the original contract amount - **DISTRICTS A - BROWN; C - COHEN; D - ADAMS; E - MARTIN; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and K - GREEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0352 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,415,604.67 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 3.89% over the original contract amount and under the 5% contingency amount (4257-99) - **DISTRICTS D - ADAMS; F - HOANG; G - PENNINGTON; I - RODRIGUEZ and J - LASTER** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0353 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 12a

8. **NWN CORPORATION** for Cisco Network Equipment through the Texas Department of Information Resources for Houston Airport System - \$498,535.75 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0354 ADOPTED.
10. APPROVE spending authority to purchase Portable Construction & Maintenance Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department, from **NEVADA PACIFIC FIRE & SAFETY, INC** \$844,870.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0355 ADOPTED.
11. ORDINANCE appropriating \$949,641.00 out of Equipment Acquisition Consolidated Fund for purchase of an Aerial Tower Firefighting Truck for the Houston Fire Department – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0512 ADOPTED.
- 11a. **METRO FIRE APPARATUS SPECIALISTS, INC** for Aerial Tower Firefighting Truck through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0356 ADOPTED.
12. ORDINANCE appropriating \$536,176.00 out of Equipment Acquisition Consolidated Fund and \$1,928,448.00 out of Reimbursement of Equipment/Projects Fund for Purchase of Automated Refuse and Recycling Carts for Solid Waste Management Department – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0513 ADOPTED.
- 12a. **TOTER INCORPORATED** for Automated Refuse and Recycling Carts through the Interlocal Agreement for Cooperative Purchasing with the City of Tucson, Arizona for the Solid Waste Management Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0357 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 35

15. RESOLUTION supporting the request of a waiver of the local match requirements in the Federal Off-System Bridge Program - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. RESOLUTION 2013-0029 ADOPTED.

16. ORDINANCE approving and adopting an updated ongoing Service and Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the period 2013 through 2022 pursuant to Chapter 372 of the Texas Local Government Code - **DISTRICTS G - PENNINGTON and J - LASTER** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0514 ADOPTED.
- 16a. ORDINANCE appropriating \$219,757.98 out of Fund 7508, Lamar Terrace Public Improvement District No. 2 Fund, for payment to **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY** pursuant to Ordinance No. 2003-0432 - **DISTRICTS G - PENNINGTON and J - LASTER** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0515 ADOPTED.
19. ORDINANCE awarding five year Task Order Contract with **BASIC ENVIRONMENTAL GROUP, LLC** for Lead Remediation/Lead Decontamination, Material Replacement/HEPA Filter Replacement and Proper Disposal at Police Academy Firing Ranges; providing a maximum contract amount; 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 project management, Sampling and Air Monitoring Services; and contingencies relating to construction of facilities financed by the General Fund - \$491,402.95 - General Fund - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0516 ADOPTED.
20. ORDINANCE approving and authorizing Interlocal Agreements between the City of Houston and the **GREATER SHARPSTOWN MANAGEMENT DISTRICT OF HARRIS COUNTY** and the **INTERNATIONAL MANAGEMENT DISTRICT OF HARRIS COUNTY** for the Westside Division Sharpstown/International Districts Project to provide overtime for the Westside Division of the Houston Police Department - Revenue – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0517 ADOPTED.
21. ORDINANCE approving Memorandum of Understanding Form and authorizing the Houston Police Department Chief to enter into Memorandums of Understanding between the City of Houston acting through the Houston Police Department on behalf of the **HOUSTON-METRO INTERNET CRIMES AGAINST CHILDREN TASK FORCE** and all other participating agencies \$349,712.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0518 ADOPTED.
22. ORDINANCE approving and authorizing first amendment to agreement for Depository Banking Services between the City and **JPMORGAN CHASE BANK N.A.** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0519 ADOPTED.
23. ORDINANCE issuing a permit to **CHEVRON PHILLIPS CHEMICAL COMPANY LP** to operate, maintain, improve, repair and replace seven existing pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS D - ADAMS and E - MARTIN** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0520 ADOPTED.

24. ORDINANCE appropriating \$230,000.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **ZARINKELK ENGINEERING SERVICES, INC** for Generic City Wide Asphalt Overlay Project (Approved by Ordinance No. 2011-0367); providing funding for CIP Cost Recovery relating to construction of facilities financed by Metro Projects Construction DDSRF – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0521 ADOPTED.
26. ORDINANCE appropriating \$6,945,000.00 out of Street & Traffic Control & Storm Drainage DDSRF and \$1,923,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LLC.** for Braesmont Drive Area Drainage and Paving Improvements; 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, and contingencies relating to construction of facilities financed by the Street & Traffic Control & Storm Drainage DDSRF and the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0522 ADOPTED.
27. ORDINANCE appropriating \$555,896.00 out of Water & Sewer System Consolidated Construction Fund, awarding contact to **NATIONAL WORKS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-75) – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0523 ADOPTED.
28. ORDINANCE appropriating \$372,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **T CONSTRUCTION L.L.C.** for Wastewater System/Substitute Service Support - Dora, Truxillo; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - COHEN; D - ADAMS and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0524 ADOPTED.
29. ORDINANCE appropriating \$5,526,200.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Avondale Area; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0525 ADOPTED.
30. ORDINANCE appropriating \$2,860,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D.L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Spring Shadows West Area; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0526 ADOPTED.

31. ORDINANCE appropriating \$2,483,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D.L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Forest Pines Area; 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 the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0527 ADOPTED.
33. ORDINANCE appropriating \$4,698,800.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for Water Line Replacement in Glen Haven Estates Area; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT J - LASTER** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0528 ADOPTED.
34. ORDINANCE appropriating \$2,540,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SCOHIL CONSTRUCTION SERVICES, LLC** for Water Line Replacement in Mangum Manor North Area; 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 the Water & Sewer System Consolidated Construction Fund **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0529 ADOPTED.
35. ORDINANCE No. 2013-453, passed second reading on May 29, 2013
ORDINANCE granting to **TRC WASTE SERVICE 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 - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Laster absent. ORDINANCE 2013-0453 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,027,750.76 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 3.16% under the original contract amount (4257-81) - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and J - LASTER** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Rodriguez and Laster absent. MOTION 2013-0358 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,318,562.43 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 4.05% under the original contract amount (4257-103) - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and J - LASTER** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Rodriguez and Laster absent. MOTION 2013-0359 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,193,781.32 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for FY11 Fire Hydrant Replacement - 9.0% under the original contract amount – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Rodriguez and Laster absent. MOTION 2013-0360 ADOPTED.

PURCHASING AND TABULATION OF BIDS

9. ORDINANCE appropriating \$455,585.17 out of Airport Improvement Fund for purchase of two Modular Buildings and Taxi Staging Lot Utility Work for the Houston Airport System – was presented. All voting aye. Nays none. Council Members Rodriguez and Laster absent. ORDINANCE 2013-0530 ADOPTED.
- 9a. **NORTEX MODULAR SPACE** for Modular Buildings from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Airport System - \$405,588.33 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Members Rodriguez, Laster and Bradford absent. MOTION 2013-0361 ADOPTED.
13. ORDINANCE appropriating \$2,949,000.00 out of Water & Sewer System Consolidated Construction Fund for Metering Infrastructure Hardware and Software Development for the Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Members Rodriguez, Laster and Bradford absent. ORDINANCE 2013-0531 ADOPTED.
- 13a. **CRYSTAL COMMUNICATIONS, LTD.** - \$649,332.00, **APEX SYSTEMS, INC** - \$775,601.65, **INFOR PUBLIC SECTOR US, INC** - \$1,399,555.25, **GLOBALNET SERVICES, INC** - \$49,990.10 and **MILLENNIUM LOCK INC** - \$74,521.00 for approval of spending authority in the total amount of \$2,949,000.00 for purchase through the Texas Department of Information Resources and the General Services Administration Schedule 70 Contracts through the Cooperative Purchasing Program for Phase 2 of Customer

Information System Integration and Implementation, and Automated Metering Infrastructure Hardware and Software Development for the Department of Public Works & Engineering – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Bradford absent. MOTION 2013-0362 ADOPTED.

14. **AMEND MOTION #2011-345, 4/27/11, TO INCREASE** spending authority from \$375,937.76 to \$469,922.20 for Electrical Lighting for Various Departments, on award to **CONSOLIDATED ELECTRICAL DISTRIBUTORS, ASTRO dba CED INDUSTRIAL** - General and Enterprise Funds – was presented, and tagged by Council Members Davis, Brown and Burks.

RESOLUTIONS AND ORDINANCES

17. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **GOODWILL INDUSTRIES OF HOUSTON** to provide \$98,918.00 in Community Development Block Grant Funds for the continuing administration and operation of a Community Rehabilitative Services Program that will provide employment services to individuals with physical, mental and development disabilities – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0532 ADOPTED.
18. ORDINANCE relating to the retail electric rates of **ENTERGY TEXAS, INC** within the City of Houston, Texas; ordering reimbursement of all rate case expenses incurred on behalf of all Entergy Texas, Inc ratepayers within the City of Houston, Texas; denying rate increase request and maintaining the current Entergy Texas, Inc rates in effect – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0533 ADOPTED.
25. ORDINANCE amending City of Houston Ordinance No. 2013-233 to correct the Outline Agreement Number for contract between the City of Houston and **D.L. ELLIOTT ENTERPRISES, INC** for Water Distribution System Rehabilitation and Renewal – was presented. All voting aye. Nays none. ORDINANCE 2013-0534 ADOPTED.
32. ORDINANCE appropriating \$3,315,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D.L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Buckingham Place Area; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B – DAVIS** – was presented, and tagged by Council Member Davis.

NON CONSENT AGENDA - NUMBER 36

PURCHASING AND TABULATION OF BIDS

36. RECOMMENDATION from Purchasing Agent to make the following awards for Reflective and Non-Reflective Materials for Various Departments - \$2,559,070.50 - Enterprise and Fleet Management Funds:
AVERY DENNISON CORPORATION - \$1,659,070.50
3M COMPANY - \$685,800.00
NIPPON CARBIDE INDUSTRIES, (USA), INC - \$189,000.00
COUNCIL DRAW LOTS

ITEM NO. 4 due to receiving identical bids from **AVERY DENNISON CORPORATION** and **NIPPON CARBIDE INDUSTRIES, (USA), INC** in the amount of \$25,200.00

- was presented, and Council Member Rodriguez drew Nippon Carbide Industries, (USA), Inc..

Council Member Gonzalez moved to adopt the recommendation, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0363 ADOPTED.

MATTERS HELD - NUMBERS 37 through 42

37. MOTION by Council Member Bradford/Seconded by Council Member Hoang to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$3,225,230.46 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.30% over the original contract amount and under the 5% contingency amount (4257-102) **DISTRICTS B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN and H - GONZALEZ** – (**This was Item 9 on Agenda of May 29, 2013, TAGGED BY COUNCIL MEMBER DAVIS**) – was presented. All voting aye. Nays none. MOTION 2013-0364 ADOPTED.
38. MOTION by Council Member Bradford/Seconded by Council Member Hoang to adopt recommendation from Purchasing Agent to award to **FLINT TRADING, INC** for Thermoplastic Pavement Marking Pre-Form Materials for the Department of Public Works & Engineering 3 Years with two one-year options - \$1,442,066.95 Dedicated Drainage & Street Renewal Fund – (**This was Item 18 on Agenda of May 29, 2013, TAGGED BY COUNCIL MEMBER GREEN**) – was presented. All voting aye. Nays none. MOTION 2013-0365 ADOPTED.
39. ORDINANCE approving and authorizing the submission of an application to the Department of State Health Services for Immunization and Vaccines for Children Services for the City of Houston’s Immunization Program; declaring the City’s eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services to act as the City’s representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – (**This was Item 30 on Agenda of May 29, 2013, TAGGED BY COUNCIL MEMBER BROWN**) – was presented. Council Member Christi voting no, balance voting aye. ORDINANCE 2013-0535 ADOPTED.
40. ORDINANCE approving and authorizing an agreement for Professional Services between the City and **HARMONY HOUSE, INC** for a facility to house TB patients under medical supervision; providing a maximum contract amount - 1 Year with four successive renewals - \$1,000,000.00 General Fund – (**This was Item 31 on Agenda of May 29, 2013, TAGGED BY COUNCIL MEMBER BROWN**) - was presented. All voting aye. Nays none. ORDINANCE 2013-0536 ADOPTED.
41. ORDINANCE appropriating \$1,000,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing payments for land acquisition costs, condemnations, appraisal fees, title services, relocation expenses and other services for various water projects; finding a public necessity for such projects and for the design and construction of transmission and distribution lines to convey treated water from surface water facilities – (**This was Item 43 on Agenda of May 29, 2013, TAGGED BY COUNCIL MEMBER GREEN**) - was presented.

Council Member Green stated that he had tagged Item No. 41 last week, that it was Public Works Department's opportunity whenever there were land costs or acquisitions they would have an opportunity to use a diverse set of realtors in the process, that he had talked with Public Works and Ms. Collins, Real Estate Division, Public Works, and she assured him that they were opening up the process to small businesses and diverse realtors, that he was going to support the item, but would continue for Public Works to please try to be as diverse as possible when they talked about the real estate transactions.

A vote was called on Item No. 41. All voting aye. Nays none. ORDINANCE 2013-0537 ADOPTED.

42. ORDINANCE appropriating \$2,958,400.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Aldine Westfield Area; 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 the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - DAVIS and H - GONZALEZ** – **(This was Item 58 on Agenda of May 29, 2013, TAGGED BY COUNCIL MEMBER DAVIS)** – was presented.

Council Member Davis stated that last week he had tagged the item, asking for some time to look at the project and figure out what part of the area would clear as far as rust, that he had yet to get a meeting with Public Works, and moved to postpone Item No. 42 for one week, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0366 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Laster stated that the Council had just returned from the memorial for the four fallen victims of last Friday, that not only did the fire take place in District J, but Fire Stations 51 and 68 were in the heart of District, and on behalf of all of the residents that lived in District J they wanted to thank those firefighters and all of the firefighters that continued to serve them, that he wanted to thank the community who had reached out to those firefighters and looked forward to brighter days ahead. Council Members Brown and Pennington absent.

Mayor Parker stated that she knew this was mentioned at the memorial service today, they still had one firefighter, Captain Dowling, who was in extremely critical condition and they needed to remember him. Council Members Brown and Pennington absent.

Council Member Costello stated that they had budget workshop meetings tomorrow, about eight of them, so be prepared for a long and lengthy day. Council Members Brown, Hoang and Pennington absent.

Council Member Gonzalez stated that he wanted to say "God Bless" their firefighters, the four they memorialized today, those who were still recovering from their injuries, those that answered calls each and every day to keep them from harms way, to their families who were left behind, and to all of the great citizens of the City. Council Members Brown, Martin, Hoang and Pennington absent.

Council Member Adams stated that she wanted to thank Mayor Parker and the Houston Fire Department, everything today was smooth and she wanted to commend William Paul Thomas for making sure the Council Members got in and out appropriately, and Mr. Carlos who drove them today, that she wanted to thank all of the firefighters who traveled long distances to be with them, that her nephew was at Fire Station No. 47, he was with the Dallas Fire

Department, that he had sent a text to her today that said it was indeed an honor to represent his brothers and sisters at the local Houston Fire Department, that she wanted to thank Mayor Parker for her leadership, as well as Chief Garrison, that she wanted to continue to give condolences to all of the family members, as well as the firefighters who were recovering in the hospital and those who had made it home, and the brothers and sisters at Fire Stations 51 and 68; and announced events she attended or would be attending; that one of the apartment units they had been dealing with, again today the landlord had not paid the electric bill, Crestmont Village, that they were working with them and her staff was getting ready to go out there. Council Members Brown, Martin, Hoang, Pennington, Rodriguez and Costello absent.

Mayor Parker stated that in reference to the apartment complex, was that one where they needed to invoke their relocation protocol, or was that a call that would be made later today, and Council Member Adams stated that she was going to get with Housing today, but knew that Ms. Nancy Brewer was already heading out there, they had already communicated with her team, because they had been dealing with that apartment complex for three years and Nancy was very familiar, that the landlord was one of those "out of town" landlords who just collects rent and that was it, but the bills had been off before, Nancy' Brew's team was already on the ground and would call her office when they got there. Council Members Brown, Martin, Hoang, Pennington, Rodriguez and Costello absent.

Council Member Green stated that he too wanted to honor the City of Houston Fire Department for their consensual service to the Houston Community and standing true to their mission statement; and announced events he attended or would be attending; that he wanted to give a big thanks to Reliant Stadium, Mr. Kevin Huffman and his team for today putting on a great show, that he knew a lot of services at Reliant were donated in kind and he wanted to thank their friends at Harris County and Reliant Stadium for partnering with the City to make sure they were able to give the firefighters a great sendoff. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

Mayor Parker stated that she wanted to thank Council Member Green for mentioning that, she neglected to say Reliant, a lot of those folks were donating their time and their services. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Davis stated that today one of the speakers put it well, the job of a firefighter could be a humbling situation, one day they were cutting the grass and the next day they were putting out a huge fire, that he never thought about like that, that today was very emotional and a lot of people had said a lot of good things, that his prayers went out to the families of the firefighters; and announced events he attended or would be attending. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Cohen stated that she would echo the sentiments of her colleagues about today's service, that she too wanted to thank William Paul Thomas, and wanted to congratulate long time HISD employee and Timber Grove Manor resident, Jackie Mayda, who was retiring after 40 years in childhood education; and congratulations to Heights Business A Second Cup, a non profit coffee shop who utilized it's profits to fight human trafficking and provide assistance to victim survivors, that they had been chosen as one of 30 finalists in the National "Start Something That Matters Challenge", the winner would be awarded a \$50,000 grant, they could vote for them on line until June 14, 2013. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Burks stated that today was a great warm display of brotherhood and sisterhood for their firefighters, that from all over North America, the United States, Canada and Mexico they came, they showed in Houston that they cared, respected and loved all of their first responders, that he wanted to thank all who donated the resources to make this day a warm

and caring event, that he wanted to thank William Paul Thomas and all who coordinated the Council to go to the event, and read the Firefighters Prayer. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Bradford stated that as had been said, William Paul Thomas, earned an "A" today, to the Houston Firefighters and their families he would say thank you for their service and sacrifices, stay strong, keep their faith and remember their fallen heroes and move forward. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Adams announced events she attended or would be attending; and stated that next Thursday she picked the Houston Women's Center to celebrate her birthday and make any donation they would like to the Houston Area Women's Center, it would be on June 13, 2013 at 6:00 p.m. at Sambuca's in the Empire Room, Salsa against violence. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

Mayor Parker stated that if Council Member Adams would tell her how old she was going to be she would write a check in that amount; that she wanted to wish good luck to the 2013 Graduating Class of Lamar High School, that her daughter, Marquita, would be graduating this Sunday, along with her God daughter, Sherri. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.

There being no further business before Council, the City Council adjourned at 2:38 p.m. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Costello and Noriega absent.
NO QUORUM PRESENT

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary