

City Council Chamber, City Hall, Tuesday, November 19, 2013

A Regular Meeting of the Houston City Council was held at 2:00 p.m. Tuesday, November 19, 2013, Mayor Annise Parker presiding and with Council Members Ellen R. Cohen, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. Harlan Heilman, Legal Department, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present. Council Member Helena Brown absent due to being ill. Council Members Jerry Davis, Wanda Adams and Melissa Noriega absent on personal business.

At 1:45 p.m. Mayor Parker called the meeting to order and stated they would begin with the Council presentations and recognized Council Member Costello for the first presentation. Council Members Cohen, Rodriguez and Green absent.

Council Member Costello stated that he was present to offer a proclamation to an organization called Bo's Place, they were joined by the staff of Bo's Place as well as the Board of Directors, that Bo's Place was a grieving counseling organization for children, and Mayor Parker stated that therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed November 21, 2013, as Children's Grief Awareness Day in Houston, Texas and that they wanted to thank Bo's Place for what they did. Council Members Cohen, Rodriguez and Green absent.

Ms. Mary Beth Staine, Executive Director, stated that she wanted to thank Mayor Parker and the Council Members, especially Council Member Costello for his support of their organization, they could all play a role in helping support grieved children and bereaved families, so it was important to get the word out and asked each of them to help them spread the word that there was a place in Houston where they could go for support and that would be Bo's Place. Council Members Cohen, Rodriguez and Green absent.

Council Members Pennington, Laster and Gonzalez stated that they wanted to congratulate and thank Bo's Place for all they did for the City of Houston. Council Members Cohen, Rodriguez and Green absent.

Mayor Pro Tem Gonzalez recognized Council Member Christi for the next presentation. Council Members Cohen, Rodriguez and Green absent.

Council Member Christi stated that he had the honor of doing something that they had not done in many decades and that was to honor the Native American and Alaskan Native Heritage Month, and invited the representatives of the groups, plus those who were in Native American Traditional Dress, to the podium and stated that today he was joined by the Native American and Alaskan Native communities and representatives from the Native American Health Coalition; that this month they celebrated and honored the many ways Native Americans and Alaskan Natives had enriched their Nation and renewed their commitment to respect each tribe's identity and ensure equal opportunity to pursue the American dream, and presented them with a proclamation, and Mayor Parker stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed November 2013 as Native American and Alaskan Native Heritage Month in Houston, Texas. Council Members Cohen, Pennington, Rodriguez and Green absent.

Ms. Laura Thompson, Coughatta Tribe, Ms. Chance Landry, Southern Apache Museum, and Ms. Anna Marie Edwards, whose grandmother was of the San Juan Pueblo of Northern New Mexico, and expressed appreciation to Mayor Parker and the Houston City Council for the proclamation today and gave a brief description of their Native American history. Council

Members Cohen, Pennington, Rodriguez and Green absent.

Mayor Pro Tem Gonzalez recognized Council Member Hoang for the next presentation. Council Members Cohen, Pennington, Rodriguez and Green absent.

Council Member Hoang stated that Texas Power and Lighting, TPL Energy, was founded in 2003 to serve the diverse community in Houston, including the large Asian Community, and they had helped and provided electricity to the less fortunate in their community, and presented them with a proclamation and Mayor Parker stated that they wanted to salute the home grown Houston business for ten years of success, and therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed today as TPL Energy Day in Houston, Texas. Council Members Cohen, Pennington, Rodriguez and Green absent.

A representative of TPL stated that it was an honor to be present on behalf of TPL to receive the proclamation from the City of Houston, that ten years ago TPL was founded to serve the less fortunate, especially the Asian Community, many of who did not speak English, that their motto was to have good quality with affordable pricing for their customers, that in 2005 TPL donated their time and resources to help victims of Hurricane Katrina, they were praised by then Mayor, Bill White, and his office for their dedication and pro bono services, and again in 2008 they also helped thousands of Hurricane Ike victims, that they pledged to continue to do their good work for the City of Houston. Council Members Cohen, Pennington, Rodriguez and Green absent.

At 2:28 p.m. Mayor Parker recognized Council Member Laster for the invocation and pledge of allegiance, and Council Member Laster invited Father Wayne W. Wilkerson, Saint Frances De Sales Catholic Church, for the invocation, and Council Member Laster led all in the pledge of allegiance. Council Members Cohen, Pennington and Rodriguez absent.

At 2:34 p.m. the City Secretary called the roll. Council Member Brown absent due to being ill. Council Members Davis, Adams and Noriega absent on personal business.

Council Members Gonzalez and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Brown absent due to being ill. Council Members Davis, Adams and Noriega absent on personal business. MOTION ADOPTED.

Council Member Gonzalez moved that the rules be suspend for the purpose of hearing Ms. Adalinda Guajarda, Mr. Alvaro Rodriguez and Mr. Jose Sanchez at the end of the speakers list scheduled for 3 minutes on agenda items, seconded by Council Member Costello. All voting aye. Nays none. Council Member Brown absent due to being ill. Council Members Davis, Adams and Noriega absent on personal business. Council Member Hoang absent. MOTION 2013-0746 ADOPTED.

Council Member Cohen moved that the rules be suspend for the purpose of adding Donnie Frier to the speakers list, seconded by Council Member Costello. All voting aye. Nays none. Council Member Brown absent due to being ill. Council Members Davis, Adams and Noriega absent on personal business. Council Member Hoang absent. MOTION 2013-0747 ADOPTED.

The City Secretary began calling the list of public speakers. Council Member Pennington absent.

Ms. Marcia Garcia, 8210 Beaumont, Houston, Texas 77022 – 832-306-5984 appeared and stated, through a translator, that she lived in District H, Council Member Ed Gonzalez, that

she had worked in the construction industry for more than 10 years, she loved her job and did it with pride to provide for her family, that in July she was the victim of wage theft by her ex-employer and was constantly sending letters demanding her wage but nothing was given to her, that she was asking the Council Members that these companies respect labor and provide them a just pay without having consequences and stealing people's wages. Council Member Cohen absent.

Mr. Andy Teas, 4810 Westway Park Blvd., Houston, Texas 77041 – 713-595-0300 appeared and stated that he was present on behalf of the Houston Apartment Association, a non profit trade association that represented the owners and managers of apartment properties in the Houston area, he was present to ask for their support for Item No. 14, the proposed Wage Theft Ordinance and stated that he wanted to thank the Mayor, City Attorney Dave Feldman and all of their staffs and the Council Members for working with them to help achieve a goal that he thought they all shared from the very beginning, that he would love to see them go farther and urge the Houston Police Department to work with the District Attorney, the Texas Workforce Commission and others to prosecute wagger thieves, not just interfere with the permitting and City contracting provisions. Council Member Cohen absent.

Mayor Parker stated that the Police Department was happy to bring that information forward to the District Attorney Office. Council Member Cohen absent.

Mr. Joshua Sanders, 4010 Mandell, Houston, Texas 77006 – 713-299-1387 appeared and stated that he was present representing Houstonians for Responsible Growth, they represented a very cross section of the Real Estate Development Industry, that he wanted to thank Council for taking their time to listen to their concerns on the issue, that he wanted to thank Mayor Parker and City Attorney Dave Feldman for working with them to try to reach a compromise that discourages wage theft and actually encouraged people getting paid, that their members were against wage theft and the practice of it and believed the new ordinance, as well as recent updates of State Law, allowed the City of Houston to proactively address the issue, that in 2011 State Law was actually tightened to allow for HPD to investigate wage theft and charge someone with theft of property, that combined with allowing the City of Houston to take a greater role on determining who they did business with set a positive example for others, that was why they supported the ordinance that was being brought before Council tomorrow and they thanked them for their interest and continued support. Council Member Cohen absent.

Council Member Gonzalez stated that he wanted to thank Mr. Sanders because he had worked very hard as well to try to come to a point where they could find some consensus around this and consider all view points, that he had submitted a letter on behalf of other member partners who were also in support of the new ordinance, and Mr. Sanders that they had a letter that they all should have received today, that stated the support for the compromise that would be put forth tomorrow from various industry groups. Council Member Cohen absent.

Mr. Jerome Wald, 9600 Glenfield Ct., No. 113, Houston, Texas 77096 appeared and stated that he was the former president of a Jewish Reconstruction Congregation in Houston, and a member of the Interfaith Committee of the Fey Justicia Workers Center and residing in District C, Council Member Ellen Cohen, that he appreciated the work done by the Council and the Mayor, the City Attorney's Office and the Public Safety Committee, that he was wearing yellow in solidarity, today, with his brother and sister members of the Fey Justicia Workers Center, that he would ask for their support of an anti wage ordinance with strong effective sanctions against wage theft perpetrators, as had been modified, and read a statement from the 175th Convention of the Episcopal Diocese of Indianapolis, who were concerned with wage theft. Council Members Cohen and Rodriguez absent.

Council Member Pennington asked Mr. Wald if he had any statistics that showed the

extent of the wage theft problem, either generally or among the people who were present and were in support of such an ordinance, and Mr. Wald stated that he did not personally have that but heard this morning, from the Secretary of the AFL/CIO Council that there were about 100 violations a day occurred of wage theft in Texas, and Council Member Pennington asked if those were reported to the State right now and Mr. Wald stated that he did not know but he could get him all of that information. Council Member Cohen absent.

Council Member Burks asked Mr. Wald if he could explain the term “under paying”, and Mr. Wald stated that for example if someone was supposed to be getting a wage of \$8 per hour and they only got paid \$5 per hour, or one of the occurrences happened among restaurant workers who were guaranteed a certain amount of money and then they were supposed to make the rest of it from tips. Council Member Cohen absent.

Reverend Ronnie Lester, 7200 Shady Villa, #25, Houston, Texas 77055 – 832-207-5053 appeared and stated that he wanted to thank Mayor Parker and Council Member Gonzalez and others who worked with her to bring the Anti Wage Theft Ordinance to the floor, that this was not rocket science, they should have had an Anti Wage Theft Ordinance 50 years ago, that it was imperative that they pass an Anti Theft Wage Ordinance, that those of you who vote yes would be blessed, and those who decided to vote no for any reason it was his prayer that they would not rest, that it would bother their consciences, that God and all the angels in Heaven and Hell would work on them until they pass the ordinance for the people. Council Members Cohen and Hoang absent.

Mr. Bill Crosier, 7445 Santa Fe, Houston, Texas 77061 – 713-305-5346 appeared and stated that he was president of the Houston Peace and Justice Center and wanted to thank them for putting the Wage Theft Ordinance on the agenda so they could vote on it this week, that he was in favor of the new ordinance, that it addressed wage theft and there was more to it than just the people who were working that were being taken advantage of, that wage theft was a dirty little secret that most people did not talk about, but yet right here in Houston there were over 100 violations each week, he believed it was per week and not per day, that had been documented by the Houston Interfaith Worker Justice Center and they could supply documentation if they would like, there were probably many more that were not reported, that every week in Houston many families were being cheated out of earnings that they had earned, that besides being a violation of the Federal Law it affected thousands of families of hard working Houstonians who could not afford to hire an attorney to fight back. Council Members Cohen and Hoang absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of adding Ms. Debra Walker to the speakers list, seconded by Council Member Costello. All voting aye. Nays none. Council Member Brown absent due to being ill. Council Members Davis, Adams and Noriega absent on personal business. Council Members Cohen and Hoang absent. MOTION 2013-0748 ADOPTED.

Mr. Joe Marcinkowski, 351 Lakeside Ln., #310, Houston, Texas 77058 – 713-473-000 appeared and stated that he was a small business owner, and had a shop on Washington Avenue and was present to speak in favor of the ordinance, that low wage workers were robbed more often than banks, gas stations or convenience stores, a combined \$185 million versus \$56 million in 2008, that was from the Labor Department, that low wage workers barely made enough to support themselves, the problem was a lack of regulations, that as an employer he resented competing with cheats, companies that would do this, that he heard a couple of weeks ago lobbyist coming to Council and trying very hard to protect their employees, why would any lobbyist want their industry to be associated with people who cheated. Council Members Cohen, Hoang and Gonzalez absent.

Ms. Bridget Jensen, 1902 W. Clay, Houston, Texas 77019 – 713-417-2056 appeared and stated that she lived in District C, that this evening she would be with a group of men in prison who were participating in a project to help them reform their ways of acting and thinking to become honorable men, that when employers had intentionally not paid workers, as determined through the Workforce Commission or through the Courts, could continue to do business with or within the City, she thought the City was fostering a culture of greed and gain at any cost, that she urged them to take a stand tomorrow by voting for the Anti Wage Theft Ordinance. Council Members Cohen, Gonzalez and Burks absent.

Mayor Parker stated that Ms. Jensen raised a good point, there were two avenues for complaints, the Workforce Commission or the Houston Police Department, wage theft was theft, it was no different from popping someone's window out of their car and taking a laptop off the back seat, wage theft was another form of stealing. Council Members Cohen, Gonzalez and Burks absent.

Mr. William Gonzalez, 2506 Sutherland, Houston, Texas 77023 – 713-923-9473 appeared and stated that he was the Chapter President for UNITE HERE, Local 23 in Texas, they represented hospitality workers all over the State, that he was present to speak in support of the Anti Wage Theft Ordinance on behalf of their members, that they believed that everyone who got up in the morning and went to work every day deserved to have a paycheck waiting them at the end of that week, that he urged them to vote for the ordinance tomorrow. Council Members Cohen, Gonzalez and Burks absent.

Ms. Katherine Von Haefen, 50 Waugh Drive, Houston, Texas 77007 appeared and stated that she represented the United Way of Greater Houston and was present to speak in support of the Wage Theft Ordinance, that each year it was estimated that over \$700 million was lost in Houston due to wage theft, money that should and could be going to pay for housing, buying groceries, putting gas in the car and clothes for the children, that when that money was lost people were forced to look for alternatives to fill the gaps, that United Way and their sixty funded agencies were a huge source of support to help meet those unmet needs of victims of wage theft, why should their donors and agencies have to pick up the tab for these violations, their program funding could be going to assist families with more long term assistance, such as job training, education and financial coaching instead of fulfilling more basic needs, that they ask that they pass the amended ordinance without delay. Council Members Cohen, Green and Burks absent.

Ms. Ashley Hernandez, 2350 Bagby, No. 16204, Houston, Texas 77006 – 502-664-9406 appeared and stated that she was with the non profit organization, Restaurant Opportunity Center of Houston, and was present to ask them to vote yes for the Wage Theft Ordinance, that they were a worker center of restaurant workers and as many people knew restaurant workers were often victims of wage theft, they had many restaurant workers who were tipped workers so they were earning \$2.13 per hour, which was the State tipped minimum wage, however, when they got a check often time after taxes there was nothing left of the \$2.13 per hour wage, so they see why their tips were so important, because they were living off of tips literally in some cases, so when a restaurant worker was a victim of wage theft and their tips were taken it had a great impact on their membership, that unfortunately, according to the Department of Labor, 16% of all wage theft cases happened in the Restaurant Industry, they believed the ordinance needed to be passed because there were too many cases of wage theft in the City. Council Members Cohen, Green and Burks absent.

Ms. Elizabeth Johnson, 1415 North Loop West, Houston, Texas 77008 appeared and stated that she was present on behalf of Working America, they had collected over a thousand letters within the City of Houston from members and staff in regard to speaking against wage theft, that stealing is, was and would always be considered wrong, why should they have to try

to convince the City of Houston of the exact same thing, that they were asking the City Council to stop allowing a few rotten companies to ruin the credibility of those businesses who were actually doing what was right and from taking advantage of hard workers, that they needed to start a trend in Houston of refusing to do business with criminals and putting a screeching halt to illegally withholding wages from hard working citizens. Council Member Burks absent.

Mr. Peter Brown, 10 Waverly Court, Houston, Texas 77005 – 713-594-8771 appeared and stated that was present to talk about the Deluxe Theater in the Fifth Ward, that when he first started as a City Councilman in 2006 he began working with Housing and Community Development on the restoration and reuse of the Deluxe Theater, that the Fifth Ward continued to be a neighborhood in serious decline, there was a little economic activity but about 35% of the neighborhood was either derelict, abandoned buildings or vacant land, the tax revenues they were getting from the Fifth Ward did not even begin to cover the cost of services, that he wanted to stress that it needed a plan, there was money from Ike 2 coming in to the Fifth Ward, the Deluxe Theater was a great start, but it had to continue the revitalization of the critical and historical area of the City, that walk ability was the key, so they needed to think how to make this neighborhood and the City more walkable, and displayed a book that described in text and great pictures and drawings how they revitalize a neighborhood and how they make it more walkable and displayed another book on urban development. Council Member Hoang absent.

Ms. Carissa Baldwin-McGinnis, 1220 Omar St., Houston, Texas 77008 – 626-808-2483 – had reserved time to speak, but was not present when her name was called. Council Member Hoang absent.

Ms. Hope Sanford, 2430 Wroxton, Houston, Texas 77005 – 281-714-1454 appeared and stated that she lived in Council Member Cohen's district and always voted and emailed Council Member Cohen's office about the wage theft issue, that if they wanted the statistics on the amount of stolen wages involved and it's impact on Houston, the Fey Justicia Coalition, had them and would give them written copies, so they were available, that there were a ton of Houston Chronicle articles that documented rampant local wage theft, that her friend, that if they created a database of companies found guilty of wage theft and made the offending companies ineligible to do work for the City of Houston, or to renew City permits or licenses, that would be a serious disincentive to the folks who stole wages from their most vulnerable workers. Council Members Hoang and Rodriguez absent.

Mr. Cesar Espinoza, 6610 Harwin, Houston, Texas 77036 – 832-497-5035 appeared and stated that when he tried to explain the wage theft issue to a lot of friends the question that he got was "isn't that wrong, isn't stealing wrong, isn't there already laws or rules and procedures in place" and the answer was kind of, but not really, that he runs a non profit and they worked with immigrants in the City of Houston and also did a lot of work with students, that he himself was an immigrant, that he saw people every day in their office coming in and talking about these type of issues, that when people came to them with complaints they referred a lot of people to the Fey Justicia Center, there really were no clear avenue for these type of issues to go forward, that he had been an organizer for about 13 years and had also worked with day laborers, that when they had a population that was not getting paid and who the avenues were so complex and so bad that they were not able to get their pay at the end of the day, it not only hurt them and their families, it hurt them as a community, that he really encouraged them to get the Wage Theft Ordinance passed. Council Members Hoang and Rodriguez absent.

Council Members Burks asked Mr. Espinoza if he had any data on day laborers being violated, any numbers like that, and Mr. Espinoza stated that day laborers, some people considered them an invisible population because they were so transient, they moved from district to district, and it was difficult to get them on the Census, and so difficult to keep track of them, that the Fey Justicia Workers Center had different stats and they were saying that there

were about 100 cases filed, that wage theft of that number, he was not sure what percentage were day laborers, but they expected it to be rather high. Council Members Hoang and Rodriguez absent.

Council Member Bradford asked Mr. Espinoza if it was his understanding that the revised ordinance, as proposed, removed the obligation of the victim of having to come forward, and Mr. Espinoza stated that he thought if they knew there was a channel for them to bring complaints forward to the City they would want to take advantage of it, that they were proposing, if the ordinance were to pass, they would like to help and make people come forward and create a culture where if people were being taken advantage of they were taking the avenues in order to put their complaints forward. Council Members Hoang and Rodriguez absent.

Mr. Jose Perez, 7119 Woolridge Dr., Houston, Texas 77087 – 504-335-7672 appeared and stated that he was a resident of District I, Council Member James Rodriguez, that he was a construction worker, a husband and father and had two young children, that he had worked for seven years in Mijas Construction and worked 12 hours daily, that he had to work around the clock at remodeling schools, that the company never paid him the overtime and he was a victim of wage theft, to meet his families needs he had to sell his car, get his groceries at a food bank, that he lost his property because he failed to make the payments, that it affected him not just personally but it frustrated him, that the company stole the money for his work, and that company did not go through any consequence because there was no ordinance to support them or their community, that the ordinance would create an incentive to the employers to follow the rules and pay workers fairly. Council Members Hoang and Rodriguez absent.

Mayor Parker stated that Mr. Perez had indicated that he had been the victim of wage theft and stated that the ordinance did not help unless someone had brought a complaint to the Workforce Commission or the Police Department or through the courts and asked if he had made a complaint, and Mr. Perez stated that he did, that the police could do nothing, and Mayor Parker stated that the police could only investigate, the District Attorney would have to bring charges, and asked if the solution was not fast enough for him, and Mr. Perez stated exactly, because it took a lot of time, and then it was difficult to get the money because his boss said he did not have the money and said he would pay him \$20 dollar a week and asked if he wanted the deal, that he put all of the money in his pocket, and Mayor Parker stated that they low balled Mr. Perez because he was desperate, that was what he had described. Council Members Hoang and Rodriguez absent.

Mr. Juan Garcia, 1810 Lone Oak, Houston, Texas 77093 – 281-987-7537 appeared and stated through a translator that he lived in District B, Council Member Jerry Davis, that he was a truck driver and had worked with Gamez Trucking who subcontracted with various companies that did business with the City, such as Garber Construction, Portland and Reliance Construction Services, that the last time he did some work with them was July 25, 2013 and the owner of the firm asked him to sign a letter that he was no longer going to be working with them because they did not want to pay him, and stated the names of the companies he had worked for were BB Garber Construction, McGowen PM, Portland and Reliant Construction, among others, and was present to let them know of the wage theft from these companies and to make sure the City Council knew what was happening, and was asking the Mayor to assist him in stopping these companies who were doing wage theft on all of them, they were the victims of it. Council Members Cohen, Hoang and Rodriguez absent.

Council Member Pennington stated that one of the companies Mr. Garcia mentioned was one of the most distinguished members of the community and he was accusing him of wage theft, that he did not think they ought to pass an ordinance without more information about what had been happening and how the ordinance would positively affect the people. Council

Members Hoang and Rodriguez absent.

Sister Ceil Roeger, 6501 Almeda Road, Houston, Texas 77021 – 713-440-3714 appeared and stated that she was present on behalf of the Dominican Sisters of Houston, that it was not the first time she had addressed them on the issue of wage theft, but her hope was that they would pass the Anti Wage Theft Ordinance, that the Houston Chronicle had come out with an editorial of the Anti Wage Theft Ordinance, that it was time for the City Council to address the issue and it was time to say that anyone doing business with the City of Houston would operate in a fair and just manner, assuring that workers were paid what they earned, that it was time for the City Council to show respect for honest employers and pass an Anti Wage Theft Ordinance that protected workers from the unscrupulous employers and telling people doing business with the City of Houston that workers rights were important and that workers wages were to be paid. Council Members Hoang and Rodriguez absent.

Council Member Cohen stated that Ms. Roeger had been involved in a lot of things, including being very active at the Houston Area Women's Center in it's early years, that her passion and concern for all people was so admirable and clearly this issue was something that they all were terribly concerned about. Council Members Hoang and Rodriguez absent.

Council Member Gonzalez stated that this proposed ordinance was not going to solve every single issue, every single scenario that they had heard about, but definitely allowed the City, especially with City contracts, to make sure they were more involved to try to resolve those issues. Council Members Hoang, Rodriguez and Costello absent.

Council Member Bradford asked Sister Roeger if she had received his response, and Sister Roeger stated that she had. Council Members Hoang, Rodriguez and Costello absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 – 713-923-9473 appeared and stated that they had all heard a lot of discussion, and asked what the Mayor, City Attorney Office, trade groups, Houston Apartment Association, the United Way, many Council Members, the Harris County AFL-CIO, all had in common now, and the Houston Chronicle, this morning, editorialized in favor of the ordinance, that they all had that in common, that he would urge the Council to pass the Anti Wage Theft Ordinance, as had been amended, that it was a 100 violations a week, and day laborers, according to a national study he had read, were stiffed about 45% of the time, that it was a serious problem, they needed to get the ordinance passed. Council Members Hoang and Rodriguez absent.

Mr. Augustin Pinedo, 7838 Battle Creek Dr., Houston, Texas 77040 appeared and stated that he was District Director for LULAC District 18, which covered Harris County, Fort Bend Country, Brazoria and other surrounding counties, that District 18 was very interested in this piece of legislation because it touched the lives of so many Latinos, and he realized that it touched the lives of many poor people who did not have the means to defend themselves, they got calls all the time for wage theft issues, they had an in house attorney but he had a lot on his plate, so they referred them to Fey Y Justicia, Faith and Justice, but nevertheless they felt that they could do a lot at the Council today to help put a stop to this insidious crime, that he realized that it was not the end all, but it would do a great deal to help stop this kind of offense, that he would urge them to pass the ordinance tomorrow. Council Members Martin, Hoang and Rodriguez absent.

Council Member Gonzalez stated that Mr. Pinedo referenced the Latino Community and knew the community was impacted as well, but when he started in getting involved and looking at the issue he did not do it because it was a Latino issue, he did it because it impacted people of all backgrounds, that it was not an immigrant issue or Latino issue, it was for anyone that had their wages stolen, that he was not saying a dispute about wages, but wages that had been

stolen, they had impeded many procedures in there to make sure that there were not any frivolous complaints against hard working companies that were trying to do the right thing and maybe there was just a misunderstanding, they had allowed a process to allow both sides to work together regardless of who they were, that this was meant to help anyone who had been a victim of wage theft, particularly with City contracts. Council Members Hoang and Rodriguez absent.

Mr. Pinedo stated that he was exactly right, that the reason he mentioned Latinos was because he worked from the perspective of Latinos, which they represented, but it certainly happened to everybody. Council Members Hoang and Rodriguez

Council Member Christi stated that he wanted to reiterate what Council Member Gonzalez stated, it was not a Latino issue, his son, last summer, had wage theft on him. Council Members Hoang and Rodriguez

Ms. Adalinda Guajarda, 10131 Comanche Ln., Houston, Texas 77041 – 832-366-4431 appeared and stated that she wanted to make a correction on Mr. Juan Garcia's testimony, it was Jay Garcia Transportation who did the wage theft, they had contracts with the companies he mentioned and these contracts had the contract with the City; that she was a constituent of District A, Council Member Helena Brown, that she had been involved with this campaign for over two years because she believed every worker should be paid for every hour worked, that companies who initially steal workers pay should not be able to do business with the City and should face meaningful consequences, that she supported the proposed Wage Theft Ordinance because it would create a zero tolerance policy in Houston for wage thieves. Council Members Cohen, Hoang, Rodriguez and Green absent.

Mr. Alvaro Rodriguez, 4403 Prince Pine Trail, Houston, Texas 77059 – 281-387-3798 had reserved time to speak, but was not present when his name was called. Council Members Cohen, Hoang, Rodriguez and Green absent.

Mr. Jose Sanchez, 3915 Chenevert, Houston, Texas 77004 – 832-715-5975 appeared and stated that he was in support of the proposed Wage Theft Ordinance, that it seemed clear, they had all explained what the ordinance, the version they were talking about, that it was a first needed step, that they were very excited and looking forward to their support tomorrow morning. Council Members Hoang, Rodriguez, Green and Costello absent.

Mr. Donnie Frier was added to the speakers, but was not present when his name was called. Council Members Hoang, Rodriguez, Green and Costello absent.

Ms. Debra Walker, 5022 Edfield St., Houston, Texas 77033 – 832-282-7968 appeared and stated that she resided in District D, that she worked as a care giver, providing care for the elderly, today she was present to ask the City of Houston to respect the kind of work she did, that families like hers needed this ordinance, it was a shame that lobbyists and companies were working so hard not to pass this ordinance, that she was asking Mayor Parker and the City Council to please pass the Wage Theft Ordinance and respect the work of thousands of workers like her who made the local economy tick. Council Members Hoang, Rodriguez, Green and Costello absent.

Council Member Burks asked Ms. Walker, in her profession, how was wage theft caused, and Ms. Walker stated that a case scenario was that they took their clients to the doctor, they got to them thirty minutes early to get them ready, they might work two and a half to three hours, when they got to the doctor they had to wait in the waiting room, wait for them to be seen and then take them back home, they were not telling them not to take the client to the doctor, but they would not get paid for the extra time that they spent with the client, and Council

Member Burks asked if it was the company that contracted her out to provide the care for the client and Ms. Walker stated yes. Council Members Hoang, Rodriguez, Green and Costello absent.

Council Member Pennington asked if the City Attorney or Council Member Gonzalez could tell him how those type of issues were resolved. Council Members Hoang, Rodriguez, Green and Costello absent.

Council Member Gonzalez stated that there were going to be a lot of scenarios that the City was not going to be involved, their primary focus was if there was a City contract in place, because those are the ones, obviously, that they should engage in and there was a contractual arrangement between the City and a contractor and a subcontractor, that some of these other scenarios would have to be referred to the criminal justice system or the Texas Workforce Commission to be resolved, that once it went through the necessary process, if there was a final criminal conviction that was done, then that was something where the City did want to be aware in case there was ever an opportunity where that business was interested in engaging with the City with some type of contract. Council Members Hoang, Rodriguez, Green and Costello absent.

Council Member Pennington stated that he thought it would be unfortunate if the idea was conveyed that this ordinance was going to handle a situation like this, apparently Ms. Walker thought that was the case, that he would like for them to understand that situation was spoken to, and Mayor Parker stated that Ms. Walker was responding to a question from Council Member Burks when she raised the issue. Council Members Hoang, Rodriguez, Green and Costello absent.

Council Member Gonzalez stated there would still be some education, there had been many versions of the ordinance that had evolved, they were not going to be able to solve every scenario and every situation, that he thought it was fair to say that most of the individuals present were here to talk in support of wage theft in general, to bring more awareness about the issue, that if they had not made it clear, they wanted to make it clear that this ordinance would not solve every particular scenario. Council Members Hoang, Rodriguez, Green and Costello absent.

Mr. Steven Veedell, 1607 Vermont, Houston, Texas 77006 – 713-532-9300 appeared, presented information, and stated that he was present to bring awareness to a new nationwide law, enacted by the EPA in 2010, which affected all homes built before 1978 and all child care centers, the Repair, Renovate and Paint Rule, that it was intended to prevent children from coming into contact with hazardous lead, the law required that a contractor that disturbed six square feet or more of painted surface on the inside of house, or twenty square feet on the outside of a house, be certified by the EPA, that the fine for non compliance was \$30,000 per day, that he was present because the new law had a public relations problem, most homeowners were not aware of it, a lot of subcontractors did not know about it, and those who did were ignoring it because it was not enforced, that he had not met a single investor flipping a house that was yet to be in compliance, that almost every building permit on homes built before 1978, with the exception of roofing, would fall under this new law, so the logical time to enforce the law was when permits were pulled on construction projects, in his past conversations with City permit inspectors, they repeatedly told him that they were not going to enforce it because the EPA did not pay them to enforce it, that he was certainly not suggesting that they spend City money putting inspectors on the streets to look for violators of this law, he was simply asking that the permit office make a few adjustments in their permit application process, two questions should pop up on the permit screen when applying for a permit for a home that was built before 1978, first, had the property been inspected for lead, and second, was the contractor an EPA certified firm, additionally it must be noted that the contractors following the

law were being out bid by those who did not, the status quo should not benefit the scoff law, there should be a level playing field, the simple act of asking would go a long way towards achieving compliance, that he was happy to extend his expertise to the permit office and help the City of Houston lead the way in safeguarding their children's health. Council Members Hoang, Rodriguez, Laster, Green and Costello absent. NO QUORUM PRESENT

Mayor Parker stated that she wanted to thank Mr. Veedell for bringing the issue to her attention, she had written all over his letter and would see what she could do about it, there were certain areas where she had some influence, she would see if she could take care of it, and Mr. Veedell stated that his phone number was at the bottom, anything that he could do he was happy to help. Council Members Hoang, Rodriguez, Laster, Green and Costello absent. NO QUORUM PRESENT

Ms. Bettie Bishop, 6647 Sylvan Dr., Houston, Texas 77023 – 713-921-5688 appeared and stated that Gus Wortham, like the Astrodome, was once the grand lady of sports, that the glamour and thrill lasted for a few years after the course was turned over to the City, that with the train coming down Harrisburg a golden opportunity arises, if they upgraded the facilities and greens maintenance, retirees and residents of the lofts downtown could be accommodated to ride the train out for a day of golf, likewise business people in the City could entertain clients, perspective clients and dignitaries by riding out for a day of golf, that this would add to the coffers of Metro, Gus Wortham and the City, please keep Gus Wortham intact as an 18 hole golf course and maximize it's use. Council Members Cohen, Martin, Hoang, Rodriguez, Green and Costello absent. NO QUORUM PRESENT

Council Member Pennington stated that Ms. Bishop did not have a plan of how it might be accomplished, when Memorial Park was redone he thought that \$6 million was spent, and thought about half was public funds and about half was private, that the green fees were substantially higher at Memorial than they were at Gus Wortham, that he wondered if she had looked at any of those issues and had any thought about how it might be accomplished, and Ms. Bishop stated no she had not because she considered the City Council the experts, the people who had the contacts. Council Members Cohen, Martin, Hoang, Rodriguez, Green and Costello absent. NO QUORUM PRESENT

Ms. Amber Dupre, 3215 S. Briar Knoll, Houston, Texas 77082 – 832-328-9018 had reserved time to speak, but was not present when her name was called. Council Members Cohen, Martin, Hoang, Rodriguez, Green and Costello absent. NO QUORUM PRESENT

Ms. Glenola Hines, 3814 Lyons Ave., No. 130, Houston, Texas 77020 – 281-865-3774 had reserved time to speak, but was not present when her name was called. Council Members Cohen, Martin, Hoang, Rodriguez, Green and Costello absent. NO QUORUM PRESENT

Ms. Nannette Dulcie, 6600 Dunlap, No. C1045, Houston, Texas 77074 – 832-541-6680 appeared and stated that she had a writ of possession this year and her cats were taken out of her apartment, that she lost her apartment because of wage theft, that the reason she was present was because her cats were taken out by BARC, some of them were killed and she had not been able to get them back, that she had been to court, that she had a lot of trauma in the last several years, her brother was murdered, she was trying to go to court for his case, she lost her job, her employer did not pay her, and it led to a law suit in small claims with the City, that she had 10 cats, but they had left 4 alive, that BARC had done nothing but give her excuses about why they could not give her the cats back, that she was present to see if she could work out a negotiation with BARC to get the cats that were still alive. Council Members Cohen, Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Mayor Parker stated that it was her understanding that the cats had been transferred to the Friends of BARC and a Frisky Paws Rescue, they had given her the information about the rescue groups, that Ms. Ashtyn Rivet, ARA, was present to put her in contact with the rescue groups. Council Members Cohen, Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Mr. Randall Kallinen, 511 Broadway St., Houston, Texas 77012 – 713-320-3785 appeared, presented information, and stated that he was present in support of Ms. Diana Padron, who filed three Internal Affairs Division complaints with HPD in 2011, when her ex boyfriend, an HPD officer, terrorized her after they broke up, and a child custody dispute arose, that Office Mark Grossbard used HPD resources to harass and investigate Ms. Padron and her family members to gain an advantage in a child custody matter, although Ms. Padron provided ample evidence of policy violations within HPD, HPD found her complaint of assault not sustained, apparently there was a video from a mall where this occurred, they asked IAD for that particular video and they would not give it to them, however there was ample evidence that they gave them, that HPD IAD completely rejected, and did not even investigate, the claim that the HPD officers went outside of jurisdiction to harass family members, in HPD uniforms and HPD time and HPD cars, this was done in Harris County, outside of their jurisdiction, that they had provided the Mayor, Chief of Police and head of IAD, Mr. D. J. Williams, with a complete copy of materials. Mayor Parker, Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Upon questions by Council Members Bradford and Gonzalez, Mr. Kallinen stated that on one of the items the Internal Affairs Department came back with not sustained, on the assault, however the accusation that Officer Grossbard used HPD resources, his friends from the Westside, HPD squad cars and HPD computers to investigate people, a finding was not even completed, that since that was a part of a family law matter it somehow precluded them from doing a policy investigation, that the family court issue had been resolved also, that they had provided more evidence today to the head of the IA Department they had that as supplements to the complaints that were already on file. Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Ms. Diana Padron, 3002 Heritage Creek Terrace, Houston, Texas 77008 – 281-889-5787 appeared and stated that she was present regarding the abuse of power coming from three Houston Police Department officers and also regarding the lack of justice from the Internal Affairs Division that she suffered for over the past two years, that Houston Police Officer Mark Grossbard was her ex and the father of her 3 year old son, that after she ended their relationship in 2011 he became very enraged and began mistreating and threatening her and her family and on one occasion he assaulted her outside of Memorial City Mall and caused a bruise and laceration to her breast, this assault and consequent injury were investigated by the Internal Affairs Division, but they found the complaint to be not sustained, despite the fact that she provided them with pictures and the investigating officer took pictures himself, there was also video surveillance from the mall that was provided to the investigator, that Officer Grossbard, in pursuing his advancement in their child custody dispute, along with two uniformed HPD officers, went to her mother's residence, and intimidated and terrorized her mother, partner and their little girl with the intent to unlawfully enter the home, that her employer, Mr. Jeff Suttles, who was present today, was also approached and intimidated by the officers, that Officer Grossbard had repeatedly accessed her and her families personal records in an attempt to gain information and continued to access her information, that additionally for the last two years he had been verbally abusive, that he had personally caused her great emotional distress, that she had made compliant to IAD regarding the behavior and insisted that they conduct an investigation but they had refused to even review the evidence provided, that she was present to request that different officers would review her complaints and conduct a

clean, fair and unbiased investigation into the assault by Mark Grossbard and also requesting a full and fair investigation into the actions of all three officers. Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Mayor Parker asked Ms. Padron if she actually filed an Internal Affairs Division complaint on each of these incidents, and Ms. Padron stated yes, after the assault she called to make a report and Internal Affairs investigation was immediately open, she thought that was protocol, she provided them with information and pictures, and Mayor Parker asked what was the resolution of that, and Ms. Padron stated, not sustained, she also opened an investigation eight months later regarding the incidence of harassment and going out of jurisdiction and they were not investigated, the response from IAD was those matters were being handled by the 312 District Family Court, and Mayor Parker stated that she would follow up on that one, she could not open an IAD case, but would like to understand why she was not allowed to officially open a complaint on those other issues. Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Council Member Bradford asked Ms. Padron what she was referring to when her statement said "I have opened a HPD criminal investigation", and Ms. Padron stated Internal Affairs Investigation, and Council Member Bradford asked if they were looking at it, and Ms. Padron stated the first investigation came back as not sustained, the second complaint was not investigated and the third time she requested that they please investigate and they replied again they could not, it was something that was being handled by the Family Court, that she thought the appropriate thing to say was that she had filed complaints on that many occasions, that she did receive an official response from the Houston Police Department concerning all of the complaints she had filed, that she had an issue with the nature of those responses. Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Mr. Jose Padron, 3002 Heritage Creek Terrace, Houston, Texas 77008 – 281-889-5787 appeared and stated that he was the husband of Diana Padron and was present to provide information and gain their cooperation in helping to resolve various issues that had plagued him and members of his family regarding the unlawful actions of Houston Police officers over the course of two years, that Officer Mark Grossbard, an active member of the Houston Police Department, had consistently and systematically terrorized his family over the last two years and he was calling on the Houston Police Department to hold him accountable for his actions and recognize his patterns of irreprehensible behavior and hold him accountable, that Officer Mark Grossbard had been allowed to assault his wife and no action was taken against him, that as a result of his wife being assaulted they generated a formal complaint with the Houston Police Department triggering an IAD investigation, that despite evidence of the incident no action was taken by the Houston Police Department against Officer Grossbard, that he believed this incident was not properly investigated, that despite reporting the incident and providing supporting evidence to a second IAD claim the Houston Police Department refused to investigate, again allowing Officer Grossbard to continue engaging in official oppression against he and his family. Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Mayor Parker stated that everything in the complaint was approximately two years old, had there been any further inappropriate actions or contact within the last years, and Mr. Padron stated that there had been additional incidents, they had incidents going on until 2013, the last thing they had was some time around July 30 or 31, 2013, Officer Grossbard sent a text message where it led them to believe he had used HPD resources to access his wife's driver's license, and Mayor Parker stated so each time these things happened they could generate another complaint, and Mr. Padron stated that they could but the problem was each time they went to IAD they got shot down. Council Members Martin, Hoang, Pennington, Rodriguez,

Green, Costello and Christi absent. NO QUORUM PRESENT

Council Member Bradford stated that to characterize the Houston Police Department the way they did and then ask for assistance from the same organization may not be the best way to approach the scenario because he could assure them that there were some officers in HPD who simply should not be there, but a far majority of those officers were good decent and professional people who worked hard to make a difference every day and many of them work hard to help identify and remove those who should not be there, that 72% of the complaints filed on Houston Police Officers were filed by other Houston Police Officers, saying they were not going to tolerate it, they were going to help rid the organization of them, that he was concerned, as the Mayor had indicated, that a lot of the data they had in front of them was reflective of two year old data, what had been happening during the two year time period, and second, had they requested a meeting with the Chief of Police, after he and his wife had in fact received the response from IAD that they were dissatisfied with, and Mr. Patron stated that he hoped they could help them find those good officers to go ahead and reinvestigate this matter again, and had they asked for an audience with the Chief of Police, no, but if Council Member Bradford suggests that they should they would do so. Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Mayor Parker stated that she intended to forward this to the Chief as well. Council Members Martin, Hoang, Pennington, Rodriguez, Green, Costello and Christi absent. NO QUORUM PRESENT

Mr. Jeff Suttles, 9310 Campbell Rd., Houston, Texas 77080 – 713-857-0875 appeared and stated that he had a business in the Spring Branch area, that he was present to support Mrs. Padron, who was an employee, that two of the officers came to his office in October 2011 and demanded personnel employment records, that he did not think they had the right to do that and asked if they had a court order or warrant or subpoena and they said they did not and were under an investigation, and he stated that he was not comfortable in handing over the records, that he felt intimidated and threatened and did not think it was proper behavior, that this was a clear and blatant police misconduct and he wanted to make them aware of that. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

Council Member Bradford asked who were the two officers, and Mr. Suttles stated J. Jorsh and P. Sarabutra, that he asked for cards and Officer Sarabutra gave him one and he wrote down the police unit number, and Council Member Bradford asked Mr. Suttles if the activity he had described was a part of the Internal Affairs Division investigation that the Padron's had mentioned, and Mr. Suttles stated that he thought it was. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

Ms. Yelenda Goforth, No address, No phone, had reserved time to speak, but was not present when her name was called. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

Mr. James Partsch Galvan, had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

Ms. Josephine Pierce, 1438 W. Alabama, No. 1, Houston, Texas 77006 – 713-330-5390 appeared and stated that she wanted to talk about people who were single, divorced, widowed, the elderly, people who were working at home alone, during the day or night, and continued to

voice her personal opinions until her time expired. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

Mr. Mubashir Chaudhry, 5002 Hearthollow Ln., Sugarland, Texas 77479 – 713-562-6237 had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was the president, that he had with him a police case of his property the Royal Oaks, and continued to voice his personal opinions until his time expired. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

At 4:27 p.m. Vice Mayor Pro Tem Bradford stated the City Council was recessed until 9:00 a.m., Wednesday, November 20, 2013. Council Member Brown absent due to being ill. Council Members Davis, Adams and Noriega absent on personal business. Mayor Parker, Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello and Christi absent. NO QUORUM PRESENT

The Houston City Council reconvened at 9:00 a.m., Wednesday, November 20, 2013, with Mayor Annise Parker presiding and with Council Members Jerry Davis, Ellen R. Cohen, 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. Council Members Helena Brown and Wanda Adams absent on personal business.

At 8:27 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:16 a.m. Mayor Parker called the meeting to order and stated that she wanted to acknowledge that one of the Council Members was a year older, and wished Council Member Martin a Happy Birthday.

## **MAYOR'S REPORT**

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

#### **MISCELLANEOUS** - NUMBERS 1 and 2

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY IMPROVEMENT DISTRICT NO 9 (HOBBY AREA MANAGEMENT DISTRICT) BOARD OF DIRECTORS:**
  - Position One - **DANNY R. PERKINS**, reappointment, for a term to expire 6/1/2017
  - Position Two - **HELEN PERRONE BONSALL**, reappointment, for a term to expire 6/1/2017
  - Position Three - **TODD SZILAGYI**, appointment, for a term to expire 6/1/2017
  - Position Four - **PERRY J. MILLER**, appointment, for a term to expire 6/1/2017
  - Position Five - **ANN COLLUM**, reappointment, for a term to expire 6/1/2017
  - Position Six - **SUE DE HAVEN**, reappointment, for a term to expire 6/1/2015

- Position Seven - **MARJORIE ELLEN EVANS**, reappointment, for a term to expire 6/1/2015
- Position Eight - **JO ANN LEMON**, reappointment, for a term to expire 6/1/2015
- Position Nine - **DARRYL BAILEY**, reappointment, for a term to expire 6/1/2015

- was presented, moved by Council Member Gonzalez, seconded by Council Member Martin. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. MOTION 2013-0749 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **FIRE CODE BOARD OF APPEALS**:

- Position One - **THOMAS C. BALLOU**, reappointment, for a term to expire on 12/31/2014; and to serve as Chair
- Position Five - **REY DE LA REZA**, reappointment, for a term to expire on 12/31/2013
- Position Seven - **FRED K. WHITTY**, reappointment, for a term to expire on 12/31/2014
- Position Eight - **MARGIA M. BLANKENSHIP**, reappointment, for a term to expire on 12/31/2013
- Position Nine - **RALPH GREEN**, reappointment, for a term to expire on 12/31/2014
- Position Ten - **BRUCE J. MALCOLM**, reappointment, for a term to expire on 12/31/2013
- Position Eleven - **LEONARDO CAMARGO**, reappointment, for a term to expire on 12/31/2013

- was presented, moved by Council Member Gonzalez, seconded by Council Member Martin. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. MOTION 2013-0750 ADOPTED.

Mayor Parker stated they had affirmed the reappointment of the Hobby Area Management District Board of Directors, and believed that Mr. Danny Perkins, Ms. Ann Collum and Ms. Sue De Haven present in the audience and asked that they come forward to be recognized and thanked them for their service, they appreciated their willingness to engage, she knew they were already very involved in the community, so this was just one more task they were taking on and hoped it was a productive one for them.

Council Members Rodriguez, Noriega and Burks stated that they wanted to congratulate the re-appointees and thanked them for their service to the City of Houston.

Mayor Parker stated that they also reappointed Members of the Fire Code Board of Appeals, and did not believe they had any of those members present.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 3 and 3A

3. ORDINANCE appropriating \$850,000.00 out of Equipment Acquisition Consolidated Fund for the Identity and Access Management Project - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1062 ADOPTED.

3a. **DLT SOLUTIONS, LLC** for purchase of Professional Services, Equipment, Software and Licenses for the Identity and Access Management Project through the City's Master Agreement with the Texas Department of Information Resources - was presented, moved

by Council Member Laster, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. MOTION 2013-0751 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 7 through 36

7. RESOLUTION designating the **DONALD AND DOROTHY THORNBURY HOUSE** located at 1903 Olympia Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. RESOLUTION 2013-0057 ADOPTED.
8. RESOLUTION designating the **JEFFERSON DAVIS HOSPITAL** located at 1101 Elder Street within the City of Houston as a landmark and protected landmark - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. RESOLUTION 2013-0058 ADOPTED.
9. RESOLUTION designating the **RAYMOND AND CONNIE GARRISON HOUSE** located at 3014 San Felipe Street within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. RESOLUTION 2013-0059 ADOPTED.
10. RESOLUTION designating the **ROY P. ETCHISON HOUSE** located at 2140 Pine Valley Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. RESOLUTION 2013-0060 ADOPTED.
11. RESOLUTION designating the **WHITAKER-GRALIANO-BROWN HOUSE** located at 400 Cordell Street within the City of Houston as a landmark and protected landmark - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. RESOLUTION 2013-0061 ADOPTED.
12. ORDINANCE adopting design guidelines designating the **GERMANTOWN AREA** of the City of Houston as a Historic District - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1063 ADOPTED.
13. ORDINANCE authorizing the issuance of City of Houston, Texas Airport System Senior Lien Commercial Paper Notes, Series A and Series B Program; authorizing the amendment and restatement of such program and providing for the payment with respect thereto; authorizing certain designated city officials to approve certain terms including interest rate, price and terms relating to the sale and delivery of the notes; authorizing a credit agreement relating to the security of the notes; authorizing the execution and delivery of one or more dealer agreements, an issuing and paying agent agreement and other related agreements; approving the form of an offering memorandum; authorizing a co-bond counsel agreement; making certain findings and other declarations necessary and incidental to the issuance of notes; and declaring an emergency - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1064 ADOPTED.
15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement, a 10-foot-wide water line easement, a 200-square-foot water meter easement, two 150-square-foot fire hydrant

easements and one 225-square-foot fire hydrant easement, all located in the Westcreek Apartments Section 2 Subdivision and the Savannah Club Apartments Subdivision, Harris County, Texas; vacating and abandoning the easements to OMB Houston, LP, owner, in consideration of its payment to the city of \$916,770.00 and other consideration - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1065 ADOPTED.

16. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of excess right-of-way adjacent to Mid Lane and Bettis Drive, William Harris Survey, Harris County, Texas; vacating and abandoning the right-of-way to GIIC Houston, LLC, abutting owner, in consideration of its payment to the City of Houston, Texas, of \$329,130.00 and other consideration - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1066 ADOPTED.
17. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a water line easement in Verde Studemont Subdivision, Harris County, Texas; vacating and abandoning the easement to Kroger Texas, L.P., owner, in consideration of owner's conveyance to the City of Houston, Texas, of a 60-foot-wide street right-of-way (Summer Street), from Givens Street to Diesel Street, payment to the City of \$300.00, and other consideration **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1067 ADOPTED.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a water line and access easement in the Victor Blanco Survey, Harris County, Texas; abandoning the easement to Waste Management of Texas, Inc., owner, in consideration of its conveyance to the City of Houston, Texas, of a water line and access easement, payment to the City of \$300.00, and other consideration - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1068 ADOPTED.
19. ORDINANCE establishing City of Houston Election Precincts and Designating Polling Places for the City of Houston Run-Off Election to be held on December 14, 2013 - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1069 ADOPTED.
20. ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to the Run-Off Election to be held on December 14, 2013; providing a maximum contract amount – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
21. ORDINANCE approving and authorizing a Joint Election Agreement between the City of Houston and **HOUSTON COMMUNITY COLLEGE SYSTEM** for the Run-Off Election to be held on December 14, 2013 - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1070 ADOPTED.
22. ORDINANCE approving and authorizing the submission of a continuation grant application to the Merck Company Foundation for the Expanded Linkage to Care Initiative; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the

application process, with the authority to approve, accept, reject or alter the grant and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1071 ADOPTED.

23. ORDINANCE authorizing and approving a purchase and sale agreement between Midtown Redevelopment Authority (seller) and the City of Houston (purchaser), for the purchase of 6,989 square feet of land located at 2806 Dowling Street, Houston, Harris County, Texas at a price, including due diligence and closing costs, of \$111,335.00; appropriating the sum of \$55,667.50 out of the Park Consolidated Construction Fund for the expansion of Emancipation Park \$55,667.50 - Grant Funds - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1072 ADOPTED.
26. ORDINANCE appropriating \$407,829.00 out of Equipment Acquisition Consolidated Fund for the Information and Cyber Security Program - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1073 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City and **WEST, a Thomson Reuters Business**, through Council on Competitive Government Computer-Assisted Legal & Investigative Research Agreement, for a subscription of CLEAR Services for the Houston Police Department; providing a maximum contract amount - \$277,860.00 - 3 years - General Fund - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1074 ADOPTED.
28. ORDINANCE awarding, approving and authorizing contract between the City and **DRESSER, INC** for Blower Replacement Parts and Services for the Public Works and Engineering Department; providing a maximum contract amount - \$8,000,000.00 – 3 years with two one-year options Enterprise 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.
29. ORDINANCE approving and authorizing a Comprise and Settlement Agreement between the City of Houston **MARGARET SHUN CHEUNG**; to settle a lawsuit - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1075 ADOPTED.
30. ORDINANCE consenting to the addition of 40.186 acres of land to **CY-CHAMP PUBLIC UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1076 ADOPTED.
31. ORDINANCE consenting to the addition of 23.2096 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 182**, for inclusion in its district - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1077 ADOPTED.
33. ORDINANCE consenting to the addition of 30.22 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21**, for inclusion in its district - was

presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1078 ADOPTED.

35. ORDINANCE appropriating \$1,631,089.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; 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 contingences relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - (WW 4235-71) - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1079 ADOPTED.
36. ORDINANCES Nos. 2013-1045 to 2013-1052, passed first reading November 13, 2013 for Ordinances granting to the following listed as A through H, 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 and making certain findings related thereto **SECOND READING** - was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE Numbers 2013-1045 to 2013-1052 PASSED SECOND READING IN FULL.

**MIDSTATE ENVIRONMENTAL SERVICES**, a Texas Limited Partnership  
- (2013-1045)

**GLOBAL WASTE SERVICES, LLC**, a Texas Limited Liability Company - (2013-1046)

**TWISTER WASTE, INC**, a Texas Corporation - (2013-1047)

**NORTHSIDE GARBAGE SERVICE, INC**, a Texas Corporation - (2013-1048)

**REPIPE CONSTRUCTION DBA IPR SOUTH CENTRAL, LLC**, a Texas Limited Liability Company - (2013-1049)

**ASTRO WASTE, INC**, a Texas Corporation - (2013-1050)

**AZTEC PORTACANS AND CONTAINERS LTD**, a Texas Limited Partnership  
- (2013-1051)

**NATIONAL WORKS, INC**, a Texas Corporation - (2013-1052)

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

**PURCHASING AND TABULATION OF BIDS**

4. **TACTICAL ELECTRONICS & MILITARY SUPPLY LLC** for purchase of Specialized Training for the Houston Police Tactical Operations Division - \$118,141.95 - Grant Funds - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. MOTION 2013-0752 ADOPTED.
5. **DIGITAL SANDBOX, INC** for purchase of Software Enhancements and Support Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Mayor's Office of Public Safety and Homeland Security - \$175,000.00 Grant Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. MOTION 2013-0753 ADOPTED.

6. ORDINANCE appropriating \$2,310,596.00 out of Reimbursement Equipment/Projects Fund for the purchase of Refuse and Recycling Trucks for the Solid Waste Management Department – was presented.

Council Member Christi stated that he thought he was going to start voting no on anything that was not CNG in their large trucks, that recently at the Port of Houston, with the amount of trucks that went in and out of there, they were promoting incentives for infrastructure, and that would cover the entire east end of the City and there was no reason on earth why they could not tie into that infrastructure and utilize the cheap natural gas that this State was producing, that he was going to vote no on these 18 diesel powered large trucks, because they should be going in that direction, that there could be a public private partnership on developing the infrastructure, and then long term in could save the City a lot of money and reduce the pollution, especially there was going to be a lot of pollution around the Port with the increase of the Panama Canal and the trucks and the exports.

Mayor Parker stated that she did not disagree with the commitment to natural gas, and they certainly worked with the Port of Houston and were looking at opportunities, as they knew they had converted their Airport Parking Fleet and others, but it was a chicken and egg situation, until the infrastructure was there they were unwilling to commit their entire fleet to CNG, they had to come at approximately the same time so they were aware of it and was happy to have the appropriate departments come and brief him on where they were in the conversion.

Council Members Davis asked if that was the only reason, that they just did not have the capacity, and Mayor Parker stated that they had to have the fueling stations and so forth, that there were talks with the Port about the future and getting these; that if the issue was wanting a briefing on where they stood on that she would be happy to take that to committee.

Council Member Rodriguez stated that over the last few years he had advocated for local companies, Heil of Texas was located in Houston and employed several folks from all over the City, that McNeilus, he thought, made a good product, but they were from the Minnesota and Wisconsin area and Heil had trucks in the City and in his district, that he would like for them to look a little bit closer at utilizing Heil because they had Houston area employees that were paying taxes in the City and from what he was told Heil could maintain and provide faster service to the City's fleet if need be because they were in the City, instead of waiting for a McNeilus representative to come in, that he wanted to point that out, he would support the item, but if they could give some consideration to local companies.

Council Member Pennington stated that he hoped the City was considering not only building it's own CNG facility, but looking at private companies that might be willing to make the capital investment, which he was sure was fairly significant, they might get similar cost basis if they did that, and thought people were willing to do that, and Mayor Parker stated that yes, they would prefer to have a private sector build out the infrastructure.

Council Member Gonzalez stated that he supported the item, but appreciated where Council Member Christi was going with this, that he defiantly thought they needed to be moving aggressively in that direction, that he was present and heard the comments at the Port of Houston and maybe now they could leverage both their purchasing power and help establish and grow that infrastructure, especially in the eastern part of the City and then they could obviously expand as they developed other partnerships.

A vote was called on Item No. 6. Council Member Christi voting no, balance voting aye. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1080 ADOPTED.

- 6a. **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** - \$1,292,728.00; **MCNEILUS FINANCIAL, INC d/b/a MCNEILUS TRUCK AND MANUFACTURING CO.** \$1,017,868.00 for purchase of Refuse and Recycling Trucks through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) for the Solid Waste Management Department - \$2,310,596.00 - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. Council Member Christi voting no, balance voting aye. Council Members Brown and Adams absent on personal business. MOTION 2013-0754 ADOPTED.

## **RESOLUTIONS AND ORDINANCES**

14. **ORDINANCE AMENDING CHAPTERS 1 AND 15 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to wage theft; declaring the policy of the City regarding wage theft; defining certain terms; providing for the creation of a wage theft database and procedures relating to its use; providing sanctions relating to wage theft; containing findings other provisions relating to the foregoing subject; providing for severability; providing an effective date - was presented.

After discussion by Council Members Hoang, Laster, Noriega, Gonzalez, Pennington, Burks and Bradford, a vote was called on Item No. 14. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1081 ADOPTED.

24. **ORDINANCE** approving and authorizing a contract between the City and **GREAT-WEST LIFE AND ANNUITY INSURANCE COMPANY** for Third-Party Administration Services for the City's Section 457 Deferred Compensation Plan - 3 years with two one-year options – was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1082 ADOPTED.

25. **ORDINANCE** amending Ordinance No. 2012-730 to increase the maximum contract amount and authorizing a second amendment to the agreement between the City of Houston and **THE LONE STAR COLLEGE SYSTEM** to provide Paramedic and Emergency Medical Technician practical continuing education training to the Houston Fire Department; extending the renewal terms to December 31, 2017 - \$1,600,000.00 - General Fund – was presented. Council Member Gonzalez absent.

Council Member Martin stated that when he looked at this it was a clear illustration, in his opinion, of why they needed to tie back their Request for Council Action items back to the budget process that they did in June, that he had talked with Council Member Costello about this and met with Mr. Kelley Dowe, when they looked at the ordinance they were asking for \$1.6 million appropriated out of the General Fund, that he went back to the budget book or CIP book to make sure they allocated that when they did the budget process in June, and he did not find it anywhere, so he asked for backup information and the response he received was, a supplemental budget request was approved after the printing of the FY14 Budget Book, that in this case the Fire Department was asking for General Fund dollars that, in his opinion, was not appropriated in the budget process, so when they did this the budget book gave the fiscal year budget process as well as the CIP dollars, that he wanted to make sure that they did not appropriate extra money that they did not approve in the budget process, that he would tag the item. Council Member Gonzalez absent.

32. ORDINANCE consenting to the addition of 1.464 acres of land to **PORTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. Council Member Costello absent. ORDINANCE 2013-1083 ADOPTED.
34. ORDINANCE appropriating \$250,000.00 out of Reimbursement of Equipment/Project Fund; awarding construction contract to **PRIME CONTRACTORS, INC** for Fifth Ward Deluxe Theater Renovation; setting a deadline for the proposer's execution of the contract and delivery of all bonds; insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing and contingences relating to construction of facilities financed out of Reimbursement of Equipment/Project Fund - \$4,141,500.00 - Grant Fund - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1084 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 37

**MISCELLANEOUS**

37. **MOTION TO SET A DATE** not less than seven days from November 20, 2013, to receive nominations for the City of Houston representative of the **HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**, for a two year term – was presented.

Council Member Gonzalez moved to set Wednesday, December 4, 2013, to receive nominations for the City of Houston representative of the Harris County Appraisal District Board of Directors, seconded by Council Member Bradford. – was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. MOTION 2013-0755 ADOPTED.

**MATTERS HELD** - NUMBERS 38 and 39

38. ORDINANCE relating to the Fiscal Affairs of the **CITY PARK REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority **DISTRICT C - COHEN** – **(This was Item 43 on Agenda of November 13, 2013, TAGGED BY COUNCIL MEMBER NORIEGA)** – was presented.

After discussion by Council Member Noriega, a vote was called on Item No. 38. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1085 ADOPTED.

39. ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER TWENTY-THREE, CITY OF HOUSTON, TEXAS (HARRISBURG ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Zone - **DISTRICTS B - DAVIS; H - GONZALEZ and I – RODRIGUEZ** – **(This was Item 44 on Agenda of November 13, 2013, TAGGED BY COUNCIL MEMBER NORIEGA)** – was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1086 ADOPTED.

**Item received during the meeting.**

20. ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to the Run-Off Election to be held on December 14, 2013;

providing a maximum contract amount – was presented. All voting aye. Nays none. Council Members Brown and Adams absent on personal business. ORDINANCE 2013-1087 ADOPTED.

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

Mayor Parker stated that as a reminder there would be no Council meeting next week because of Thanksgiving, and of course all Council Members were invited to participate in the Thanksgiving Day Parade and the public was invited to come down and be a part of the Thanksgiving Day Parade as well.

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

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

Council Member Cohen announced events she attended or would be attending; and stated that she wanted to wish everyone a Happy Hanukah and a Happy Thanksgiving. Council Member Hoang absent.

Mayor Parker recognized Council Member Martin. Council Members Hoang and Gonzalez absent.

Council Member Martin stated that he was informed that because there was no meeting next week there was an orientation firefighters class that if they held it up they would not get their funding, they would then have to notify all of those folks that they would not be part of that class and would have to be pushed back later, so for that reason he would like to remove his tag, however, he thought it was extremely critical that they put something in the RCAs that tied back to the budget process because he firmly believed that the \$1.6 million they were asking for, out of the General Fund, went above and beyond what they allocated in June for their department expenses, he may be wrong but would get back with Director Dowe later and thought it was not fair to hold up that class for this. Council Members Hoang and Gonzalez absent.

Mayor Parker stated that at the risk of messing things up, since he was moving forward, he should be aware that she respected the cap that he placed on, but she, within her administrative authority, could move the budget 5% beyond it's boundaries, so that may be where it fell, but he should know that when they bring it forward, and Council Member Martin stated that was correct, but when he received something that stated that they put in an adjustment after they did the process, they should at least be informed that the adjustment was made, so when they got information like this they would understand there was an adjustment made and they would move forward, and Mayor Parker stated that she agreed, but was just reminding everybody that there was flexibility even after, between the budget and between budgets, but they had absolutely respected the cap that he and Council Member Pennington put in. Council Members Hoang and Gonzalez absent.

25. ORDINANCE amending Ordinance No. 2012-730 to increase the maximum contract amount and authorizing a second amendment to the agreement between the City of Houston and **THE LONE STAR COLLEGE SYSTEM** to provide Paramedic and Emergency Medical Technician practical continuing education training to the Houston Fire Department; extending the renewal terms to December 31, 2017 - \$1,600,000.00 - General Fund – was again before Council. All voting aye. Nays none. Council Members

Brown and Adams absent on personal business. Council Members Hoang and Gonzalez absent. ORDINANCE 2013-1088 ADOPTED.

Mayor Parker stated they would return to Council comments. Council Member Hoang absent.

Council Member Christi stated that he wanted to comment on two great departments they had in the City, on Channel 39 they had an annual pothole contest and showed the worst potholes and how they fill them in, they follow up on them next week, and four of the six worst potholes were filled, that one of them that was a horrible pothole was fixed the next day, so 3-1-1 worked and he appreciated Channel 39 giving the City kudos when they deserved them; that Channel 26 moderated the Houston Police Department Annual Awards for Heroes, the men and women in blue, that they needed to see the good that the police did, they get the 1% in the media and nail some officer who feared for his life, saw a shiny object and engaged the individual, and they worry about the 1%, that as Chief McClelland said, they prosecute them and get rid of them, but what about the 99% who put their lives on the line every day and they had a wife and children, that some of the stories where an officer got his wife and child out of the store and went back to engage the robber in the store, chased one out and the other one came out and he chased that one off and everyone in the store was safe, the officers who prevented three suicides, one who went over the railing, grabbed onto the person that had just leaped, pried the person's hand off the side and brought the person safely back and they were alive and well today, going into building fires before the department gets there; stopped bleeding in two wrecks, nailing a kidnapper for sexual assault, a lady officer who not only found a homeless person wondering because they could not see, they were legally blind, took her own money and bought glasses for that individual, officers who helped with the churches for after school programs, a secret part where they turned off the television cameras because the HPD and FBI worked together to get organized crime and gang units, but they could not show the faces of these heroes in the City, they needed to honor the 99% that did good in the City, that he knew violence sold but guaranteed the citizens would like see the heroes that protected the City every day and hoped the media did that. Council Member Hoang absent.

Mayor Parker stated that Council Member Christi mentioned the worst potholes, they had a sense of humor in the City and were also serious about potholes, they could go the Public Works website and the front page of their webpage had a "Nominate Your Worst Pothole", they were interested in finding out where they were by any means necessary. Council Member Hoang absent.

Council Member Burks stated that he wanted to say to everyone listening, have a happy and safe Thanksgiving, that he would have a birthday on Friday, November 22, 2013, which also happened to be the day that JFK was assassinated 50 years ago, so every time he thought of the joy of getting one year younger, but also remembered the tragedy that day, he was celebrating his 13 years and was having a party when it happened; that yesterday they saw Bo's Place so remember their children who were going through some trying times right now, and remember that this may be their first Thanksgiving without one of their family members or loved ones, that he knew recently they had a tragedy at a party where two children died, those families were going through their first Thanksgiving, and he being one who had buried a child, knew exactly how that felt, so enjoy the parade and have a prayer for him for his birthday and eat a lot of turkey and have a lot of fun and good times with their family. Council Members Hoang and Pennington absent.

Mayor Parker stated Happy Birthday to Council Member Burks also. Council Members Hoang and Pennington absent.

Council Member Bradford stated that he thought what Council Member Christi simply articulated about the Police Department was that HPD was the best, period, and he could say that with a straight face, no bias and no preference, that officers were confronted with very drastic situations, that in less than a second decisions must be made, which rendered the officer safe or failed to render the officer safe and citizens that the officer was trying to protect, so he to had a concern when they focused on a smaller percentage of the larger 5,000 force that was out there, but he also thought it was fair to look at the one percent as well and know that to the extent that they could police and hold the one percent accountable to the same extent that citizens would continue to have trust in their process, which reviews allegations or police misconduct, can more be done, yes, but that would always be the case because they had human beings that were recruited from a general society, through screened and trained some would simply make a mistake and additional training was needed, some times discipline was needed, and other times, unfortunately, removal from service was needed, but when they looked at 2 million people who reside in Houston, 4 million plus that came in to work, play, visit, etc., with a force, in his view, that was not staffed like it should be staffed, technology had helped in some instances, that he would give the Houston Police Department and the officers a score of an "A" when they looked at the job they did; and announced events he attended or would be attending. Council Members Hoang and Pennington absent.

Council Member Martin wished Council Member Burks a Happy Birthday; and stated that after the fire and brimstone speech from Reverend Lister he was thankful that they all voted yes so that they would not have to burn in Hell; that he wanted to wish Happy Hanukah to Council Member Cohen, and to all the members of the Jewish Community he hoped they would have a great and glorious 8 days; that on Monday, November 25, 2013, Ms. Mary Doyle in the District E office would be celebrating her last day, she would be a full time student going back to the University of Houston and they wished her nothing but the very best in the near future. Council Members Hoang and Pennington absent.

Council Member Laster announced events he attended or would be attending; and stated that he took note yesterday that they celebrated the 150th Anniversary of the Gettysburg Address, and in viewing the number of PBS programs and other reports on that he would encourage all of his colleagues and citizens to go back and read that historic document and ponder them as they approached the 50th anniversary of the loss of their President John F. Kennedy to see what all of those things meant to their Country; and for each and everyone who were traveling for the Thanksgiving Holiday he wished him happy and safe travels and a Happy Thanksgiving. Council Members Hoang and Pennington absent.

Council Member Rodriguez stated that he wanted to congratulate Council Member Gonzalez on the Wage Theft Ordinance work that he accomplished today, that he had a lot of good policy initiatives this year and it was a testament to him and his staff's hard work; and announced events he attended or would be attending; and stated that he wanted to thank the Solid Waste Department and the administration for the expanded Curbside Recycling additions in District I and throughout the City, that it was several hundred households that were added to District I, including the lovely Park Place Neighborhood, where his Mom and Dad lived, every home got their recycling bin except for four homes, they were missed, and happened to be his parents, that he got a call real fast and wanted to thank Solid Waste, he thought it was Mr. Byrd who hand delivered one in his pickup truck to his Mom and Dad, that he was glad that all of his constituents were excited about the program, they were looking forward to having the bins; that he wanted to thank the Mayor for helping him on the Rufus Cage Elementary School Building and moving that project along, they would have an RFP on the street fairly soon and would get that project moving hopefully in the next few weeks, and also the Broadway Reconstruction Project, so he looked forward to breaking ground on that project; and Happy Hanukah and Happy Thanksgiving to all of his colleagues. Council Members Hoang, Pennington and Noriega absent.

Mayor Parker stated that Rufus Cage would make a great Hispanic Museum. Council Members Hoang, Pennington and Noriega absent.

Council Member Gonzalez thanked Council Member Rodriguez and stated, that he had been very helpful with all of the policy areas as well and supportive and thanked him for his leadership as well; and announced events he attended or would be attending; they had referenced JFK already, but tomorrow LULAC Council 60 would be having an event at the Rice Hotel, as many of them knew President Kennedy was at the Rice Hotel the day before he traveled to Dallas, there would be a commemoration of the 50th anniversary and also with individuals who were present that day during his visit to Houston and recalling some of the memories; that he wanted to thank his colleagues and City Attorney Dave Feldman for their hard work for wage theft and the wage theft advocates. Council Members Hoang, Pennington and Burks absent.

Mayor Parker stated they had distributed a memo from her that she handed out yesterday to Mr. Omar Reed, Director, Human Resources, and would be talking about it in a few minutes so she invited Council Members to stick around for the press conference. Council Members Hoang, Pennington and Burks absent.

There being no further business before Council, the City Council adjourned at 10:17 a.m. Council Members Brown and Adams absent on personal business. Council Members Hoang, Pennington and Burks 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