

City Council Chamber, City Hall, Tuesday, March 4, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 4, 2014, Mayor Annise Parker presiding, with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, David W. Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; and Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present. Council Member Stephen C. Costello absent on personal business.

At 1:42 p.m. Mayor Parker called the meeting to order and called on Council Member Kubosh for the first Council presentation. Council Members Martin, Pennington, Gonzalez, Gallegos, Robinson and Bradford absent.

Council Member Kubosh presented a proclamation to Mr. Ernest Louis Kubosh, who on March 14, 2014, would be recognized as one of the oldest surviving veterans of the Battle of Iwo Jima, that at the age of 99 he had instilled in others a devotion to duty and left a legacy of service, pride and accomplishment for all to emulate, and Mayor Parker stated that Mr. Kubosh had contributed to the City of Houston because his daughter worked in the City of Houston Legal Department, and therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed March 4, 2014 as Ernest Louis Kubosh Day in Houston, Texas and thanked him for his service. Council Members Martin, Gonzalez, Gallegos and Robinson absent.

Mr. Ernest Kubosh thanked all for the proclamation as it was a great honor. Council Members Martin, Gonzalez, Gallegos and Robinson absent.

Members of the United States Marines were present in the audience to present the Colors. Council Members Martin, Gonzalez, Gallegos and Robinson absent.

Vice Mayor Pro Tem Davis, Council Members Boykins, Laster and Stardig congratulated Mr. Kubosh and thanked him for his service to their Country. Council Members Martin, Gallegos and Robinson absent.

Vice Mayor Pro Tem Davis recognized Council Member Gonzalez for the next presentation. Council Members Martin, Green and Kubosh absent.

Council Member Gonzalez invited Members of the American Heart Association and HISD to the podium and stated that the American Heart Association, together with HISD, and his office, had launched the Check. Change. Control. Campaign at Jefferson High School in the Near Northside, the campaign was the American Heart Association Blood Pressure Management Program which was piloted across the United States last year, that it used Heart 360, a free online health management tool and offline program to teach participants how to measure, monitor and maintain healthy blood pressure numbers, that the City of Houston was grateful for the American Heart Association's Check. Change. Control. Program and for having the vision to serve and desire to serve and build a healthier future for Houstonians, and Mayor Parker stated that they knew this work and they were aware that the City of Houston had an aggressive wellness program among their employees, with the number one issue to be controlling blood pressure and hypertension, it had brought their health care cost down, they knew these same techniques, by knowing their numbers, could work through the community, and it was never too early to start this kind of awareness program, that they were happy to be a part of this with the American Heart Association, therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed March 4, 2014, as Check. Change. Control. Day in Houston, Texas, and thanked them for what they did. Council Members Cohen, Martin, Green and

Kubosh absent.

Representatives from the American Heath Association and HISD thanked Mayor Parker and the City Council for the proclamation. Council Members Cohen, Martin, Green and Kubosh absent.

Vice Mayor Pro Tem Davis recognized Council Member Boykins for the next Council presentation. Council Members Cohen, Martin, Gonzalez, Green, Kubosh and Robinson absent.

Council Member Boykins presented a proclamation to Ms. Grace Butler, and stated that she founded Hope Through Grace in 2002, that she was the founder and Board Chair and also a Stage 3 Colon Cancer survivor, that she started Hope Through Grace to help low income, uninsured and under insured people gain access to life saving colonoscopy's to prevent Colorectal Cancer, that their mission was to eliminate Colorectal Cancer through prevention and early detection, and Council Member Boykins asked all who supported Ms. Butler in this effort to stand and be recognized, and Mayor Parker stated that Dr. Butler was an example of one person to make a difference, she had been honored previously by the Houston City Council and she had an opportunity to attend an annual fund raising event on behalf of Hope Through Grace, therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed March 4, 2014 as Doctor Grace L. Butler Day in Houston, Texas. Council Members Cohen, Martin, Gonzalez, Green, Kubosh and Robinson absent.

Dr. Butler stated that she was present to speak to them about a Cancer that most of them did not want to talk about or think about, yet that Cancer was the second leading killer of men and women in the United States and in the community, but that Cancer was one of the most preventable, but how was it that something that was preventable was number two, it was because people did not get screened for the disease, that Hope Through Grace was going into the communities, those who could not afford to get a colonoscopy, they covered the cost, they had been able to do that for almost 160 people in the community, and when they thought about the cost per person that was quite a bit for a small, nonprofit, organization, and about one third of those individuals had some type of precancerous problem that was going on, that she was humbled by the recognition, that March 4 happened to be her birthday. Council Members Martin, Gonzalez and Kubosh absent.

Vice Mayor Pro Tem Davis, Council Members Bradford, Stardig, Green and Gallegos congratulated Dr. Butler and thanked her for her service to the City of Houston.

Mayor Parker stated that there were a lot of things going on today and people had asked about the hat she was wearing, today was the Hermann Park Conservancy's Hats in the Park Lunch, that she knew Council Member Cohen was present, although she opted not to wear a hat, because once you put a hat on they had to wear the hat all day; that she was pleased to join Council Member Stardig in a Dress for Success Conference. Council Member Boykins absent.

Council Member Stardig stated that they were going to kick off the Dress for Success Campaign at City Hall and would appreciate donations, that it was not only suits and separate pieces, but it was also monetary donation, that the mission was to promote the economic independence of disadvantaged women by providing professional attire, a network of support and clear development tools to help women thrive in work and in life, that she wanted to highlight the fact that the group had served over 50,000 in the Houston area. Council Member Boykins absent.

At 2:18 p.m. Mayor Parker recognized Council Member Nguyen for the invocation and

pledge of allegiance, and Council Member Nguyen invited Bishop Anthony K. Wright, Family Life Church, for the invocation, and Council Member Nguyen led all in the pledge of allegiance.

At 2:21 p.m. The City Secretary called the roll. Council Member Costello absent on personal business.

Council Members Gonzalez and Bradford moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Costello absent on personal business. MOTION ADOPTED.

Council Member Gonzalez moved that the rules be suspended for the purpose of hearing from Mr. Harvey Yaw at the bottom of the two minute non-agenda list of speakers for two minutes, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. MOTION 2014-0190 ADOPTED.

Mr. Colin Noe, 850 Brunswick Dr., Sugarland, Texas 77478 – 281-723-5687 – appeared and stated that he was present about cycling issues, that he thought the cycling community was both troubled and hopeful, that he thought the City had done a great job in implementing a series of programs already, they appreciated the bike lanes that had been put in and looked forward and hoped they would make it a priority to put more bike lanes in as things progressed, that they should improve educational initiatives between drivers and cyclists. Council Members Davis absent.

After discussion Council Member Gonzalez stated that they could not protect every scenario and insure safety 100% of the time, but he thought definitely they could do more, that he looked forward to continuing to listen and to try to be an advocate as much as possible, and wanted to thank the Mayor for her efforts to date. Council Member Davis absent.

Council Member Laster stated that he had been reading the Houston Police Department's monthly review of overtime expenses, where they provide extra services for events, and he noticed that a number of Critical Mass events were in that list, one was \$14,000, and another \$7,000, and asked who picked up the cost at this point and time, and Mayor Parker stated that the City did, it had been determined that just like a protest march, a protest ride was a First Amendment event, and Council Member Laster asked if they were trying to limit how many of those events they would pick up in a given year, and Mayor Parker stated no, although they were working with Critical Mass, they had created a productive working relationship that allowed the Police Department more input into the route, so that they did not do as many high traffic intersections, there was some give and take, she had been talking to Mayor Pro Tem Gonzalez about the appropriate time to bring this discussion to the Public Safety Committee of Council because she respected the desire for Critical Mass riders to ride through town, and the solutions were that they find an accommodation or they crack down, and what had happened in other cities was that the ride had disbursed and then they had a problem that went in all directions instead of one direction, they were trying to find the right balance. Council Members Davis and Boykins absent.

Mr. Noe stated that there was a lot of discussion that went on into trying to cooperate with the City and really trying to organize themselves so that they would not need as much police presence, and Council Member Laster stated that he would hope they would have a discussion about how they could reimburse the City for those costs, that would be very helpful for the taxpayers. Council Members Davis and Boykins absent.

Mr. Harvey Yaw, 871 Sararose, Houston, Texas 77018 – 713-882-0124 – appeared and stated that he had seen Council Member Martin and Mayor Parker on television stating that citizens would not miss out of service fire trucks because it was 15% fire cause and 85% EMS,

that what they were not telling the citizens was that a fire truck was on the majority of those 85% EMS calls, and many times the first on location, that the raises that Mayor Parker gave her staff did matter when ambulances and fire trucks were being parked, what impact did the City Hall raises have on the 52% funded pension system, Municipal Pension System, that Captain Bill Dowling, also a proud marine, and a true Houston hero, received a 50% disability pension and approximately one third of that went to health insurance, why had the City not properly funded the pension systems in each of the last 15 years, that history seemed to repeat itself with City Hall mismanagement, in 1986 Mayor Whitmire was saying that the firefighters mustard out pay was an unfunded liability and was going to bankrupt the City, that City Council froze the benefit pay values and since 1986 the City had known exactly what each firefighter mustard out pay would be, but must not have funded it from that time on, because when they fast forwarded to 2010, when Mayor Parker threatened to lay off 200 firefighters one of the issues, as in 1986, was termination pay, that quoted in the Houston Chronicle, the average termination pay to firefighters for accumulated vacation and sick leave, that they did not take, was \$65,000, mustard out pay still not funded in 2010.

After discussion by Council Members Martin, Stardig and Laster, Council Member Laster moved that the rules be suspended for the purpose of extending time for questions of Mr. Harvey Yaw, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Davis absent. MOTION 2014-0191 ADOPTED.

After further discussion by Council Member Laster, Mayor Parker stated that she thought it was important to recognize that it was not true that the City had control of the other two pensions, there was an independent pension board over all three of their pensions. Council Members Davis and Gonzalez absent.

Council Member Gallegos moved that the rules be suspended for the purpose of adding Ms. Pat Guter, Ms. Zandra R. Anderson and Ms. Mary L. Markert, to the end of the three minute non agenda list, seconded by Council Member Green. All voting aye. Nays none. Council Member Costello absent on personal business. Council Members Davis and Gonzalez absent. MOTION 2014-0192 ADOPTED.

Mr. Tim Wark, 4502 Mountwood, Houston, Texas 77018 – 832-647-9137 – appeared and stated that in 2007 a developer behind him put in and replatted a piece of property and put in for a new road, called Eclipse Street, unfortunately the City did not have right of way when they allowed him to build over his property, that when they started in 2008 he brought it to the attention of the City and they shut it down, he went for a temporary restraining order on the trespass, and he lost, during that hearing the developer said that somebody from the City Right-of-Way had called and said that the permit had been approved, about a month and a half later the developer came in on a Friday and started the paving project, he went down to Right-of-Way and they said the engineer who had approved it was on vacation, they gave him the inspectors number and he said that there was not that he (Mr. Wark) could do, that he went back on Sunday and the road had been put in, it was not built to City specs, he sued the developer and had a copy of his plans, that in 2012 the developer decided that he was going to put a bunch more houses in, it was in litigation right now, and he went to two different meetings and the City said the street was in and what he was trying to do was stop something behind what was already done so they were not going to do anything about it, that every time he had gone to the City he had been told that he could not meet a City inspector out there, they had to meet the developer, how come he could not meet somebody from the City, out on his property, to show them what the problem was, that when he finally had a meeting with Public Works Right-of-Way, the developer was sitting in the back of his meeting, and it was not right, that was about a year and a half ago, that he would like for the developer to tie into the road behind his development that went out to a regular City street and stop them from continuing to cross his

property. Council Members Davis, Gonzalez and Gallegos absent.

After discussion by Council Members Boykins, Cohen and Pennington, Mayor Parker stated that she knew he had been dealing with Public Works and would really like for the Legal Department to get involved not Public Works at this point, so if Mr. Heilman, Legal Department, would visit with Mr. Wark. Council Members Davis, Martin, Gonzalez, Gallegos and Laster absent.

Mr. Kitessa Turi, 6220 Alder Dr., Houston, Texas 77081 – 713-664-4266 – appeared and stated that he was representing the Driver Association, USTDA, and their concern was the change on Chapter 46, which had been delayed and the report from Dr. Mundy, that he wanted to ask if Dr. Mundy could come down and explain what he had done, and wanted to ask the City Council to consider drivers opinions and why was it hard for the City of Houston to eliminate the middle man and give the medallions to the drivers who qualified so they could generate more revenue. Council Members Davis, Martin, Gonzalez, Gallegos and Laster absent.

Council Member Pennington asked Mr. Turi if he was in favor of the proposals by Uber and others or against, was he in favor of the current taxi arrangement or against, and Mr. Turi stated that his position was to promote drivers interest and public service, that Uber and other companies were just intruding into the business, they had confused other cities and wanted to confuse this City also, that he wanted the City of Houston to look into what they had done in other cities and what they wanted to do here. Council Members Stardig, Davis, Martin, Gallegos and Green absent.

Ms. Dorothy James, 16331 Hunting Dog Court, Houston, Texas 77489 – 281-437-0450 – had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Martin, Gallegos and Green absent.

Ms. Lorugene Young, 7208 Parker Rd., Houston, Texas 77016 – 281-794-1014 – had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Martin, Gallegos and Green absent.

Ms. Gretchen Grant-Hollingsworth, 12111 Panay Dr., Houston, Texas 77048 – had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Martin, Gallegos and Green absent.

Mr. David Williams, 12903 Brantrock Dr., Houston, Texas 77082 – 832-687-1609 - had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Martin, Gallegos and Green absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 – FA34511 – had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Martin, Gallegos and Green absent.

Ms. Stevie McHugh, 1956 Winrock Blvd., No. 330, Houston, Texas 77057 – 713-302-7555 – appeared, presented information, and stated that she had a real concern about loss of freedom, expressed her concerns on the feeding of the homeless ordinance, and stated that she had received a letter last week from her apartment complex, that at 10:00 p.m., she had been told, they should get into their apartments, and if they were outside of their apartment to expect to be questioned, that her apartment manager and the Spartan Security Company both confirmed to her that indeed they expected her to be in her house. Council Members Stardig, Davis, Martin, Gallegos and Green absent.

After discussion by Council Members Kubosh, Gonzalez and Bradford, Mayor Parker

stated that the letter she had provided was clearly from the management company of her apartments, and the security services they contracted with, she was assuming that when Ms. McHugh signed her lease at her apartment she agreed to abide by the rules of the apartment complex, while she assumed what they meant was that they had alerted the Houston Police Department that they would be doing an on premise curfew and that they might be calling the police if they find people on apartment property that they did not want, that this was not something that was coming from the City of Houston, it was entirely legal and she thought her choices was to discuss this with the management company or to find another apartment that would allow folks to be around the grounds after 10:00 p.m. Council Members Stardig, Davis, Martin and Green absent.

Mr. Anthony Ray Holcombe, 9001 South Braeswood, No. 1806, Houston, Texas 77074 – 832-516-8024 – appeared and stated that he was an artist born in Houston, Texas, that he had been a victim of harassment and abuse and had been stalked and targeted by artists, and continued to voice his experiences until his time expired. Mayor Parker, Council Members Stardig, Davis, Martin and Green absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that the Police Department was apparently aware of some of the background on this and they did not have anything additional to add at this time. Mayor Parker, Council Members Stardig, Davis, Martin and Green absent. Mayor Pro Tem Gonzalez presiding.

Mr. William Beal, (did not wish to give address and phone number) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Stardig, Davis, Martin and Green absent. Mayor Pro Tem Gonzalez presiding.

Mr. Willie Baker, 6523 Vera Jean Dr., Houston, Texas 77088 – 281-272-0995 – had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Stardig, Davis, Martin and Green absent. Mayor Pro Tem Gonzalez presiding.

Ms. Shelly Kennedy, 706 Sue Barnett Dr., Houston, Texas 77018 – 713-822-7688 – appeared and stated that she was present to talk about bicycle safety and Critical Mass, they did not have leaders but had volunteers who were working very intensely, they had about 1,000 riding on the last Friday of the month and they really only take up the City streets from 7:30 p.m. until 10:00 p.m., that all of the top progressive 300 cities across the world had a Critical Mass, they met with the Mayor and she asked if they could have some of the volunteers or designees meet with HPD, that the actual route was not published to the riders, that was a big safety issue, they gladly published it with HPD, that last Friday night, with HPD, there were a few misunderstandings and they asked that going forward, with HPD designees and the volunteer team, who was working really hard to keep everyone safe, that they maybe work together. Council Members Stardig, Davis, Martin and Green absent.

Mayor Parker stated that they started working on this last fall and they had a number of successful events, it was racking up overtime, that she was under the impression that there was clear communication prior to each Critical Mass event, as to which intersections were going to be monitored and which ones were not, that the goal was to try to allow the protest to go through stop signs or minor intersections, but not to block the major streets, that she had not had an opportunity to meet with the Chief on this, but he was going to update her, that there were folks within the organization that wanted to have a safe ride and wanted to cooperate, but there were also folks in the organization that it did not matter how many times the police tells them to stop they were going to raise a middle finger and keep going, that some of that was going on, that she would pledge that she was going to try to get to the bottom of what happened last Friday, but they were going to continue to find a balance point. Council Members Stardig, Davis, Martin and Green absent.

After further discussion by Council Members Boykins, Mayor Parker stated that only a peace officer can block intersections, and the issue was how long were those intersections blocked and whether emergency personnel could get through, so the first was cooperation on the route, Critical Mass had done that, and then cooperation on the ride itself, and that was what they were trying to work out. Council Members Stardig, Davis and Green absent.

After further discussion, Council Member Bradford moved that the rules be suspended for the purpose of extending time for questions of Ms. Shelly Kennedy, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Costello absent on personal business. Council Members Stardig, Davis, Boykins and Green absent.

Upon further discussion and questions by Council Members Bradford and Cohen, Ms. Kennedy stated that this was something that happened in over 300 cities and it was really just to bring awareness. Council Members Stardig, Davis, Boykins, Pennington, Laster, Green and Christie absent.

Ms. Rose Mikulski, 2420 Rosedale, Houston, Texas 77004 – 954-914-0117 – appeared and stated that in September 2011 she was hit for the first time by a car pulling into a parking garage in the Medical Center, that she had many similar close calls while riding to work in Houston, continued to voice her bicycling experiences until her time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent.

Mayor Parker stated that as she had indicated, they had several successfully coordinated rides between Critical Mass and HPD, she did not know what happened the last time, but they were exploring that, she hoped that Ms. Mikulski would continue to ride in Houston and they were going to do their best to try to make it more safe. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent.

After discussion Council Member Robinson stated that they had all been in the process of attending capital improvement program meetings throughout all of the districts of the City and one recurring theme they were watching for was adherence to complete streets and where their dollars could improve roads for both automobiles and bicycles. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Green absent.

Mr. David Ward, 935 Columbia St., Houston, Texas 77008 – 713-249-3111 – had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Green absent.

Ms. Amanda Luna, 34049 9th Avenue, Galveston, Texas 77590 – 409-996-6514 had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Green absent.

Mr. Timothy Kerns, 13618 Kingside Ln., Houston, Texas 77079 – 832-812-5915 – appeared, presented information and voiced his opposition to the Twin Peaks location at I-10 and Kirkwood until his time expired. Council Members Stardig, Davis, Boykins, Cohen, Martin, Laster and Green absent.

After discussion by Council Members Kubosh and Pennington, Mayor Parker stated that they would jump on the issue of the signage, which was clearly in violation, and they were going to need to remove that, the issue of the total volume of alcohol sales was immaterial, it was a matter of what percentage of alcohol sales the facility had. Council Members Stardig, Davis, Boykins, Martin, Laster and Green absent.

Mr. Charles Duff, 1502 Dumble, Houston, Texas 77023 – 469-323-7890 – had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Boykins, Martin, Laster and Green absent.

Pastor Lura Groen, 111 Fargo St., No. B, Houston, Texas 77007 – appeared and stated that she was the Pastor of Grace Lutheran Church, in the Montrose, and she was present to speak about the upcoming Civil Rights Ordinance, that she understood there had been some concern and questions about transgender people and bathrooms, that she was present to speak in favor of transgender people being able to use the restroom of their gender preference, and continue to voice her opinions relating to civil rights until her time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Green absent.

After discussion by Council Member Cohen, Mayor Parker stated that she had worshipped at Grace Lutheran and frankly she had only been in two churches in Houston where they were just as likely to have a homeless person sit down next to them as some of her neighbors, and Grace Lutheran and Saint John Downtown, that she had a wonderful, warm and welcoming congregation, that she saluted what Pastor Groen did in the community. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Green absent.

Mr. Charles Wilson, 7914 Capitol, Houston, Texas 77012 – 713-505-4028 – appeared and stated that he was a veteran, a seminarian, a leader and the President of the Church Council at Grace Lutheran Church, that he also felt very strongly about the Civil Rights Act, and continued to voice his personal experiences until his time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Council Member Robinson stated that he thought Mr. Wilson and those from Grace Lutheran were leaders in the community and he was grateful to be a part of that community. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Mr. Joe Roache, 501 Lubbock, Houston, Texas 77006 – 303-396-4408 – appeared and stated that over the past 10 weeks he traveled quite significantly, that as part of putting a rail link to both of their airports or just one to start, it may be a want right now in 2014, but thought it would be a need sooner than they knew it and right now was probably a good time, not two years studying it, they had the expertise in the Bayou City, and continued to voice his personal opinions regarding airports until his time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Mayor Parker stated that she agreed that light rail out to the airport was a need rather than a want, it was all a matter of dollars, if he found someone who wanted to pay for it she was sure that Metro would love to jump on it, that was the issue, it was not that they did not think it was important, it was that they had two light rail lines still under construction right now and no excess revenue for launching another new segment. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Ms. Patricia Martin, 10802 Kingspoint, Houston, Texas 77075 - 832-276-6470 - had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Ms. Pat Guter, 1400 McKinney Street, Unit 1504, Houston, Texas 77010 – 412-335-9430 – appeared, presented information, and stated that she was present to ask the City Council that they not approve the proposed ordinance change to Section 6 102B, the proposed ordinance change would allow the City to transfer family pet ownership to another after a brief



impoundment of a family pet, three days if the animal was not tagged, and six days if the tag was attached or if it was imbedded in the skin, and continued to voice her personal experiences until her time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Ms. Zandra R. Anderson, 7941 Katy Freeway, No. 412, Houston, Texas 77024 – 713-222-7600 – appeared, presented information, and stated that the Rabies Control Act of 1981 had been in existence for 33 years and the City of Houston had legally acted under that act to impound dogs without transferring ownership to the City, that the law was actually geared for giving back dogs, not taking away, and continued to voice her personal opinions until her time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Ms. Mary L. Markert, 701 Bering Drive 1805, Houston, Texas 77057 – 713-819-9988 – appeared, presented information, and stated that she was present as one of the million dog owners who treated their dogs as family, and displayed pictures of her dog, and continued to voice her personal opinions on animal care until her time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was back again requesting and demanding that emergency protection be provided, and continued to express his personal opinions until his time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 – 713-528-2607 – appeared and stated that he was present because of two citations given to him in 2010 for the property located at 1611 Holman, Houston, Texas 77004, that he wanted the citations dismissed because he found his defendants notice of appeal, with an affidavit of indigence on 12-17-2010, that he had a stamped copy, and continued to voice his personal opinions on the citations until his time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

At 3:50 p.m. Mayor Parker stated that the City Council was recessed until 9:00 a.m., Wednesday, March 5, 2014. Council Member Costello absent on personal business. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Green and Christie absent. NO QUORUM PRESENT

The Houston City Council reconvened at 9:00 a.m., Wednesday, March 5, 2014, Mayor Annise Parker presiding, with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. Dave Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present.

At 8:25 a.m. The City Secretary read the descriptions or captions of items on the Agenda.

At 9:03 a.m. Mayor Parker called the meeting to order and recognized Council Member Gonzalez for a procedural motion. Council Members Davis, Boykins and Pennington absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of considering Item Numbers 2, 3, 4 and 5 after the Monthly Financial Report, seconded by

Council Member Bradford. All voting aye. Nays none. Council Members Davis, Boykins and Pennington absent. MOTION 2014-0193 ADOPTED.

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented.

Mayor Parker recognized Mr. Ronald Green, City Controller, and Mr. Kelly Dowe, Director, Finance Department, for the Monthly Financial Report. Council Members Davis, Boykins and Pennington absent.

Mr. Green and Mr. Dowe reviewed the Monthly Financial Report, a copy of which is on file in the City Secretary's office for review.

Council Member Costello stated that he was looking at the General Fund Budget and noticed that the Fire Department budget was still estimated to be amount \$9 million over, was it because this was prepared prior to the agreement that was announced on Monday, and Mr. Dowe stated that was correct.

Council Member Pennington stated that this was a question about the new S and P rating, but related to the numbers in the budget, that the rating for the General Fund was increased from AA to AA+ and wondered was a written submission submitted to the rating agencies and if so he would like to see a copy of it.

Mr. Dowe stated that Standard and Pours instituted a new ratings methodology, so months ago they came out and put a new framework forward, and they did make comments from the Finance Department on the general framework and some concerns with subjectivity and trying to get some definitions tightened and they would be happy to provide those comments.

Mr. Green stated it was the same thing, they had been meeting with them, as Mr. Dowe stated, it was a new change and they had expected to get the upgrade in the ratings, but speaking specifically to a couple of the issues he mentioned, those were national issues and they recognized that they were national issues, but they did want to make sure that they were aware of them and were at least attempting to handle those issues, so while they certainly had not solved all of them, they wanted to make sure the City did not have their heads in the sand, so questions like his let them know that they were all aware of it and obviously they all had some work to do, that he would make sure that Council Member Pennington got everything.

Council Member Boykins asked if they could explain how they got a AA or AAA rating and why the City had been rated in a positive way over the past few years, and Mr. Green stated that it was a couple of things, obviously on each one of their credits they got a rating on their debt, and also got rated on their investments, typically their essential services, like their combined utility system, revenue streams were very important, so that was why they would always see a very good rating with that, because the automatic increases they had in the water rates and the maintenance that was done on the system, that general obligation debt, obviously, showed that their tax base was growing, that they were at least attempting to handle some of the most global legacy type issues, along with their day to day management, so that was what the rating agencies looked at.

Mr. Dowe stated that the rating agencies particularly looked at the management job that the Mayor, City Council and the Controller did, and they had seen a willingness to step up and address hard issues that maybe other municipalities had not shown as much attention to, and

their willingness to tackle, that as the Controller stated they noted that they did have very real challenges that they expected them to address.

Mr. Green stated that they looked at the transparency that the City provided, they had just finished their second annual investor conference, they get individuals in, they had a very robust investor website, all of the information that the rating agencies needed to make appropriate ratings and to do appropriate investigation, they put it out there, but also the Mayor, himself, along with Finance and members of the Controller's office met personally with all of the rating agencies, at least once a year, if not more, to make sure they heard it directly from them. Council Member Davis absent.

Mayor Parker stated that while they looked at each city individually, it was very clear that they were also aware of their position relative to other major cities in the United States and it was clear that they felt they were focused more on tackling the fiscal issues than some of their peer cities and they were being acknowledged for that. Council Member Davis absent.

Council Member Green stated that as they did every year they gave them all of the management reports, the single audit and also the communication to governance and each one of them had it. Council Member Davis absent.

Mayor Parker stated that apparently they had been lost in people's inboxes and perhaps with staff in the past. Council Member Davis absent.

Council Member Costello moved to accept the Monthly Financial Report, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis absent. MOTION 2014-0194 ADOPTED.

Council Member Green stated that he wanted to thank Mayor Parker and Mayor Pro Tem Gonzalez for coming out to the investor conference, and all of the other Council Members who sent staff and representatives, they had almost 200 people to attend over the course of two days and they had gotten nothing but great response from other municipalities, as well as the investors, that it was a great opportunity to do a one on one and get a face to face with the people who actually bought their bonds, and as they well knew they had a very large transaction going to market next week, and some of those people came and left with a good feeling for what the City did, so they would see some new investors in the marketplace. Council Member Davis absent.

Mayor Parker stated that this was Mr. Green's initiative, they had done it twice now, and this year he chose to bring in other government entities and it was value added for those who attended the conference and again it showed the great cooperation among various government entities in the region, that she wanted to compliment Mr. Dowe and his folks for the single audit, finally they went from 15 findings down to 2, with a concerted effort, over the last few years, they had cleaned up their books significantly.

Mayor Parker stated they had some items pulled out of order and asked Ms. Russell to proceed.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following as **FULL-TIME MUNICIPAL COURT JUDGES** for two year terms:  
**OSWALD J. SCOTT, JR.** - appointment  
**LAWRENCE A. ROUSSEAU** - reappointment

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

After discussion by Council Member Kubosh a vote was called on Item No. 2. All voting aye. Nays none. MOTION 2014-0195 ADOPTED.

Mayor Parker asked Judge Barbara Hartle to introduce her judges.

Judge Hartle stated that she wanted to thank the Council Members and their staff who came to the courthouse last week for a tour of the facility, she hoped that they answered some questions and were able to show them some of things that were behind the scenes in the courthouse and not just what occurred in the courtroom; and presented Judge Oswald Scott, who had served as an Associate Judge with Municipal Courts since 1999 and when they did interviews recently for fulltime positions they were glad to see his name, he went through an interview process and brought to the court lots of experience from his outside practice, as well as the years on the bench with the Municipal Court.

Mayor Parker stated that she wanted to welcome Judge Scott aboard, and Council Members Boykins and Green congratulated Mr. Scott on his appointment and thanked him for his service to the City of Houston.

3. REQUEST from Mayor for confirmation of the reappointment of **DANA V. PERRY-DREXLER** as **MUNICIPAL COURT ASSOCIATE JUDGE** for a two year term – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0196 ADOPTED.

Mayor Parker stated that she did not believe Judge Perry-Drexler was present, and Judge Hartle stated she was not able to be present today, and Judge Rousseau was working.

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON PUBLIC LIBRARY FOUNDATION BOARD OF DIRECTORS**:
  - Position Six - **NEIL THOMAS**, appointment, for a term to expire 3/1/2015
  - Position Seven - **ZARINE M. BOYCE**, reappointment, for a term to expire 3/1/2016
  - Position Eight - **CARME WILLIAMS**, appointment, for a term to expire 3/1/2015
  - Position Nine - **LICIA A. GREEN**, appointment, for a term to expire 3/1/2016
  - Position Thirteen - **TINA ARIAS PETERMAN**, reappointment, for a term to expire 3/1/2015

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0197 ADOPTED.

Mayor Parker stated that they had just appointed new members to the Library Foundation Board of Directors, and believed that Ms. Licia Green and Ms. Tina Peterman were present and stated that they appreciated their willingness to get involved, that this was a board at a critical junction, they hoped to see a greater engagement in the community of attention to their libraries, that libraries were changing and were under increased pressure, those of them who loved books, wanted to use computers and wanted community center space, and more emphasis on literacy, so their willingness to engage on libraries was greatly appreciated.

Council Member Cohen congratulated both Ms. Green and Ms. Peterman on their appointments and thanked them for their willingness to serve the City of Houston.

5. REQUEST from Mayor for confirmation of the appointment of **MARK O. SIKES**, to Position Seven of the **PLANNING COMMISSION**, for a term to expire September 30, 2015 - was presented, moved by Council Member Laster, seconded by Council Member Bradford.

Council Member Robinson stated that he wanted to thank Mr. Mark Sikes for his willingness to take this commitment to the Planning Commission.

A vote was called on Item No. 5. All voting aye. Nays none. MOTION 2014-0198 ADOPTED.

Mayor Parker stated that she believed that the theory over the years, for the Planning Commission, was that they would put folks who were way on the developers side and folks who were way on the neighborhoods side and let them mix it up at the Planning Commission, and her philosophy was to put people who were more in the middle and could see both sides and come together in compromise, inside of the push and pull, that Mr. Sikes had certainly the professional background to do a good job and had been very well recommended, that he knew how much work it was going to.

Council Members Laster, Boykins and Pennington congratulated Mr. Sikes on his appointment and thanked him for his service to the City of Houston.

Mayor Parker stated that there were other Members of the Library Foundation present, and thanked Ms. Harriet Lattermore for her longtime service to the City of Houston, particularly on the Library Foundation Board.

Mayor Parker stated that she wanted to note that Harris County Tax Assessor-Collector, and former Council Member, Mr. Mike Sullivan was present in the audience. Council Member Boykins absent.

Mayor Parker stated that they would move to the public hearing. Council Member Boykins absent.

#### **HEARING - 9:00 A.M.**

1. **PUBLIC HEARING** on a proposal for the City of Houston to annex certain territory in the vicinity of Aldine Westfield southeast of Richey Road, in Harris County, Texas - **DISTRICT B – DAVIS** – was called.

The City Secretary stated that no one had reserved time to appear at the public hearing and Ms. Nicole Smothers, Planning Department, would make the remarks on the hearing.

Ms. Smothers stated that on October 18, 2013, the Planning and Development Department received a petition from Sicom Business Park USA, LLC requesting the general purpose annexation of one tract of land totaling 4.9095 acres, the tract was located immediately northwest of the full purpose City limit line just west of Aldine Westfield Road, between Farrell Road and Richey Road, there were no residents on the property, one commercial building would be constructed there totaling approximately 30,000 sq. ft. that would house a high end machine shop, that the property was located entirely within Harris County, currently, HCAD estimated the appraised value of the undeveloped annexation tract at \$218,855, that at full build-out the property would have a taxable value of approximately \$3 Million, the value was expected to increase as the area continued to develop, the projected ad valorem revenue was approximately \$19,162 annually for the City of Houston, that Sicom Business Park USA, LLC estimated that as many as 70 jobs would eventually be created at this site, that public safety services for the area were currently being provided by the Harris County Sheriff's Department and Emergency Services District No. 1 and Emergency Services District No. 24, that upon annexation services would be provided by the City in accordance with the Service Plan, that upon annexation, the City of Houston would take over emergency services from Emergency

Service Districts No. 24 and No. 1, that as a result, the City would be responsible for the 5 acre's pro rata share of the debt of each of these Emergency Service Districts, that the amount of this share of debt would be less than \$1000, that the petitioners had also requested annexation of this property into the Northwood MUD, that should Council decide to approve this annexation request, an ordinance from Public Works recommending the annexation of this area into the Northwood MUD would likely follow on a subsequent agenda, that in anticipation of this annexation, the petitioners had begun improvements to the annexation site, the building should take approximately 8 to 9 months to complete, that this annexation would benefit the City in the following ways, increased ad valorem taxes for the City, expansion of water sewerage and drainage facilities in the area due to the annexation of this area into the Northwood MUD, an in-city MUD operating in northeast Houston for 28 years, that it had been determined by Public Works that the annexation of this property into Northwood MUD and into the City was in keeping with their plans for improved and expanded water, sewerage and drainage infrastructure in this part of the City, that this annexation would pave the way for much needed new development in the northeast portion of the City, a second public hearing on this item was scheduled for next week on March 12, 2014, the first reading of the annexation ordinance was tentatively scheduled for April 2, 2014, and the second reading of the annexation ordinance and the opportunity for Council to pass the annexation ordinance, while simultaneously adopting the service plan, was tentatively scheduled to be on Council's agenda on May 7, 2014.

Council Member Davis stated that he had the opportunity to go and see the property, it was near Lone Star College, next to the Woodlands, that it was surprising because the president of the company met him out there to talk about the plans and development, that he had questioned this in committee because he did not know much about the annexation process, so it was very enlightening and he fully supported this, it was an opportunity to build this area up and bring more business out to the City of Houston.

Mayor Parker stated that preferably they had focused on voluntary annexations, it had been a long time since they did a forced annexation, this was about mutual benefit, putting some resources in that area, but also building the tax base for Houston.

Council Member Green requested a copy of the service plan, and Ms. Smothers stated absolutely.

Mayor Parker stated that she wanted to thank the Planning Department for the presentation and asked if there was anyone in the audience who desired to speak on this particular issue, and hearing none, stated that seeing no one she would accept a motion to close the public hearing.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0199 ADOPTED.

Mayor Parker stated that they could proceed with the consent agenda.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 2 through 34**

#### **MISCELLANEOUS - NUMBER 7**

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2014 Operations and Maintenance Budget for the **TRINITY RIVER WATER CONVEYANCE PROJECT** operated by the Coastal Water Authority - \$22,989,738.00 - Enterprise Fund - was presented, moved Council Member Gonzalez,

seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0200 ADOPTED.

**ACCEPT WORK** - NUMBER 9

9. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$112,587.60 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.**, for Asbestos/Lead Abatement and Demolition at Department of Public Works & Engineering Water Plants - 34.85% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; E - MARTIN; H - GONZALEZ; I - GALLEGOS and J - LASTER** - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0201 ADOPTED.

**PROPERTY** - NUMBERS 12 and 13

12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry, TBG Partners, on behalf of New Nurseries, LLC (F. Taylor Moore, Owner and Managing Partner) and Stephen Kelso, for abandonment and sale of 1) a prescriptive water line easement in the location of the remaining one-half of Lockfield Street, from the south right-of-way line of Pinemont Drive to the north of right-of-way line of Cherry Street; 2) a prescriptive water line easement in the location of Rose Avenue, from the east right-of-way line of Bingle Road east ±95 feet; 3) a prescriptive storm sewer easement in the location of Rose Avenue, from the east right-of-way line of Bingle Road east ±25 feet; and 4) a prescriptive storm sewer easement in the location of the unnamed street adjacent to Lot 28, from the south right-of-way line of Pinemont Drive south ±15 feet, in exchange for conveyance to the City of a 15-foot-wide by 25-foot-wide water meter easement, all located within the Rosslyn Addition, out of the Joseph Box Survey, Parcels SY14-016A, SY14-016B, SY14-016C, SY14-025A, SY14-025B, SY14-025C and KY14-094 - **DISTRICT C - COHEN** - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0202 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KY13-169, located at 4340 Southwest Freeway, owned by HF Properties, Ltd., a Texas limited partnership by Ned S. Holmes Investments, Inc., a Texas corporation, its sole general partner, Ned S. Holmes, Chairman, for the **SOUTHWEST PUMP STATION IMPROVEMENTS PROJECT - DISTRICT G - PENNINGTON** - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0203 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 14 through 18

14. **VOGEL TRAFFIC SERVICES, INC d/b/a EZ-LINER INDUSTRIES** for Runway and Taxiway Paint Strippers through the Interlocal Agreement for Cooperative Purchasing with H-GAC for the Houston Airport System - \$73,854.00 - Enterprise Fund - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0204 ADOPTED.
15. **DTC COMMUNICATIONS, INC** for Surveillance Equipment for the Houston Police Department \$48,865.03 - General Fund - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0205 ADOPTED.

16. ORDINANCE appropriating \$234,000.00 out of Equipment Acquisition Consolidated Fund for purchase of Learning Management System Software Licenses and Installation Services for the Houston Human Resources Department - was presented. All voting aye. Nays none. ORDINANCE 2014-0176 ADOPTED.
- 16a. APPROVE spending authority in an amount not to exceed \$902,595.30 to **PCMG, INC** for Learning Management System Software Licenses and Installation Services for the Houston Human Resources Department - \$668,595.00 - Enterprise and Other Funds - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0206 ADOPTED.
17. **FLIGHTSAFETY INTERNATIONAL** for Training Services for the Houston Police Department \$102,690.00 - Grant Fund - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0207 ADOPTED.
18. **ENVIRONMENTAL IMPROVEMENTS, INC (aka EI<sup>2</sup>)** for Emergency Chain of Flight Sludge Conveyor System Repair Parts for the Department of Public Works & Engineering - \$149,857.30 Enterprise Fund - was presented, moved Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0208 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 19 through 34

19. RESOLUTION to amend Resolution 2011-16 designating Woodland Heights Historic District to correct clerical errors in the exhibits thereto - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. RESOLUTION 2014-0005 ADOPTED.
20. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement located in Lot 12, Block 30, River Oaks, Section Five, A.C. Reynolds Survey, A-61, Houston, Texas; abandoning the easement to Manuel A. Sanchez, III and Karen Sanchez, the underlying fee owners, in consideration of their payment to the City of \$52,416.00 and other consideration - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. ORDINANCE 2014-0177 ADOPTED.
22. ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **AERO HOUSTON CENTRAL, LP** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - DAVIS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0178 ADOPTED.
23. ORDINANCE approving and authorizing execution of Lease Agreement and Amendment No. 1 between the City of Houston and the **UNITED STATES OF AMERICA**, acting by and through the General Services Administration on behalf of Transportation Security Administration for lease of space at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0179 ADOPTED.
25. ORDINANCE approving and authorizing Amendment No. 4 to Parking Operations and Management Concession Agreement between the City of Houston and **NEW SOUTH PARKING - TEXAS** for the Houston Airport System; providing a maximum contract amount - Revenue **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0180 ADOPTED.



26. ORDINANCE approving and authorizing contract between the City of Houston and **ASSOCIATION FOR THE ADVANCEMENT OF MEXICAN-AMERICANS**, providing up to \$196,500.00 in Housing Opportunities for Persons With AIDS ("HOPWA") Funds for the administration and operation of a HOPWA Supportive Services Program - was presented. All voting aye. Nays none. ORDINANCE 2014-0181 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City of Houston and **GOODWILL INDUSTRIES OF HOUSTON** providing up to \$150,000.00 in Housing Opportunities for Persons With AIDS Funds for the administration of a Supportive Services Program - was presented. All voting aye. Nays none. ORDINANCE 2014-0182 ADOPTED.
28. ORDINANCE approving the Purchase and Sale Agreement between **HOUSTON PARKS BOARD LGC, INC, Seller**, and the City of Houston, Buyer, for the purchase of approximately 0.267 acres of land located at 3018 Sumpter Street, Houston, Texas; appropriating \$16,800.00 out of Park & Recreation Dedication Funds and \$500.00 out of Parks Special Funds for the purchase price of \$17,300.00 including closing costs associated with this transaction - **DISTRICT B - DAVIS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0183 ADOPTED.
29. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Mayfair Park Area Drainage Improvements Project; authorizing the acquisition of Fee Simple Title Interest in or easement to 9 parcels of land required for the project and situated in the T.T.R.R. Co. Survey, Abstract No. 1023; in Harris County, Texas, by gift, dedication, purchase or the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 9 parcels of land required for the project - **DISTRICT K - GREEN** - was presented. All voting aye. Nays none. ORDINANCE 2014-0184 ADOPTED.
30. ORDINANCE approving and authorizing fourth amendment to Professional Construction Management and Inspection Services Agreement between the City of Houston and **OMEGA ENGINEERS, INC** for Emergency Repairs of water service connection breaks (Approved by Ordinance No. 2011-0412, as amended); providing a maximum contract amount \$500,000.00 - Enterprise Fund - was presented. All voting aye. Nays none. ORDINANCE 2014-0185 ADOPTED.
31. ORDINANCE appropriating \$152,553.00 out of Metro Projects Construction DDSRF as an additional appropriation; approving and authorizing second amendment to Professional Engineering Services Contract between the City of Houston and **SCIENTECH ENGINEERS, INC** for Cambridge Bridge Paving and Drainage: Completion and Corrections of Construction Contract (Approved by Ordinance No. 2004-0504); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT D - BOYKINS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0186 ADOPTED.
32. ORDINANCE appropriating \$500,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EPIC TRANSPORTATION GROUP, LP** for Traffic Signal Management Program / Intelligence Transportation System; providing funding for contingencies relating

to construction of facilities financed by the Metro Projects Construction DDSRF - was presented. All voting aye. Nays none. ORDINANCE 2014-0187 ADOPTED.

33. ORDINANCE appropriating \$1,670,012.00 out of Metro Projects Construction DDSRF, awarding contract to **MAIN LANE INDUSTRIES, LTD.** for Concrete Panel Replacement Program; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by Metro Projects Construction DDSRF - was presented. All voting aye. Nays none. ORDINANCE 2014-0188 ADOPTED.
34. ORDINANCE appropriating \$3,138,200.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for WCID #47 Wastewater Treatment Plant Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN** - was presented. All voting aye. Nays none. ORDINANCE 2014-0189 ADOPTED.

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

**MISCELLANEOUS**

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2014 Operations and Maintenance Budget for the **LAKE HOUSTON FACILITY** project operated by the Coastal Water Authority - \$2,401,165.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford.

Council Member Pennington stated that he would tag Item No. 6, that he would like to see a discussion of Item Numbers 6 and 8, he did not think they had a discussion in the committee about the plan, that he was concerned, water was very valuable, that he would like to be sure that they were taking proper care of their reservoirs, that he would like to see the maintenance plan, that he knew more water was being taken out of Lake Houston than ever before, because of service to outside areas, that he would like to see more information on this.

Mayor Parker stated that she would be happy to facilitate a presentation from the Public Works Director on this issue for him, that she did not know if she could get it to committee between now and next week, but she would be happy to have a briefing for him, and Council Member Pennington stated that maybe he could have some discussion with him, at least, before the meeting next week, and he would tag Item No. 6.

Mayor Parker stated that Item No. 6 had been tagged by Council Member Pennington.

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2014 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$3,417,314.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington, and tagged by Council Member Pennington.

## **ACCEPT WORK**

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,595,292.90 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Replacement in Park Place Area - 3.15% over the original contract amount and under 5% contingency - **DISTRICT I – GALLEGOS** – was presented moved by Council Member Gonzalez, seconded by Council Member Costello.

After discussion by Council Member Gallegos, a vote was called on Item No. 10. All voting aye. Nays none. MOTION 2014-0209 ADOPTED.

## **PROPERTY**

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Sepulveda, Terra Associates, on behalf of Kady Real Estate Investments, Ltd., (David Danburg, President), for abandonment and sale of a 15-foot-wide alley, from 5th Street ±350 feet north to the northern property line of Reserve A, in exchange for conveyance to the City of a 25-foot-wide alley easement along the northern property line of Reserve A, located within Block 292, Houston Heights and Danburg Estates Subdivisions, out of the John Austin Survey, A-1, Parcels SY13-089 and AY14-070 **DISTRICT C – COHEN** – was presented, and tagged by Council Member Cohen.

## **RESOLUTIONS AND ORDINANCES**

21. ORDINANCE approving and authorizing Amendment No. 1 to Airport Use and Lease Agreement at William P. Hobby Airport between the City of Houston and **SOUTHWEST AIRLINES CO.** **DISTRICT I – GALLEGOS** – was presented, and tagged by Council Member Pennington.
24. ORDINANCE appropriating \$51,359,572.00 out of Houston Airport System Commercial Paper Fund and \$795,392.00 out of Airport Improvement Fund and awarding construction contract to **SPAWGLASS CONSTRUCTION, CORPORATION**, for construction of the New Parking Garage at William P. Hobby Airport/Houston (Project No. 597A); 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 the Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT I – GALLEGOS** – was presented, and tagged by Council Member Davis. (Note: Council Member Davis released his tag later in the meeting.)

## **NON CONSENT AGENDA** - NUMBERS 35 and 36

## **MISCELLANEOUS**

35. **SET A PUBLIC HEARING DATE** regarding the Fourth Amended Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TEN (LAKE HOUSTON ZONE)** **DISTRICT E – MARTIN - HEARING DATE - 9:00 A. M. - WEDNESDAY - MARCH 26, 2014** – was presented.

Council Member Gonzalez moved to set a public hearing for 9:00 a.m. on Wednesday, March 26, 2014, regarding the Fourth Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Ten (Lake Houston Zone), seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0210 ADOPTED.

36. **SET A PUBLIC HEARING DATE** on the proposal to take approximately 0.2125 acres of Braeburn Glen Park to expand the parking lot for Fire Station No. 68 - **DISTRICT J – LASTER - HEARING DATE - 9:00 A. M. - WEDNESDAY - APRIL 2, 2014** – was presented.

Council Member Laster moved to set a public hearing for 9:00 a.m. for Wednesday, April 2, 2014, on the proposal to take approximately 0.2125 acres of Braeburn Glen Park to expand the parking lot for Fire Station No. 68, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0211 ADOPTED.

**MATTERS HELD** - NUMBERS 37 and 38

37. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Sharpstown II Area Waterline Easement Replacement Project from Beechnut Street on the north, Bissonnet and Nairn Streets on the south, Fondren Road on the east, and Brae Acres Road on the west; authorizing the acquisition of fee simple title interest in or easement to 16 parcels of land required for the project and situated in the J.R. Black Survey, Abstract No. 134; in Harris County, Texas, by gift, dedication, purchase or the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Relocation Assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and expert witness fees in connection with the acquisition of Fee Simple Title interest in or easement to the 5 parcels of land required for the project - **DISTRICT J – LASTER – (This was Item 33 on Agenda of February 26, 2014, TAGGED BY COUNCIL MEMBER LASTER)** – was presented.

After discussion by Council Member Laster a vote was called on Item No. 37. All voting aye. Nays none. ORDINANCE 2014-0190 ADOPTED.

38. ORDINANCE appropriating \$2,951,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **DCE CONSTRUCTION, INC** for Water Line Replacement in Sharpstown Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other require contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT J – LASTER – (This was Item 46 on Agenda of February 26, 2014, TAGGED BY COUNCIL MEMBER LASTER)** – was presented. All voting aye. Nays none. Council Members Davis and Boykins absent. ORDINANCE 2014-0191 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Laster announced events he attended or would be attending; and stated that he wanted to thank Ms. Stella Ortega, Agenda Office, for helping with the Housing and Community Affairs Committee meeting yesterday morning, they held it at the City Hall Annex. Council Members Davis and Martin absent.

Mayor Parker stated that since Council Member Laster mentioned the City Hall Annex Chamber, she wanted to make sure that all Council Members knew that the Chamber was available always for committee meetings, when she was a Council Member they were not allowed to use the main Chamber, all of their committee meetings were in the Annex Chamber, but they were essentially interchangeable for bookings by Council Members, that she wanted to thank him for taking advantage of that; that she had to leave town last Saturday immediately after the Rodeo Parade, but knew that everybody made it through the Rodeo Parade unscathed

and wanted to salute those Council Members who were present. Council Members Davis and Martin.

Council Member Gonzalez stated that Mr. John H. Cisneroz, father of former staffer, Jason Cisneroz, passed away, and requested a moment of silence for Mr. Cisneros; and announced events he attended or would be attending; that he wanted to thank Mayor Parker, Chief McClelland and HPD, as well as Mr. Michael Payne, BikeHouston, and Mr. Dan Morgan, a cycling advocate, for all their support as they worked to address the concerns about the Vulnerable Road Users Ordinance, they were working with Crime Stoppers to coordinate an awareness event later in the month, they had also visited with Chief Eisenman at HPD to discuss potential improvements to their reporting process, creative enforcement strategies and continued best practices in patrolling all traffic, that he had also spoken with Judge Hartle to explore potential educational opportunities when "Safe Passing" citations were issued in the City. Council Member Martin absent.

Mayor Parker recognized Council Member Davis. Council Member Martin absent.

Council Member Davis stated that he would release his tag on Item No. 24 for purposes of discussion. Council Member Martin absent.

24. ORDINANCE appropriating \$51,359,572.00 out of Houston Airport System Commercial Paper Fund and \$795,392.00 out of Airport Improvement Fund and awarding construction contract to **SPAWGLASS CONSTRUCTION, CORPORATION**, for construction of the New Parking Garage at William P. Hobby Airport/Houston (Project No. 597A); 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 the Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT I – GALLEGOS** – was again before the City Council. Council Member Martin absent.

After discussion by Council Members Boykins, Green, Gallegos, Davis and Bradford, a vote was called on Item No. 24. Council Member Green voting no, balance voting aye. Council Members Davis, Martin and Gonzalez absent. ORDINANCE 2014-0192 ADOPTED.

Council Member Cohen announced events he attended or would be attending. Council Members Martin and Gonzalez absent.

Council Member Pennington announced events he attended or would be attending; and stated that he would note the comments that the County Judge made at the State of the County, and also the article in the Chronicle about combining certain activities, that they generally knew that combining services was fraught with governance issues, financing issues, and all kind of things, but there were certain issues that transcended any jurisdiction, traffic being one, flooding where the City had partial responsibility and the Harris County Flood Control District had other responsibilities and thought Housing was another one that he mentioned, that he wondered if it might be worthwhile to set up something, probably at the staff level, because it was so detailed oriented, between the City and the County to discuss, and maybe this was already going on, to begin a process that would highlight a few of the major issues where they might have an opportunity to do more together and try to do that. Council Members Martin and Gonzalez absent.

Mayor Parker stated that there were conversations going on between the City and County at many levels, and they did have an unprecedented level of cooperation, culminating in their decision to do the Joint Processing Center, but there were a number of other cooperative efforts

as well, that at the Judge's suggestion the Houston Housing Authority and the Harris County Housing Authority, while they already had forged a relationship where the Harris County Housing Authority had been putting money in a City project for the first time in their history, even though Harris County encompassed much of the City of Houston, they did not spend a lot of Harris County dollars in the City of Houston, which was a sore subject sometimes, their housing authorities had just recently begun more formal discussions. Council Members Martin and Gonzalez absent.

Council Member Green announced events he attended or would be attending. Council Members Martin and Gonzalez absent.

Council Member Davis announced events he attended or would be attending. Council Members Boykins and Martin absent.

Council Member Gallegos thanked Council Members for voting on Item No. 24 as it would help the expansion of Hobby Airport and the Master Plan that had been implemented; and announced events he attended or would be attending; and stated that he wanted to express his thoughts and prayers and condolences to Mr. Jason Cisneroz and his family. Council Members Boykins and Martin absent.

Council Member Stardig stated that Dress for Success, to bring suits or monetary donations had kicked off and they would appreciate all donations; and announced events she attended or would be attending. Council Members Cohen and Martin absent.

Council Member Kubosh announced events he attended or would be attending; and stated that he attended the funeral of Reverend Dr. Crawford Kimbell, Good Hope Missionary Baptist Church, that Mayor Parker was on the schedule and he was able to recognize him from the City and gave honor to his memory; and stated that he appreciated the proclamation for his cousin, Mr. Ernest Kubosh, who had served the Country and appreciated the Marines sending the Color Honor Guard, that he was 99 years old and would be 100 years old on August 21, 2013. Council Members Stardig and Martin absent.

Council Member Nguyen announced events he attended or would be attending. Council Members Stardig and Martin absent.

Council Member Christi stated that he had a compliment for Public Works, there was a large six inch branch fell in the middle of the street and blocked traffic and such, that it was called in at about 9:30 a.m. and he rushed over there by 3:00 p.m. and the branch was not only gone, but cleaned up and picked up, that Public Works did it all within six hours. Council Members Stardig, Martin and Pennington absent.

Council Member Boykins stated that their good friend Mr. Hanq Neal would be laid to rest on Saturday; he wanted to congratulate the Texas Southern University, the Thurgood Marshall School of Law received the highest bar passage rate in July 2013; that he wanted to thank President Barak Obama for developing the "My Brother's Keeper Initiative", which focused on helping young minority males overcome challenges; and announced events he attended or would be attending; that yesterday Dr. Grace Butler was honored with a proclamation as she created started "Hope Through Grace", which dealt with Colon Cancer; announced events he attended or would be attending; that they were going to keep Mr. Tony Morrison in their prayers and wish him the best as he kept dealing with his issue. Council Members Stardig, Martin and Pennington absent.

There being no further business before Council, the City Council adjourned at 10:25 a.m. Council Members Stardig, Martin and Pennington 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