

City Council Chamber, City Hall, Tuesday, June 3, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 3, 2014, with 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 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.

At 1:43 p.m. Mayor Parker called the meeting to order and stated that Council Member Green would make the first Council presentation. Council Members Stardig, Davis, Boykins, Cohen, Martin, Pennington, Laster and Robinson absent.

Council Member Green stated that National Caribbean American Heritage Month was a time to celebrate those enduring achievement, that it was also a time to recognize men and women who traced their roots to the Caribbean, and presented a proclamation to the Caribbean Heritage Society, and Mayor Parker stated that Houston was an amazing international City and folks came to Houston from all over the world, they were truly glad to be home for so many from the Caribbean countries and they had been immeasurably enriched by the business and cultural contributions of those residents of the Greater Houston area, therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaim June as Caribbean Heritage Month in Houston, Texas.

Representatives of the Caribbean Community thanked Mayor Parker and the City Council for the proclamation. Council Members Stardig, Davis, Boykins, Cohen, Martin, Pennington and Robinson absent.

Council Member Costello recognized Council Member Gonzalez for the next Council presentation. Council Members Stardig, Davis, Boykins, Cohen, Martin, Pennington and Robinson absent.

Council Member Gonzalez stated that the Gulf Coast Health Insurance Collaborative worked with the community partners and stakeholders in the greater Harris County area, to foster support of an accessible and widely available health care enrollment process through the Affordable Care Act, and presented a proclamation recognizing Gulf Coast Marketplace Health Insurance Collaborative, and Mayor Parker stated that when the President was in town a few weeks back he made a point in congratulating the City of Houston for the amazing work they were able to do in terms of signing people up under the Affordable Care Act, they not only far exceeded expectations, but they did it without support at the State level and they did it by working together across multiple jurisdictions, the City of Houston, Harris County and various nonprofit organizations because they understood that in the richest Country in the history of the world there ought to be access to healthcare for everyone and that in the City that hosted the largest concentration of medical facilities in one place, it was ashamed to have a quarter of their citizens without access to healthcare, that she wanted to join the President's special congratulations and thank all of those who were involved in the collaborative, that not every one among the different organizations that were listed were present, but they wanted them to know how much they appreciated their services on behalf of their citizens, therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed today as the Gulf Coast Health Insurance Marketplace Collaborative Day in Houston, Texas. Council Members Stardig, Martin and Pennington absent. Vice Mayor Pro Tem Davis presiding.

Ms. Risha Jones, Deputy Director, stated that on behalf of the Health Department, and Director, Mr. Steven Williams, out of 1.2 million people in Houston and Harris County they were

able to exceed their enrollment goal, they were very proud of that and had a long way to go, they would be soliciting community members to gear up again in November, it would be a 3 month process, instead of 6 months, as Mayor Parker stated, President Obama did recognize Houston and they were invited to a White House reception where he recognized Houston for all the hard work they had done, despite the challenges in the State of Texas, so they were going to keep pushing to serve their residents in Houston. Council Members Stardig, Martin and Pennington absent. Vice Mayor Pro Tem Davis presiding.

Council Members Green and Vice Mayor Pro Tem Davis congratulated Director Williams and the Health Department for a great job. Council Members Stardig, Martin and Pennington absent. Vice Mayor Pro Tem Davis presiding.

Vice Mayor Pro Tem Davis recognized Council Member Gonzalez for the next Council presentation. Council Members Stardig, Martin and Pennington absent. Vice Mayor Pro Tem Davis presiding.

Council Member Gonzalez presented a proclamation to Municipal Courts for the tremendous job they did with their youth, the Houston Municipal Courts Teen Court Program was revised and reorganized in 2013, the Teen Court was a program designed for teenagers in an effort to promote interest for those who were considering a career in law or criminal justice, that the Teen Court had developed a new partnership with the High School for Law Enforcement and Criminal Justice, and already had prior partnerships with the Houston Police Department's Youth Advisory Council and the Municipal Courts Juvenile Case Managers, and Mayor Parker stated that when they hear the phrase "Teen Court" they might think it was teens in trouble, and they did adjudicate teens in trouble, but in this case they were teens who wanted to do the right thing and were productively engaged in bettering themselves, and they hoped, bettering their community, therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed June 3, 2014, as Teen Court Day in Houston, Texas. Council Members Stardig, Martin and Pennington absent.

Judge Barbara Hartle, Municipal Courts, stated that the real driving force behind the Teen Court success had been the Administrative Judge, Elaine Marshall, and the person in charge of their Juvenile Case Manager Program, Ms. Cathy Klier, and invited Judge Marshall to the podium. Council Members Stardig, Martin and Pennington absent.

Judge Marshall stated that she was proud of all of the participants, all of the youth volunteers and Judges Bias and Drexler, who participated and presided over the cases, and her Administrative Assistants Eric Piper and Cathy Klier, and Mayor Parker stated that she wanted to thank all involved. Council Members Stardig, Martin and Pennington absent.

Council Members Kubosh, Green, Boykins, Bradford and Mayor Pro Tem Gonzalez congratulated the Municipal Courts for the proclamation and thanked them for all they did for the teens of Houston. Council Members Stardig, Martin and Pennington absent.

Mayor Parker stated that for those who were standing were welcome to be in the Chamber, but they could not stand in the doorways. Council Members Stardig, Martin and Pennington absent.

At 2:11 p.m. Mayor Parker recognized Council Member Green for the invocation and pledge of allegiance, and Council Member Green invited Mr. Kevin Riles for the invocation and Council Member Green led all in the pledge of allegiance. Council Member Stardig absent.

At 2:15 p.m. the City Secretary called the roll. Council Member Stardig absent.

Council Members Bradford and Pennington moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Stardig absent. MOTION ADOPTED.

Mayor Parker stated that the first order of business was a public hearing. Council Members Stardig and Green absent.

**HEARING - 1:30 P. M.**

1. **PUBLIC HEARING** on the City Budgets for the time period July 1, 2014 through June 30, 2015 - was called. Council Members Stardig and Green absent.

The City Secretary stated that no one had reserved time to appear at the hearing. Council Members Stardig and Green absent.

Mayor Parker stated that no one had signed up for the public hearing on Houston's annual budget, if they came specifically to speak about the budget it was their opportunity to come forward to address the City on its annual budget, hearing no one Mayor Parker requested a motion to close the public hearing. Council Members Stardig and Green absent.

Council Member Costello moved to close the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Stardig and Green absent. MOTION 2014-0486 ADOPTED.

Note: The minutes of the 88 public speakers, who had signed up to be heard, will be posted at a later date.

At 5:41 p.m. Mayor Pro Tem Gonzalez stated that the City Council was recessed until 9:00 a.m., Wednesday, June 4, 2014. Mayor Parker, Council Members Stardig, Davis, Boykins, Pennington, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding.

The Houston City Council reconvened at 9:00 a.m., Wednesday, June 4, 2014, Mayor Pro Tem Edward Gonzalez presiding with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, 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 Stella Ortega, Agenda Office, present. Mayor Annise Parker out of the city on city business.

At 8:29 a.m. Ms. Anna Russell, City Secretary, read the descriptions or captions of items on the Agenda.

At 9:13 a.m. Mayor Pro Tem Gonzalez called the meeting to order and recognized Council Member Costello for a procedural motion. Council Members Davis, Boykins and Gallegos absent.

Council Member Costello moved that the rules be suspended for the purpose of considering Item No. 57 at this time, seconded by Council Member Pennington. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Gallegos absent. MOTION 2014-0496 ADOPTED.

Council Member Laster stated that it was his belief that this particular proposal still needed some more work on it, there were a lot of issues involved and a lot of questions that had been presented, and moved to refer Item No. 57 back to the administration. Council Member Gonzalez absent.

Mayor Pro Tem Gonzalez stated that this was only a discussion to take Item No. 57 out of order, and Council Member Laster stated that he would like to come back and get in the queue.

A vote was called on the motion to consider Item No. 57 out of order. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Gallegos absent. MOTION 2014-0496 ADOPTED.

57. ORDINANCE approving and authorizing contract between the City of Houston and **PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP AND GREENBERG TRAUIG, LLP**, functioning as a Joint Venture for the collection of delinquent ad valorem taxes – **(This was Item 34 on Agenda of May 28, 2014, TAGGED BY COUNCIL MEMBERS DAVIS, NGUYEN, KUBOSH, GREEN, LASTER and BRADFORD)** – was presented. Council Member Gallegos absent.

Council Member Laster stated that he believed this item still needed some more work on it, there were a number of questions around the table about the contract, the contract terms, the players, therefore he moved that they refer Item No. 57 back to the administration with the intention of including a contract with Linebarger, seconded by Council Member Costello. Council Member Gallegos absent.

Mayor Pro Tem Gonzalez stated that at this point he had to rule Council Member Laster motion out of order, because in doing so would make the item moot due to the important date for collections of July 1, 2014, that perhaps he would entertain a one week delay if there were questions that needed to be addressed.

After questions and discussion by Council Members Boykins and Laster, Mayor Pro Tem Gonzalez requested that Mr. Feldman chime in, and Mr. Feldman stated that referring the ordinance back would effectively moot it, the key date in delinquent tax collection was July 1, 2014, because that was the turnover day for the delinquent tax collection roll, that was why

these contracts began on July 1, 2014, so anything that would bring about a delay so that the contract could not be acted upon and approved prior to that date would moot the contract.

After further discussion and questions by Council Members Laster, Stardig, Bradford, Costello and Boykins, Council Member Kubosh moved to overrule the ruling of the Chair, seconded by Council Member Bradford.

After discussion by Council Members Pennington, Laster, Kubosh, Bradford and Laster, Council Member Laster stated that he would clarify his motion, and moved to refer the matter back to the administration for two weeks, for the purposes of revising the contract, discussing the contract and extending the Linebarger contract.

Mayor Pro Tem Gonzalez asked Mr. Feldman what a two week delay do, and Mr. Feldman stated that rules specifically provided that a referral back was 30 days, nevertheless they could suspend the rules, if the item came back in two weeks he did not know what they were expecting to happen to the contract since they worked on the contract for quite some time with Purdue, but in any event it would come back as a new item, meaning that it would then be taggable and they would again get into the same situation with respect to the potential for mootness, that it was important for everyone to understand that in order to make the multivendor approach workable they had to get this firm, Purdue, on board as soon as they could in order for them to transition, they were not the incumbent, the incumbent did not need a transition period, Purdue did.

Council Member Kubosh moved to call the question, seconded by Council Member Stardig. All voting aye. Nays none. Mayor Parker out of the city on city business. MOTION 2014-0497 ADOPTED.

Mayor Pro Tem Gonzalez stated that at this point the motion on the floor was a challenge from Council Member Kubosh to overrule the Chair to consider Council Member Laster motion out of order, that it would require a two thirds vote.

A vote was called on the motion to call the question on the motion to overrule the ruling of the Chair. All voting aye. Nays none. MOTION 2014-0497 ADOPTED.

A roll call vote was called on the motion to overrule the ruling of the Chair.

ROLL CALL VOTE:

Mayor Parker out of the city on city business.	Council Member Gallegos voting no
Mayor Pro Tem Gonzalez no	Council Member Laster voting aye
Council Member Stardig voting aye	Council Member Green voting aye
Council Member Davis voting aye	Council Member Costello voting no
Council Member Cohen voting aye	Council Member Robinson voting no
Council Member Boykins voting aye	Council Member Kubosh voting aye
Council Member Martin voting aye	Council Member Bradford voting aye
Council Member Nguyen voting aye	Council Member Christie voting aye
Council Member Pennington voting aye	MOTION 2014-0498 FAILED.

Mayor Pro Tem Gonzalez stated that the motion to overrule the ruling of the Chair failed 10 to 6.

Council Members Davis stated that he had asked for information from the administration yesterday, and Mr. Feldman stated that they had provided it, but it was only a draft, that Linebarger never responded to the contract, that as they well knew when they formed contracts

it was a give and take process, it went back and forth, they went back and forth with Purdue four or five times, Linebarger never responded, that was why it was still a draft and was why it was not before Council, that Council Member Davis was speaking to it as if it was a final contract, but it was not, it was not even before the City Council.

Mayor Pro Tem Gonzalez stated that in terms of referring Item No. 57 back to the administration had already been overruled by the Chair, that another referral could happen, and Council Member Davis asked if they could do a motion to delay for 60 days, and Mayor Pro Tem Gonzalez stated that it would render it moot again, so that was why they were having a discussion again and if Council Members wanted to consider some kind of delay.

After further discussion, Council Member Laster moved to delay Item No. 57 for not less than two weeks for the purpose of further revision and review of the contract, with the purposes of also extending the contract to Linebarger for six months.

Mayor Pro Tem Gonzalez stated that the Linebarger item was not on the table, that it was not a posted item so they had to focus on the Purdue Contract, and Mr. Feldman stated that delaying the action on the Purdue contract for two weeks was a stretch, but it still took them to a date before July 1, 2014 where Council could act, however, by also included Council Member Laster's motion, the requirement that the existing Linebarger contract be extended for six months would effectively moot the Purdue contract, because the Linebarger contract, as it existed, was not a multivendor contract, the Purdue contract was, the draft that they had been trying to work on with Linebarger, that Linebarger would not respond to, was a multivendor contract, so Council Member Laster's motion effectively mooted the item.

Mayor Pro Tem Gonzalez asked Mr. Feldman if there would be an issue as well with the Open Meetings Act, being that the Linebarger item was not on the agenda, and Mr. Feldman stated that was correct, it would be a violation of the Open Meetings Act.

Mayor Pro Tem Gonzalez stated that it seemed that the possible delay for two weeks would be something that they could work with.

Council Member Laster moved to delay Item No. 57 for not less than two weeks for further review on the contract, seconded by Council Member Christi. Council Member Costello voting aye. Nays none. Mayor Parker out of the city on city business. MOTION 2014-0499 ADOPTED.

Mayor Pro Tem Gonzalez stated that Item No. 57 had been delayed for two weeks.

At 9:49 a.m. Mayor Pro Tem Gonzalez stated they would move to the public hearing.

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

2. **PUBLIC HEARING** relative to designation of a banner district in the Midtown Management District **DISTRICTS C - COHEN; D - BOYKINS and I - GALLEGOS** – was called. Council Members Davis and Martin absent.

The City Secretary stated that no one had reserved time to appear at the public hearing and Mr. Mark Loethen, Deputy Director, Public Works, would make remarks at the hearing. Council Members Davis and Martin absent.

Mr. Loethen stated that they were before them to conduct a public hearing on Chapter 40-30, Municipal Code of Ordinances, related to the creation of a Banner District, in summary the purpose of the ordinance was to allow for an electrical utility to use its street light

standards or poles, for the installation of cloth banners to enhance and accentuate the aesthetic appeal of certain areas of the City, that under the terms of the ordinance a banner was defined as a decorative outdoor display that was placed directly or fastened to a street light standard owned and maintained by an electrical utility, that banners shall be used for noncommercial or nonpolitical purposes only and shall use a single word only as part of an artistic composition, that the Midtown Management District had requested the City Council to designate certain streets rights-of-way within the boundaries of the Midtown Management District as a Banner District, the specific boundaries of the proposed district being considered by City included the Pierce Elevated I-45 to the north, US Highway 59 and State Highway 288 to the east and south, and SPUR 527 to the west, that any interested person shall have the opportunity to participate in the hearing this morning and to present any relevant evidence and testimony, that the application by the Midtown Management District had addressed the following criteria as required by City Ordinance, the area had paved public streets with rights-of-way no less than 60 feet wide, the land used in the proposed district was primarily nonresidential in nature, and the designation of the proposed district would not endanger the health, safety, welfare and public convenience of the citizens and the City of Houston. Council Members Davis and Martin absent.

Mayor Pro Tem Gonzalez stated that no one had reserved time to speak on this particular item, and asked if anyone in the audience wished to speak on this particular item, and hearing no one Mayor Pro Tem Gonzalez stated that he would entertain a motion to close the public hearing. Council Members Davis and Martin absent.

Council Member Bradford moved to close the public hearing, seconded by Council Member Christi. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Martin absent. MOTION 2014-0500 ADOPTED.

Mayor Pro Tem Gonzalez stated that they would proceed to the consent agenda. Council Members Davis, Martin and Pennington absent.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 3 through 56**

#### **MISCELLANEOUS** - NUMBERS 3 through 5

3. RECOMMENDATION from Fire Chief for Extension of Injury Leave for **FIREFIGHTER CHRISTOPHER CHAPPELL** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0501 ADOPTED.
4. RECOMMENDATION from Fire Chief for Extension of Injury Leave for **ENGINEER OPERATOR/EMT ANTHONY LIVESAY** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0502 ADOPTED.
5. RECOMMENDATION from Fire Chief for Extension of Injury Leave for **FIREFIGHTER EMT ROBERT YARBROUGH** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0503 ADOPTED.

**ACCEPT WORK** - NUMBERS 8 through 16

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,642,340.60 and acceptance of work on contract with **CONRAD CONSTRUCTION CO., LTD.** for West Little York Paving from T. C. Jester to Alabonson/Deep Forest - 1.53% under the total contract amount - **DISTRICTS A - STARDIG and B - DAVIS** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0504 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,143,554.36 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.**, for Safe Sidewalk Project - 6.10% under the original contract amount **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; G - PENNINGTON; H - GONZALEZ and J - LASTER** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0505 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,268,699.60 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.73% under the original contract amount (4257-107) - **DISTRICTS B - DAVIS; C COHEN; D - BOYKINS; F - NGUYEN; G - PENNINGTON; H - GONZALEZ and I - GALLEGOS** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0506 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,269,504.53 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.95% under the original contract amount (4257-113) - **DISTRICTS B - DAVIS; C COHEN and D - BOYKINS** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0507 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$534,099.85 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation 0.71% over the original contract amount (4257-67) – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0508 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,893,804.00 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Northeast Water Purification Plant Improvements - Sedimentation Basin Sludge Collector Replacement - 4.54% under the original contract amount - **DISTRICT E - MARTIN** – was presented, moved by Council Member Bradford,

seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0509 ADOPTED.

16. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$512,965.53 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation 2.55% under the original contract amount (4277-54) – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin and Pennington absent. MOTION 2014-0510 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 17 through 20

17. **FERRARA FIRE APPARATUS, INC** for Firefighting Equipment for the Houston Fire Department 3 Years with 2 one-year options - \$513,608.00 - General Fund – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. MOTION 2014-0511 ADOPTED.
19. ORDINANCE appropriating \$322,451.80 out of Public Health Consolidated Construction Fund for Roof Replacement for the General Services Department on behalf of the Health and Human Services Department – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0531 ADOPTED.
- 19a. **JOHN A. WALKER ROOFING CO., INC** for Roof Replacement at Peavy Senior Center, located at 3814 Market Street for the General Services Department on behalf of the Health and Human Services Department - \$293,138.00 and contingencies for a total amount not to exceed \$322,451.80 - **DISTRICT B - DAVIS** – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. MOTION 2014-0512 ADOPTED.
20. **ROTATING EQUIPMENT REPAIR, LLC** for Emergency Centrifuge Repair and Overhaul Services for the Department of Public Works & Engineering - \$100,749.19 - Enterprise Fund – was presented, moved by Council Member Bradford, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. MOTION 2014-0513 ADOPTED.

**ORDINANCES** - NUMBERS 22 through 56

22. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Colecrest Lane, from its Southern terminus north to its cul-de-sac terminus at Barton Gate Lane; vacating and abandoning the street to the Harris County Municipal Utility District 529 and Lakes of Parkway Homeowners Association, Inc., abutting owners, in consideration of owner's payment of \$96,187.00 to the City and conveyance to the City of a public utility easement, located within Lakes of Parkway Section 17, Joel Wheaton Survey, A-80, and other consideration - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0532 ADOPTED.

23. ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, and **CENTERPOINT ENERGY RESOURCES CORP.**, for approximately 18,000 square feet of real property located under the Navigation Blvd. Overpass from approximately terminal street on the west to a point approximately 350 feet west of 67th Street on the east, for use by Centerpoint Energy Resources Corp. for parking - **DISTRICT I - GALLEGOS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0533 ADOPTED.
27. ORDINANCE appropriating \$7,830,204.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Sole Source Contract between the City of Houston and **AIR PRODUCTS AND CHEMICALS, INC** for the Operation and Maintenance of Pure Oxygen Generating Plant at 69th Street Wastewater Treatment Facility for the Department of Public Works & Engineering; providing a maximum contract amount - 3 Years with two one-year options - \$4,485,384.00 - Enterprise Fund – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0534 ADOPTED.
29. ORDINANCE appropriating \$6,540.22 out of Parks Special Fund and \$66,179.00 out of Parks Consolidated Construction Fund as an additional appropriation for contract (Approved by Ordinance No. 2004-1091); between the City of Houston and **THE TEXAS DEPARTMENT of TRANSPORTATION** for project cost overruns on the Hermann Park Trail Improvements and Scottcrest Park Pedestrian Trail Project - **DISTRICT D - BOYKINS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0535 ADOPTED.
30. ORDINANCE establishing the west side of the 1600 block of Buescher Drive, the north and south sides of the 10900 block of Britt Way Street, and the east and west sides of the 1600 block of Skyview Drive, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0536 ADOPTED.
31. ORDINANCE establishing the west side of the 4400 block of Busiek Street, between Whitney Street and Crosstimbers Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0537 ADOPTED.
32. ORDINANCE establishing the north and south sides of the 1800 block of Missouri Street, between Mandell Street and Ridgewood Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0538 ADOPTED.
33. ORDINANCE establishing the east side of the 1800 block of Wycliffe Drive, between Chatterton Drive and Timberoak Drive, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Mayor Parker out

of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0539 ADOPTED.

34. ORDINANCE establishing the northeast side of the 2600 block of Yupon Street, between Missouri Street and California Street, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0540 ADOPTED.
35. ORDINANCE consenting to the addition of 30.829 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, for inclusion in its district – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0541 ADOPTED.
37. ORDINANCE consenting to the addition of 30.1554 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24**, for inclusion in its district – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0542 ADOPTED.
38. ORDINANCE consenting to the addition of 89.433 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 30**, for inclusion in its district – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0543 ADOPTED.
39. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential properties within **BRAYS FOREST SUBDIVISION, SECTIONS 4 R/P, 5 R/P and 6** to prohibit the parking of vehicles in the front or side yards of such residences; making findings and containing other provisions related thereto **DISTRICT F - NGUYEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0544 ADOPTED.
40. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **PLEASANTVILLE SUBDIVISION, SECTIONS 2-4 & 6-8; PLEASANT VIEW SUBDIVISION, SECTIONS 1-3 and PLEASANTON MANOR SUBDIVISION, SECTIONS 2-4**, to prohibit parking vehicles in the front or side yards of such residences; making findings and containing other provisions related thereto **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0545 ADOPTED.
41. ORDINANCE approving the LED Street Light Installation and Tariff Agreement with **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** within the City of Houston, Texas; maintaining in effect the current rates that shall constitute the CenterPoint Energy Houston Electric, LLC Street Light rates to be observed within the City of Houston, Texas, until changed under the Utilities Code; providing an installation schedule – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0546 ADOPTED.
42. ORDINANCE appropriating \$184,000.00 out of Metro Projects Construction DDSRF for the Relocation of a fiber optics cable for the Buffalo Speedway Paving and Drainage: Holmes Road to West Airport Boulevard Project; approving a Utility Reimbursement

Services Agreement with **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC - DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0547 ADOPTED.

43. ORDINANCE approving the closing to vehicular traffic of street railroad crossings at Bringhurst Street and Hailey Street; approving the installation of roadway ending devices at those crossings to affect such closings - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0548 ADOPTED.
46. ORDINANCE appropriating \$328,119.00 out of Fire Consolidated Construction Fund as an additional appropriation to the Design/Build Contract between the City of Houston and **BARTLETT COCKE GENERAL CONTRACTORS, LLC** for Fire Station No. 67 Expansion and Renovation (Approved by Ordinance No. 2013-784); providing funding for the Civic Art Program and for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0549 ADOPTED.
47. ORDINANCE appropriating \$317,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Little York, Courlandt Meadows and York Meadows Drainage and Paving; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0550 ADOPTED.
48. ORDINANCE appropriating \$873,500.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVILTECH ENGINEERING, INC** for Spring Shadows (North) Drainage and Paving; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0551 ADOPTED.
49. ORDINANCE appropriating \$14,412,202.00 out of Street & Traffic Control & Storm Drainage DDSRF and \$1,979,798.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS LLC**, for Northline Drive Rehabilitation from Parker Road to Canino Street; 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Street & Traffic Control & Storm Drainage DDSRF and the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0552 ADOPTED.
54. ORDINANCE appropriating \$3,357,621.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **HUFF & MITCHELL, INC** for East Water

Purification Plant 60-Inch Raw Water Line Condition Assessment and Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, contingencies, and construction management relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0553 ADOPTED.

56. ORDINANCE granting to the **OUTHOUSE BOYS, LLC, A TEXAS LIMITED LIABILITY COMPANY**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Pennington absent. ORDINANCE 2014-0554 PASSED FIRST READING IN FULL.

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

**MISCELLANEOUS**

6. RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of a residential parking permit area in the Super Neighborhood of Neartown-Montrose - **DISTRICT C – COHEN** - was presented, moved by Council Member Bradford, seconded by Council Member Costello. Council Members Davis and Pennington absent..

After discussion, Council Member Robinson stated that he would tag Item No. 6. Council Members Davis and Pennington absent.

**ACCEPT WORK**

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,471,675.31 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, LTD.** for Whiteheather Drainage and Paving Sub-Project IV 3.34% under the original contract amount - **DISTRICT K – GREEN** – was presented, moved by Council Member Bradford, seconded by Council Member Costello, and tagged by Council Members Davis and Green.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,539,867.48 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.**, for Safe Sidewalk Program - 6.39% under the original contract amount **DISTRICTS A - STARDIG; C - COHEN; G - PENNINGTON and H – GONZALEZ** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Davis absent. MOTION 2014-0514 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,679,751.50 and acceptance of work on contract with **LEM CONSTRUCTION COMPANY, INC** for Almeda Sims Wastewater Treatment Plant and Sludge Processing Facility Improvements Package 2 - 5.75% under the original

contract amount **DISTRICT D - BOYKINS** – was presented, moved by Council Member Boykins, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Davis absent. MOTION 2014-0515 ADOPTED.

### **PURCHASING AND TABULATION OF BIDS**

18. ORDINANCE appropriating \$252,270.90 out of Equipment Acquisition Consolidated Fund for Installation of Automatic Entry Door Openers for the General Services Department on behalf of the Health & Human Services Department – was presented. Council Member Davis absent.

After discussion by Council Member Stardig, a vote was called on Item No. 18. All voting aye. Nays none. Mayor Parker out of the city on city business. ORDINANCE 2014-0555 ADOPTED.

- 18a. **BASELINE PAVING AND CONSTRUCTION, INC** for Installation of Automatic Entry Door Openers through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for the General Services Department on behalf of the Houston Department of Health & Human Services - \$240,258.00 and contingencies for a total amount not to exceed \$252,270.90 - was presented, moved by Council Member Boykins, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. MOTION 2014-0516 ADOPTED.

### **ORDINANCES**

21. ORDINANCE **AMENDING CHAPTERS 1 AND 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to regulation of vehicles for hire; creating a regulatory framework for the operation of mobile dispatch services and transportation network companies; declaring certain conduct to be unlawful and providing penalties therefor; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer - was presented, and tagged by Council Members Cohen and Costello.

Council Members Cohen and Costello released their tags for the purpose of discussion.

After discussion by Council Members Martin, Bradford, Kubosh, Stardi, Gallegos and Laster, Council Member Martin requested information on insurance and the disabled, and Council Member Bradford requested the City Attorney to render an opinion about the effect of insurance policies and the towing provision.

Council Members Cohen and Costello stated that they would tag Item No. 21.

24. ORDINANCE accepting the Tunnel Funnel Sculptures, for temporary placement in the median of Montrose Boulevard on a temporary basis and approving and authorizing agreement between the City of Houston and the **ART LEAGUE HOUSTON** for donation of such work of art - **DISTRICT C – COHEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. ORDINANCE 2014-0556 ADOPTED.
25. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FOR THE GULFTON COMMUNITY YOUTH DEVELOPMENT PROGRAM** for continued operation of the Campo Del Sol Summer Day Camp at Burnett Bayland Park \$37,000.00 - Grant Funds - **DISTRICT J - LASTER** – was

presented. All voting aye. Nays none. Mayor Parker out of the city on city business. ORDINANCE 2014-0557 ADOPTED.

26. ORDINANCE approving and authorizing amended and restated Interlocal Agreement between the City of Houston and **FORT BEND COUNTY** for Design and Construction of Fondren Road, S. Post Oak, and Blue Ridge Road (Approved by Ordinance No. 2009-0512, as amended) **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. ORDINANCE 2014-0558 ADOPTED.
28. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **THE HOUSTON PARKS BOARD LGC** for the provision of local matching funds and other costs related to the construction of Four Bicycle/Pedestrian Projects; Mason Park Bridge, University Connection, Hermann Park/Brays Bayou Trail Connector, and Hunting Bayous Gaps **DISTRICTS B - DAVIS; D - BOYKINS and I – GALLEGOS** – was presented. Council Members Davis and Cohen absent.

After discussion, Council Member Robinson stated that in front of them they would see a map that his office had distributed, it was a moment for celebration by their office, At Large 2, that this represented a map that was a real collaborative effort from a number of departments and initiatives ongoing with the City. Council Members Davis and Cohen absent.

After further discussion by Council Members Gallegos, Stardig and Boykins, Council Member Stardig stated that the CenterPoint easements and CenterPoint properties were not exempt from Rebuild, and Mayor Pro Tem Gonzalez stated that was correct, and Council Member Stardig stated that they put the hike and bike trails on and they become impervious, at what point and who assumed the responsibility for the Rebuild, and Mr. Feldman stated that the improvements, under the license agreement, which was actually a different item, the responsibility would be assumed by the Parks Board, so CenterPoint would have no liability for any drainage fee. Council Members Davis and Cohen absent.

A vote was called on Item No. 28. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0559 ADOPTED.

- 28a. ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the MASON Park Ped/Bike Bridge Transportation Enhancement Project - **DISTRICT I – GALLEGOS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0560 ADOPTED.
- 28b. ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the University Connection Transportation Enhancement Project - **DISTRICT D - BOYKINS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0561 ADOPTED.
- 28c. ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Hunting Bayou Gaps Transportation Enhancement Project - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0562 ADOPTED.

- 28d. ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Hermann Park/Brays Bayou Trail Connectors Transportation Enhancement Project - **DISTRICT D - BOYKINS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0563 ADOPTED.
36. ORDINANCE consenting to the addition of 73.8716 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194**, for inclusion in its district – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Cohen and Costello absent. ORDINANCE 2014-0564 ADOPTED.
44. ORDINANCE approving and authorizing Master License Agreement for Hike and Bike Trails between the City of Houston and **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** to fulfill certain legal defense obligations in the agreement - \$100,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Cohen and Costello absent. ORDINANCE 2014-0565 ADOPTED.
45. ORDINANCE appropriating \$8,000.00 out of Metro Projects Construction DDSRF; approving and authorizing an amendment to the Advance Funding Agreement between the City of Houston and **THE TEXAS DEPARTMENT OF TRANSPORTATION** for the Rehabilitation of Cambridge Road from Holly Hall to Old Spanish Trail (Approved by Ordinance No. 2011-0712) - **DISTRICT D - BOYKINS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0566 ADOPTED.
50. ORDINANCE appropriating \$274,237.00 out of Metro Projects Construction DDSRF as an additional appropriation; approving and authorizing an amendment to Professional Engineering Services Contract between the City of Houston and **VAN DEWIELE & VOGLER, INC** for Hillcroft Avenue and Court Road Extension (Approved by Ordinance No. 2010-0012); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0567 ADOPTED.
51. ORDINANCE appropriating \$2,665,767.00 out of Metro Projects Construction DDSRF, \$2,068,082.00 out of Water & Sewer System Consolidated Construction Fund, \$336,071.00 out of Street & Traffic Control and Storm Drainage DDSRF awarding contract to **CONRAD CONSTRUCTION CO., LTD.** for Freedman's Town Brick Streets Restoration Project; 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 Metro Projects Construction DDSRF, the Water & Sewer System Consolidated Construction Fund, the Street & Traffic Control and Storm Drainage DDSRF - \$530,000.00 - Grant Fund - **DISTRICT C – COHEN** – was presented, and tagged by Council Member Green. Council Members Davis and Cohen absent.
52. ORDINANCE appropriating \$834,000.00 out of Metro Construction - Other, awarding contract to **IU-FEI SAFE SIDEWALK JV** for Safe Sidewalk 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 the Metro Construction - Other - **DISTRICTS B - DAVIS; E - MARTIN; F - NGUYEN and I - GALLEGOS** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0568 ADOPTED.

53. ORDINANCE appropriating \$6,858,500.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INDUSTRIAL TX CORP.** for Northeast Water Purification Plant: Plant Security, Truck Scale and Miscellaneous 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, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – MARTIN** – was presented, and tagged by Council Member Bradford. Council Members Davis and Cohen absent.
55. ORDINANCE appropriating \$2,008,400.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Engineering Services associated with the facilities improvements at various Well Sites and Re-Pump Stations; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; B - DAVIS; E - MARTIN; F - NGUYEN; G - PENNINGTON; J - LASTER and K - GREEN** – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Cohen absent. ORDINANCE 2014-0569 ADOPTED.

**MATTERS HELD** - NUMBERS 58 through 59

58. ORDINANCE awarding contract between the City of Houston and **HOLMES ROAD RECYCLING COMPANY, INC** for Sale of Scrap Metal Materials for Various Departments - 3 Years with two one-year options - Revenue – (**This was Item 40 on Agenda of May 28, 2014, TAGGED BY COUNCIL MEMBER GREEN**) – was presented. Council Member Davis absent.

After discussion by Council Members Green and Boykins, Council Member Boykins moved to delay Item No. 59 for one week, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Davis absent. MOTION 2014-0517 ADOPTED.

59. ORDINANCE appropriating \$6,117,975.00 out of Public Library Consolidated Construction Fund as an additional appropriation under a CMAR Contract between **TURNER CONSTRUCTION COMPANY** and the City of Houston (Approved by Ordinance No. 2013-0669) for Pre-Construction and Construction Phase Services for the Houston Public Library; providing funding for related services - **DISTRICT G – PENNINGTON** – (**This was Item 43 on Agenda of May 28, 2014, TAGGED BY COUNCIL MEMBER PENNINGTON**) – was presented. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Davis absent. ORDINANCE 2014-0570 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Kubosh stated that they were about to enter the budget process and would ask the City Council Members as they had watched the Council Chambers fill up for the last two to three weeks, how important it was for people to be involved in their government, that he was going to ask the City Council Members to do everything they could to stand together and united, that he appreciated those who supported his motion to challenge the Chair, he thought it was important that they as Council Members had a right to have a voice to be heard, so he appreciated their standing with him. Council Members Davis and Costello absent.

Council Member Nguyen announced events he attended or would be attending; and stated that he wanted to thank Director Krueger, Public Works, and his staff for their help over the first five months of his term, that Public Works had been a great asset to District F and they appreciated the help; that Alief recently lost one of their community leaders, Mr. Logan Martin, who was a fierce fighter for his community and was extremely active in trying to fix problems in his neighborhood, that his thoughts and prayers went out to Mr. Martin's wife, Pat, and the rest of their family. Council Members Davis, Costello, Kubosh and Bradford absent.

Mayor Pro Tem Gonzalez stated that he wanted to thank Council Member Kubosh for reminding them about the budget process, that as a reminder, Council Members should plan to present their budget amendments next week. Council Members Davis, Costello, Kubosh and Bradford absent.

Council Member Robinson stated that he wanted to give a shout out to all who were a part of the Human Trafficking Initiative at City Hall, that a woman attending the event passed out, and one of his staff members, Gareth Morgans, jumped at it and was the first to respond, he had been CPR trained and he was proud of Gareth for his quick response; that he wanted to congratulate all of the recent graduates, his daughter finished Middle School, and was proud of Alissa, his fourteen year old. Council Members Davis, Gallegos, Costello, Kubosh and Bradford absent.

Council Member Boykins announced events he attended or would be attending, that on Saturday they had a situation where a young lady had a major nose bleed and there was a fire truck nearby, they responded and stayed with the young lady until an ambulance showed up, that it took 10 minutes because of the brown outs going on, that they could not continue to play with public service, people's lives were in danger; that they wanted to keep Mr. Tony Morris in their prayers. Council Members Stardig, Davis, Costello, Kubosh and Bradford absent.

Council Member Martin announced events he attended or would be attending; and stated that at 3:00 a.m. his Deputy Chief of Staff, Lauren Laake and husband Seff, welcomed a baby boy into the world, Wyatt Taylor Locke, both mom and baby were doing well and they wished them continued good luck; that he wanted to welcome Allen Vantervanter, who would be participating in the District E Summer Intern Program, they looked forward to working with him in the summer. Council Members Davis, Gallegos, Costello, Kubosh and Bradford absent.

Council Member Laster stated that the District J office presented two small wreaths of remembrance to Stations No. 51 and No. 68 at the one year anniversary of the falling of the firefighters Mathew Renaud, Robert BeBee, Robert Garner and Anne Sullivan, they also paused to honor and remember the continuing work of Captain William "Bill" Dowling, as he was living through those life sustaining or life altering injuries from the fire, that he wanted to thank everyone associated with the Houston Fire Department for assisting them and for all of the citizens who were able to join them; and announced events he attended or would be attending; that on a bittersweet note, each of them had wonderful staff and it was always great to say great things about them and along that line it was his pleasure today to say thank you to the service and work of Mr. Mathew Brollier, who had so aptly and ably served him and the

citizens of District J, that he would be joining the staff of Council Member Jack Christi to serve as his Chief of Staff. Council Members Davis, Costello, Kubosh and Bradford absent.

Council Member Cohen stated that Ms. Gracie Garcia, CEO, Annie's List, Austin, Texas, was killed two days ago in a car accident, that she was a strong proponent of women's issues and health issues, that her sympathies went out to her family; and announced events she attended or would be attending. Council Members Davis, Boykins, Martin, Costello, Kubosh and Bradford absent.

Council Member Pennington stated that he wanted to note the passing of Ms. Elizabeth Bitsy Hill, the widow of Mr. John L. Hill. Council Members Davis, Boykins, Martin, Costello, Kubosh and Bradford absent.

Council Member Green announced events he attended or would be attending; and stated that yesterday he welcomed some of the new hires for the Summer Jobs Program for the City of Houston. Council Members Davis, Boykins, Martin, Costello, Kubosh and Bradford absent.

Council Member Gallegos stated that the Metro Board approved a plan two weeks ago to build an overpass along Harrisburg, near Hughes Street, to complete the East End Rail Line, that five years he stood with residents and community leaders and public officials to advocate for an underpass, they attended dozens of meetings and spent countless hours to convince Metro officials that the alternative, an overpass, would be a monstrous, visual blight, and divide the community, they strongly believed that an underpass would promote pedestrian and vehicular safety in the area, encourage community development and enhance overall mobility in the East End, that Metro agreed and spent millions on environmental studies and to design an underpass, that in January 2014 Metro officials informed the community that an underpass, due to potential legal liability that could stem from disturbing contaminated soil, was no longer feasible, that over the last five months the community had sought advice from professional and academic sources to identify possible ways to mitigate the liability, those recommendations were presented to the Board to no avail, the approved overpass was expected to cost between \$30 million and \$40 million and could take up to three years to complete, that he was very disappointed that the Metro Board, including the five City appointed Board Members, dismissed his request and Council Member Gonzalez request at the May 22, 2014 Board meeting, asking that they delay the vote for a month, also dismissing the request of State Senator Sylvia Garcia, State Representative Carol Alvarado, who also asked to have the vote delayed for a month, that a letter from City Attorney Feldman, dated May 6, 2014, but presented to the Metro Board on May 22, 2014, was brought to question the liability aspect if Metro would proceed with an underpass, with a 30 day delay interested parties could have come to the table to discuss possible ways of mitigating the larger Benzene plume that Metro brought to his and Council Member Gonzalez attention early in January, that he had met with community leaders who were concerned that Metro and the City were willing to leave this environmental hazard in the ground for future generations to come; that he wanted to wish a Happy Birthday to Father Kevin Collins of Immaculate Conception Church; that Hurricane season officially began June 1, 2014 and would last until November 30, 2014, as they prepared for the upcoming Hurricane season take a moment to review their emergency plan for their family, as well as make sure they had all of the necessary supplies to be able to sustain themselves without electricity or running water for five to seven days; that yesterday he was pleased to join Mayor Parker, Governor Perry, City Council colleagues, along with other State and Federal officials to launch a statewide Texans United Against Human Trafficking Campaign to raise awareness about human trafficking and encourage citizens to report suspicious activity to the National Human Trafficking Resource Center Hotline at 1-888-373-7888; and stated that Father Rivers Aristide Patout III of Saint Alphonsus Catholic Church passed away on Monday afternoon. Council Members Davis, Boykins, Martin, Pennington, Costello, Kubosh and Bradford absent.

Council Member Stardig announced events she attended or would be attending; and stated that attended the firefighter remembrance on Saturday and presented a proclamation on Friday to the Brotherhood Ride; that a lot of people asked why she was so deeply involved with people with disabilities, at a very young age she was exposed to a colleague, a gentleman who was twice her age and had a college degree, he was a file clerk because he was deaf. Council Members Davis, Boykins, Martin, Pennington, Costello, Kubosh and Bradford absent.

Council Member Green stated that he wanted to thank Public Works for solving the issue at the Pines of Westbury Apartments, they had a sewage backup yesterday and they immediately came out and took care of it. Council Members Davis, Boykins, Martin, Pennington, Costello, Kubosh and Bradford absent.

There being no further business before Council, the City Council adjourned at 11:01 a.m. Mayor Parker out of the city on city business. Council Members Davis, Boykins, Martin, Pennington, Costello, Kubosh and Bradford 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