

City Council Chamber, City Hall, Tuesday, July 29, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 29, 2014, with Mayor Annise Parker presiding with Council Members Brenda Stardig, Jerry Davis, Dwight Boykins, Ellen R. Cohen, 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 1:46 p.m. Mayor Parker called the meeting to order and stated they would start with the presentation portion of the meeting of the Houston City Council, and recognized Council Member Costello for the first presentation, and then Council Member Gonzalez for a point of personal privilege. Council Members Stardig, Davis, Cohen, Boykins, Pennington and Laster absent.

Council Member Costello presented a proclamation to Mr. Rick Christie, a Meyerland resident, and six time Emmy Award winning Director, that he was present to celebrate the premier of an upcoming documentary, George P. Mitchell, A Difference Maker, and Mayor Parker stated that the proclamation was not actually celebrating Mr. Christie, it was George P. Mitchell and the entire project, so therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed today as George P. Mitchell, A Difference Maker Day in Houston, Texas, and they looked forward to seeing it. Council Members Stardig, Davis, Boykins and Pennington absent.

Mr. Christie stated that he wanted to thank Mayor Parker and the City Council for the proclamation. Council Members Stardig, Davis, Boykins and Pennington absent.

Mayor Pro Tem Gonzalez, Council Member Christie and Martin stated that they wanted to congratulate Mr. Christie on the project. Council Members Stardig, Davis, Boykins and Pennington absent.

Council Member Gonzalez stated that he wanted to recognize the Mr. Gustavo Torres Salinas, Mayor of Tampico, Mexico, who was present with Harris County Attorney Vince Ryan and Mr. Marco Bracamontes, President of the Houston-Tampico Sister City Association, Tampico was a long time Sister City with Houston, and Houston provided many of their decommissioned fire gear, that could no longer be used as it pertained to their standards, to Tampico, and Mayor Salinas wanted to thank them. Council Members Stardig, Davis, Boykins and Pennington absent.

Mr. Salinas stated, through translation by Mr. Bracamontes, that he was present on behalf of Tampico to thank Houston for all of the support they had given them in the past 11 years, and hoped that Mayor Parker and the City Council would continue to support them in reference to health and the fire gear and looked forward to counting on that, that he received an invitation on July 15, 2014 to inaugurate an exposition titled "Birth of Mexico's Oil Industry, 1892 to 1938, which was currently being displayed at City Hall, that it was the history of the oil industry in Tampico, Mexico, that 100 years ago started and had continued to prosper, that he wanted to thank Mayor Parker, Mr. Vince Ryan and Mr. Bracamontes for all of their hospitality, that he wanted to invite Mayor Parker and the City Council to visit Tampico, Mexico on September 5, 2014 for his first address to the people after one year of being Mayor of Tampico, Mexico. Council Members Stardig, Boykins, Pennington, Laster and Christie absent.

Mayor Pro Tem Gonzalez, Council Members Robinson and Gallegos congratulated Mr. Salinas and their Sister City of Tampico for the exposition. Council Members Stardig,

Boykins, Pennington, Laster and Christie absent.

Mayor Parker stated that if they had not visited the tunnel between City Hall and the City Hall Annex and seen the photography exhibit there were some remarkable similarities to the birth of the oil and gas industry in the United States and Mexico. Council Members Stardig, Pennington, Laster and Christie absent.

At 2:02 p.m. Mayor Parker recognized Council Member Robinson for the invocation and pledge of allegiance, and Council Member Robinson invited Father Neil Willard, Palmer Memorial Episcopal Church for the invocation, and Council Member Robinson led all in the pledge of allegiance. Council Members Stardig, Pennington, Laster and Christie absent.

At 2:04 p.m. the City Secretary called the roll. Council Members Laster and Christie absent.

Council Members Gonzalez and Bradford moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Members Laster and Christie absent. MOTION ADOPTED.

Mayor Parker stated that she gathered there were several procedural motions and recognized Council Member Green. Council Members Laster and Christie absent.

Council Member Green moved that the rules be suspended for the purpose of hearing from Ms. Becky Edmondson out of order, seconded by Council Member Kubosh. All voting aye. Nays none. Council Members Laster and Christie absent. MOTION 2014-0717 ADOPTED.

Council Member Davis moved that the rules be suspended for the purpose of hearing from Mr. Brad Patterson and Mr. Ramon Dickson out of order, seconded by Council Member Kubosh. All voting aye. Nays none. Council Members Laster and Christie absent. MOTION 2014-0718 ADOPTED.

Council Member Boykins stated that he wanted to take a point of personal privilege to recognize Congressman Craig Washington who was present in the audience. Council Members Laster and Christie absent.

Council Member Kubosh moved that the rules be suspended for the purpose of hearing from Mr. Spencer Howard out of order, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Laster and Christie absent. MOTION 2014-0719 ADOPTED.

Council Member Nguyen moved that the rules be suspended for the purpose of hearing from Mr. Joe Jordan out of order, seconded by Council Member Kubosh. All voting aye. Nays none. Council Members Laster and Christie absent. MOTION 2014-0720 ADOPTED.

Council Member Pennington stated that he wanted to take a point of personal privilege and welcomed as well Senator Craig Washington, and a young boy scout, Laren McClaren, who was present in the audience with his grandparents Olga and Theron McClaren. Council Members Laster and Christie absent.

Council Member Stardig moved that the rules be suspended for the purpose of hearing from Mr. Toby Cole out of order, seconded by Council Member Kubosh. All voting aye. Nays none. Council Members Laster and Christie absent. MOTION 2014-0721 ADOPTED.

Council Member Martin moved that the rules be suspended for the purpose of hearing

from Mr. Alan Steuart out of order, seconded by Council Member Kubosh. All voting aye. Nays none. Council Members Laster and Christie absent. MOTION 2014-0722 ADOPTED.

Council Member Boykins moved that the rules be suspended for the purpose of hearing from Minister Robert Muhammad, out of order, seconded by Council Member Kubosh. All voting aye. Nays none. Council Members Martin, Laster and Christie absent. MOTION 2014-0722 ADOPTED.

Mayor Parker stated that because of the volume of speakers, this was becoming a regular thing at Council because of the volume speakers, but no speaker may have more than one minute, and that also limited the ability of Council Members to ask questions, that she would be strict that the Council Members actually had to ask a question, that it was one minute collectively for Council Members. Council Members Martin and Laster absent.

Mayor Parker asked the City Secretary to call the public speakers. Council Members Martin and Laster absent.

Ms. Becky Edmondson, 10934 Cedarhurst, Houston, Texas 77096 (713-443-3951) appeared and stated that she was present to support Item No. 14 on the agenda of July 30, 2014 and also to thank everybody on City Council who had been so supportive of the Westbury Community Garden. Council Members Martin and Laster absent.

Mr. Dan Chades, 18234 Beaverdell, Tomball, Texas 77377 (832-757-7360) appeared in support of Uber. Council Members Martin and Laster absent.

Upon questions by Council Members Gonzalez and Kubosh, Mr. Chades stated that he was driving in from Tomball to pick up fares, that he was not aware that it was illegal and guessed he would find other means, that today they were present to find out what they could do to move forward. Council Members Martin and Laster absent.

Mr. Eric Ochoa (no address/phone number given) appeared and stated that speaking as a driver, in Section 46.513 about Mechanical Condition of Vehicles he wanted to object to the 7 year, 150,000 mile limitation because they would consistently spend upwards of 40% of their actual income just replacing cars to drive. Council Members Martin and Laster absent.

Council Member Kubosh asked Mr. Ochoa if he was driving his car in service and asked if he knew it was not legal, and Mr. Ochoa asked if it had been found in a City court of law to be illegal and had anybody actually been convicted, and Council Member Kubosh asked Mr. Ochoa if he had gotten a citation, and Mr. Ochoa stated no. Council Members Stardig, Martin and Laster absent.

Mayor Parker stated to the public, yes, they had issued tickets, but did not know if any of them had made it through the process yet. Council Members Stardig, Martin and Laster absent.

Mr. Chris Maupin, 1404 Pine Forest Dr., Pearland, Texas 77581 (713-857-7289) appeared in opposition to Item No. 27 and stated they were very concerned about adding a sixth FBO (Fixed Base Operations) to the field, that they sent a letter to the Mayor's office this morning addressing their concerns and looked forward to working with them to get the concerns addressed. Council Members Davis, Martin, Nguyen and Laster absent.

Mayor Parker stated that to remind them they were not contemplating adding a six FBO, it was a completely separate transaction. Council Members Davis, Martin, Nguyen and Laster absent.

Mr. Greg Propes, 7660 Woodway Dr., Houston, Texas 77063 (713-722-8118) appeared in opposition to Item No. 27, and they had received word there were changes in the lease. Council Members Davis, Martin, Nguyen and Laster absent.

Mayor Parker stated that there had not been any changes to the lease, this was an item that was already on the Council agenda and if it was to be amended it would be amended at the Council table tomorrow, but they were not normally in the business of allowing a competitor to draft a lease for someone. Council Members Davis, Martin, Nguyen and Laster absent.

Council Member Green moved that the rules be suspended for the purpose of adding Mr. Joseph Okapuko to the speakers list, seconded by Council Member Kubosh. All voting aye. Nays none. Council Members Martin, Nguyen and Laster absent. MOTION 2014-0724 ADOPTED.

Council Member Kubosh moved that the rules be suspended for the purpose of hearing from Mr. Craig Washington and Mr. Marty Hill out of order, seconded by Council Member Green. All voting aye. Nays none. Council Members Martin, Nguyen and Laster absent. MOTION 2014-0725 ADOPTED.

Mr. George R. Davis, 8402 Nelms, Houston, Texas 77061 (713-353-5300) appeared in opposition to Item No. 27. Council Members Cohen, Martin and Laster absent.

After discussion by Council Member Pennington, Mayor Parker stated that they did not believe they should have any issue with the lease, it did not allow them to operate as an FBO, but in order to calm everybody's fears they may offer an amendment to specifically say that it could not be operated on that site as an FBO. Council Members Davis, Martin, Nguyen and Laster absent.

Mr. Spencer Howard, 1122 Wyatt, Houston, Texas 77023 (713-213-6333) had reserved time to speak, but was not present when his name was called. Council Members Davis, Martin, Nguyen and Laster absent.

Mr. Ramon Dixon, 2506 Sutherland St., Houston, Texas 77023 (713-923-1182) appeared and stated that he was a two and a half year employee of HMS Host, he was present to let them know they had their first Airport Concessions and Catering Workers Convention on July 11, 2014, they wanted to personally thank Mayor Parker for attending and speaking at their conference in support of their work in speaking about the need for great jobs and great customer service at the City's airports, that they wanted to thank the operation managers who attended from Host and DNC. Council Members Martin, Nguyen and Laster absent.

Mayor Parker stated that she did enjoy the opportunity to be present, that they were generally the first people that anybody saw when they went to airports, after they got through security or got off a plane, that she wanted to thank him for his service. Council Members Martin, Nguyen and Laster absent.

Mr. Brad Patterson, 2506 Sutherland St., Houston, Texas 77023 (713-923-1182) appeared and stated that on behalf of all Houston Airport workers he wanted to state that they were committed to jobs and service, they were the first ones they saw when they came to the City and often the last when they flew out of their airports, they had decided to come together because they were recognizing more and more their role and jobs in their communities, they hoped to speak to them more as they moved forward together to make their airports the best in the world. Council Members Boykins, Martin, Nguyen, Laster and Laster absent.

After discussion by Council Members Davis, Stardig and Gallegos, Mayor Parker stated that they worked for the various concessions and were a union airport, and thanked them for all they did for the airports. Council Members Davis, Cohen, Boykins, Gallegos and Laster absent.

Mr. Joe Jordan, 14173 Northwest Freeway, No. 166, Houston, Texas 77040 (713-680-3181) appeared, presented information, and stated that he was present in opposition to Uber and Lyft. Council Members Davis, Cohen, Gallegos and Laster absent.

Council Member Bradford asked Mr. Jordan how he concluded that it would render 4,000 additional vehicles in the downtown and Galleria area, and Mr. Jordan stated that had been the experience in other cities where they throw it open, everybody and their brother could be a taxicab or limo, that 4,000 vehicles was comparing other cities like Seattle and Atlanta and Dallas, where it had happened. Council Members Cohen and Laster absent.

Congressman Craig Washington, 2323 Caroline, Houston, Texas 77004 (713-659-9090) appeared and stated that he was one of the lawyers representing greater Houston and was present in opposition to Uber and Lyft. Council Members Cohen and Laster absent.

Congressman Washington was questioned at length by Council Members Boykins, Davis, Bradford, Pennington, Green and Laster, and Congressman Washington stated that the Taxicab Industry was very well regulated.

Mr. Marty Hill, 1415 Louisiana St., Houston, Texas 77002 (713-951-0160) appeared and stated that he represented a large number of taxicab companies and was present in opposition to Uber and Lyft, that he was present in the Transportation Sub Committee meeting and there were certain questions asked and he hoped that each of them received emails with a packet of information. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Mr. Hill was questioned by Council Members Kubosh, Green and Robinson, and stated that each of the Council Members should have an email package that had the actual email from Uber to its drivers in Houston. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Ms. Illa Joines, 3901 Center St., No. 333, Deer Park, Texas 77536 appeared and stated that she was in support of Yellow Cab. Mayor Parker and Council Member Gallegos absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Stardig, Ms. Joines stated that she lived in Deer Park and some other companies would not come, but Houston Yellow Cab came, even though they only took her 5 miles. Mayor Parker and Council Member Gallegos absent. Mayor Pro Tem Gonzalez presiding.

Ms. Dianna Herrada, 5959 Pinemont, No. 154, Houston, Texas 77092 (713-682-1428) appeared and stated that she was in support of Yellow Cab. Council Members Gallegos and Costello absent.

Council Member Stardig asked Ms. Herrada if she felt people may have other choices and may have other needs that may be satisfied by other companies, and Ms. Herrada stated that to her Yellow Cab satisfied everyone's needs. Council Members Pennington, Gallegos and Costello absent.

Ms. Risa Rifkind, 500 S. Clinton, No. 627, Chicago, IL 60607 (718-207-2012) appeared and stated that she was in support of Uber. Council Members Pennington, Gallegos and Costello absent.

Mayor Parker asked Ms. Rifkind if she believed that the addition of Uber would add more options for people with disabilities, and Ms. Rifkind stated absolutely. Council Members Davis, Pennington, Gallegos and Costello absent.

Council Member Stardig stated that they addressed in their meetings about training, and thought the Task Force was looking at evaluating, the training piece for drivers. Council Members Davis, Pennington, Gallegos and Costello absent.

Mr. Okapuko appeared and stated that he represented Lyft and he wanted to thank the City Council and the staff of ARA for working hard on this process, that they provided \$1 million of insurance for every single ride that took place on the Lyft platform, it was far in excess of the \$60,000 that was currently required of taxis. Council Members Davis, Pennington and Gallegos Costello absent.

Mr. Okapuko was questioned at length by Council Members Green, Laster, Martin, Kubosh, Stardig, Bradford, Nguyen and Boykins. Council Members Davis and Christie absent.

Council Member Pennington moved that the rules be suspended for the purpose of hearing from Mr. John Beeson, out of order, seconded by Council Member Green. Council Members Davis and Christie absent. MOTION 2014-0726 ADOPTED.

Mr. Mario Villarreal, 3108 Hutchins, Houston, Texas 77004 (956-372-7615) appeared and stated that he was an Uber driver and a military veteran, that Uber had gone out of its way to help the military veterans out by letting them keep 100% of their fares. Council Members Davis, Kubosh and Christie absent.

Upon questions by Council Members Stardig and Costello, Mr. Villarreal stated that their being able to keep 100% of their fares was ongoing until Labor Day, it was a promotion they had for veterans. Council Members Davis, Kubosh and Christie absent.

Mr. John Beeson, 415 Carnarvon, Houston, Texas 77024 (713-622-5595) appeared and stated that he was present to talk about the Allen Parkway Gillette property, he had bid \$367,000 more than the other bidder, he also said \$100,000 hard if they could not get it cleaned up by the environmental field, \$500,000 was hard subject to their getting a letter from the State of Texas if they could build residential on the property, their own statement said they could not have it cleaned for five months, that yes, he did have a plan for what he would build there, but he did not have to start drawing it until he got some kind of increment that he might get title, that he bid on the property three and a half months ago, he heard from somebody of the City of Houston last Friday for the first time, and he had the high bid and there was nothing in it, and now he was a little bit confused as to why it took more than three and a half months after he objected to what was going on, for the City to even call him about his high bid. Council Members Davis, Robinson and Christie absent.

After questions by Council Members Green, Stardig, Pennington and Martin, Mayor Parker stated that they disagreed with Mr. Beeson's analysis of the other bidder, that she would be happy to share with all Council Members the actual letter that all of the bidders got back in March 2014 where they asked for a best and final, but it was a best value bid, it did not require a detailed plan for what would be built on the side; that it was a very short letter to Mr. Beeson in March, he may leave his offer as previously submitted or submit another offer, which should include some amount of significant, independent consideration, to demonstrate his commitment to close, that was where they got the differential on the amount of earnest money they were willing to put up. Council Members Davis, Robinson and Christie absent.

Mr. Maranto, 1901 Post Oak Blvd., No. 3608, Houston, Texas (281-948-4187) appeared

and stated that he drove for Uber part-time, that it had been a very good experience. Council Members Green, Robinson and Christie absent.

Mayor Parker stated that it was alleged earlier that there were areas of town where they would not pick up in, that there had been some kind of red lining, and Mr. Maranto stated that he would go anywhere. Council Members Green and Christie absent.

After discussion, Council Member Martin stated that the problem they had was that transportation was a regulated business in the City of Houston. Council Members Green and Christie absent.

Mayor Parker recognized Council Member Cohen for a point of personal privilege. Council Members Green and Christie absent.

Council Member Cohen asked if in the packet they received yesterday that they had been working on, did it address the issue of insurance, and Council Member Stardig stated yes, that she allowed Council Member Green to spearhead that and she stayed in her lane of the disability portion, and Mayor Parker stated that it was included and tomorrow they would have their experts present to be able to answer those questions. Council Members Davis, Green, Robinson and Christie absent.

Mr. Rong Zeng, 12709 Leader St., Houston, Texas 77072 (832-916-0188) appeared and stated that Lyft and Huber were providing a good service to the City, that business people used Uber. Council Members Boykins, Laster, Green and Christie absent.

Mr. Dennis Jones, 5116 Hershe, Houston, Texas 77020 (713-410-4921) appeared and stated that he had been a taxicab driver for 29 years in the City of Houston, and displayed his taxicab license, which he earned, for every procedure for 29 years, that he did not think it was fair that they had drivers for hire that did not have to go through any of the procedures and drive on the streets of Houston. Council Members Boykins, Laster and Green absent.

After discussion by Council Members Nguyen, Stardig and Gallegos, Mayor Parker stated that the ordinance she had proposed had background checks and drug tests, that they could get on their Smart Phone and get information, but no there was nothing displayed in the Uber and Lyft vehicles. Council Members Boykins, Laster and Green absent.

Mr. Eric Reindl, 1617 Ojeman, Houston, Texas 77055 (832-309-3837) appeared and stated that he heard yesterday that the proposed Limo Ordinance changes had been agreed upon at the stake holder meetings, and this was not what happened, they had been told what was going to change, they felt that they never had the real saying in anything because what was proposed now only fit the business model of Uber and other TNCs. Council Members Davis, Boykins, Laster and Green absent.

Upon questions by Council Members Kubosh, Stardig and Pennington, Mr. Reidel stated that he agreed with Dr. Mundy, who came and testified, that he wanted to keep the \$70 minimum and not wanting to change the 30 minute time calling advance. Council Members Davis, Boykins, Laster and Green absent.

Mr. Felix Chevalier, 1700 Post Oak Blvd., Houston, Texas 77056 (713-893-0500) appeared, presented information regarding insurance coverage for operators such as Uber and Lyft, and stated that he hoped this would settle the insurance issue. Council Members Boykins, Laster and Green absent.

After discussion and questions by Council Members Davis, Kubosh, Nguyen and Stardig,

Council Member Kubosh asked Mayor Parker if she had any knowledge if the insurance, that other companies like Uber and Lyft had, showed that they were covered now, even though the City had not approved them, and Mayor Parker stated that she did not know if she could answer the question, that clearly in those areas where they were operating illegally insurance picked up when they were operating on the AP, but she did not know the answer to the question about whether they were covered in those areas where they were not operating under ordinance, that she would make sure they had an answer by tomorrow morning, that it was not regulated today, so some of that was outside their control. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

Mr. Owens Alfred, 11402 Mulholland, Stafford, Texas 77477 (832-896-2376) had reserved time to speak, but was not present when his name was called. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

A gentleman stepped forward from the audience when Mr. Toby Cole's name was called, and stated that he was in opposition of Huber and Lyft, and he was later identified as Mr. Alfred Owens. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

Mr. Toby Cole, 11070 Katy Freeway, No. 1453, Houston, Texas 77043 (713-805-3522) had reserved time to speak, but was not present when his name was called. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

Mr. Alan Steuart, 5825 Kelly St., Houston, Texas 77026 (281-513-3925) appeared, presented information, and stated that he was a private investigator and owned Iron Horse Security and Investigations and was a former federal agent with Drug Enforcement, he was hired to do an undercover on Uber and Lyft, that his undercover went out on four separate occasions and approached 10 different drivers and was able to ask them if they wanted him to use the AP or did they want him to pay cash, and all 10 drivers took cash, not one denied, that he presented an affidavit with the report from his investigators. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

Mayor Parker stated that under City regulations whether they took cash or credit cards was not something that the City of Houston could regulate, that was an issue for Uber itself. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

Council Member Nguyen stated that he thought once they initiated the AP, the system, how could they turn them down and take cash, and Mr. Steuart stated that his undercover never initiated the AP, they actually walked out to the driver sitting outside the restaurant and asked if they wanted them to utilize the AP or did they want to take cash. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

Council Member Kubosh stated that Mr. Steuart kind of set them up, and Mr. Steuart stated that they approached them with their phone on hand and said they had them on the AP. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

Reverend Robert Muhammad, 4443 Old Spanish Trail, Houston, Texas 77021 (832-433-7292) appeared and stated that he was present on behalf of those who were trying to preserve the brick streets and Allen Parkway Village, and displayed a book titled "Invisible Houston" and asked that they buy it and read it, because all of things that they were talking about happening to Fourth Ward had taken place, and what was left only were the vestiges of what their forefathers settled in the area called Fourth Ward, which was not Freedmen's Town, that he understood that the City had put forth some work and voted on something to the effect that they would go in and move the bricks and put in infrastructure and then put them back in,



that he was asking that they re-engage the community because they needed to see what the final outcome was going to be in preserving their history. Council Members Boykins, Martin, Pennington, Gonzalez, Green and Christie absent.

After discussion and questions by Council Members Davis, Boykins, Kubosh, Cohen and Bradford, Reverend Muhammad stated that there was a study that showed going under the bricks and things of that nature, the bottom line for him, in terms of his expert opinion, was to re-engage the community again, put both plans on the table, sit down and have a conversation, they could fix this if they all sat down and worked together and that was what he was appealing that they do. Council Members Martin, Pennington, Green and Christie absent.

Ms. Michele Colvard, (no address given) (713-826-8438) appeared, read from a prepared document, and stated that it was important to insure that Houstonians with disabilities could participate fully in work and community, that for most Houstonians taxis and other private vehicles for hire were a convenience. Council Members Davis, Boykins, Martin, Pennington, Green and Christie absent.

Mayor Parker stated that she had not seen the final draft that came from Council committee, but understood it incorporated what she had put in her remarks. Council Members Davis, Boykins, Martin, Pennington, Green and Christie absent.

Mr. Toby Cole, 11070 Katy Freeway, No. 1453, Houston, Texas 77043 (713-805-3522) appeared and stated that transportation was so important to people with disabilities, that it was important that the entire transportation segment represented and provided services to those of them with disabilities. Council Members Davis, Boykins, Martin, Pennington, Green and Christie absent.

Council Member Stardig asked Mr. Cole if based on what he heard and what Michele's, Angela and Mr. Petty's work did he feel it was a great start, and Mr. Cole stated that he thought a 3% start was important, that they had seen with Uber and Lyft that they were not playing by the rules yet so they needed a strong ordinance that would. Council Members Davis, Boykins, Martin, Pennington, Green and Christie absent.

Ms. Lauren Barrash, (no address given) (713-863-9283) appeared and stated that she wanted to encourage them to not move forward without requiring 24/7 insurance, without restricting the number of TNCs allowed to operate in Houston and without very stringent enforcement in place in the ordinance. Council Members Davis, Boykins, Martin, Pennington, Green and Christie absent.

Council Member Pennington asked Ms. Barrash if she did surge pricing, and Ms. Barrash stated no, but if they allowed it that would be great, that she had fixed routes and rates, they were set by the City and if she wanted to change them she had to pay the City of Houston to change them. Council Members Davis, Boykins, Martin, Green and Christie absent.

Council Member Kubosh asked Ms. Barrash how had her business changed since February, and asked if it had affected her business, and Mr. Barrash stated tremendously, they had the ability because of funding that they did not have to charge so they had been offering, since they started, free rides, as well as promoting at every large event inside the Loop, that she had historically been running the buses at her own expense, because they made a pretty decent revenue from that and they were tremendously impacted in June. Council Members Davis, Boykins, Martin, Green and Christie absent.

Ms. Patricia Benifield, 6812 Kittridge St., Houston, Texas 77028 (281-476-9663) appeared and stated that she was in favor of Yellow Cab. Council Members Davis, Boykins, Martin,

Green, Costello and Christie absent.

Mr. Duane Kamins, 5825 Kelley St., Houston, Texas 77026 (281-685-7166) appeared in opposition to Uber and Lyft. Council Members Boykins, Martin, Green and Christie absent.

Mr. Kamins was questioned at length by Council Members Gonzalez, Stardig, Pennington and Kubosh. Council Members Boykins, Martin, Green and Christie absent.

Mr. Ricky Kamins, 5825 Kelley St., Houston, Texas 77026 (713-880-9002) appeared in opposition to Uber and Lyft.

Mr. Kamins was questioned by Council Members Gonzalez, Stardig, Pennington and Kubosh. Council Members Boykins, Martin, Pennington, Green, Costello and Christie absent.

Mr. Kevin Claypool, 4618 Park, Bellaire, Texas 77401 (713-471-1734) appeared in opposition to Uber and Lyft. Council Members Boykins, Martin, Pennington, Green, Costello and Christie absent.

Mr. Marcus Spivey, 4511 Plum Creek Forest Ln., Houston, Texas 77087 (713-400-1269) appeared in support of ridesharing, whether Uber or Lyft. Council Members Davis, Boykins, Martin, Pennington, Gallegos, Green, Costello and Christie absent.

Mr. Spivey was questioned by Council Members Bradford and Nguyen. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Gallegos, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Michael James Zorob, 1333 Moursund St., Houston, Texas 77030 (615-364-4794) appeared and stated that disability rights were civil rights. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Gallegos, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Susan Solcher, 2217 Maconda, Houston, Texas 77027 (713-444-1930) appeared in support of Uber. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Gallegos, Green, Costello and Bradford absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Poppi Massey, 3632 Inverness Dr., Houston, Texas 77019 (713-408-1928) appeared in support of companies like Uber and Lyft. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Gallegos, Green, Costello and Bradford absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Massey was questioned by Council Member Cohen. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Gallegos, Green, Costello and Bradford absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. William McLeod 1314 Texas St., Ste. 525, Houston, Texas appeared, presented information and stated that he was in opposition to Uber and Lyft. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. McLeod was questioned by Council Member Kubosh. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Augustin Pinedo, 7838 Paddlecreed Dr., Houston, Texas 77040 (832-883-2510) appeared in opposition to Uber and Lyft. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green, Costello, Robinson and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Corbett Parker, 1415 Louisiana, Houston, Texas 77002 (713-951-0160) appeared in support of the Taxi Cab Industry. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green, Costello, Robinson and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT.

Mr. Parker was questioned by Council Member Kubosh. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Bissong Bissong, 8002 Bellaire Blvd., No. 1149, Houston, Texas 77036 (281-235-3448) appeared in support of the Cab Industry. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Bissong was questioned by Council Member Robinson. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Noah Horwitz, 4109 Caroline St., Houston, Texas 77004 (617-807-0830) appeared in support of the Taxi Industry. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Nicki Frank, 2626 Holly Hall, Houston, Texas 77054 (832-279-0677) appeared in support of the Taxi Cab Industry. Mayor Parker, Council Members Stardig, Boykins, Martin, Pennington, Laster, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Frank was questioned by Council Member Kubosh. Mayor Parker, Council Members Stardig, Boykins, Martin, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Roland Reyna, 5925 Grape St., Houston, Texas 77074 (832-661-8702) appeared in support of the Taxi Cab Industry. Mayor Parker, Council Members Stardig, Boykins, Martin, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Habib Owji, 2401 Lazy Hollow, Houston, Texas 77063 (832-670-0637) had reserved time to speak, but was no present when his name was called. appeared in support of the Taxi Cab Industry. Mayor Parker, Council Members Stardig, Boykins, Martin, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Linda Pomerleau, 5218 La Creek, Spring, Texas 77379n appeared in support of the Limousine Industry, and requested that the ordinance stay the same for limousines. Mayor Parker, Council Members Stardig, Martin, Green, Costello and Christie absent. Mayor Pro Tem Gonzalez presiding.

Ms. Pomerleau was questioned by Council Member Nguyen. Mayor Parker, Council Members Stardig, Boykins, Martin, Gallegos, Green and Costello absent. Mayor Pro Tem

Gonzalez presiding. NO QUORUM PRESENT

Mr. Roman Martinez, 510 E. 7th, Houston, Texas 77077 (713-825-3005) appeared in support of the Taxi Cab Industry. Council Members Stardig, Davis, Gallegos, Gonzalez, Green and Costello absent.

Mr. Martinez was questioned at length by Council Members Nguyen, Laster, Bradford, Boykins, Pennington, Kubosh, Gallegos, Martin and Stardig. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Darrell Clark, 9013 Homewood, Houston, Texas 77078 (832-630-8875) appeared in support of the Taxi Cab Industry. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Clark was questioned by Council Member Nguyen. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Jerry Brown, 1117 Texas Ave., Houston, Texas 77002 (713-222-0290) appeared and stated that he was a staff accountant at New Hope Housing, Inc. and was present to thank the City of Houston for their past support. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Council Member Boykins stated that he was real excited about the program, it was going to do a lot of good in his District. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

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

Mr. David Anderson, 6024 Grace Ln., Houston, Texas 77021 (713-492-3530) appeared, presented information, and stated that he was currently building a new home next to his current address, that not until he asked to be put on the City Council agenda did he get phone calls to help, one of the situations he had were dangerous dogs in the neighborhood, his neighbor had pit bulls and they were getting onto his yard. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mayor Parker stated that they had a problem with stray dogs across the City of Houston, and they also had a problem with owned dogs that had irresponsible owners, that she could only apologize that they had not been able to address his issue sooner, they had put a lot more resources into BARC in the upcoming budget, but there was a prioritization on dog calls, and thought that until there was a realization that pit bulls were able to come into his yard and threatening him, that was clearly a priority one call, but she thought it took them a little while to sort it out, and Mr. Anderson stated that the manager at BARC came out and handled that problem, but he had several other issues within the neighborhood, one was structurally unsound fence and the other was the amount of trash that was on somebody else's property that was bordering his property, and Mayor Parker stated that was a Department of Neighborhoods issue, and please visit with Citizens Assistance before he leaves, that while he was present she would have someone else address it. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Council Member Gallegos asked Mr. Anderson if someone went out and file an aggressive dog report, and Mr. Anderson stated that yes, he filled out an affidavit the past Saturday. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Ms. Bertha Hymon, 4931 Ventura Ln., Houston, Texas 77021 (713-747-0617) had reserved time to speak, but was not present when her name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Ms. Stacey Alexander, 4726 Justin St., Houston, Texas 77093 (281-219-7073) had reserved time to speak, but was not present when her name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Ms. Kindra Trotter, 6603 Hirsh Rd., No. 461, Houston, Texas 77026 (832-507-4122) had reserved time to speak, but was not present when her name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Robert Reyna, 1553 Zabolia, No. 264, Webster, Texas 7598 (832-580-6733) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Ms. Bridget Alexander McDaniel (No address or phone number) had reserved time to speak, but was not present when her name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Dan Morgan, 1313 Birdsall, Houston, Texas 77007 (979-248-2886) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Andrew McGee, 4720 Dowling, Houston, Texas 77004 (713-223-5400) appeared, presented information, and stated that they had heard the argument of the bricks, the preservation of the bricks on Andrew and Wilson Streets, they had been to Council several times and were asking them to really give great consideration to the micro tunneling alternatives. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mayor Parker stated that in the document that Mr. McGee's had distributed he said that the City's proposal was \$3.2 million and the micro tunneling was \$5.5 million, and Mr. McGee stated it was the exact opposite, and Mayor Parker stated that he was saying that it was cheaper to do micro tunneling, and if Mr. McGee would submit to her what evidence he had of that, because they did bids and looked at micro tunneling, that no one had ever said in any venue that it was cheaper to do micro tunneling, that she would not start the bulldozers until she actually found someone to tell her that it was true, that it would cost \$2 million less to micro tunnel, that she would go back to Public Works, that was a commitment she would make here. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Reverend Debra Brown, 1217 Wilson, Houston, Texas 77019 (713-569-5656) and stated that she was the new Pastor for Saint James United Methodist Church, which sat on the corner of Andrews Street, that they were talking about micro tunneling and the changing of the complexion of the streets and what could or could not happen, they were asking for an opportunity to come back to the table and revisit this and see exactly what they could so that all of their visions could be met. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mayor Parker stated that they had been meeting on the issue for a long time and she had asked for a few things and had yet to receive those things, that she had a stack of letters in her office from folks in that neighborhood who just wanted a smooth street to drive down. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Upon questions by Council Member Laster, Reverend Brown stated that they were not

asking that they leave it in bad condition, they were asking for restoration as well, and there was a way to do that, it would be environmentally safe to clean the bricks and make them look presentable. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Pastor Andrew Stewart III, 10529 Sierra Dr., Houston, Texas 77051 (832-863-5158) appeared and stated that he was a licensed local Pastor for Texas Annual Conference and United Methodist Church and was present also about the brick streets, that he heard earlier that Council Member Cohen stated she had spoken to several people in the neighborhood and they were talking about the flooding, that there was no flooding until they started building in the area, it was the new construction that caused the flooding. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Council Member Boykins stated that from his communications with the Mayor's office and to hear the Mayor open up dialog to try to come up with some compromise he knew she was committed to that, and he looked forward to get the results back from their findings to give to the Mayor and hopefully they could move in that direction. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Mike Craig, 2803 Chenevert St., Houston, Texas 77004 (713-304-8821) appeared, presented information, and stated that it was part of an analysis that an independent group of citizens had been doing with regard to the HERO Petition validation effort, the analysis was something that he did by going page by page through the entire Box D, and based on the very simple criteria of whether or not it was valid, or whether or not the circulator had signed, or was it stamped and that sort of thing, he was able to very basically invalid 50 pages in that box, which represented more than 2,339 of the votes that were supposedly valid, as turned in by the Pastor's Council. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Noel Freeman, Post Office Box 66693, Houston, Texas 77266 (713-521-1000) appeared, presented information, and stated that they had found some issues in the petitions, he personally had spent 85 hours reviewing every single petition that was submitted, and basically what they found was that this thing was razor thin, what they had been able to identify was that it appeared there were fatal flaws with many of the petitions that would knock out about 10,491 signatures, there were additional criteria that was mentioned by City Attorney Feldman at the committee hearing last Friday that would appear to eliminate another 7,273 signatures, in total the petitioners were claiming 35,472 valid signatures, their numbers not his. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Upon questions by Council Member Christie, Mr. Freeman stated that what they were looking at was 17,708 signatures, which was 439 over the minimum threshold, and that was before they actually started looking at individual signers on valid pages, and they did a random sampling, statistical analysis, with a margin of error of 2.4%, that projected that once they did that they may have as many as 5,000 additional signatures that were invalidated, that they were looking at probably somewhere in the 12,000 to 15,000, depending on if the prediction held. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mayor Parker stated that it was the City Secretary's responsibility, in consultation with the Legal Department, to make sure there was a formal count, but any group may request a copy of the signatures and do an independent analysis, as Mr. Feldman stated as he spoke to Council, she thought, last week, there were a number of potential flaws in these petitions, and if there was a flaw in an entire page, all of those signatures were invalidated, but what she would caution Council Members if Ms. Russell completed her count, she was counting signatures and the City Attorney was looking at the other flaws, if they said there were enough signatures, she was assuming they would get sued by groups like Mr. Freeman's, who had done their own count and disagreed, and if they said there were not enough signatures, she assumed they

would get sued by those who passed out the petitions, so she would urge them about engaging in a public comment at this point. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Abdoula Abbu, 3307 Ripple Brook, Houston, Texas 77045 (713-446-5222) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Marco Bracamontes, 1330 Augusta, Houston, Texas 77057 (281-793-8577) had reserved time to speak, but was not present when his name was called, as he had spoken during the Council presentations. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Ms. Lashon Hawthorne, 4299 San Felipe St., Houston, Texas 77027 (281-222-1788) appeared and stated that she was present to ask the Council to reject any type of conversation or proposal as it related to increasing the Municipal Employees Health Insurance, she understood there were some recent presentation, proposals or conversations that had been made and she wanted them to recollect that last year when HOPE made recommendations to the City of Houston recommending \$50 million in cost savings, in addition to the already surplus, which created the rollbacks that were implemented last year, and she would like to recommend that before any changes were made that HOPE was notified and information was forwarded to HOPE so that they could make the appropriate recommendations and assessments to assist the City, they would like to continue their partnership, but in order to continue the partnership, those communications had to be continued on the City's behalf, as well as HOPE. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mayor Parker stated that there were no proposals at this point, they were just laying out the entire suite of possibilities to Council Members this week. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Vincent Lewis, 3306 Knotty Oaks Trl., Houston, Texas 77045 (832-997-5821) appeared and stated that he came to them with a dilemma, and that was any future reference dealing with the health insurance that they look at it very carefully, there may be a better way for the City to cut the budget that would not be on the City employees back, that he had been employed for 8 years, he was diabetic and had a wife who had two brain surgeries, that he was skipping doctor visits, and his wife, because he did not make enough money to feed his family and to pay health insurance, that it came out of his check every two weeks, it had been a struggle, so they needed to find a way to work with the employees and the Mayor and City Council to help the City cut the budget, that as a laborer he was asking them to look at what a laborer made today compared to 15 years ago. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mayor Parker stated that if Mr. Lewis was aware of waste or fraud in City processes the City Controller operated a fraud hotline and they take those reports, they would also follow up to do analysis as to whether or not they were in fact wasting money, and HOPE had submitted to the administration, on several occasions, a list of potential efficiencies, they had examined all of those submissions and had adopted a few, but thought most of them they had decided would not result in the savings anticipated.

Council Member Martin stated that he would invite him, Ms. Hawthorne and the other speakers to review the BFA, Budget and Fiscal Affairs Meeting tape, because they spent a good half hour discussing health benefits. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Roy Sanchez, 7905 Hershe, Houston, Texas 77029 (713-907-7378) appeared and stated that he was a 20 year employee for the City of Houston, and a tax paying citizen of the City, that he did not believe increasing the percentage to 30% as a solution for the budget crisis, how long were they going to continue to balance the budget on the City employees backs, the City already had \$62 million in reserves in Health Care, according to the Chronicle, why did they want to tax City employees, because that was what he felt it was, instead of facing the real issue, which was a tax cap, they needed to inform Houstonians about the cap and how it was going to affect Houstonians quality of life and the growth of their City due to cuts in basic services. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Robert Woffard, 2541 Lower Valley, Houston, Texas 77067 (281-893-0143) appeared and stated that he was a member of HOPE Local 123 and also an employee of the City of Houston, one of the things that troubled him mostly was the stride that they make on trying to do the best job that they could, that it seemed it went into a deaf ear when they were telling the City about the cost of the insurance and it was just very difficult to balance his budget when those costs kept going up, that he would as that they take a close look at the City workers that did a wonderful job, that he worked in waste water and it was a very important job that they did, so he would ask that they take a real close look before they raised the cost of insurance. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Jimmy Dunne, 1306 W. Brooklake Dr., Houston, Texas (281-584-9707) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Tony Jones, 1950 Spenwick Dr., No. 318, Houston, Texas 77055 (no phone given) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Johnathan Garms, 9000 Randolph, Houston, Texas 77061 (832-477-1008) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. Anthony Wright, 7930 Airport, Houston, Texas 77061 (713-644-6431) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mr. John Noflin, 12903 Brent Rock Dr., Houston, Texas 77082 (832-208-1498) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Ms. Catherine Roberts, 63 W. Terrace Dr., Houston, Texas 77007 (713-294-3338) appeared and stated that she was with the Yates Museum, that they had an opportunity to rescind the contract, since they did not have enough information when they voted for the plan, that was calling for a \$5 million plus to recklessly remove bricks and trolley rails, they could rescind the contract, it was just a matter of moral courage to do so. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Council Member Boykins stated that he appreciated the information that Ms. Roberts gave him last week in a meeting, that the Mayor extended an olive branch to Mr. McGee to see if he could come up with a savings, the good news was that Mayor Parker was open on this issue to



try to make it right. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Mayor Parker stated that the contract had been passed, they could start that project tomorrow, respectfully to Ms. Roberts and everyone out there, they did not take somebody off of the street and say to do a better estimate, they had a Public Works Department, she was going to pull all of the estimates that they got, every estimate that she had seen for micro tunneling was more expensive than lifting the bricks and putting them back down, that she would be happy to share that information with Council Members, they were the estimates that were received by the City of Houston to do the project, that she had also stated publicly on a number of occasions, what was the delta, how much more were they willing to spend to do it more expensively, to get where they needed to go, there was a limit to how much more the citizens and the rest of the City of Houston would want to spend on this particular area, but the final problem was, yes, mud jacking they go and lift the bricks, section by section, every time they would do that they add immeasurably to the cost, if they all wanted to end up with a smooth street at the end, how much were they willing to pay for that, that she was willing to continue the dialog for as long as it took, but the contract had been passed, it was now in her hands, they would have the conversation, but she was not going to spend millions of dollars more on two streets that desperately needed drainage, that she was not going to leave the streets in the condition they were today; that they were talking about a \$140 million deficit next year, they went down to the bone on everybody's CIP this year, were all of the Council Members going to chip in a half million dollars to Council Member Cohen so they could add to this, be realistic, they would continue the conversation but in the end they were going to have a smooth street over there. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) ) had reserved time to speak, but was not present when his name was called. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

Note: During the public session many motions were offered to extend time for questions of various speakers, and votes taken, which were not prepared in written form and may be viewed on HTV Houston or on disc.

At 5:43 p.m. Mayor Parker stated that the City Council was recessed until 9:00 a.m., Wednesday, July 30, 2014. Council Members Davis, Gonzalez, Laster, Green and Costello absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, July 30, 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 Stella Ortega, Agenda Office, present.

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

At 9:12 a.m. Mayor Parker called the meeting to order and stated that they had the Monthly Financial Report, a brief public hearing and a Mayor's Report this morning and requested a motion to move the Monthly Financial Report to the top of the agenda. Council Members Stardig, Davis, Gallegos and Bradford absent.

Council Member Costello moved that the rules be suspended for the purpose of hearing

the Quarterly Investment Report before the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Stardig, Davis, Gallegos and Bradford absent. MOTION 2014-0726A 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 and a Quarterly Investment Report by the City Controller

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

Mr. Green and Mr. Dowe reviewed the Quarterly Financial Report ending June 30, 2014 and Mr. Green reviewed the Quarterly Investment Report and SWAP Report, copies of which are in the City Secretary's office for review. Council Member Gallegos absent.

Council Member Davis asked what were their options about the Health Benefits Fund once the projections came true, and Mr. Green stated that they were obviously going to refund those premiums and the question was what would they do with them, that it was a policy decision, and Mayor Parker stated that it was not necessarily a refund of premiums decision, they revolved back to the General Fund, any savings, and since the Council had already capped the use of General Fund dollars for next year any savings they had would be moved forward until the 2015 budget.

Mr. Dowe stated that it was a total return of \$19 million to various funds, the General Fund portion was of course smaller than the citywide portion, and the total amount they projected returning to the General Fund this fiscal year was \$13 million, so that would go straight to the Fund Balance, it could not be appropriated without a separate motion of Council, because as the Mayor stated, the budget capped their expenditures.

Mayor Parker stated that they had a presentation earlier this week as to the potential challenges in 2016, certainly premiums could be lowered for retirees or employees, but that just made the hole bigger in 2016, it was an option.

Council Member Pennington stated that the health benefits report was a good report, and the numbers reflected that their wellness program was working, and Mr. Dowe stated that hopefully it portended well for the future, they did not project a lot of growth in the budget this year and it looked like that trend was going to continue, that it was a result of a lot of hard work that had gone in by employees and the Human Resources Department; and relating to the Parks Golf Special Fund, it was not a large fund, and Mr. Dowe stated that they were positions not filled throughout the year and cumulative delays in hiring added up to that savings, it was not any specific initiative, it affected across various golf courses.

Council Member Gonzalez stated that yesterday he brought up the Ambulance Collections, it looked like they were up, and he wanted his colleagues to be aware that collections were up and it seemed as the new vendor they had in place was finding their stride, and Mr. Dowe stated that was correct, and as he said yesterday, the team in finance, who took over the claims that their previous vendor could not handle, had done a great job in getting funds from Medicare and Medicaid and private insurance funds as well; and Council Member Gonzalez stated that he wanted to remind his colleagues that he knew there was a lot of discussion about upcoming budget challenges and at this point there were not any firm proposals on the table from the administration, but these were opportunities for discussion and

he hoped, and as he mentioned yesterday, perhaps through Council Member Costello's chairmanship at Budget and Fiscal Affairs and Council Members Davis and Martin as well, that they did have opportunities and a platform so they could further flush some of those ideas out, and that Council Members as well could engage, he knew the administration would be open if they wanted to send a memo or information or ideas of cost savings, and if they needed any data to figure out what the cost savings would be or the impacts, now was the opportunity to start doing that so they could have all of that information handy so they could make the appropriate decisions before they got into the budget process next year.

Mayor Parker stated that it was a good point, it was the administration's responsibility to present a balanced budget and budget options, this month's presentation was just the first step, they intended to lay out a range of options, including options that they do not intend to propose, and they stated that in Mr. Dowe's presentation, for example, pension obligation bonds were one way to deal with pension payments, but they did not believe that was a prudent option, however they did not hide options from Council Members, that the reason they had a weekly Council comment section at the end of the Council meeting was for Council Members to raise substantive issues that they would like to see addressed, during the Monthly Budget and Fiscal Affairs meetings they present the MOFR, it was entirely appropriate for a Council Member at that point to request a financial analysis of some money saving item that they thought would be appropriate, and they would continue, as an administration, each month funneling in to what their actual proposal was to balance the \$143 million budget gap for next year.

Council Member Pennington stated that he brought up as a comment the cost of the proposed Criminal Justice Center, that they should have a comprehensive budget before they started talking about constructing that center because it was a \$300 million to \$500 million project and the annual cost, as they knew, was \$30 million to \$50 million a year, that he hoped that was part of the administration's process.

Council Member Costello move to accept the Quarterly Financial Report as of June 30, 2014, and the Quarterly Investment Report, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2014-0727 ADOPTED.

Mayor Parker stated that he next item was a public hearing.

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

1. **PUBLIC HEARING** to consider a Resolution of No Objection for the 4% tax credit application of **NHH AT REED, LTD.** for New Hope Housing at Reed Road, an affordable housing community to be located at 2620 Reed Road - **DISTRICT D – BOYKINS** – was called.

The City Secretary stated that a list of public speakers had been distributed to the Council Members, and Mayor Parker stated that there was no presentation, and requested the City Secretary to call the list of speakers.

Ms. Joy Horak Brown, 1117 Texas Ave., Houston, Texas 77002 (713-222-0209) appeared and stated that she was New Hope Housing Executive Director, that she was present to ask for support for New Hope Housing at Reed Road as they went forward for a 4% tax credit bond transaction at the Texas Department of Housing and Community Affairs, as they may recall they were a recognized non-profit with almost 1,000 units of single room occupancy housing working with disadvantaged citizens here in Houston and very much on the forefront of Mayor Parker's wonderful initiative to end chronic and veteran homelessness by the end of her term, that they would be serving families at risk with 140 units of supportive housing, 1 ,2 and 3 bedroom apartments, they would be located next door to a \$55 million private investment that

was being made by Star of Hope that would have a women and family development center, transitional housing, a park, chapel and a community center, and robust services for families.

Mayor Parker stated that having visited all of the properties that New Hope operated in Houston, they were absolutely outstanding properties, she would be proud to live in them, it showed that just because a property was affordable they were really nice apartment complexes, and thanked Ms. Horak Brown for what she did.

Council Members Costello, Boykins, Gonzalez, Davis, Cohen and Laster congratulated and thanked Ms. Horak Brown for all they did for the City of Houston.

Council Member Green moved that the rules be suspended for the purpose of adding Ms. Linda Scurlock to the speakers list, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2014-0728 ADOPTED.

Mr. Sanford Criner, 2125 Froom Rd., Houston, Texas 77019 (713-459-1848) appeared and stated that he was the Vice President of New Hope Housing and they were an organization with a long term vision because of the problems that they sought to mitigate, that homelessness and substandard housing were long term problems, they destroyed lives and degraded communities, that what they sought to do was to help and begin to rebuild those lives and the communities and to do that they build housing that was durable because they intended to own it for a long time, in their 20 years they had built 1,000 units and had never sold one and never intended to, they build housing that was sustainable and did not know of any developer, public or private, who had the same ratio of led platinum certified buildings that they did, that the City's \$6 million investment would be dramatically leveraged through their public/private partnership and working with the Star of Hope was just a good common sense way to address this problem, and they ask for their support. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Council Members Robinson, Boykins and Costello thanked Mr. Criner for all they did for the City of Houston. Council Members Martin and Pennington absent.

Mayor Parker asked Mr. Criner if he believed this would have any negative impact on the property values in the immediate neighborhood, and Mr. Criner stated no, just the opposite, and he thought their history proved that, he believed in data, not ideas and concepts, and the data showed that when they came into a neighborhood they left it better than they found, it was absolutely one of their central goals and their experience.. Council Members Boykins, Martin and Pennington absent.

Ms. Betty Nunnally, 6897 Ardmore St., Houston, Texas 77054 (713-440-5350) appeared and stated that she was the Senior Vice President of Programs at Star of Hope, their mission was to take care of the needs of homeless people and their goal was to help them become successful, that Star of Hope started in 1907 and as of today they served about 1,100 people a day, 800 of those were women and children, their new Cornerstone Community, the property they were talking about, they planned to break ground in January, and the formal decision was made in the fall of 2012 to start, that this would be a transformation program for homeless coming in for help, that self-sufficiency was their goal, and it was achievable with a continuum of care that included affordable housing and was permanent, and displayed pictures of their new Cornerstone Community. Council Members Boykins, Nguyen, Pennington and Gonzalez absent.

Mayor Parker stated that she hoped Ms. Nunnally would agree that across the community they were doing more varied, focused and aggressive actions to tackle homelessness than they had and Star of Hope was a big piece of that, so thank you for what she did. Council Members Boykins, Nguyen, Pennington and Gonzalez absent.

Council Member Green asked if they would go after the Blue Star Certification with HPD in the complex, whereby it talked about construction cameras and the ability to work with HPD, he understood it was a crime ridden area, he wanted to make sure if they were building structures in the area that they were working with HPD and the Blue Star Program for the complex, and Ms. Nunnally stated that she knew there had been a lot of security talked about and was not sure they had talked about that, but it was absolutely something they would be interested in doing. Council Member Nguyen absent.

Ms. Linda Scurlock appeared and stated that she was the President of the South Houston Concerned Citizens Coalition, and appeared in opposition to the New Hope Housing Project, if the housing project was so important why were they continually asking for tax credit money from the City of Houston, that in her opinion the City of Houston wanted to move poor people from downtown before the 2017 Super Bowl, that poor people were being pushed further south to District D, which had become a dumping ground for tax credit projects with 15, more than any other City Council District, that the City was dumping more low income people on other low income people, that how could you lift them out of poverty if they put them in an area which had poverty, that according to the Shell Center for Sustainability at Rice University Report, entitled, Sustainability of Houston Districts, the Health of the City, Black concentrations were south of the City and District D had the highest index for the Black and White segregation, with an index of 73 on a scale of 100, of the 11 single membered Council districts, 8 were majority minority districts, these districts contained 82% of the low income housing tax credits in the City of Houston, was that by accident, she did not think so. Council Member Pennington absent.

After discussion by Council Members Davis and Boykins, Mayor Parker asked if there was anyone else present to speak specifically to the item as part of the public hearing, and hearing none requested a motion to close the public hearing. Council Member Pennington absent.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Christie. All voting aye. Nays none. Council Member Pennington absent. MOTION 2014-0729 ADOPTED.

Mayor Parker requested a motion to consider Item Numbers 2 and 3 prior to the Mayor's Report so they could dispense with the appointees. Council Member Pennington absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of consider Item Numbers 2 and 3 before the Mayor's Report, seconded by Council Member Green. All voting aye. Nays none. Council Member Pennington absent. MOTION 2014-0730 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARTS ALLIANCE BOARD OF DIRECTORS**, for terms to expire June 30, 2017:

Position Three - **GIGI L. MYUNG**, reappointment

Position Four - **BRAD BUCHER**, appointment

- was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Pennington absent. MOTION 2014-0732 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of **WILLIAM (BILL) CURTIN REED** to Position Four of the **BOARD OF DIRECTORS OF HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12**, for an unexpired term ending June 1, 2015 - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello.

All voting aye. Nays none. Council Member Pennington absent. MOTION 2014-0733 ADOPTED.

Mayor Parker stated that they had appointed new Members to the Houston Arts Alliance Board of Directors and invited Mr. Brad Bucher to the podium, and stated that they appreciated his willingness to serve the City of Houston. Council Member Cohen absent.

Council Members Pennington and Stardig stated that they wanted to congratulate Mr. Bucher and thanked him for his service to the City of Houston. Council Member Davis absent.

### **MAYOR'S REPORT** - Gus Wortham Golf Course Rehabilitation/Botanic Garden Update

Mayor Parker recognized Mr. Andy Icken, Chief Development Officer, and stated that they had been trying to keep them apprised, as appropriate, in the long and drawn saga of Gus Wortham Golf Course and this was another opportunity to update them, they had made substantial progress in the last month and she thought it appropriate to make sure that all Council Members were briefed at the same time and could understand where they were going, that contrary to myth, rumor and misinformation spread in the community there were no deals done and were no deals done until it came to the City Council and they had continued to quietly work with the range of parties who were interested in the future of Gus Wortham and they had indicated some months ago that they believed an opportunity existed to see a redeveloped golf course at Gus Wortham, but they wanted to make sure that folks put real money at the table and that they were committed to a long term investment rather than just stringing the process out, it had not gone as quickly as they had hoped and they had offered some optimistic projections to Council, and the months slipped, but now they had an opportunity and had made substantial progress and would be coming forward quickly with a proposal for Gus Wortham, but also a proposal for a potential botanic garden, both existing in the East End and they were in the final contract terms, that she had asked Mr. Icken, who she knew had been in communication with Council Member Gallegos throughout the process, and to brief all of the Council Members. Council Members Davis, Boykins and Green absent.

Mr. Icken reviewed a PowerPoint presentation titled "Update on Gus Wortham Golf Rehabilitation and Houston Botanic Garden", a copy of which is on file in the City Secretary's office. Council Members Davis, Boykins and Green.

After a lengthy discussion by Council Members Gonzalez, Laster, Gallegos, Pennington, Stardig, Costello, Davis, Kubosh, Green, Nguyen, Bradford, Robinson and Stardig, Council Member Bradford requested that Council Members get copies of the contracts to review in a timely manner and not have two or three days to do it.

Mayor Parker stated they would move to the consent agenda. Council Members Davis and Gonzalez absent.

### **CONSENT AGENDA NUMBERS 2 through 23**

#### **ACCEPT WORK** - NUMBERS 4 through 8

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,033,979.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP** for Neighborhood Solid Waste Depository - 7.27% over the original contract amount and under the 10% contingency - **DISTRICT D – BOYKINS** – was presented, moved by Council Member Costello, seconded by Council Member Laster.

All voting aye. Nays none. Council Members Davis and Gonzalez absent. MOTION 2014-0734 ADOPTED.

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,118,319.23 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LLC** for Yale Paving and Drainage from West Tidwell Road to West Parker Road - 4.45% under the original contract amount - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Costello, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis and Gonzalez absent. MOTION 2014-0735 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$441,737.45 and acceptance of work on contract with **CONGO LLC**, for Neighborhood Back Lot Wastewater Substitute Service Program - Norhill Heights - 0.72% under the original contract amount - **DISTRICTS C - COHEN; H - GONZALEZ and I - GALLEGOS** – was presented, moved by Council Member Costello, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis and Gonzalez absent. MOTION 2014-0736 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,819,986.70 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Forest West II Area - 1.54% over the original contract amount - **DISTRICTS A - STARDIG and C - COHEN** – was presented, moved by Council Member Costello, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis and Gonzalez absent. MOTION 2014-0737 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,575,916.46 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LLC** for 42-inch Discharge Water Line from Katy Addicks Repump Station to Church Lane - 5.02% under the original contract amount - **DISTRICTS A - STARDIG and K - GREEN** – was presented, moved by Council Member Costello, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis and Gonzalez absent. MOTION 2014-0738 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 and 10

9. **AMEND MOTION #2007-259, 3/7/07, as previously amended, TO EXTEND** the term from April 17, 2015 to April 16, 2018, for Chemical, Inorganic Metal Salt Coagulants for the Department of Public Works & Engineering, awarded to **BRENTAG SOUTHWEST, INC (Formerly ALTIVIA CORPORATION)** – was presented, moved by Council Member Costello, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis and Gonzalez absent. MOTION 2014-0739 ADOPTED.
10. **GLOBE ELECTRIC SUPPLY CO., INC** for Purchase of Streaming Current Analyzers for the Department of Public Works & Engineering - \$101,820.00 - Enterprise Fund – was presented, moved by Council Member Costello, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis and Gonzalez absent. MOTION 2014-0740 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 12 through 23

12. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **EXPEDITE!, INC** for certain premises at George Bush Intercontinental Airport/Houston **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0734 ADOPTED.
13. ORDINANCE appropriating \$3,418,433.22 out of Houston HAS Airport Improvement Fund and awarding construction contract to **ISI CONTRACTING, INC** for Reconstruction of the Concrete Pavement and Improvement of the Drainage and Entry Roadway along Challenger 7 Parkway for Ellington Airport/Houston (Project No. 628/633); 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 services and contingencies relating to construction of facilities financed by such funds **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. ORDINANCE 2014-0735 ADOPTED.
16. ORDINANCE amending Ordinance No. 2010-0140 (Passed by City Council February 17, 2010), as amended, to increase the maximum contract amount; approving and authorizing first amendment between the City of Houston and **SPAY NEUTER ASSISTANCE PROGRAM, INC (SNAP)** to add Spay/Neuter Services at SNAP'S Non-Mobile Facility - \$100,000.00 - BARC Special Revenue Fund – was presented. All voting aye. Nays none. ORDINANCE 2014-0736 ADOPTED.
20. ORDINANCE approving payment of \$34,550.00 to **TOTAL CONTRACTING LTD.** under contract with the City for Neighborhood Street Reconstruction authorized by Ordinance No. 2004-3010 **DISTRICTS H - GONZALEZ and I - GALLEGOS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0737 ADOPTED.
22. ORDINANCE approving and authorizing fourth amendment to the agreement between the City of Houston and **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for Reimbursement for Design and Construction of a Pilot Project to develop Local Data for Storm Water Quality Best Management Practices (Approved by Ordinance No. 2010-0353) - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2014-0738 ADOPTED.
23. ORDINANCE No. 2014-720, passed second reading July 23, 2014  
ORDINANCE granting to **PEDRO CORDOVA dba PEDRO CORDOVA CO., A Texas Sole Proprietorship**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. ORDINANCE 2014-0720 ADOPTED THIRD AND FINAL READING IN FULL.

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

**RESOLUTIONS AND ORDINANCES**

11. RESOLUTION approving the creation of the Stadium Park Redevelopment Authority; approving the Certificate of Formation and the bylaws thereof; confirming the appointment of the initial directors and chairperson - **DISTRICT K – GREEN** – was presented.

After discussion, Council Members Costello and Stardig stated they would tag Item No.



11, but would remove the tags for purpose of discussion.

After discussion by Council Members Green and Bradford, Council Member Bradford asked if the LGC would go away when the Super Bowl was over, and Mayor Parker stated that she did not believe it had a termination date, and Council Member Bradford requested that if they did not have a proviso in the contract that it would terminate after the Super Bowl left town and that it would have enough time to do it's wrap up activities after the Super Bowl had commenced its activities, that the LGC shut down, and Mayor Parker stated that he could bring a motion up next week when it came back up on the agenda.

Mayor Parker stated that Item No. 11 had been tagged by Council Members Costello and Stardig.

14. ORDINANCE approving and authorizing agreement between the City of Houston, Texas and the **HOUSTON HOUSING AUTHORITY** to establish a procedure for exchanging and transferring properties between them; designating initial parcels to be exchanged – was presented. All voting aye. Nays none. ORDINANCE 2014-0739 ADOPTED.
15. ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, and **COASTAL WATER AUTHORITY**, Seller, and **ALLIANCE REALTY PARTNERS, LLC**, Purchaser, to sell CWA Gillette Street, a subdivision in Harris County, Texas - **DISTRICT C – COHEN** – was presented.

After discussion by Council Members Pennington, Kubosh, Bradford, Stardig and Gonzalez, Mayor Parker stated that Council Members Pennington, Bradford and Kubosh had tagged Item No. 15. Council Members Davis and Martin absent.

17. ORDINANCE amending Ordinance Number 2013-0809, as amended, to increase the maximum contract amount for an agreement for Legal Services between the City and **SUSMAN GODFREY L.L.P.**, as amended, for representation of the City in pending litigation against Xerox State and Local Solutions, Inc a/k/a and f/n/a ACS State and Local Solutions, Inc in the United States District Court for the Southern District of Texas Case No. 4:13-Cv-026532 - \$500,000.00 General Fund – was presented. Council Members Boykins and Martin absent.

After discussion by Council Members Kubosh and Davis a vote was called on Item No. 17. Council Member Green voting no, balance voting aye. Council Members Boykins and Martin absent. ORDINANCE 2014-0740 ADOPTED.

18. ORDINANCE approving and authorizing settlement, release, and indemnity agreement between the City of Houston, et al. and **LISA BEAN-KEMP, ET AL.** (USDC Civil Action; 4:10-CV-03111) to settle a lawsuit - \$5,000,000.00 - Property and Casualty Fund - was presented. All voting aye. Nays none. Council Member Boykins absent. ORDINANCE 2014-0741 ADOPTED.
19. ORDINANCE amending Ordinance No. 2014-544, an ordinance extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential properties within the **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 - **DISTRICT F - NGUYEN** - was presented. All voting aye. Nays none. Council Member Boykins absent. ORDINANCE 2014-0742 ADOPTED.

21. ORDINANCE approving and authorizing first amendment to the agreement for Research Services between the City of Houston and **WILLIAM MARSH RICE UNIVERSITY** for White Oak Bayou Cottage Grove Subdivision Low Impact Development Demonstration Project (Approved by Ordinance 2012-0249) – was presented.

After discussion by Council Member Robinson, a vote was called on Item No. 21. All voting aye. Nays none. ORDINANCE 2014-0743 ADOPTED.

#### **NON CONSENT AGENDA** - NUMBER 24

#### **MISCELLANEOUS**

24. REVIEW on the record and make determination relative to the appeal to the City of Houston from a vote by the Houston Planning Commission to uphold the decision of the Houston Archaeological and Historical Commission's denial of a certificate of appropriateness to relocate a structure at 1815 Cortlandt Street (Historic District: Houston Heights East), filed by Timothy Kirwin, Attorney at Law, on behalf of Jeremy McFarland, Brick Moon Design (Applicant) for Laura Menafee (Owner) **DISTRICT I – GALLEGOS** - was presented, and tagged by Council Member Cohen.

#### **MATTERS HELD** - NUMBERS 25 through 27

Mayor Parker stated that they were now on Item No. 25, there were a lot of moving parts on the item, they were going to take it slowly and to lower everybody's blood pressure she did not believe the item would be passed today, she thought they would find a mechanism to delay it for a week, and recognized Council Member Stardig.

Council Member Stardig moved that the rules be suspended for the purpose of considering Item No. 25a, prior to Item No. 25, at this time, seconded by Council Member Green.

Council Member Laster stated that they had significant movement on this item about 30 to 40 days ago and thanked Mayor Parker for allowing a delay on the item, that at that point and time he thought they had a main ordinance on the table that had once been tagged and they had at least four amendments put forth and asked what were they doing with those.

Mayor Parker stated that the purpose of the motion and the way they normally scheduled things on the agenda was that amendments came first and then the main item so they could vote on the amendments and then vote on the amended item, but because there was a committee substitute being proposed they were going to bring the main item up first so that there could be discussion of the committee substitute, they would get to all of the amendments that Council Members had put in and all of the amendments that Council Members wanted to put in today, which was why she indicated that they would wrap everything up and put it off for a week, that yes the amendments offered earlier were separately posted on the agenda, but if they brought the item up in this order the Chair would rule that they were intended to amend the main ordinance, they would roll them forward to be considered to amend the substitute, they were going to get there in the discussion, but he nailed it right off of the bat, that Council Member Stardig had asked that they bring the substitute forward, that she actually needed a motion to bring the substitute forward so they could discuss that.

A vote was called on Council Member Stardig motion to consider Item No. 25a at this time. All voting aye. Nays none. MOTION 2014-0740 ADOPTED.

- 25a. 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 – **(This was Item 59 on Agenda of June 11, 2014, DELAYED BY MOTION #2014-547)** – was presented.

Council Member Stardig moved to amend Item No. 25a by substituting an attached revised ordinance, that she had asked the administration to forward the attachment to them this morning as a draft, it was very large, that she had concerns as well and had asked that it be done this way, they were going to submit this to Ms. Anna Russell, City Secretary, that she forwarded the substitute to Council Members staff immediately when she found that it was not in their inboxes, but they were still fine tuning it until that point, that they anticipated that it would be delayed, that they had a lot of discussion to be had, for the public, this was regarding the regulations of vehicles for hire in the City of Houston, seconded by Council Member Green. (Note: A relined copy of the substitute ordinance was also presented.)

Mayor Parker stated that to be clear they brought the main ordinance out of order, this was a proposed substitute for the main ordinance that was proposed by the administration and it was the work product of the committee chaired by Council Members Stardig and Green, it was in writing and she was going to ask for a second and believed that Council Member Green seconded the substitute, that what was before them at this point was the substitute, that they recognized that Council Members had not read the substitute, although it was a compilation of the work from the committee.

After discussion by Council Member Green, Mayor Parker stated that version that had now been put forward, and was before them for consideration by Council Members Stardig and Green had been up on the City's website since July 22, 2014, and was the work product of the committee, that what she was going to ask them to do was ask their questions, if they had other amendments to put on the table, put them on now, and then when they got to Item No. 25 they would also delay those amendments from Item No. 25 so that everything could be considered and they would be posted appropriately next week, but they would vote on the substitution before they did that.

Council Member Stardig asked if what she had just submitted, the substitute, would now become Item No. 25a, and Mayor Parker stated yes, once they voted.

After discussion by Council Members Bradford, Boykins, Costello, Laster, Pennington, Martin, Bradford, Gonzalez and Kubosh, a vote was called on Council Member Stardig's motion to accept the committee substitute as the working document. All voting aye. Nays none. MOTION 2014-0741 ADOPTED.

Mayor Parker stated that she knew there were going to be a number of amendments offered at the table and once they got those amendments they were going to take a motion to delay the main item and the amendments to next week, then she was going to take another motion for Item No. 25, which were the previous amendments, that everything would be bundled up and moved forward, and asked Council Members to offer amendments to what was now the main item.

Council Member Stardig offered the following six written motions to amend item No. 25a. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

"I move to amend Item #25a by substituting the attached.

**Amendment #1**

**WHEREAS**, the City is committed to collecting and analyzing data and other relevant information, including but not limited to anecdotal evidence, concerning the provision of vehicle for hire transportation services to persons with disabilities, in an attempt to develop regulatory controls that promote and incentivize permittees and registrants to make available wheelchair accessible vehicles to passengers with disabilities in furtherance of the City's aspirational goal that within five-three years not less than five percent of the ~~of the~~ vehicles for hire operated in the City or a different percentage as determined and recommended by the Task Force, and that an appropriate percentage within the diverse vehicle for hire categories, are wheelchair accessible vehicles; and

#### **Amendment #2**

**Section 8.** That City Council, having considered the input of industry stakeholders and special interest groups, coupled with observations and trends from other jurisdictions and relevant data and anecdotal evidence provided by representatives of the Houston disabilities community, has determined that by the first anniversary of the effective date of this ordinance not less than ~~two~~ three percent of all vehicles for hire, including but not limited to taxicabs, limousines, sightseeing or charter vehicles, school vehicles, jitneys, low speed shuttles, transportation network vehicles, and all new entrants, operating in the City and available to the riding public must consist of ramp or lift-equipped wheelchair accessible vehicles or vehicles constructed and designed or redesigned, modified, or equipped to provide vehicle for hire transportation services to persons with disabilities who require the use of a wheelchair as a means of movement or ability to move from one place to another. Each permittee and registrant has the responsibility to provide consistent and equivalent service to persons with disabilities. This section shall not be construed to allow a single vehicle for hire category to fulfill the three percent requirement on behalf of the entire vehicle for hire fleet. This section shall become effective at 12:01 a.m. on the 90<sup>th</sup> day next following the effective date of this ordinance. Permittees and registrants that do not provide consistent and equivalent service to persons with disabilities shall be subject to suspension or revocation pursuant to a hearing conducted according to the process outlined in Chapter 46.

#### **Amendment #3**

**Section 9.** That the Mayor hereby authorizes the creation of the Houston Transportation Accessibility Task Force ("Task Force") to:

(1) study all aspects of transportation needs of persons with disabilities, including but not limited to available and emerging technologies related to adaptive devices such as wheelchairs and their use and integration in all vehicles, including vehicles constructed and designed or redesigned, modified, or equipped for to provide transportation services to persons with disabilities;

(2) assess and make recommendations to City Council concerning the number of wheelchair accessible vehicles for hire currently operating and available for use in Houston, including the analysis of available data and information reflecting the number and percentage of wheelchair accessible vehicles operated by permittees and registrants authorized to provide vehicle for hire transportation services in Houston;

(3) assess vehicle for hire response times for persons requesting a wheelchair accessible vehicle and make recommendations to City Council concerning minimum training requirements to ensure consistent and equivalent vehicle for hire transportation services to everyone, including but not limited to passengers with disabilities and passengers who request a wheelchair accessible vehicle; and

(4) provide recommendations, supported by empirical facts and anecdotal evidence, to work with the Director of ARA in crafting future recommendations for City Council's consideration concerning the availability of wheelchair accessible vehicles within permittees' and registrants' respective vehicle for hire fleets and targeted recommendations aimed at ensuring that the City's requirement in Section 8 that a portion of the overall vehicle for hire fleet available to the riding public consist of wheelchair accessible vehicles or vehicles constructed and designed or

redesigned, modified, or equipped to provide vehicle for hire transportation services to persons with disabilities who require the use of a wheelchair as a means of movement or ability to move from one place to another is an accurate reflection of the demand for wheelchair accessible vehicles for hire in the City; and

(5) study and provide recommendations concerning the necessity, feasibility, and practicability of requiring permittees and registrants to ensure a minimum percentage of their vehicle fleets consist of wheelchair accessible vehicles as a condition of receiving a permit, certificate of registration, or other authorization from the City to operate a vehicle for hire.

#### **Amendment #4**

**Section 10.** That City Council directs the Director of ARA to work with the Task Force to assess the necessity, feasibility, and practicability of requiring permittees and registrants to submit annual accessibility plans as a condition of permit or certificate of registration issuance or renewal and any Task Force recommendations concerning the minimum requisites for the accessibility plans aimed at ensuring that permittees and registrants provide a means of demonstrating that the vehicles and licensees operating within their respective vehicle for hire transportation services are equipped and trained to provide consistent and equivalent transportation services to the riding public, including persons with disabilities and persons who request a wheelchair accessible vehicle including but not limited to providing accessible means to request service, real time resolution and support, and complaint escalation procedures.

#### **Amendment #5**

**Section 12.** That within 60 days, the administration shall appoint, subject to City Council approval, the appropriate number of no less than five and no more than 11 individuals regular members to serve on the Task Force sufficient to ensure that with a majority of its membership are comprised of representatives from the Houston disability community. The Houston Commission on Disabilities may recommend individuals to the administration to serve on the Task Force. The Task Force shall convene its first meeting no later than 60 days after all members have been appointed and approved by City Council. Additionally, the Task Force shall consist of not less than two representatives from each of the vehicle for hire categories currently regulated by the City pursuant to Chapter 46 of the City of Houston Code of Ordinances. The City Attorney shall designate a representative from the Legal Department to render legal advice and attend Task Force meetings, but such person shall not be a member of the Task Force. The administration shall designate the appropriate number of nonvoting ex officio representatives to render advice and assist the Task Force in conducting research. These ex officio representatives shall not be members of the Task Force. Three successive unexcused absences from the regularly scheduled meetings, after due notice served by telephone, mail, or electronic mail of the time and place of such meetings, shall automatically terminate membership on the committee. Absences may be excused only by a majority of the Task Force members present and voting at any scheduled meeting. The Task Force shall adopt administrative procedures applicable to its own governance as are necessary to accomplish the purposes set out in this ordinance.

#### **Amendment #6**

**Section 13.** That the Director of ARA shall evaluate and report the findings and recommendations of the Task Force to City Council as soon as practicable but not sooner than six months after the effective date of this Ordinance and not later than the first anniversary of the effective date of this Ordinance.”

Council Member Costello offered the following written motions to amend item No. 25a. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

“I move to amend to amend Item 25A, as substituted, as follows:

1. Strike Sec. 46-508(c)(1) and substitute the following:

(c) The insurance required in subsection (a) shall be in the form of:

(1) Commercial automobile liability insurance with a combined single limit for bodily injury and property damage of \$1,000,000 per accident covering liability resulting from any occurrence arising out of or caused by the operation of a transportation network vehicle for incidents involving a driver from the time a driver is matched with and accepts a trip request through the transportation network company until the completion of the trip including of the drop off of passenger(s) at their final destination, regardless of whether the driver maintains personal insurance adequate to cover any portion of the claim and regardless of whether a driver is logged onto the transportation network company's internet-enabled application or digital platform at any point following the acceptance of the trip request; and

2. Strike Sec. 46-516(d) and substitute the following:

(d) It shall be unlawful for a ~~No~~ transportation network driver ~~shall~~ to accept or respond to passengers' or potential passengers' requests for service via traditional street hail, including hand gestures and verbal statements. It shall be unlawful for a transportation network driver to provide his or her direct phone number or email address to passengers or potential passengers to enable requests for service. A TNC shall immediately notify the department of administration and regulatory affairs and provide any evidence in its possession if it obtains actual knowledge of any violation of this subsection.

3. Strike Sec. 46-516(l) and substitute the following:

(l) All licensees operating a transportation network vehicle shall at all times: (1) carry proof of the insurance policies required in section 46-508 of this Code covering the vehicle; (2) carry an electronic or paper copy of the agreement or terms of service between the driver and the TNC; and (3) display the certification decal and distinctive signage or emblem required by this article. A transportation network driver shall log onto the transportation network company's internet-enabled application or digital platform showing that the driver is available to pick up passengers immediately upon entering his or her transportation network vehicle with the intent to provide service."

Council Member Laster offered the following written motion to amend Item No. 25A, (Laster amendment #2).

**"Sec. 46-18. General prerequisites to putting vehicle into service.**

*(a) Before any permittee may put a taxicab into service or replace a taxicab, he shall submit, for the director's approval, the vehicle, the certificate of title showing the current true ownership of the vehicle, his public liability insurance policy, insurance endorsement or evidence of self-insurance and, in the case of a leased vehicle, the written lease contract.*

*(b) The director shall not authorize a vehicle to initially be placed into service unless it is equipped with an air conditioning system that was factory-installed by the vehicle manufacturer and has sufficient interior passenger space to qualify in the United States Environmental Protection Agency's annual fuel economy guide as a mid-size car, a large car, a mid-size station wagon, a large station wagon, a sport utility vehicle, or a van, passenger type, provided that the director may also allow vehicles classified for purposes of the fuel economy guide as special passenger vehicles if the vehicle has passenger*

*seating and space accommodations at least equivalent to those of a vehicle rated as a mid-size car. To the extent that the fuel economy guide has not yet been published for the model year of the vehicle at the time that a vehicle is presented for placement into initial service, then the director may utilize the previous year's guide entry for the same or most equivalent make and model of vehicle.*

*In addition to the foregoing, unless a permittee holds at least five percent (5%) of its fleet of taxicabs as wheelchair accessible vehicles, either lift- or ramp-equipped, any taxicab initially ~~vehicle to be placed into service or operated pursuant to any permit distribution occurring on or after January 1, 2015~~ January 1, 2008, must meet one or more of the following criteria:*

- (1) Be powered by a 4-cylinder engine;*
- (2) Be a hybrid-electric vehicle;*
- (3) Be a wheelchair accessible vehicle, either lift- or ramp-equipped; or*
- (4) Be a vehicle that meets a minimum combined fuel economy rating of 20 miles per gallon based on the most recently published United States Environmental Protection Agency's annual fuel economy guide for the year in which the vehicle is presented for placement into initial taxicab service. To the extent that the fuel economy guide has not yet been published for the model year of the vehicle at the time that a vehicle is presented for placement into initial service, the director may utilize the most recent fuel economy guide entry for the same or most equivalent make and model of vehicle.”*

Council Member Davis offered the following written motions to amend Item No. 25a:

“I move to amend Chapter 46 Section 46-7 to read as follows:

**Sec. 46-7. Criminal history check.**

(a) ~~Upon initial application for a license, upon the filing of an amended application adding one or more new drivers, and at license renewal intervals stated in this chapter, the director shall cause the criminal history of each person designated as a driver in an application for a license to be researched. Each person designated as a driver in an application shall complete any forms required for the director to obtain the report, and the applicant shall present the required completed forms to the director and shall bear the cost, along with funding in a manner specified to cover any fees imposed by state or federal agencies for the report. The provision of this requirement shall not be construed to preclude the director from obtaining interim reports at the expense of the city.~~

(b) An applicant may be provisionally permitted to drive for a permittee if the permittee has caused the criminal history of the applicant to be researched by, and such search discloses that the applicant has no convictions of any applicable offense listed in section 1-10 of this code. Such a search shall include a national criminal history database and a national sex offender database. Drivers provisionally approved pursuant to this subsection shall be required to comply with the requirements of section 46-6(c) within 30 days of being provisionally approved by the licensee.”

Council Member Kubosh offered the following written motion to amend Item No. 25a.

“Article IX. Transportation Network Companies

**Proposed Language**

Revise Section 46-501 as follows:

Sec. 46-501.1 Transportation Network Vehicles Tax Equivalency With Taxicabs.

All Transportation Network Companies and Transportation Network Drivers shall render the transportation network vehicles to Harris County Appraisal District as commercial transportation vehicles in to enable all applicable taxing districts to collect the same taxes as would be collected if such for hire vehicles were operating as taxicabs.”

Council Member Kubosh stated that he was told by Mayor Parker’s staff that he had proposed two amendments and they gave him copies, he liked them but they were not his, and Mayor Parker stated that they were from the meeting when they deferred the item for 30 days, that he apparently made them in a form of a motion at the Council table, if he would simply resend those it would be helpful, if he did not intend to make them, and Council Member Kubosh stated that he would leave the amendments and make them as motions. Council Member Martin absent.

Council Member Laster stated that on behalf of Council Member Martin he offered the following written motions to amend Item No. 25a. Council Member Martin absent.

**Proposed Language**

Revise Section 46-501 as follows:

**“Sec. 46-501. Scope –Amendment.**

~~The provisions of this article shall not apply to the transportation of two or more persons between their home and work locations or of persons having a common work related trip purpose or leisure trip purpose in a vehicle used for the purpose of ridesharing when ridesharing is incidental to another purpose of the driver. The provisions of this article shall not apply to transportation which qualifies as ridesharing.”~~

**Sec. 46-505. Transportation network permit term.**

(a) Permits shall be issued for a term of one year. Permittees desiring to have reissuance of their permit shall, at least 30 days prior to the expiration of the permit, file with the director a written application for a renewal of their permit. Except as otherwise expressly stated, renewals shall be subject to the same requirements set forth in this article for issuance of new permits.

(b) A permit is specific to the permittee to whom it is issued and may not be transferred or otherwise assigned. Any change of ownership, partnership interests, corporate officer or director as shown on the permit application shall render a permit void, unless an application for an amendment is filed within ten days following the effective date of the change. The director shall promulgate procedures for the processing of amendments and may suspend the permit pending the completion of the processing if any additional person who has acquired an interest in the business is determined to have been convicted of an offense listed in section 1-10(c) of this Code.

~~(c) Each permit is nonexclusive, and no limits or restrictions shall exist upon the number of transportation network vehicles that may be operated provided that each must be operated pursuant to a permit and in accordance with all applicable requirements of this article. No transportation network company shall have more than one transportation network company permit. A transportation network company permit shall entitle the permittee (including all affiliates of permittee) to engage under written agreement with no more than 150 transportation network drivers to operate transportation network vehicles.~~



(d) A transportation network company permittee may acquire any existing taxicab permits from a taxicab permit holder and convert such taxicab permit to a transportation network license, thereby increasing the number of permissible transportation network licenses on a one for one transfer basis. Such transfer shall be upon application to the director upon procedures as the director may implement.

(e) No transportation network vehicle shall be shall be operated by anyone except a transportation network licensee under written agreement with the transportation network company permittee specifically incorporating the obligations under Chapter 46 into such written agreement. Such permittee shall be responsible for compliance by such transportation network licensee with Chapter 46.

**Sec. 46-508. Transportation network company permit - Insurance required.**

(a) Every permittee and transportation network driver shall comply with all applicable insurance requirements mandated by federal, State of Texas, and city laws.

(b) Each applicant for the issuance or renewal of a permit shall provide proof that the applicant has commercial automobile liability insurance, issued by ~~either~~ a company listed as an authorized auto liability lines carrier on the Texas Department of Insurance's List of Authorized Insurance Companies or a surplus lines insurer listed on the Texas Department of Insurance's List of Eligible Surplus Lines Insurance Companies, insuring the general public against any loss or damage that may result to any person or property from the operation of the vehicles covered by the permit and securing payment by the applicant of any final judgment or settlement of any claim against the applicant, its drivers, or employees of the applicant's TNC business resulting from any occurrence arising out of or caused by the operation of a transportation network vehicle. ~~The eligible surplus lines insurance company is required to have a Best's Rating of at least B+ and a Best's Financial Size Category of Class VI or better according to the most current edition of Best's Key Rating Guide, Property-Casualty, United States.~~ The insurance may be in excess of the driver's automobile liability insurance.

(c) The insurance required in subsection (a) shall be in the form of:

(1) Commercial automobile liability insurance with a combined single limit for bodily injury and property damage of \$1,000,000 per accident covering liability resulting from any occurrence arising out of or caused by the operation of a transportation network vehicle for incidents involving a driver from the time a driver is matched with and accepts a trip request through the transportation network company until the completion of the trip, regardless of whether the driver maintains personal insurance adequate to cover any portion of the claim; and

(2) Commercial automobile liability insurance coverage in no less than the minimum coverage amounts specified in the Texas Motor Vehicle Safety Responsibility Act as now enforced or hereinafter amended during the time that a driver for a transportation network company is logged in and available to provide vehicle for hire transportation services on the

**Sec. 46-508.1 Transportation network vehicle -- Insurance as prerequisite.**

(a) Before any vehicle shall be allowed to operate as a transportation network vehicle, the licensee shall file an insurance demonstrating insurance coverage on any transportation network vehicle utilized to perform transportation network services by licensee for a transportation network company complying with the requirements contained in subsection (b) below.

(b) The insurance required in subsection (a) shall be in the form of commercial auto liability coverage in no less than the minimum coverage amounts specified in the Texas Motor Vehicle Safety Responsibility Act issued by a company listed as an authorized auto liability lines carrier on the Texas Department of Insurance's List of Authorized Insurance Companies. The policy must provide for coverage 24/7. Additionally, the insurance policy must include an endorsement requiring 30 days' written notice of termination or cancellation to the director and to the permittee with which such vehicle is affiliated. In the event that a policy terminates or is cancelled without replacement, then the licensee and permittee shall immediately cease utilizing such vehicle under this chapter until a replacement policy is provided to the director. Proof of insurance coverage shall be maintained at all times and shall be accepted only in the authorized form approved by the Texas Department of Insurance for that purpose.

### **Proposed Language**

Revise Section 46-515(b) as follows:

Preferably:

“(b) A transportation network vehicle shall display a consistent and distinctive emblem at all times ~~that the vehicle and/or its driver are under contract with a Transportation Network Company, and such emblem shall identify the name and permit number of the Transportation Network Company while being used vehicle for hire.~~ The director is authorized to specify, by rule, the manner of display, method of issuance, design and contents of such emblem.”

### **Sec. 46-516. Transportation network drivers – Additional operating requirements.**

(a) In addition to all other applicable requirements provided by law, it shall be unlawful for any person:

(1) To operate a transportation network vehicle within the city while not in possession of a valid ~~Texas Driver License issued by a state, district or territory of the United States;~~ or

(2) To operate, or cause to be operated, a transportation network vehicle that does not meet all the applicable requirements of this chapter.

(b) No transportation network driver shall pick up or discharge a passenger on any portion of George Bush Intercontinental Airport/Houston (IAH) or William P. Hobby Airport (HOU) without proper authorization pursuant to chapter 9 of this Code. A licensee carrying a passenger or passengers from IAH or HOU shall pay to the city the airport use fee established from time to time by division 3 of article II of chapter 9 of this Code. Such fee shall not be less than the fees paid by taxicabs. Additionally, no transportation network driver shall pick up or discharge any passenger in any designated taxicab stands or loading zones.

(c) It shall be unlawful for any permittee or licensee to solicit potential passengers for vehicle for hire services at, in or near any passenger depot, hotel, airport, ship or ferry landing, bus stop or station, or upon any sidewalk or street or any other place in the city, or use any words or gestures that could be construed as soliciting a passenger for vehicle for hire transportation services.

(d) No transportation network driver shall accept or respond to passengers' or potential passengers' requests for service via traditional street hail, including hand gestures and verbal statements.

(e) It shall be the duty of each licensee to pull his transportation network vehicle to the curb when loading or unloading passengers.

(f) The permittee's internet enabled application or digital platform accessed by potential passengers shall display for the potential passenger: (1) a picture of the transportation network driver and (2) a picture of the transportation network vehicle the driver is approved to use, including the license plate number of the driver's transportation network vehicle. In addition, any permittee shall make any information displayed in the permittee's Internet-enabled application or digital platform also.

Mayor Parker stated that she did not have a version with any letterhead or any indication that they were from Council Member Martin so they must be received from Council Member Laster. Council Member Martin absent.

After discussion by Council Members Davis, Laster, Stardig and Bradford, Council Member Stardig asked if the administration could insure that they all had consistent information, she did not want any more confusion or leave the door open for anymore concerns, or delays, and Mayor Parker stated that they would give a scanned copy of all of the amendments received, that it was the City Secretary who was the keeper of records, that was why they worked to make sure they had in hand what they needed when they started, and Council Member Bradford stated that there were a number of amendments and he was not sure they had them all and requested that the administration do a small matrix for this process, like they did for the budget process, it would help tremendously, and Mayor Parker stated that was a good suggestion and would be happy to. Council Member Martin absent.

Council Member Boykins stated that he had offered some amendments about a month ago, it was prior to the stake holders meeting with Council Members Green and Stardig, with regards to the background and other issues, after getting information back and their deliberation he had decided to withdraw his amendments listed in Item 25. Council Member Martin absent.

Mayor Parker requested a motion to delay consideration of the main item 25a and the amendments for one week. Council Member Martin absent.

Council Member Green moved to delay Item No. 25a and the proposed amendments for one week, seconded by Council Member Stardig. All voting aye. Nays none. Council Member Martin absent. MOTION 2014-0742 ADOPTED.

25. Consideration of proposed amendments to Item 25A below, submitted in writing on July 11, 2014 by Council Members Boykins, Laster and Kubosh, as set forth in the attached Exhibits 1-3 (**DELAYED BY MOTION #2014-547**) - was presented. Council Member Martin absent.

Council Member Boykins stated that he would withdraw his amendment, Exhibit 1. Council Member Martin absent.

After discussion by Council Member Laster, Council Member Boykins moved to delay Item 25, Exhibit 2 and 3, for one week, seconded by Council Member Laster. All voting aye. Nays none. Council Member Martin absent. MOTION 2014-0743 ADOPTED.

Council Member Kubosh asked Mayor Parker if she could make a public statement to ask these people to stand down, the network transportation companies, while the City Council was debating his, and Mayor Parker stated no, they asked them to stand down when they were not formally debating it, but this was an item before the Council, they could not impede access by the public, it was a public process. Council Member Martin absent.

Council Member Bradford moved to remain in session beyond the scheduled noon recess, seconded by Council Member Costello. All voting aye. Nays none. Council Member Martin absent. MOTION 2014-0744 ADOPTED.

26. ORDINANCE appropriating \$10,000,000.00 out of the Miscellaneous Capital Projects / Acquisitions CP Series E Fund for the Grade Separated Betterment of the Light Rail

Crossing of the tracks at Harrisburg and Hughes; authorizing and approving supplement to the Consent Agreement between the City of Houston and **THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** (Approved by Ordinance No. 2008-0567) - **DISTRICTS H - GONZALEZ and I - GALLEGOS** – **(This was Item 36 on Agenda of June 25, 2014, DELAYED BY MOTION #2014-629)** – was presented. Council Member Martin absent.

After discussion, Council Member Gallegos offered a written motion to amend Item No. 26 by substituting a supplemental agreement, which was executed by METRO officials on July 29, 2014, a copy of which he presented to the City Secretary. Council Member Martin absent.

After further discussion by Council Members Gallegos and Gonzalez, Mr. Feldman stated that there was no provision in the particular agreement for hold harmless or indemnification, none of the work, with respect to the agreement, placed the City in any position of liability with respect to the contamination that presently existed, if the City were to have any liability it would be based on historical involvement with the property, and contributing to the contamination, and there was no evidence of that, and METRO, being a governmental entity itself could not indemnify another party, unless they could be liable for that same conduct, that under the Environmental Protection Act liability for contamination rested with the party contributing to the contamination, that METRO could not indemnify the City legally if it wanted to and he did not see any exposure to the City for liability in any event, either based on prior involvement with the property or the agreement. Council Members Martin and Kubosh absent.

After further discussion by Council Members Costello, Gallegos, Pennington, Gonzalez and Boykins, a vote was called on Council Member Gallegos motion to amend Item No. 26. All voting aye. Nays none. Council Members Martin and Kubosh absent. MOTION 2014-0745 ADOPTED.

A vote was called on Item No. 26 as amended. All voting aye. Nays none. Council Members Martin and Kubosh absent. ORDINANCE 2014-0744 ADOPTED.

27. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BLACK FOREST VENTURES AVIATION RE, LLC, operated by WING AVIATION CHARTER MANAGEMENT SERVICES LLC**, for certain premises at 8410 Larson Street at William P. Hobby Airport - **DISTRICT I - GALLEGOS** – **(This was Item 9 on Agenda of July 23, 2014, TAGGED BY COUNCIL MEMBER BOYKINS)** – was presented. Council Members Martin and Kubosh absent.

Council Member Bradford stated there were two issues that he needed to review further, and would tag Item No. 27. Council Members Martin and Kubosh absent.

Mayor Parker stated that she did not know what was going to happen next week with the Vehicles for Hire, but she wanted to offer her thanks to Council Members Green and Stardig, that they did a yeoman's work and she sincerely appreciated their engagement in the issue; that she wanted to offer an apology, the Oklahoma City Mayor, Mick Cornett, was in town and she was supposed to introduce him at a luncheon today, that she was sorry, they were still in the Council meeting, that Mayor Cornett, she knew through the U.S. Conference of Mayors, that Oklahoma City had engaged tremendous amount of revitalization in downtown, major capital projects that had driven new economic development outside of the public sector spending and he deserved a chance to talk about that and she was sorry that she was not standing him up, that she appreciated what he did; that they were losing another City employee, she wanted to say farewell to Mr. Ralph De Leon, he was generally known to Council as the TIRZ guy, they would be losing him to the private sector and wished him luck, that today was his last day; that on Friday would be the last day in office of Public Works Director Dan Krueger, that was a big loss to the City of Houston, she was working her way

through her short list of new Public Works Directors, she did not have an announcement at this time, but the good news was that there was a very strong bench in Public Works, the Deputy Directors in Public Works did an excellent job and could run their areas going forward without a hiccup, whether she would bring someone in from the outside or promote from within, Public Works was in really good hands, that Mr. Krueger had done an amazing job of creating a unified team over there and she wanted to thank him for his service to the City of Houston. Council Member Martin absent.

Council Member Pennington that he too wanted to say congratulation to the two men she had mentioned, they had both done a great job, and Council Member Boykins stated that Mr. Ralph De Leon would be difficult to replace. Council Members Martin and Green absent.

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

Council Member Laster stated that he to wanted to join his colleagues in thanking Mr. De Leon, that he had an opportunity to work with him in many incarnations of the City, and in the Tax Increment Reinvestment Zone in Sharpstown, that he wanted to thank him for his due diligence and wished him well; that he too wanted to say thanks to Council Members Green and Stardig for their extra efforts. Council Members Boykins, Martin and Kubosh absent.

Council Member Gonzalez stated that he wanted to offer his thanks to Mr. Shree Deshpande and Ms. Clarice Shkedy, who were wrapping up their summer internship in the District H office, that he was proud to have had them as members of their team and wished them continued success in the future; that he wanted to wish a Happy Birthday to Ms. Victoria Cordova, a former District H team member who now worked for the Mayor's communications team, and a Happy Belated Birthday to Mr. Daniel Santamaria and thought that Council Member Boykins also had a birthday this month; that he also wanted to give his thanks to Mr. De Leon and Director Krueger, they had both been tremendous assets to the City and wished them both well in their future endeavors; and announced events he attended or would be attending. Council Members Boykins, Martin and Kubosh absent.

Council Member Cohen announced events she attended or would be attending; and stated that she wanted to add her thanks to Mr. Krueger and Mr. De Leon. Council Members Martin and Kubosh absent.

Council Member Pennington announced events he attended or would be attending; and stated that he wanted to wish Council Member Davis well on his birthday. Council Members Martin and Kubosh absent.

Council Member Green stated that he too wanted to wish best wishes to Mr. De Leon; and announced events he attended or would be attending; that he wanted to send condolences to Ms. Venita Harris on the loss of her mother last week; that he wanted to express an early birthday greeting to Council Member Davis; that he also wanted to wish Council Member Boykins a happy 25th wedding anniversary this weekend. Council Members Martin, Laster and Kubosh absent.

Council Member Davis stated that last Thursday he went out to the Greenspoint Redevelopment Authority for the ribbon cutting of Dillon Park, they would be having a grand opening for the Skate Park on August 14, 2014, that there were 15 more acres they needed to develop a little bit south of the park, a big shout out to everybody for working so hard. Council Members Martin, Laster and Kubosh absent.

Mayor Parker stated that was the most beautiful and fully accessible park they had ever built, it was top of the line, that extra 15 acres would make a great BMX park. Council Members Martin, Laster and Kubosh absent.

Council Member Gallegos stated that he was excited about the update of the renovation of Gus Wortham, that he wanted to thank former Council Member Pam Holm and the Houston Golf Association for being involved in the task force, and he also wanted to thank Mr. Jeff Ross and the Botanic Garden Board and looked forward to them going into the Glenbrook Golf Course; that he wanted to thank Chairman Gilbert Garcia and the METRO board and was looking forward to working with them and the community in designing an overpass that would be pleasing to the eye in District H and I; and announced events he attended or would be attending; that he wanted to wish Ms. Leah Olive-Nishioka, Chief of Staff, as well as Mr. Daniel Santamaria, his Deputy Chief of Staff; that he wanted to thank his summer intern, Mr. Reynaldo Gonzalez for working with his staff these past few weeks, he had been very helpful and he wished him well in his studies at school this year. Council Members Martin, Pennington, Laster and Kubosh absent.

Council Member Stardig announced events he attended or would be attending; and stated that they had gone through a long process and she could see the finish line coming hopefully next week and thanked her colleagues for being supportive and willing to step forward with amendments and making it right instead of just shooting everything down and thanked everyone willing to say what the disabled community would like. Council Members Martin, Pennington, Laster and Kubosh absent.

Council Member Nguyen announced events he attended or would be attending; and stated that he wanted to give a shout out to Colonel Ziet Luong, a distinguished army veteran, he was being promoted to General, that he would be the first soldier of Vietnamese descent to hold that rank, next week he would be promoted in a ceremony in Fort Hood; that today was the last day for the Summer Job Intern, Ms. Veronica Hernandez, that she had been a joy to have in the office and had already made herself a great asset, she had a bright future ahead of her, that he wanted to thank her for her hard work. Council Members Martin, Pennington, Laster and Kubosh absent.

Council Member Robinson stated that he wanted to express his happiness of her decision to leave the Cultural Arts Effort with two wonderful people; and announced events he attended or would be attending. Council Members Martin, Pennington, Laster and Kubosh absent.

Mayor Parker stated that at her normal Wednesday press conference she would announce the Chairs of the Cultural Plan Effort; that Dillon Park was the park without boundaries and fully accessible, the skate park right now did not have a name and that it was open to naming rights, that it was the largest skate board park in North America and was spectacular. Council Members Martin, Pennington, Laster and Kubosh absent.

Council Member Bradford stated that he wanted to thank Mayor Parker and the City for the Summer Jobs Program, that Ms. Ashley McGinnis, Ms. Christian Gray and Ms. Imani Hurd, had worked this summer in his office, as well as hundreds of other students in the City of Houston, they had summer jobs this summer because the Mayor and City Council put resources aside and stepped forward and said they could do something positive to help these young boys and girls stay on the right track, they received exposure, experience and they contributed in a productive manner to his office, so he wanted to say thank you to Christian, Ashley and Imani, he truly appreciated having them there, and also a big thanks to the HR Department, because Director Omar Reid and Deputy Director Velma Laws worked very hard, the HR Department put together the mechanics and got the students assigned, that he wanted to thank them for provided 400 plus students a job opportunity this summer. Council Members Cohen, Martin, Pennington, Laster and Kubosh absent.

Mayor Parker stated that this was something that had been a passion of Ms. Laws for a

very long time and she appreciated her work. Council Members Cohen, Martin, Pennington, Laster and Kubosh absent.

Mayor Parker stated that Council Member Boykins and his wife were having a significant event, they were celebrating 25 years of marriage. Council Members Cohen, Martin, Pennington, Laster and Kubosh absent.

Council Member Boykins stated that he wanted them to keep Mr. Tony Morris in their prayers, and thanked Mayor Parker and Mr. Carl Davis for their commitment to Tony and trying to make the final days, great days, for him; and to his wife, he loved her dearly for the commitment she made 25 years ago, they were redoing their vows on Saturday and he was looking forward to it; that he wanted to congratulate Mr. Michael Strahan on being inducted into the Pro Football Hall of Fame, as they knew Mr. Strahan graduated from Texas Southern University, that the TSU Band was going to the ceremony this week; that he wanted to recognize his two Summer Program interns, Mr. Ryan George and Mr. David Moore, they were the two best interns in the whole program; and announced events he attended or would be attending; and stated that he wanted to welcome one of the Houston Chronicles new addition, Mr. Katherine Driessen; that they had a U of H graduate, Mr. Douglas Zepede, who worked for Univision, he was a communication major at the university, they were proud of him and they loved to see students from their district do well. Council Members Cohen, Martin, Pennington, Laster and Kubosh absent.

Mayor Parker stated that she did not play golf, but as an anniversary present he could auction off lunch or dinner with the two of them at his golf tournament. Council Members Cohen, Martin, Pennington, Laster and Kubosh absent.

Council Member Gonzalez stated that he wanted to offer his condolences to the Almogabar Family, Mr. Robert Almogabar passed away suddenly and had been a long time parishioner at Saint Patricks Church in the District H community and he knew the family personally, that he was the father of Ms. Melody Barr, Housing and Community Development Department, that he wanted to offer condolences on behalf of the City of Houston. Council Members Boykins, Cohen, Martin, Pennington, Laster, Costello and Kubosh absent.

Council Member Green stated that he wanted to thank the City Council, today they passed the Westbury Community Garden Land Swap with the Houston Housing Authority, and wanted to thank everyone for working with them to make it happen, it was a long process; that Westbury to would be going up to Canton, Mr. Strahan was a graduate of Westbury High School, so that band to would be participating at the Hall of Fame. Council Members Boykins, Cohen, Martin, Pennington, Laster, Costello, Kubosh and Bradford absent.

Council Member Davis stated that in talking about the Summer Interns, he wanted to thank Human Resources, as well as the Finance Department, because they had his interns getting a layout of how the financial background worked in the City of Houston, that his interns were giving a presentation today at 4:00 p.m. in the basement conference room of some of the things they learned in the Finance Department, that he wanted to thank the Council Members who made it happen, and would make it happen again next summer. Council Members Boykins, Cohen, Martin, Pennington, Laster, Costello, Kubosh and Bradford absent.

There being no further business before Council, the City Council adjourned at 1:04 p.m. Council Members Boykins, Cohen, Martin, Pennington, Laster, 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