

City Council Chamber, City Hall, Tuesday, October 16, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 16, 2012, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office present.

At 1:44 p.m. Mayor Parker stated that they would now begin presentations and called on Council Member Costello who invited those present for his presentation to the podium and stated that in August and September 2011 devastating floods ravished Southeast Pakistan home to Houston's sister city of Karachi and affected 5.3 million people; that community leaders, etc., joined and established the Alliance for Pakistan Flood Relief Efforts and raised more than \$81,000 and over \$100,000 in wholesale value in-kind donated items; and Mayor Parker presented a Proclamation to the group and proclaimed today as "Alliance for Pakistan Flood Relief Efforts Day" in Houston, Texas. Council Members Davis, Cohen, Adams, Sullivan, Pennington, Green and Noriega absent.

The Coordinator for the Alliance for Pakistan Flood Relief Efforts stated that they were always available for such causes; and thanked all for the recognition. Council Members Davis, Cohen, Adams, Sullivan, Pennington, Green, Burks and Noriega absent.

Mayor Pro Tem Gonzalez and Council Member Hoang thanked the group for all their efforts. Council Members Davis, Sullivan, Pennington, Green, Burks and Noriega absent.

Mayor Pro Tem Gonzalez called on Council Member Adams for the next presentation; and Council Member Adams invited those present with her presentation to the podium and stated that this was Save for Retirement Week; that saving for retirement was important as people were living longer and it was key for health and financial security; and Mayor Parker presented a Proclamation to the group and proclaimed October 21 through October 27, 2012, as "Save for Retirement Week" in Houston, Texas. Council Members Davis, Cohen, Sullivan and Green absent.

Ms. Sherry Mose, Chairman for the Houston Municipal Employee Pension System thanked all for the recognition and stated that each Council Member was presented an envelope with a red band and giving dates of events next week. Council Members Cohen and Sullivan absent.

Mayor Pro Tem Gonzalez and Council Member Rodriguez thanked and commended all for their work and bringing awareness to the issue. Council Members Cohen and Sullivan absent.

Mayor Pro Tem Gonzalez called on Council Member Rodriguez for the next presentation; and Council Member Rodriguez invited those present with his presentation to the podium and stated that the arts was a major economic engine in Houston and the month of October was recognized as National Arts and Humanities Month by thousands and employed many; and Mayor Parker presented a Proclamation to the group and proclaimed October as "National Arts and Humanities Month" in Houston, Texas. Council Members Davis, Cohen, Adams and Sullivan absent.

A Spokesperson for the group thanked all for the recognition of National Arts and Humanities Month; and for continued support. Council Members Davis, Cohen, Adams and Sullivan absent.

Mayor Pro Tem Gonzalez and Council Member Green stated that the arts were very important in Houston; and thanked all for their amazing job. Council Members Davis, Cohen, Adams and Sullivan absent.

At 2:05 p.m. Mayor Parker called on Council Member Christie who led all in the invocation and pledge. Council Members Davis, Cohen, Adams and Sullivan absent.

At 2:06 p.m. the City Secretary called the roll. Council Members Davis and Sullivan absent.

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

Council Member Bradford moved the rules be suspended for the purpose of adding Ms. Sylvia Gonzalez to the list of speakers, seconded by Council Member Burks. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2012-0734 ADOPTED.

At 2:07 p.m. the City Secretary began calling the public speakers.

Ms. Maria Jimenez, 7105 Sherman, Houston, Texas 77011 (713-213-1678) had reserved time to speak but was not present when her name was called. Council Member Sullivan absent.

Mr. David Thorne, 40 FM 1960 Road West #261, Houston, Texas 77090 (832-286-5925) appeared, presented information to Council Members and stated that he was present in July and now was reporting an increase in missing public funding from the Metropolitan Transit Authority in the neighborhood of \$450 million; that also harassment actions, etc., escalated; that the people the Mayor appointed had a Gestapo mentality and they were violating state law with a contract submitted to Metro by TWU. Council Member Sullivan absent.

Mayor Parker stated that her understanding was this was a dispute on who the appropriate bargaining agent was for Metro and it was not an appropriate issue for the City Council; that Metro determined another entity was the appropriate bargaining agent and they had successfully concluded their collective bargaining process; that he had opportunity to use the courts to challenge. Council Members Sullivan and Christie absent.

Ms. Katherine Swilley, 10903 Ensbrook, Houston, Texas 77099 (832-594-2025) appeared and stated that she was a former HPD officer who had received an award for her community service; had recorded discrimination and was fired four years ago; and continued discussing her attempts for rehire; and urged Mayor Parker to open and review her case. Council Members Sullivan, Hoang and Christie absent.

Mayor Parker stated that she had received her documents. Council Members Sullivan, Hoang and Christie absent.

Upon questions by Council Members Burks and Bradford, Ms. Swilley stated that she noticed she was arresting children younger and younger and started a program with her money; that in court new evidence on her case was not presented. Council Members Sullivan, Hoang and Christie absent.

Upon questions by Council Member Bradford, Ms. Swilley stated that Chief McClelland refused to meet with them; that she was terminated under Chief Hurt, there was no pending litigation concerning her termination at this time; that when with the Hearing Examiner HPD stated to the arbitrator that they had presented erroneous evidence at her hearing and her position was upheld, but no one called her back to work; and Mayor Parker stated that she had

been through arbitration and the repeal was dismissed and there were several attempts at litigation as well. Council Members Sullivan, Hoang and Christie absent.

Council Member Davis stated that he was trying to see how they suspended someone for 45 days, 30 days, 20 days and now someone was getting indefinitely suspended for untruthfulness. Council Members Sullivan, Hoang and Christie absent.

Council Member Burks moved the rules be suspended for the purpose of extending the time for questions of Ms. Katherine Swilley, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan, Hoang and Christie absent. MOTION 2012-0735 ADOPTED.

Upon questions by Council Member Burks, Ms. Swilley stated that the affidavit turned in also confirmed the affidavit Reverend Bill Lawson gave contradicting all they heard and also confirmed the union attorney said her supervisor lied on her and confirmed her attorney and the union attorney said there were no documents in the file to justify her termination; that one charge of untruthfulness was her reporting discrimination to her supervisor. Council Members Sullivan, Hoang and Christie absent.

Council Member Green stated that she made a charge of discrimination and was indefinitely suspended; and upon questions, Ms. Swilley stated that there was an EEOC investigation and they did not find cause; that she filed a lawsuit and was in Judge Hitner's courtroom and he agreed there was enough evidence for her to report her case and she was in his court with no attorney. Council Members Sullivan, Hoang, Rodriguez and Christie absent.

Mr. Javier Chacon, 18 Whisper Lane, the Woodlands, Texas 77380 (713-503-2857) appeared and stated that he was an EEO consultant with 35 years of experience and was present as Ms. Swilley's consultant asking that they meet with her team regarding evidence which was ignored regarding her termination in 2008; and he was asking that she be provided a rightful opportunity to present all which was ignored or overlooked. Council Members Sullivan, Hoang and Christie absent.

Upon questions by Mayor Parker, Mr. Chacon stated that he was not an attorney, he was an EEOC consultant. Council Members Sullivan, Hoang and Christie absent.

Upon questions by Council Member Green, Mr. Chacon stated that he was working with Ms. Swilley through the Greater Houston Coalition for Justice; that he wanted her to have opportunity to present all evidence overlooked or ignored. Council Members Sullivan, Hoang and Christie absent.

Upon further questions, Mr. Heilman stated that to clear the record, Ms. Swilley filed a federal lawsuit and Judge Hitner granted some rejudgement in favor of the City of Houston; that she took the case to the Fifth Circuit Court of Appeals and the decision was upheld; that she did not appeal to the U. S. Supreme Court and the case was dead; and she went through arbitration prior to the federal appellant process. Council Members Sullivan, Hoang and Christie absent.

Upon questions by Council Member Bradford, Mr. Chacon stated that he had been Ms. Swilley's consultant about three weeks; that she had requested the full IAD report through appropriate channels but did not have it for court; that it was his understanding she now had it. Council Members Sullivan, Hoang and Christie absent.

Council Member Bradford moved the rules be suspended for the purpose of extending the time for questions of Mr. Javier Chacon, seconded by Council Member Adams. All voting aye. Nays none. Council Members Sullivan, Hoang and Christie absent. MOTION 2012-0736

ADOPTED.

Upon questions by Council Member Bradford, Mr. Chacon stated that the process made available to Ms. Swilley did not allow all evidence to be presented and they were asking that evidence be allowed to be presented. Council Members Davis, Sullivan, Hoang, Burks, Noriega and Christie absent.

Upon questions by Council Member Adams, Mayor Parker stated that it was the City's position Ms. Swilley had exhausted all her avenues of appeal up to and including a federal judge and appeal of that; and Mr. Heilman stated that during the course of administrative and civil Ms. Swilley had ten lawyers involved, not all at the same time; that she did receive internal affairs investigations in full during the litigation; that the point of the appeal process was you needed finality and it was done. Council Members Sullivan, Hoang, Noriega and Christie absent.

Council Member Bradford stated that when he was Police Chief his practice was if a person could not show objectively new data not considered during the previous investigation he would not reopen a file, if they could show new data not considered then he looked into it, but did not know if that was the case now. Council Members Sullivan, Hoang, Noriega and Christie absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Hoang, Noriega and Christie absent.

Ms. Sylvia Gonzalez, who was previously added to the Speakers List, appeared and stated that she was present regarding Ms. Katherine Swilley and knew things could be done; that this case needed to be reopened and reevaluated; she was an officer 20 years and received two Bravo Awards; that they should at least allow her to resign so she would be able to be rehired; and urged it be opened and investigated. Council Members Sullivan, Hoang and Noriega absent.

Council Member Burks thanked Ms. Gonzalez for coming and stated that he had sued to get his job back previously; and this information today did not make sense. Council Members Sullivan, Hoang and Noriega absent.

Council Member Green stated that he was officially requesting if something could be done to do so, to at least give the officer opportunity to resign or open what they could to allow her opportunity to be hired; and Mayor Parker stated that she would request Legal respond. Council Members Sullivan, Hoang and Noriega absent.

Mr. Patrick McIlvain, 1618 Weber Street, Houston, Texas 77007 (713-705-7058) appeared, presented packets to Council Members and stated that his Second Annual Houston Walk for Mental Health was coming Saturday, October 20, 2012, at Stude Park; and this Friday was a luncheon at United Way; and urged all attend. Council Members Sullivan, Hoang and Noriega absent.

Council Member Gonzalez thanked Mr. McIlvain for being the face of this effort; and stated that anyone could still sign up and participate at [www.thehoustonwalk.org](http://www.thehoustonwalk.org); and commended him on his efforts. Council Members Sullivan, Hoang and Noriega absent.

Council Member Adams thanked and commended Mr. McIlvain on bringing awareness of mental health. Council Members Sullivan, Hoang, Costello and Noriega absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (no phone) had reserved time to

speak but was not present when his name was called. Council Members Sullivan, Hoang, Costello and Noriega absent.

Mr. Danny Brown, 517 E. 39th, Houston, Texas 77022 (832-533-6813) appeared and stated that he was an equipment operator three in Solid Waste Management; that behavior and favoritism was bias and unethical; that he had been under a doctor's care because of anxiety, etc., related to his job of which he continued to give dates and express concerns of spills, etc., until his time expired. Council Members Sullivan, Hoang, Costello and Noriega absent.

Upon questions by Council Member Adams, Mr. Brown stated that he worked out of the Lawndale Southeast Service Center; that he made reports about safety; and Council Member Adams stated that she was concerned about the spills and the safety and would contact Director Hayes though she knew there were always two sides and she would like it in writing from him; and Mr. Brown stated that there were witnesses. Council Members Sullivan, Hoang, Costello and Noriega absent.

Mayor Parker stated that currently he was in the discipline process; and Mr. Brown stated that yes currently he was on decision making leave; and Mayor Parker stated that was usually offered to an employee they were trying to salvage. Council Members Sullivan, Hoang, Costello and Noriega absent.

Mr. Luis Matute, 5600 Chimney Rock, Houston, Texas 77081 (713-592-3386) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Hoang, Costello and Noriega absent.

Ms. Sosie Lucas, 2955 Gulf Freeway, Houston, Texas 77007 (281-685-9299) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Hoang, Costello and Noriega absent.

Ms. Catherine Danna, 3907 W. Main, Houston, Texas 77027 (713-392-1519) appeared and stated that she would like Mr. Stafford to speak before her; and Council Member Laster moved the rules be suspended for the purpose of allowing Mr. John Stafford to speak before Ms. Catherine Danna, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan, Rodriguez, Costello and Noriega absent. MOTION 2012-0737 ADOPTED.

Mr. John Stafford, 4119 Markham, Houston, Texas 77027 (713-540-3798) appeared and stated that a proposed development would affect two adjoining neighborhoods Lynn Park and Hiram Village and discussed concerns with future traffic safety and congestion in their area of Wesleyan and Richmond; and urged the exit not be into their residential area, but instead on Wesleyan and West Alabama. Council Members Sullivan, Rodriguez, Costello and Noriega absent.

Upon questions by Mayor Parker, Mr. Stafford stated that he was in District G; and Mayor Parker stated that he was in Council Member Pennington's district and the note from the department stated any right turn lane would be done in the city's existing right-of-way; and Mr. Stafford stated if the right-of-way was on his sidewalk and yard then yes, but it was taking out trees and yards and instead if they would exit into commercial streets it would be perfectly fine exits; and Mayor Parker stated that Mr. Gary Norman was present and would be happy to discuss particular issues with him; and a traffic analysis was received, reviewed and approved by the Office of City engineer. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Pennington stated that they were aware of the project and arranged a meeting with Mr. Icken and others in her office, he did not know if Mr. Stafford participated, but substantial time was spent and they were aware of what was going on; that they had not

ignored the problem, but could have more discussion. Council Members Sullivan, Rodriguez and Noriega absent.

Ms. Catherine Danna, 3907 W. Main, Houston, Texas 77027 (713-392-1519) appeared and stated that the proposed lane would go through her yard and she already had a wreck there because of traffic, Wesleyan paralleled Alabama; and continued voicing concerns with future traffic safety and congestion on their street; and urged the extra traffic be taken to a commercial street such as Alabama, instead of taking their yards and property values. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Pennington stated that her point of trying to divert traffic to West Alabama was a good idea; that they knew a high-rise was proposed for the northeast corner there and the intersection needed to be improved for several reasons and would carry this forward. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Ms. Josetta Hawthorne, 4031 Whitman, Houston, Texas 77027 (713-520-1936) appeared, circulated a picture of her street and stated that she was in Wesleyan Plaza and they had a 700 unit apartment project within a half mile, a Costco and a proposed 900 apartment unit within half a mile, half the front yard would be taken of her neighbor, etc.; and discussed concerns with future traffic safety and congestion until her time expired. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Mayor Parker stated that they were not unsympathetic to the problem and Mr. Norman was present to discuss traffic calming devices; that she hoped they would not take half of someone's front yard, but if it was in the right-of-way it belonged to the public and they had a responsibility to balance everyone's rights. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Council Member Pennington stated that he thought it unusual to make a third lane in a residential area for turns; and Mayor Parker stated that it was to add an exit turn lane going into the intersection; and there would be substantially more traffic from the high-rise and a reconsideration of that intersection would be worthwhile; and Mayor Parker stated that if he wished to facilitate such a meeting they would make staff available. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Mr. Mike Schick, 4015 W. Main, Houston, Texas 77027 (713-254-9700) appeared and stated that he appreciated Council Member Pennington's discussions and felt it was good to meet with the residents, Public Works and Mr. Martin Fine to come up with good commonality; that they understood development and just wanted their quality of life continued; and continued voicing concerns with future traffic safety and congestion in their residential area and discussed their five point plan until his time expired. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Ms. Patty Kelley, 4007 Whitman, Houston, Texas 77027 (713-546-7343) appeared and stated that she had three small children and was present supporting Wesleyan Plaza; and continued voicing concerns with future traffic safety and congestion in their area until her time expired. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Ms. Arlene Kelly, 2715 Lazy Spring Drive, Houston, Texas 77080 (713-462-3808) appeared, displayed a picture and stated that she was not a particular friend of police officers since her daughter was killed by an officer thirteen years ago, but was present expressing support for Ms. Katherine Swilley, a former HPD officer, she had met several fine officers in the past years and Ms. Swilley was one and anyone who had contributed so much needed to be given consideration; and urged the investigation be reopened and if nothing else a chance to

resign. Council Members Adams, Sullivan, Rodriguez and Noriega absent.

Mr. Brandon Walker, 62 Barring Lane, South Houston, Texas 77598 (713-548-7990) appeared and stated that he was present regarding fluoride in the water; that more fluoride than in toothpaste called for a prescription, why would a prescription drug be placed in the water supply; that \$3.5 million was put into adding fluoride to water and it was not physically or morally responsible to continue and urged the money go elsewhere. Council Members Davis, Adams, Sullivan, Rodriguez and Noriega absent.

Council Member Christie stated that Mr. Walker's facts were true and on course; and thanked him for appearing. Council Members Davis, Adams, Sullivan, Rodriguez and Noriega absent.

Mr. Abraham Rodriguez, 6525 Renwick, Houston, Texas 77081 (978-751-7195) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Rodriguez and Noriega absent.

Ms. Bridget Alexander McDaniel, P. O. Box 53993, Houston, Texas 77052 (713-987-3854) appeared and stated that she was still being harassed by HPD Officer Banks and forgeries were still being committed; and continued expressing her personal opinions regarding Metro police, etc., until her time expired. Council Members Brown, Davis, Adams, Sullivan, Rodriguez and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2800) appeared and stated that the City Secretary deliberately discarded his case address on the speakers list; that he was the U. S. President; and continued expressing his personal opinions until his time expired. Council Members Brown, Davis, Adams, Sullivan, Rodriguez and Noriega absent.

At 3:21 p. m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, October 17, 2012. Council Members Brown, Davis, Adams, Sullivan, Rodriguez and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, October 16, 2012, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present.

At 8:32 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:09 a.m. Mayor Parker called the meeting to order and stated that the first item would be a hearing on Strategic Partnership Agreements, but before they did that she thought it was appropriate to note the death late yesterday of State Senator Mario Gallegos who gave decades of public service to the citizens of Houston and the constituents of his Representative and then Senate Districts, that their thoughts and prayers were with his family and sympathies with his constituents, that she knew that Council Members had, over the last week, taken the opportunity to pay respects and say goodbye and know that as the arrangements for his funeral and memorial service were made available they would share with Council. Council Members Davis, Adams and Pennington absent.

Council Member Rodriguez stated that on behalf of the family he wanted to offer his

condolences as well to the Gallegos Family during this difficult time, that he wanted to thank Senator Gallegos for his many years of service to their community, that he thought they all used to enjoy it when the Senator would come to public session and chew them out, that he did miss those calls at 7:00 a.m. asking what were they doing at City Council, but worked with him to resolve the issue, that he knew Senator Gallegos really deeply cared about his constituents, his seniors, the children in his district and firefighters and other first responders. Council Members Davis and Adams absent.

Council Member Burks stated that he had the privilege of visiting with Senator Gallegos, that to him death was not easy, even though he was a pastor/preacher, it was never easy, and to see him as a man of dignity and courage and to see him struggle to acknowledge people in the room, he would never forget that moment, that he had prayer with Senator Gallegos and he acknowledged him when he came into the room, that when he started the journey some years ago to get elected into office Senator Gallegos was right there with him, that he was a true friend, that he got a memo that the flag was at half mast, but in his opinion the State flag should be for Senator Gallegos. Council Members Davis and Adams absent.

Council Member Gonzalez stated that he wanted to thank them for their kind words, that Senator Gallegos was really a trailblazer in the Latino Community in terms of politics, but as they mentioned he was also a public servant for many years proudly serving the Houston Fire Department for more than 22 years, that he would definitely be missed, he was a determined public servant that was not afraid to fight the tough fights and stood up for what he believed in, and they had to appreciate some one like that, that several of them had an opportunity to visit with some of his constituents yesterday at an annual event that he had and they were cheering him on and hoping for him, that was earlier in the day before the news came of his passing later in the afternoon, but again he would be missed, he was a good friend to many of them and some one that they admired and respected, that their condolences would go out to his entire family and staff as well on behalf of himself and the District H team. Council Members Davis and Adams absent.

Council Member Pennington stated that he to was glad that Mayor Parker mentioned and acknowledged Senator Gallegos, that he was a friend of his for more than 20 years, that he did not care what the issue was they always got a kind reception and a thorough hearing of their issues, that Senator Gallegos was willing to engage no matter what the issue was, that he thought he was a fine public servant from all standpoints and he would be missed. Council Member Adams absent.

Council Member Noriega stated that there were a lot of them at the Council table that had a relationship with Mario Gallegos and they sometimes got yelled at and sometimes got patted and helped, that it kind of depended, but what he always was was a firefighter, that as she had spent time on City Council she had gotten a new understanding of firefighters, that they ran towards things that the rest of them ran away from, they were heroes, they saved lives and protected property, and if they talked to any of them they would hear a very similar thing from them, that what they mostly had was tremendous courage and what Mario Gallegos had was tremendous courage, he never backed away from a fight, he never backed down if he thought he was right, he never gave up and was relentless in his pursuit of what he thought the children and seniors and citizens of Senate District 6 needed, that he had a large family and a large staff, as several of them had mentioned, and a lot of folks that loved him, that this was really hard but they knew that the bomberos that went before were meeting him right now. Council Member Adams absent.

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

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

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts – was called. Council Member Adams absent.
  1. Cypress Forest Public Utility District
  2. Harris County Municipal Utility District No. 468
  3. Cornerstones Municipal Utility District
  4. Harris County Municipal Utility District No. 118
  5. Fort Bend County Municipal Utility District No. 133
  6. Harris County Municipal Utility District No. 221
  7. Harris County Municipal Utility District No. 53
  8. Montgomery County Municipal Utility District No. 119
  9. Harris County Municipal Utility District No. 239
  10. Harris County Municipal Utility District No. 374
  11. West Harris County Municipal Utility District No. 11
  12. Northwest Harris County Municipal Utility District No. 24
  13. Harris County Fresh Water Supply District No. 47
  14. Northwest Harris County Municipal Utility District No. 32
  15. West Harris County Municipal Utility District No. 2

The City Secretary stated that no one had reserved time to appear at the hearing and Ms. Nicole Smothers, Planning Department, would make remarks concerning the hearing. Council Member Adams absent.

Ms. Smothers stated that since January 2001, the City had approved 287 Strategic Partnership Agreements with 213 MUDs generating approximately \$214 million in revenue for the City thru Fiscal Year 2012, that following this hearing the SPAs and the Annexations would come before Council for action on November 7, 2012, that if approved, tax collections would begin April 1, 2013, that for all of the MUDs included in this hearing, the City would levy a 1 percent sales tax, which it would divide evenly with the MUDs, that these areas included commercial only, there were no residents in the areas to be annexed, that all districts would receive the animal control and rescue service, that the agreements for November 2012 were as follows, for the following districts, the City would amend an existing agreement by adding new territory, that there was no territory outside the MUD to be included in the annexation, Cypress Forest PUD and Harris County MUD No. 468; that for the following Districts, the City would execute a new Strategic Partnership Agreement, there was no territory outside the MUD to be included in the annexation, Ft Bend MUD No. 133 and Harris County MUD No. 118; that for the following districts the City would amend an existing agreement by adding new territory, that there was territory outside the MUD to be included in the annexation, the City would enforce the animal control service in the area to be annexed, Harris County MUD No. 221 and Harris County MUD No. 53; that for the following districts, the City would execute a new Strategic Partnership Agreement, there was territory outside the MUD to be included in the annexation, the City would enforce the animal control service in the area to be annexed, Montgomery County MUD No. 119, Harris County MUD No. 239, Harris County MUD No. 374, West Harris County MUD No. 11, Northwest Harris County MUD No. 24, Harris County Fresh Water Supply District No. 47, Northwest Harris County MUD No. 32 and West Harris County MUD No. 2; that Cornerstones MUD had withdrawn their application to enter into an SPA at this time. Council Members Adams and Sullivan absent.

Mayor Parker stated that no one had reserved time to speak at the public hearing and asked if anyone wished to address the issue and seeing none stated that she would take a motion to close the public hearing. Council Members Adams and Sullivan absent.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Burks. All voting aye. Nays none. Council Members Adams and Sullivan absent. MOTION 2012-0738 ADOPTED.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 2 through 32**

#### **ACCEPT WORK** - NUMBERS 3 through 7

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,170,316.36 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Project - 3.18% under the original contract amount - **DISTRICTS C - COHEN; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and K - GREEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent. MOTION 2012-0739 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,030,121.24 and acceptance of work on contract with **STATEWIDE TRAFFIC SIGNAL COMPANY** for Traffic Signal Construction Work Order Contract - 10.94% under the original contract amount - **DISTRICTS D - ADAMS; I - RODRIGUEZ and J - LASTER** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent. MOTION 2012-0740 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$494,123.56 and acceptance of work on contract with **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation (4277-39) - 2.30% over the original contract amount and under the 5% contingency amount **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and K - GREEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent. MOTION 2012-0741 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,115,480.04 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for 69th Street Wastewater Treatment Plant Improvements (Package 3) - 3.43% under the original contract amount - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent. MOTION 2012-0742 ADOPTED.

#### **PROPERTY** - NUMBER 8

8. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court in connection with eminent domain proceeding styled City of Houston v. Yakoob Z. Moton, et al., Cause

No. 1003657; for acquisition of Parcel AY8-313; for the **YALE STREET PAVING & DRAINAGE PROJECT (Tidwell - W. Parker) - DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0743 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 14

12. ORDINANCE appropriating \$463,780.80 out of Equipment Acquisition Consolidated Fund for purchase of Automated Refuse Containers for Solid Waste Management Department – was presented. All voting aye. Nays none. ORDINANCE 2012-0901 ADOPTED.
- 12a. **TOTER, INCORPORATED** for Automated Refuse Containers from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0744 ADOPTED.
13. **SAFEWARE, INC** for Two Portable Infrared Chemical Identifiers through the Master Intergovernmental Cooperative Purchasing Agreement with U. S. Communities for the Houston Fire Department - \$142,500.00 - Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0745 ADOPTED.
14. **CAMPBELL CONCRETE MATERIALS, LLC dba GULF COAST STABILIZED MATERIALS** - \$207,345.00 and **216 RESOURCES, INC** - \$130,806.50 for Sand, Washed Gravel and Stabilized Cement for Various Departments - General and Other Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0746 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 15 through 32

15. RESOLUTION supporting the request of a waiver of the Local Match Requirements in the Federal Off-System Bridge Program (for Westerland Road HCFCD Ditch) - **DISTRICT F - HOANG** – was presented. All voting aye. Nays none. RESOLUTION 2012-0030 ADOPTED.
16. RESOLUTION supporting the request of a waiver of the Local Match Requirements in the Federal Off-System Bridge Program (for Windfern Road at Cole Creek) - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. RESOLUTION 2012-0031 ADOPTED.
22. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION** for the Internet Crimes Against Children Task Force: Houston Metropolitan Area - Equipment Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. ORDINANCE 2012-0902 ADOPTED.
26. ORDINANCE appropriating \$65,300.00 out of Metro Projects Construction DDSRF as an additional appropriation to an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for services associated with the Montrose Neighborhood Pedestrian Improvements Project (Approved by Ordinance No.

2010-0465, as amended); providing funding for CIP Salary Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2012-0903 ADOPTED.

27. ORDINANCE appropriating \$3,058,846.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4235-60) – was presented. All voting aye. Nays none. ORDINANCE 2012-0904 ADOPTED.
28. ORDINANCE appropriating \$5,687,627.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-129) – was presented. All voting aye. Nays none. ORDINANCE 2012-0905 ADOPTED.
29. ORDINANCE appropriating \$3,743,191.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4258-52) – was presented. All voting aye. Nays none. ORDINANCE 2012-0906 ADOPTED.
30. ORDINANCE appropriating \$3,695,130.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4258-54) – was presented. All voting aye. Nays none. ORDINANCE 2012-0907 ADOPTED.
31. ORDINANCE No. 2012-0873, passed second reading October 10, 2012  
ORDINANCE granting to **EVERETT DEE HENLEY dba SERVICE FIRST GREASE RECYCLING/TRAP, 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 2012-0873 ADOPTED THIRD AND FINAL READING IN FULL.
32. ORDINANCE No. 2012-0874, passed second reading October 10, 2012  
ORDINANCE granting to **ENVIROLINK, INC., A Texas Corporation**, 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 2012-0874 ADOPTED THIRD AND FINAL READING IN FULL.

## **CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

### **MISCELLANEOUS**

2. RECOMMENDATION from the Mayor's Office of Intergovernmental Relations for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$72,577.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. Council Member Brown voting no, balance voting aye. MOTION 2012-0747 ADOPTED.

### **ACCEPT WORK**

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$424,257.55 and acceptance of work on contract with **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation (4277-40) - 5.66% under the original contract amount - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ; J - LASTER and K – GREEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams.

Council Member Sullivan stated that in looking at this item he wanted to make a public statement that every single Council District was included in this except Council District E, and Mayor Parker stated that it was noted, that this was an on-call item and apparently there were no calls for service, that it was available to District E and it was clearly indicated in the backup.

A vote was called on Item No. 6. All voting aye. Nays none. MOTION 2012-0748 ADOPTED.

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

9. **AMERICAN PARKS COMPANY** - \$227,979.55, **ALL PLAY, INC** - \$80,931.20 and **PLAYPOWER LT FARMINGTON, INC** - \$116,185.50 for Playground Equipment for the Parks & Recreation Department - General Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. MOTION 2012-0749 ADOPTED.
10. **HARRIS CORPORATION** for RayFish Covert Surveillance Equipment Software and Annual Maintenance for the Houston Police Department - \$100,200.00 - General and Asset Forfeiture Funds - was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. Council Member Brown voting no, balance voting aye. MOTION 2012-0750 ADOPTED.
11. **AZTECA SYSTEMS, INC** for Software Maintenance and Support Services Agreement for the Infrastructure Management System for the Department of Public Works & Engineering - 1 Year \$133,295.00 - Enterprise Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. MOTION 2012-0751 ADOPTED.

## **RESOLUTIONS AND ORDINANCES**

17. ORDINANCE **AMENDING ARTICLE XV OF CHAPTER 2 AND OTHER SECTIONS OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Information Technology Department - was presented. All voting aye. Nays none. ORDINANCE 2012-0908 ADOPTED.
18. ORDINANCE amending Ordinance No. 2009-1343 (Passed by City Council December 16, 2009) to increase the maximum contract amount for Professional Services Agreement with **CRAIG T. MASON** for pension related consulting services for the Finance Department - \$100,900.96 General Fund – was presented.

Upon questions by Council Members, Mayor Parker stated that she would ask Ms. Crinejo to respond.

Ms. Marta Crinejo, Agenda Director, stated that the issue was not in the controlling document but rather in the RCA, the controlling document listed out the dollar amounts that could be paid out to the consultant by month, which was \$8,000 and change per month, with an additional smaller amount for reimbursables, that their error was in that they multiplied that monthly amount by 36 months rather than by 48 months, which was what they should have done, so in the recitals the max contract amount was listed as \$306,000 as opposed to the \$400,000 amount which should have been listed, that the ordinance itself was not in error, that they were referring to the 2009 RCA, that the 2012 RCA was meant to add the additional money into the maximum contract amount so that there were 48 months worth of that monthly payment to the contractor, instead of 36 months, which was what they had previously approved.

After further discussion by Council Members, Council Member Burks stated that he would tag Item No. 18. Council Member Rodriguez absent.

19. ORDINANCE appropriating \$1,216,617.00 from TIRZ Affordable Housing Fund (2409); approving and authorizing the fifth of five repayment installments in the amount of \$3,101,439 (\$1,216,617.00 - Fund 2409; \$1,884,822 General Fund) to the United States Department of Housing and Urban Development for the resolution of outstanding issues raised in HUD Monitoring Reports from 2004 and 2005 relating to the City's HOME, CDBG, and HOPWA Programs – was presented, and tagged by Council Member Sullivan. Council Member Rodriguez absent. (Note: Council Member Sullivan released his tag later in the meeting.)
20. ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL CITY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS (MEMORIAL CITY ZONE)**; approving the Fiscal Year 2013 Operating Budget for the Authority and the Fiscal Years 2013-2017 Capital Improvements Budget for the Zone - **DISTRICTS A - BROWN and G – PENNINGTON** – was presented. Council Member Rodriguez absent.

Council Member Brown stated that with 42% new Board membership, and Pat Walters having stepped down, the community had asked her to send it back so she would tag Item No. 20. Council Member Rodriguez absent.

21. ORDINANCE approving and authorizing contract Parking Agreement between the **HOBBY CENTER FOUNDATION, the Licensor**, and the City of Houston, Texas, the Licensee, for three years, for use of 509 parking spaces at 800 Bagby Street, Houston, Texas - **DISTRICT I – RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Rodriguez absent. ORDINANCE 2012-0909 ADOPTED.

23. ORDINANCE appropriating \$6,500,000.00 out of Equipment Acquisition Consolidated Fund for the Records Management System for the Houston Police Department (Approved by Ordinance No. 2009-0392) – was presented. Council Member Brown voting no, balance voting aye. Council Member Rodriguez absent. ORDINANCE 2012-0910 ADOPTED.
24. ORDINANCE appropriating \$3,744,400.00 out of Airports Improvement Fund and approving and authorizing contract for Professional Architecture/Engineering Services between the City of Houston and **WALKER PARKING CONSULTANTS/ENGINEERS, INC** for New Parking Garage at William P. Hobby Airport (Project No. 597A); providing funding for the Civic Art Program **DISTRICT I – RODRIGUEZ** – was presented, and tagged by Council Member Sullivan. Council Member Rodriguez absent.
25. ORDINANCE authorizing the sale by the City of Houston, Texas, Seller, to **MISSION CENTERS OF HOUSTON, Purchaser**, of the property located at 1522 Fulton Street, Houston, Texas, for a purchase price of \$100,000.00 - Revenue - **DISTRICT H – GONZALEZ** – was presented. Council Member Rodriguez absent.

Upon discussion by Council Members, Council Member Sullivan stated that the policy of the administration was that they do not disclose the appraisal values on properties they were going to sell and he understood that, but he thought it put Council Members in a funny position of voting to approve selling something for an amount that they had no idea if it was a market based appraisal or how it was appraised and the value; and Mayor Parker stated that if they looked at the RCA it was clear that it was a sealed bid sale that was above the established minimum, which was the appraised value of the property, and this was the high bid in the sealed bid sale, that once they received the sealed bid she saw no reason why they could not disclose what the original appraised value was if they were interested in that number still, and she would certainly make that available to them.

Upon further discussion by Council Members, Council Member Burks asked what was the value of the property, Mayor Parker stated that she did not have it in front of her, that they did not normally publish it, but again if Council Members were interested they were happy to provide that, that the sale was actually not complete, the Council could vote not to go forward with it and then they were back to a bid process, that they knew what the entity had bid, there was an appraised number that they kept internally and if the deal fell through they were back into a bid process again, that GSD Real Estate knew what the value was, and they were happy to provide that number individually to Council Members, that she would prefer not to announce it publicly because the real estate transaction had not concluded.

Upon further questions by Council Members Mr. Feldman stated that they had to set a minimum bid which was consistent with the appraised amount, that was State Law, however the minimum bid had to be at least the appraised value, that it was possible that the minimum bid was more than the appraised value, the point that the Mayor was making was that if the deal fell through and the City had already disclosed what the appraised value was then it was restricted what it could set the minimum bid at, it had the discretion to set a minimum bid above the appraised value, that it would be imprudent to publicly disclose what the appraised value was because the minimum bid may be set at a higher amount, that certainly as Council Members they would be entitled to that information but public disclosure was not required under State Law because it could impact the City's negotiating position, or what the City was attempting to do in the transaction.

After further discussion by Council Members, a vote was called on Item No. 25. All voting aye. Nays none. Council Members Davis and Noriega absent. ORDINANCE 2012-0911

ADOPTED.

**MATTERS HELD** - NUMBERS 33 and 34

33. MOTION by Council Member Gonzalez/Seconded by Council Member Bradford to adopt recommendation from Director Mayor's Office of Intergovernmental Relations and Deputy Chief of Staff for adoption of the City of Houston Legislative Principles for the 83rd Session of the Texas Legislature – **(This was Item 5 on Agenda of October 10, 2012, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented. Council Members Sullivan and Brown voting no, balance voting aye. Council Members Davis and Noriega absent. MOTION 2012-0752 ADOPTED.
34. ORDINANCE approving and authorizing Memorandum of Understanding No. 1 between the City and **HOUSTON FORENSIC SCIENCE LGC, INC**; containing a savings clause – **(This was Item 13 on Agenda of October 10, 2012, TAGGED BY COUNCIL MEMBER GREEN)** – was presented.

After discussion by Council Members, Mayor Parker stated that if they went to the Houston Forensic Science.Org they would see all of the agendas and be able to link to videos of all of their meetings, that it was all being conducted publicly, that it was intended that they come and report regularly to the Public Safety Committee, but this was a governing body in the State of Texas and did fall under the Open Meetings Act, that they had a link on the City's Website, but it was Houston Forensic Science.Org if they wished to be kept apprised on a monthly basis of what they did.

After further discussion by Council Members, a vote was called on Item No. 34. Council Members Brown, Christi and Burks voting no, balance voting aye. Council Member Noriega absent. ORDINANCE 2012-0912 ADOPTED.

Council Member Sullivan stated that he would release his tag on Item No. 19. Council Member Noriega absent.

19. ORDINANCE appropriating \$1,216,617.00 from TIRZ Affordable Housing Fund (2409); approving and authorizing the fifth of five repayment installments in the amount of \$3,101,439 (\$1,216,617.00 - Fund 2409; \$1,884,822 General Fund) to the United States Department of Housing and Urban Development for the resolution of outstanding issues raised in HUD Monitoring Reports from 2004 and 2005 relating to the City's HOME, CDBG, and HOPWA Programs – was again before Council.

Council Member Gonzalez stated that he wanted to thank the administration and the Housing and Community Development Department for their hard work in getting to this point, that this would be the last payment to HUD, that he thought they had come along way in resolving some of the issues and arrived on solid ground with them, that this dated back to 2004 and 2005, that now they could move forward and hopefully continue to operate in a more effective manor. Council Member Noriega absent.

Mayor Parker stated that this was the last of five annual repayments of problems in previous relationships with HUD, that they did have a great new relationship and had been working closely together, that she wanted to thank Council Member Gonzalez for noting that. Council Member Noriega absent.

A vote was called on Item No. 19. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. ORDINANCE 2012-0913 ADOPTED.

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

Council Member Gonzalez stated that this weekend he was proud to join the Friends of Woodland Park, Bridgestone Americas and University of Houston Downtown Environmental Club and many community leaders in a cleanup along White Oak Bayou, that he wanted to thank all who helped, that as a result of the partnership between a corporate neighbor and the community over 500 tires were pulled out of the bayou and would now be disposed of properly at the cost to Bridgestone, that this was part of their "One Team One Planet" initiative, that he commended the Friends of Woodland Park for their continued commitment to beautifying their community and Bridgestone Americas for being a great corporate neighbor to the community, that if they were interested in pursuing a cleanup in their community please contact the District H Team at 832-393-3003; that this past Saturday his family joined their neighbors and friends to celebrate 75 years of Lindale Park at their civic clubhouse, that the event was a great success thanks to the efforts of the Lindale Park Civic Club and the many community volunteers who took time to participate and thanks to the many elected officials and special guests to attended the celebration and supported the neighborhood. Council Members Brown, Davis, Cohen, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello and Bradford absent.

Council Member Noriega stated that today was "Disabilities Mentoring Day", that their office was collaborating with the Center for Disabilities and they were mentoring Mr. Christopher Berry in their office, that Ms. Georgia Lewis from her office and Mr. Berry were in the audience for a while watching the proceedings, that this was the third year that they had participated in the endeavor and they wanted to make people aware of it, that she thought it was a great experience and an opportunity for folks with disabilities that wanted to be part of the process to see how all of government worked; that she wanted to revisit the fact that they had lost their Senator in State District 6, that all of them were sad and struggling with it in that part of town, but in addition to that she wanted to say to the public that democracy went on, that his staff would continue to be available as they worked through what was going to happen with Senator Gallegos seat, but she would encourage anyone that was listening and had a need or concern that they would normally take to the Senate office in that part of town to contact their State Representative, that Representatives Walle, Hernandez-Luna, Alvarado and Farrar were all available to pick up the slack in any way they could, that any of them, whether City or State, in that part of town were circling the wagons to make sure the constituents of Senate District 6 got everything that they needed. Council Members Brown, Davis, Cohen, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello and Bradford absent.

Council Member Adams stated that on Tuesday, October 16, 2012, she joined Mayor Parker and Council Member Christi for the awards for sustainable development; that on Thursday, October 18, 2012, they would celebrate the 10th Anniversary of the Hope Clinic, that the clinic presents healthcare to all residents of southwest Houston regardless of their ability to pay; that on Thursday she would be joining Foster Elementary School for a home makeover on the Lights After School Program; that on Friday, October 19, 2012, the Japanese Garden was hosting a ceremonial tree planting with the Counsel General of Japan and she would be joining Mayor Parker at that event in Hermann Park; that on Saturday, October 20, 2012, she would be celebrating the 53rd Anniversary with the Mount Horem Baptist Church; that she would be attending the 2012 Girlie Girl Stepping Forward Conference, hosted the Harris County Juvenile Department; that many of them knew Mr. Michael Williams, whose wife Yolanda Williams, passed away about a year ago of Breast Cancer, that he started the Yolanda E. Williams Foundation, Breast Cancer Awareness Walk of Hope, that there would be a Breast Cancer Awareness Walk on Saturday, October 20, 2012; that on October 29, 2012, was the Sisters Network Walk for Breast Cancer at Sunnyside Park; that a week ago she attended the National Association of Government Defying Contributions Administration Conference, that she wanted to remind everyone about their retirement plan, that if City of Houston employees had any questions about their retirement plan to contact the benefits office, that she wanted to

congratulate the City of Houston for winning a national award at the conference for their leadership and the free summit that they hosted last week educating the public and the employees about retirement; that she also wanted to give her condolences to Senator Gallegos Family. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

Council Member Green stated that on Wednesday, October 10, 2012, he attended the Townwood Civic Club meeting, that it was a collaborative meeting with the adjacent community of Village Green Mobile Home Park; that on Thursday, October 11, 2012, he attended the Braeburn Valley Homeowners Association monthly meeting; that on Friday he attended the 18th Annual Houston Citizens Chamber of Commerce Pinnacle Awards Ceremony, that he wanted to congratulate all of the Pinnacle Award winners and the Upstart winner, that it was held at the Power Center in District K, that Mr. Bill Pacard was the guest speaker, who was a Detroit casino owner and multi millionaire, that he gave good advice to the entrepreneurs present, that kudos to the African American Citizens Chamber for hosting the event; that on October 16, 2012, he attended the Fondren Civic Club meeting; that on Sunday he congratulated Pastor and First Lady Terry Mackie on their second church anniversary by providing leadership at the Rice Mount Olive Baptist Church, located in the Braes Oaks area; that on Thursday, October 18, 2012, the Braeswood Super Neighborhood Council was sponsoring an election and 2012 Bond informational meeting at Saint Luke Presbyterian Church; that on Friday, October 19, 2012, the Willow Waterhole Greenspace Conservancy would host it's Halloween Movie Night at the South Gazebo of the Willow Waterhole; that also on Friday Madison High School was celebrating their homecoming game against Westbury at Butler Stadium at 7:00 p.m., that Westbury was sponsoring a homecoming parade along West Orem on Saturday morning and he would be the featured grand marshal for the parade; that on Thursday, November 1, 2012, he would facilitate a Public Safety Forum for the Hiram Clarke Community in partnership with the Central Southwest and Fondren Garden Super Neighborhood Councils, that it would allow Houston area law enforcement agencies to address themselves to the constituents of the Hiram Clarke Community; that he wanted to remind everyone that the Solid Waste Department was rerouting it's heavy trash schedule for junk and tree waste effective November 1, 2012, that they posted information about this initiative and a revised rerouting schedule for all of the neighborhoods within District K on their webpage, for more information they could contact their office at 832-393-3016. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

Council Member Cohen stated that she also would like to extend her sympathies to the family of Senator Gallegos, that he was always very kind to her when she served in the Legislature and always open to advising her and helping her, that his presence would be sorely missed; that on Friday, October 19, 2012, at the Weekly Family Y.M.C.A. they would be celebrating their 10th Annual Fall Festival located on Stella Link; that on Saturday, October 20, 2012 would be the Garden Oaks Wine Walk, that the funds raised would go for the Garden Oaks Constable Program; that District C would be hosting a townhall meeting next Wednesday to discuss the proposed Washington Corridor Parking Benefits District, that it would be held at the West End Multi Service Center on October 24, 2012 from 6:00 p.m. to 7:30 p.m., that although the issue around parking benefits districts had been successful in a number of cities this would be the first time they were looking for Houston. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

Council Member Christi stated that he had a wonderful week with a lot of functions and was proud of what the City did, the administration and department heads, that he was proud to be a part of it with his fellow City Council Members, that there was a lot to be proud of in the City; that Council Member Costello asked him to put the following into the record, that he wanted to take the opportunity to recognize another important former Houstonian who was recently lost, that Dr. Trip Casscells, a renowned Houston cardiologist, died from complications

of prostate cancer on Sunday, that Trip was recruited in 1992 by the University of Texas Health Science Center at Texas, serving as Chair of Cardiology, that he conducted important research on Arterial Plaque that could lead to heart attacks and strokes and helped to develop a series of disaster preparedness programs for the Houston, that five years after being diagnosed with Cancer, and undergoing several rounds of chemo and radiation, Dr. Casscells decided to join the U.S. Army Reserves at age 54, that he went through basic training, became a Lieutenant Colonel in Medical Corp, shipped to Iraq and served a four month duty, that included being caught in an ambush, that he was also deployed to both the Middle East and Asia to study the Avian Flu as part of his assignment to search for ways to protect troops from a potential outbreak, that Dr. Casscells served as Assistant Secretary of Defense for Health Affairs under President George W. Bush, that he worked at the Pentagon and oversaw the Defense Department Health and Education System, which included more than 135,000 patients in 900 clinics and hospitals in 100 countries, that on behalf of a grateful City they sent their condolences to friends and family of Dr. Casscells. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

Council Member Burks stated that he was excited about the Fall Festival coming up, that he was going to contribute what he could do and make his wife work in the kitchen; that he played in a golf tournament, the Intercontinental Airport Chaplains Association Golf Tournament on Monday at Cypresswood, that he was looking forward to the next one for Hobby Airport; that he was sad to announce that Mr. Hermann Myers, President of LEM Construction Company, passed away; that on October 25, 2012, Houston Crackdown, a program of the Mayor's Office of Public Safety and Homeland Security, would be hosting an Anti Drug Rally to raise awareness for Drug Prevention Month, that during the rally about 300 junior high school students, would join law enforcement anti drug activists at the steps of City Hall starting at 9:00 a.m., that after the rally two groups of students would hold a mock Council session between 10:00 a.m. and noon in the Council Chamber; that he wanted to let Houstonians know about a year round program to assist individuals and families prepare taxes, they were getting ready to go into tax season, that the program was put on by Neighborhood Centers and was available to all individuals Houstonians with incomes under \$30,000 and families with combined incomes under \$50,000, that the free tax preparation program was offered throughout the year in the 15 locations throughout the City, that though the end of the month they could find assistance at the Baker Ripley Tax Center at Sharpstown, 6500 Rooking Street, near Hillcroft and the Southwest Freeway; that for more information they could call 713-669-5227; that he would like to commend all Houstonians and all individuals throughout the Metropolitan area for their passion and rallying around the Houston Texans, especially last Sunday, that while the undefeated record was blemished last Sunday they had a great rest of the football season in front of them and a very energized and excited City, that they knew the Texans would return to their winning ways next week against Baltimore. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

Council Member Adams stated that next week Mayor Parker would join her at Super Neighborhood 68 to update the community about the City Bonds on October 25, 2012 at Judge Annetta Burney Court Room at 7:00 p.m. for the meeting; that many of them knew that she did an amendment to the budget to hire PSOs back into the City of Houston, because many of them knew that due to a budget crunch they had to decrease those positions, that she wanted to thank Mayor Parker and Chief McClelland for restoring the positions, that she wanted to let the Sunnyside Community know that the storefront was now open fulltime from 8:00 a.m. to 5:00 p.m. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

Council Member Green stated that the District K Council Office had a bi-monthly email newsletter and it went out yesterday, that if they did not receive the e-blast they could contact the district office; that he also would like to offer his condolences to Senator Gallegos family,

constituents and staff, that it would be a huge loss for the City of Houston. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

Council Member Burks stated that he just received a notice about the passing of Karen Patterson, President of El Dorado Paving Company, that their thoughts went out to the family. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega and Bradford absent.

There being no further business before Council, the City Council adjourned at 10:53 a.m. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez, Laster, Costello, Noriega 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