

City Council Chamber, City Hall, Tuesday, July 16, 2013

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 16, 2013, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office, present. Council Members Ellen R. Cohen and Wanda Adams absent on personal business.

At 1:47 p.m. Mayor Parker called the meeting to order and stated they had two presentations today and recognized Council Member Green. Council Members Davis, Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Council Member Green presented a proclamation to Dr. Milton Moore and stated that he had a dermatology business in District K and had been very active in the Houston Community for many years, that he belonged to many professional organizations and had founded the Foundation for Health and Dermatology to help provide public service information as a resource for health care professionals and treatment centers, that he would be honored for his new invention and cutting edge technology patent, which he received on April 23, 2013 for the Multi Fan Blade Razor and Mayor Parker stated therefore she, Annise Parker, Mayor of the City of Houston, hereby proclaimed today, July 16, 2013, as Dr. Milton D. Moore Day in Houston, Texas. Council Members Davis, Hoang, Pennington, Rodriguez and Laster absent.

Dr. Moore stated that he was very honored and blessed to be at Council and wanted to thank Council Member Green for thinking of him and some of the work that he had brought forth in Houston and for Mayor Parker allowing this to happen, that he got his first start with the City of Houston as the Director of Medical Services at Riverside Health Center, before he started his Dermatology Practice, that he had six patents at the U.S. Patent Office for the technology he brought forth that helped to eliminate shaving problems for anyone who shaved, they could get a closer and smoother shave and not have to suffer the embarrassment of razor bumps all over their face, that as far as acne and eczema, he had many parts that he had developed, 15 of them, that this was the first blade in the world with nine blades, they had a picture of it in the bags that were distributed to Council Members, it formed a convex shape, the head was convex and the gel came out hot, that the current technology had the blade to pass first and then the lubrication bar came over the skin, it did not make any sense, it was old technology, that he appreciated their giving him the opportunity to come before them. Council Members Davis, Hoang, Pennington and Rodriguez absent.

Council Members Noriega, Bradford, Burks and Mayor Pro Tem Gonzalez congratulated Dr. Moore and thanked him for the work that he continued to do. Council Members Davis, Hoang, Pennington and Rodriguez absent.

Mayor Pro Tem Gonzalez stated that the Mayor would present the next presentation. Council Members Davis and Pennington absent.

Mayor Parker stated they had a lightly different presentation and would involve a number of City representatives and invited Ms. Tina Paez, Director, Administration and Regulatory Affairs, Mr. Craig Damianoff, to join her at the podium and Mr. Alfred Moran was in the audience, they were recognizing BARC today and would start a small description of what they experienced on Saturday, that she and Council Member Gonzalez were at a new pilot initiative for BARC where they designated a patch of turf, basically a community, and stated that they were going to establish a beachhead and happened to be a community that had the most stray dogs and animal bites and see what it would take to lower those numbers and to make that an area of

more responsible pet ownership, they worked with a lot of non profit agencies, animal shelters, a lot of organizations that in the past might not have been a part of that kind of effort, and it showed how the City, when coming together with other organizations that cared passionately about the issue, could make a tremendous difference, that Council Member Gonzalez would talk about some of the successes they had yesterday because it was in his district and was one of the guiding forces behind it, but it was an example of the new groundbreaking work they were doing at BARK, it was an example of the new attitude that existed at BARC and was an example of the transformation of BARC to a more confident, compassionate, customer focused organization that provided a necessary service but did it in a way they thought was more humane, but also did it in a way that some point in the future will allow them to really transform what they did, the goal was to get to a point where every animal, every dog and cat in Houston was wanted, had a home, was spayed or neutered and was cared for appropriately, that was a very worth goal, that in order to achieve that goal not only did they need the cooperation of caring individuals outside of City government, but they needed the cooperation of caring individuals inside City government, so the BARC transformation had to start from the inside and work out, and invited Ms. Tina Paez, Director of ARA to talk about what had brought them to Council today, that she had a proclamation and presentation to make, but wanted to give everybody a little more background on it. Council Members Davis and Pennington absent.

Ms. Paez thanked Mayor Parker for her ongoing support of all of their customer service initiatives and stated that she appreciated that their employees had shown yet another example of what customer service was like at BARC and the transformation that BARC was happening right now and introduced Mr. Craig Damianoff, who was going to talk about this important initiative legendary service. Council Members Davis and Pennington.

Mr. Damianoff stated they had brought something together called BARC Legendary Service and what they meant was there was a grouping of stories that they gathered every quarter that they were going to present a Legendary Service Recipient, whoever gave the best customer service from testimonials they got from their various customers, there were three tenets to legendary service, first, come to work and go to work, that meant they had a good attitude and their uniform was looking great and ready to go, second, they had to be knowledgeable about BARC, so they put together some basic information, about 10 pages about basic stuff, when they were open, what services they provided how they went about their daily business, and in order to reinforce that they had pop quizzes that took place throughout the facility on an ongoing basis, and last, elevation of awareness, since they were a public facing entity that was open to the public on five days, but really had the public there every day, so they were reinforcing that when people were on the property that they took a focus to them first and did not forget who they were trying to service, they had some partners in this and decided to give a cash incentive to the Legendary Service recipient and had two groups who had been helping them out with that, the Houston BARC Foundation and Proler Southwest, Division of Sims Metal Management and introduced Dr. Renata Davis. Council Members Davis and Pennington absent.

Dr. Renata Davis, Houston BARC Foundation, stated that it was with great pride that they were present to present the very first Legendary Service Award and congratulated Ms. Candi Cruz for being honored, it was a \$500 check from the Houston BARC Foundation.

Mr. Rafael Carrasco, General Manager, Proler Southwest, Division of Sims Metal Management, which had been named for the fifth year in a row, one of the 100 most sustainable global companies, and were proud to be servicing the scrap metal recycling industry in Houston for the last 22 years and most recently were proud to be a part of the remarkable turn around that BARC had enjoyed and the great service they provided to the community, and was particularly proud to stand before them and reward Ms. Candi Cruz with a \$500 check that went along with the dollars and volunteer hours that his company put forth every day, and

congratulated Ms. Cruz. Council Members Davis and Pennington absent.

Mayor Parker introduced a video relating to BARC; and stated that this was about transforming an organization that had been troubled for a very long time and the work started several years ago and it had been through several hands, but the BARC Foundation and Proler stepped forward and said they wanted to provide an incentive and to use it to help create a mindset in their workforce at BARC about what they should be doing, could be doing and held some examples up from within the department, that this was the first presentation of the BARC Legendary Service Award, that she had already talked a little about what they were trying to achieve at BARC, but specifically to the honoree today, the City of Houston saluted and commented Candi Cruz, Candi Cruz had clearly demonstrated excellent customer service at BARC and remained a model employee among her peers, making her an ideal winner for the first Legendary Service Award at BARC Animal Shelter and Adoptions, Candi Cruz was a dedicated BARC employee who stood firmly behind the effort to make BARC the best municipal shelter in the Country, therefore, she Annise Parker, Mayor of the City of Houston, in recognition and appreciation of her outstanding demonstration of legendary service at BARC, hereby proclaimed today as Candi Cruz Day in Houston, Texas, and presented a special service pin as well to Ms. Cruz, and thanks to their generous private sector sponsors, there was a cash award as well. Council Member Davis absent.

Ms. Cruz thanked Mayor Parker and the sponsors for the presentation, and stated that she was just doing her job, giving customer service, and was excited, that it was a very hard job, but she loved it and would not change it for anything. Council Member Davis absent.

Council Member Christi and Mayor Pro Tem Gonzalez congratulated Ms. Cruz and thanked her for her service. Council Member Davis absent.

Mayor Parker invited the men and women, present in the audience, who represented them at BARC for a group picture. Council Member Davis absent.

Mayor Parker stated if they had not been out to BARC in a while she would encourage them to out and see some of the changes themselves.

At 2:15 p.m. Mayor Parker recognized Council Member Bradford for the invocation and pledge of allegiance, and Council Member Bradford invited Dr. Elmo Johnson, Rose of Sharon Missionary Baptist Church, for the innovation and Council Member Bradford led all in the pledge of allegiance.

Mayor Parker stated that it was good to see Pastor Johnson today, that a lot of them at the Council table knew him and had worked with him.

The City Secretary called the roll. Council Members Cohen and Adams absent on personal business.

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

Council Member Gonzalez moved that the rules be suspend for the purpose of hearing from Ms. Andrea Usanga after Ms. Lillian Ortiz, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Bradford absent. MOTION 2013-0480 ADOPTED.

Ms. Lillian Ortiz, 5120 Woodway, Ste. 6000, Houston, Texas 77056 (713-333-2242)

appeared and stated she was in support of the Boarding Home Ordinance that was before them, that she represented One Voice Texas, they were a collaborative of over 100 non profit and other organizations in the Houston area that focused on Health and Human Services issues, that the ordinance before them, they thought, would give the Houston Police Department what it needed to know who was in charge of the boarding homes, they thought it would give a level of protection to a group of people who did not really have the ability to advocate for themselves. Council Member Bradford absent.

Council Member Gonzalez thanked Ms. Ortiz for all her work, she had been very involved and helped a great deal with the more than 100 organizations that she was involved with and carrying the message to others. Council Member Bradford absent.

Ms. Andrea Usanga, 2211 Norfolk, No. 810, Houston, Texas 77098 (No Phone) appeared and stated that she was with Mental Health America of Greater Houston and thought they all knew exactly where their organization stood on this issue, and shared some remarks for a mental health consumer who worked for a boarding home and their perspective on the proposed ordinance, that often boarding homes became the pay for residents SSI Checks, that resident checks were taken in full with no guarantee that the boarding home would provide the necessary services, in some situations a boarding home required its residents to manual labor, that often a boarding home resident was the default operator for a boarding home, that those were just a few comments that the person wanted to share with them on the importance of passing the ordinance, that the residents in these homes had waited about four years since the State law passed that authorized some cities and counties to pass these regulations so she would ask that City Council would act so they would not have to wait any longer.

Mayor Parker stated that Ms. Usanga did an excellent job in the statement of summarizing some of the problems that they had encountered.

Council Member Gonzalez stated that as Ms. Usanga knew that these homes were scattered all throughout the City, every neighborhood and thanked her for adding the perspective that she shared with them.

Ms. Annette Hernandez, 2402 Hidden Park Ct., Richmond, Texas 77469 (713-557-4955) appeared and stated she was present on behalf of her brother, a resident in a boarding home, his only income was Social Security Disability, he had lived in various boarding homes and unfortunately the only ones affordable to him were the unlicensed ones, they had encountered numerous problems with these homes, a resident brought marijuana back to the home, gave some to her brother, he smoked it, fell and broke his neck, that he had resided in a home called Second Chances, that on Friday, May 20, 2013, she received a phone call from her brother who told her he was at Saint Josephs hospital and had been there about a week, they were unaware of this, her brother asked the doctor to call her and that was how she found out, that she asked him what had happened and he said that Benny beat him up, and the manager was told not to call her by the home owner, they were never notified by her, that complications occurred and it had been a long and trying road for her brother and she could not help but feel if there had been more supervision and possibly some rules and regulations that were put forth to these homes and facilities that they would not be in the situation they were in today.

Mayor Parker stated that it had been a horrific experience that they had and hoped the new ordinance would at least help them identify where they were and who the management was and begin to put some structure around it.

Council Members Noriega and Gonzalez thanked Ms. Hernandez for being present and sharing her experience, that her information was very helpful and hopefully they could prevent some of these situations.

Mr. Steven Goff, 10777 Stella Link Rd., Houston, Texas 77025 (713-592-9292) appeared and stated he was a licensed professional counselor at Interwisdom, an out patient mental health facility, he was present to show support for the Boarding Home Ordinance, that he would remind them that Houston was one of the only major metropolitan areas that did not have an ordinance for boarding homes, that Dallas and San Antonio had one, that it was something that they really needed to address, that in Texas in order to get a Cosmetology License they had to have 1,500 hours of training, in order to get a Massage License they had to have 500 hours of training, plus pass an exam, in order to be a nail tech in a nail salon they had to have 600 hours of training and pass an exam, to open up a boarding home, according to the Texas Administrative Code, they had to have 24 hours of training, that the ordinance did not require more training, but required background checks for people who were opening up group homes, it allowed the City to have a database of information about boarding homes, it helped police respond better to those calls they got, and also allowed the City to fine those who were not cooperating, and would allow inspections if needed, so he would encourage them to pass the ordinance.

Mayor Parker advised the audience that they not engage in loud expressions, to do it in silence.

Council Member Gonzalez thanked Mr. Goff for his valuable input, and stated that each one of them in thier own unique way had provided a perspective on many facets of the issue and in the end all they could do was hope to make things better; that he wanted to commend Officer Anders present in the audience who had been very helpful in leading the charge. Council Members Davis and Noriega absent.

Ms. Joanne Mandel, 9007 Cliffwood Dr., Houston, Texas 77096 (713-292-7641) appeared and stated she started Interwisdom Counseling Centers twentyfive years ago, that everything that people had said before were absolutely true, that boarding homes only had to provide a and reviewed a list of things, including sharing medications, that over the past twenty five years, they had found went on these facilities. Council Member Davis absent.

Council Member Gonzalez thanked Ms. Mandel and the entire team at Interwisdom for all of thier efforts. Council Member Davis absent.

Dr. Alkebu Motapa, 5022 Crosby, Houston, Texas 77021 (713-741-5150) had reserved time to speak, but was not present when his name was called. Council Member Davis absent.

Mr. Jessie Shields, 2221 Russell, Houston, Texas 77026 (no phone) had reserved time to speak, but was not present when his name was called. Council Member Davis absent.

Ms. Darnetta White, Post Office Box 2319, Houston, Texas (832-494-4218) appeared and stated that she did not know if the Mayor and City Council were aware of the homeless epidemic within the City of Houston, that out of towners were showing up in their City in record numbers, obtaining immediate aid, such as housing assistance, medical and dental, as well as vision care, and continued to voice her opinions until her time expired.

Ms. Toni Potts, 1401 Calumet St., Ste. 400, Houston, Texas 77004 (713-522-1325) appeared, presented data and stated she was present with regards to the Museum Park Neighborhood Association application for Prohibited Yard Parking, that she was a member of the Museum Park Super Neighborhood for approximately two years and treasurer of the Museum Park Neighborhood Association beginning January through the end of May, when she resigned, that during her tenure in these two groups she discovered that things often were not aligned with the bylaws of both the organizations, that the signs that were supposed to be

posted were taken down the day of the preliminary hearing and had not been put back up since then, that the only notification that the residents were given was put on the website on April 26, 2013; that she would like the neighborhood association to go back and redo the application with a little more thought and input from the neighbors who would be affected.

At 2:42 p.m. Ms. Potts presentation was disrupted because of demonstrators in the Council Chamber and Mayor Parker requested a motion to recess for five minutes until the Chamber was in order.

Council Member Gonzalez moved to recess for five minutes, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Cohen and Adams absent. MOTION CARRIED.

At 2:54 The City Council reconvened in the Council Chamber and Mayor Parker stated they were temporarily interrupted in the conduct of business, they took a brief recess, they had a speaker before them, Ms. Toni Potts and she was sorry about that and asked Ms. Potts to come forward and asked if she had anything she wanted to add. Council Members Davis, Gonzalez and Burks absent.

Ms. Potts stated that they had her data, the application was put together fast and loose and was erroneous, that she knew they had guidelines for forming a civic association, but for those who were part of the association and were ignored on a regular basis, they wondered if they had guidelines for a group to secede from a civic association and form another one. Council Member Davis absent.

Mayor Parker stated a civic association was a voluntary association, not like a homeowners association, but the rules for creating a Prohibited Yard Parking Ordinance was promulgated by Council and the Legal Department was looking at the application and would see if they would ask them to start over again, or whether it would be forwarded to Council, that she had raised issues about proper procedure and once they put ordinance procedure in place they needed to adhere to it. Council Member Davis absent.

Mayor Parker stated the Legal Department could look at it and say that they had met the forms, they could look at it and say if they needed to start over again to make sure it was all done properly, but she did think it was important to state it was ultimately Council that created the "No Parking In Yards" provision, so it was really a matter of whether the majority of Council Members felt they had sufficient information on which to base their vote, that again, a civic neighborhood civic association was a voluntary association and they established the boundaries on which they wanted to operate, based on the internal membership. Council Member Bradford absent.

Council Member Laster stated that Ms. Potts had gotten the Council's attention in more ways than she had anticipated, that he thought it was important that the relative departments, the Legal Department, look at all of the applications very carefully, that he knew a number of organizations and neighborhoods that were jumping through all of the mandated hoops for these protections that they had seemingly put in place for neighborhoods, that he would encourage that there be not only a fine tooth comb looked at for her instance, but to make sure that everybody that had adhered to those regulations and rules and opportunities were rewarded and honored accordingly. Council Members Davis and Burks absent

Bishop James Dixon, 1023 Pinemont, Houston, Texas 77018 (713-688-2900) appeared and stated that he wanted to express to them the sentiments of many Houstonians that were in concurrence with the sentiments of much of the Nation, and that was what America and the world witnessed last Saturday in the verdict of George Zimmerman, that it was believed by

many of them the most blatant display of injustice that their National had witnessed in some years, the world was outraged and quite disturbed by the acquittal of George Zimmerman, that present with him were pastors who represented a growing list of pastors, over 50, along with community leaders and other elected officials who had joined together with Reverend Al Sharpton in a 100 city demonstration that would take place on Saturday, they had scheduled a demonstration to take place on the steps of City Hall at 11:00 a.m., that it was their belief that vocal, visible, albeit peaceful protest was not only in order but necessary to get the attention of leaders across the breadth and width of the Nation, they were not only outraged but were also committed to continue with words and action to try to bring to the Nation's consciousness the reality that no people should be treated as second or third class, but all of them were of the same value and deserved to be respected and be treated justly in the court system, that his purpose here today was not only to inform elected leadership but also to invite them to be a part of the event on Saturday, that it was their conviction as well that the City needed to see it's elected representatives standing for justice, for peaceful protest and supporting those of them who were moved at heart to express their convictions, that for them it was a right and wrong issue. Council Member Hoang.

Mayor Parker thanked Pastor Dixon for being present, and stated that unfortunately she would be out of the City this weekend, but would be happy to be present by statement, if that would be helpful, that any American should be able to walk down any street in America in peace, that the laws in Florida were different than the laws in Texas, but this incident was a terrible tragedy and she appreciated his sentiment that it was important for all of them to stand up and express themselves, but to do it in a peaceful and appropriate manner. Council Member Hoang absent.

Council Member Noriega stated that it was her ability to give Pastor Dixon time to finish his statement. Council Members Hoang and Christi absent.

Pastor Dixon further stated he thought it was important that the City knew the hearts of it's elected leadership and invited those who could to please be present, and otherwise they would love to have a statement from each Council Member, it would be welcomed and appreciated, that their purpose today was to inspire the City, they believed Houston represented what diversity looked like, and for them to stand together, that it was not to be deemed as the event that was for a particular group of persons or culture, all of them standing together makes a statement. Council Members Hoang and Christi absent.

Council Member Gonzalez stated that hopefully Pastor Dixon could also be a key figure, with his stature in the community, to help them all move forward from this, that anger in the end would only get them so far, so they had to make sure they were finding the necessary steps, the right action, to move forward that was productive for everyone. Council Members Hoang and Christi absent.

Council Member Burks stated that as he saw the demonstration earlier his heart was hurting also, but it was time, he thought, for a dialog on race and racial profiling as necessary. Council Members Hoang and Christi absent.

Council Member Burks moved to extend time for questions of Pastor Dixon, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Members Hoang and Christi absent. MOTION 2013-0480 ADOPTED.

Council Member Pennington stated this was a very tragic situation, the real tragedy was that these two people could not have encountered each other on the street and have some kind of reasonable discussion about what either one of them were doing there, that was the root that

he hoped their group would take instead of saying the decision was wrong, that he believe in the Rule of Law, that the fact was that they needed to work on mutual respect and recognition. Council Members Hoang and Christi absent.

Pastor Dixon welcomed Council Member Pennington's involvement and believed that they did have to move toward a solution, however he thought it was healthy, just as in a bereavement that there was an opportunity to express and thought it was also important that they talk about the systemic issues. Council Members Hoang and Christi absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when her name was called. Council Members Hoang and Christi absent.

Mr. Tony Morris, 2400 South Loop West, Ste. 515, Houston, Texas 77054 (713-664-5362) appeared and stated that it was very much appreciated how the City responded to the protest and the march from the funeral home to Southmore and Highway 288, it was very peaceful and a well organized demonstration, the incident on Highway 288, even though it blocked traffic, was not interrupted by any violence or anything like that, three ambulances were able to get to the Medical Center without any problems and once it started raining that was it, that he commended the City on the restraint and allowing them to have peaceful demonstration. Council Members Hoang, Rodriguez, Burks and Christi absent.

Mayor Parker stated that she would compliment the Police Department on the restraint that was shown, when people were upset there needed to be an opportunity for them to express that emotion, but there were also limits and thought the Police Department and the protesters yesterday found the right balance. Council Members Hoang, Rodriguez, Burks and Christi absent.

Mr. Jojn Adeagbo, 3813 Wipprecht, Houston, Texas 77026 (713-437-9923) appeared and stated that he had moved to Houston about a year ago, that he had an incident where he bought a car and his roommate stole his car and ran over him with the car, he had injuries on his leg and back, that he called the police and to his dismay and surprise nothing was done about it, all he wanted was justice, that nobody was willing to hear his story, that maybe they could help him. Council Members Hoang, Rodriguez, Burks and Christi absent.

Mayor Parker stated that she could only assume that he filed the appropriate police report and that he took the steps that he needed to take, if he did not she did not know whether it was still timely for him to do so, but she would offer him an opportunity to visit with a police sergeant who was present in the audience, and Mr. Adeagbo stated that he filed a police report and spoke with a sergeant several times and complained to them and called them on the phone many times, and Mayor Parker stated he had taken the appropriate steps and would be happy to ask Sergeant Herndon to see the status of his complaint. Council Members Hoang, Rodriguez and Christi absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated they had knowledge of who he was, and voiced his personal opinions until his time expired. Council Members Hoang, Rodriguez and Christi absent.

At 3:15 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, July 17, 2013. Council Members Cohen and Adams absent on personal business. Council Members Hoang, Rodriguez and Christi absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, July 17, 2013, with Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney; and Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present. Council Members Ellen R. Cohen and Wanda Adams absent on personal business.

At 8:35 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:09 Mayor Parker called the meeting to order and stated the first item was a public hearing and recognized Mr. Joe Turner, Director, Parks and Recreation Department. Council Members Davis and Bradford absent.

HEARING - 9:00 A.M.

1. Hearing relative to the re-adoption of **ARTICLE XII CHAPTER 32, CODE OF ORDINANCES, HOUSTON, TEXAS**, regarding Standards of Care for the Houston Parks and Recreation Department Youth Recreation Programs – called. Council Members Davis and Bradford absent.

The City Secretary stated that Mr. Turner would make the remarks regarding the hearing. Council Members Davis and Bradford absent.

Mr. Turner appeared, distributed information and stated that this was their annual meeting where they came forward to comply with Texas Human Resources Code 42.04B14, the Standards of Care that they operated were intended to be the minimum standards that HPARK would use to park their After School Achievement Program, this program offered a wide range of recreation activities based on four components, arts and entertainment, fitness and instructional sports, nature education and creative fun, the Houston Recreation Program Standards of Care was codified in Article XII of Chapter 32, City of Houston Code of Ordinances, the Texas Human Resources Code 42.04B14 provided an exemption from Child Care Licensing for recreation programs serving elementary children ages 5 to 13, with the following criteria, the municipality operated the program, the governing body, the municipality, annually adopted Standards of Care by the ordinance after the public hearing for such programs, the program provided these Standards of Care to the parents for each program participant, the ordinance included child ratio's, minimum employee qualifications, minimum health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards, the program informs the parents that the State does not license the program and the program did not advertise itself as a child care operation, that the Parks and Recreation Department offered the After School Achievement Program at 54 of their community centers, that Ms. Debra Lathan, Assistant Director, Community Center Operations was present. Council Member Bradford absent.

Council Member Pennington stated he was looking at the Standards of Performance in the last MOFR and noticed the large number of youth that they served with their programs and asked approximately how many people were serviced by the programs, and Ms. Lathan stated for the After School Program they averaged about 3,500 kids and had a 1 to 35 ratio, 25 as of last year, and then for the summer program they averaged between 4,300 and 4,500 registered participants, and Mr. Turner stated those were the children in their programs that they actually ran. Council Member Bradford absent.

Mayor Parker stated that she believed no one had reserved time and Ms. Russell stated that was correct, no one had reserved time to appear at the hearing, and Mayor Parker asked if

there was anyone in the audience who was present to speak at the public hearing, and seeing none requested a motion to close the public hearing. Council Member Bradford absent.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Bradford absent. MOTION 2013-0482 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 26

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of the following individual to the **HOUSTON ZOO, INC. BOARD OF DIRECTORS:**
Position Two - **KAT GALLAGHER**, appointment, for an unexpired term ending 06/30/2014

- was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Bradford absent. MOTION 2013-0483 ADOPTED

3. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **GREENSPPOINT DISTRICT OF HARRIS COUNTY BOARD OF DIRECTORS**, for terms to expire June 1, 2017:

Position One - **KELLY MCNEILL**
Position Two - **D. MICHAEL DOWNS**
Position Three - **JOHN RIDGWAY**
Position Four - **KAREN MARSHALL**
Position Five - **RAMON (RAY) BEJARANO**
Position Six - **DAVID K. EGBERT**
Position Seven - **CHARLES R. LOPEZ**
Position Eight - **THOMAS R. WUSSOW**
Position Nine - **EDWARD HINTON**
Position Ten - **ADAM RUIZ, JR.**
Position Eleven - **STEPHEN C. HEAD**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Members Martin and Bradford absent. MOTION 2013-0484 ADOPTED

Mayor Parker stated they had just affirmed the appointment of Ms. Kat Gallagher to the Houston Zoo, Inc. Board of Directors, and invited Ms. Gallagher to the podium and stated that she appreciated her willingness to serve and knew that she was a fan of the Houston Zoo, it was a great zoo and getting better, that they appreciated her service. Council Member Martin absent.

Ms. Gallagher stated that she wanted to thank the Mayor and City Council and appreciated the opportunity. Council Member Martin absent.

Mayor Parker stated they also affirmed the appointment and reappointment of Members of the Greenspoint District Board of Directors, but did not see anyone present in the audience. Council Member Martin absent.

PROPERTY - NUMBERS 5 and 6

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Stephen Coates, South Texas Surveying Associates, Inc. on behalf of Naiyana Vora, declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide easement, from West Bellfort Avenue to Rufino Road, within Block 9 of the Braeburn Gardens Subdivision, out of the James Alston Survey - Parcel SY13-045 - **DISTRICTS J - LASTER and K – GREEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0485 ADOPTED
6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc. on behalf of GAR Associates, V, L.P., (Stuart D. Moiles, President) and MGI-GFP Woodlake Holdings, LLC, [(Philip Morgan, Vice President) Managing Member] for the abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide Fire Hydrant Easement, both located within The Quadrangle of Woodlake Apartments, out of the John D. Taylor League Survey, A-72. Parcels SY13-078A, SY13-078B, SY13-081A and SY13-081B - **DISTRICT G - PENNINGTON** - was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0486 ADOPTED

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 13

7. **CALDWELL AUTOMOTIVE PARTNERS, LLC, d/b/a CALDWELL COUNTRY CHEVROLET** for Two Heavy-Duty Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council, for the Houston Fire Department - \$80,460.00 - Grant Funds - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0487 ADOPTED
8. **ORASURE TECHNOLOGIES, INC** for Rapid Diagnostic HIV Test Kits for the Department of Health and Human Services - \$1,001,601.00 - 3 years, with two one-year options - Grant Funds - had been pulled from the Agenda by the Administration, and was not considered. Council Member Martin absent.
9. **LUMENATE TECHNOLOGIES, LP** for Data Center Consolidation Project through the Texas Department of Information Resources - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0488 ADOPTED
10. ORDINANCE appropriating \$150,000.00 out of The Equipment Acquisition Consolidated Fund for professional services supporting the Network and Telephony Project - was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0650 ADOPTED
- 10a. **VIRTUAL INTELLIGENCE PROVIDERS** for professional services supporting the Network And Telephony Project through the Texas Department of Information Resources for Houston Information Technology Services - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council

Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0489 ADOPTED

11. **UTILITY ASSOCIATES, INC.** for Maintenance for Digital Patroller Camera Systems for the Houston Police Department - \$78,750.00 - 1 year - General Funds - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0490 ADOPTED

ORDINANCES - NUMBERS 18 through 26

18. ORDINANCE approving and authorizing an Interlocal Cooperation Agreement for telecommunications and fiber access between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY of HARRIS COUNTY** - was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0651 ADOPTED
20. ORDINANCE amending Ordinance No. 2012-0610 (passed June 27, 2012) to increase the maximum contract amount for a contract between the City of Houston and **UNICARE BUILDING MAINTENANCE, INC.** for janitorial cleaning and associated services for the Houston Airport System - \$19,222.81 - Enterprise Fund - **DISTRICTS B - DAVIS and E - MARTIN** - was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0652 ADOPTED
22. ORDINANCE approving and authorizing an Expedited Check Point Clearance Services Concession Agreement between the City of Houston and **ALCLEAR, LLC** at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - Revenue **DISTRICTS B - DAVIS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0653 ADOPTED
23. ORDINANCE appropriating \$1,085,000.00 out of Solid Waste Consolidated Construction Fund; awarding contract to the **GONZALEZ GROUP, LP** for Neighborhood Solid Waste Depository; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and materials testing, and contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0654 ADOPTED
24. ORDINANCE issuing a permit to **GULF SOUTH PIPELINE COMPANY, LP.** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS A - BROWN and F - HOANG** - was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0655 ADOPTED
25. ORDINANCE issuing a permit to **INEOS PIPELINE INVESTMENT COMPANY** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS D - ADAMS, E - MARTIN and I - RODRIGUEZ** - was

presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0656 ADOPTED

26. ORDINANCE issuing a permit to **SOUTHCROSS ENERGY GP LLC** to operate, maintain, improve, repair and replace two existing pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICT A - BROWN** - was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0657 ADOPTED

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,887,605.00 and acceptance of work on contract with **THE GONZALEZ GROUP, L.P.** for Lake Houston Park Phase One – 4.93% over the original contract amount and under 5% contingency – was presented, moved by Council Member Costello, seconded by Council Member Hoang. Council Member Brown voting no, balance voting aye. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0491 ADOPTED.

PURCHASING AND TABULATION OF BIDS

12. **CEMEX, INC.** for Ready Mix Concrete for the Department of Public Works and Engineering - \$1,095,283.00 - Enterprise Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington, and tagged by Council Member Green. (Note: Council Member Green released his tag later in the meeting.) Council Member Martin absent.
13. **TURTLE and HUGHES, INC.** for Electrical Supplies and Fittings for Various Departments in an amount not to exceed \$1,359,022.00 - 3 years, with two one-year options - General, Enterprise and Other Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays no. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. MOTION 2013-0492 ADOPTED.

ORDINANCES

14. ORDINANCE appropriating \$310,000.00 out of Homeless And Housing Consolidated Bond Fund; approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to provide \$310,000.00 from the Homeless and Housing Consolidated Bond Fund to enable the City and Harris County to receive \$23 million of federal funds for homeless initiatives – was presented. Council Member Brown voting no, balance voting aye. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0658 ADOPTED.
15. ORDINANCE approving and authorizing a loan purchase and sale agreement between the City of Houston and **BEAR CREEK WAREHOUSE, LLC** for the sale by the City of a note, payable to the City by Magnolia Residential Housing Development I, limited partnership and secured by the Plaza de Magnolia Apartments, located in the vicinity of 7310 Sherman Street, Houston, Texas - Revenue - **DISTRICT I - RODRIGUEZ** – was

presented. Council Member Burks voting no, balance voting aye. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0659 ADOPTED.

16. ORDINANCE approving and authorizing the submission of an application to the United States Department of Health and Human Services for grant assistance from the **CENTERS FOR DISEASE CONTROL AND PREVENTION** for the Affordable Care Act - Building Epidemiology, Laboratory and Health Information Systems Capacity for Infectious Disease Grant; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject or alter the grant and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$2,524,396.00 - Grant Funds – was presented. Council Member Martin absent.

Council Member Christi asked if someone could comment on the Meningococcal Vaccine Study, and Mayor Parker asked if Council Member Christi was asking if there was someone present from the Health Department, and did not see anyone in the Chamber, and Council Member Christi stated that he was not against it, but a lot of it was diagnosis and treatment, but this was a study and was wondering how they were involved with Meningococcal, and Mayor Parker stated she would make sure the department visited with him. Council Member Martin absent.

A vote was called on Item No. 16. Council Member Brown voting no, balance voting aye. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0660 ADOPTED.

17. ORDINANCE approving and authorizing contract between the City and **BEE BUSY LEARNING ACADEMY, INC.** for Comprehensive HIV Prevention, Social Marketing, Media and Community Mobilization Services: Providing a maximum contract amount \$150,000.00 - Grant Funds **DISTRICTS B - DAVIS, C - COHEN, D - ADAMS and J – LASTER** – was presented. Council Member Brown voting no, balance voting aye. Council Members Cohen and Adams absent on personal business. Council Member Martin absent. ORDINANCE 2013-0661 ADOPTED.

19. ORDINANCE amending Ordinance No. 2012-730 to increase the maximum contract amount and authorizing first amendment to the agreement between the City of Houston and the **LONE STAR COLLEGE SYSTEM** to provide Emergency Medical Technician Training Services to the Houston Fire Department - \$183,750.00 - General Fund – was presented. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. Council Members Martin, Gonzalez and Costello absent. ORDINANCE 2013-0662 ADOPTED.

21. ORDINANCE appropriating \$718,900.00 out the Airports Improvement Fund and approving and authorizing a professional consulting services agreement between City of Houston and **REYNOLDS, SMITH AND HILLS, INC.** for Spaceport Launch Site Operator's License and Environmental Assessment at Ellington Airport (Project No.734) - **DISTRICT E – MARTIN** – was presented. Council Member Martin absent.

Council Member Green asked if this was for the consulting firm or the actual cost to get the license, and Mayor Parker stated it was for the consulting firm. Council Member Martin absent.

A vote was called on Item No. 21. All voting aye. Nays none. Council Members Cohen

and Adams absent on personal business. Council Members Davis and Martin absent.
ORDINANCE 2013-0663 ADOPTED.

NON CONSENT AGENDA - NUMBERS 27 through 32

MISCELLANEOUS

27. Receive nominations for appointments to Position 4, 6, 7, 8, & 9 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE), CITY OF HOUSTON, TEXAS**, for the remainder of the designated two year term – was presented. Council Members Davis and Martin absent.

Council Member Bradford thanked Mayor Parker for allowing the Council committee to deal with the Council appointments in this format, and wanted to thank his colleagues also in that they had quite an involved discussion concerning the appointments to various boards and commissions and they should have in front of them a single page sheet which reflected the discussions and recommendations offered by the Council Committee on Ethics, Elections and Council Governance. Council Member Davis absent.

After further discussion, Council Member Bradford moved that the rules of Council be suspended for the purpose of receiving the report and the nominations and confirm the nominations for Item Numbers 27 through 32, seconded by Council Member Pennington. Council Member Davis absent.

28. Receive nominations for Positions 11 and 13 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2015
29. Receive nominations for Positions 18 and 20 of the **HOUSTON CENTER FOR LITERACY BOARD OF DIRECTORS**, for the remainder of the two year term that will end February 2, 2014
30. Receive nominations for Positions 6 and 7 of the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY**, for terms to expire two years from date of appointment
31. Receive nominations for Positions One through Five for the **REBUILD HOUSTON OVERSIGHT COMMITTEE BOARD OF DIRECTORS**, for the remainder of the designated two year term
32. Receive nominations for Positions 4 and 5 of **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for the remainder of the designated two year term

Mayor Parker stated that in essence they were adopting the results of the report; that she would suggest that perhaps the proper motion was that they accept the report for a final vote next week as they were posted for the receipt of nominations and there may be an Open Meetings Act, and Council Member Bradford asked if the body had the authority to suspend the rules as it related to this issue, and if not he was willing to stand down and they could do it next week.

Mayor Parker asked Mr. Dave Feldman, City Attorney, to respond.

Mr. Feldman stated that suspension of the rules would not help because this was a matter of State Law in terms of the appropriateness of the agenda, and since the agenda only said receive nominations and not approve then under the Open Meetings Act they could not act to

approve the items.

Council Member Bradford stated that he would amend his motion to place them into nomination this week as per the committee's recommendation, seconded by Council Member Pennington.

After discussion by Council Members Noriega, Bradford and Pennington, Mayor Parker stated that as she had expressed by memo to all Council Members, while they had accepted the report, it was on the floor, she would formerly call for further nominations, so they had not completely ceded any authority to a committee; that by accepting the report of the Committee, the names that were on the list that had been distributed with the attached Council Members nominator would be entered in the record as formal nominations.

A vote was called on Council Member Bradford motion that the rules of Council be suspended for the purpose of accepting the report from the Council Committee on Ethics, Elections and Council Governance, and the names placed in nomination as listed in Agenda Item Numbers 27 through 32 as follows:

"Mayor Annise Parker and Members of City Council:

The Council Committee on Ethics, Elections and Council Governance has completed its discussions and recommendations regarding the below positions. The list below reflects the nominee's name, respective Board or Commission, and the Council Member making such nomination.

Board Name	Volunteer Name	Position	Nominated by
Reinvestment Zone Number 1 (St. George Place)	Victoria Rockwell	4	CM Pennington
	Gary Baumgartner	6	CM Pennington
	David J. Enloe Jr.	7	CM Pennington
	Walter Goff	8	CM Pennington
	William Hutz	9	CM Pennington
Houston Archeological and Historical Commission	Douglas Elliott	11	CM Cohen
	R. Maverick Welsh	13	CM Rodriguez
Houston Center for Literacy	John Canales Gorczynski	18	CM Gonzalez
	Dr. Mary White	20	CM Adams
Land Assemblage Redevelopment Authority	Steve Hall	6	CM Davis
	Faith Jackson	7	CM Green
Rebuild Houston Oversight Committee	Frances Castañeda Dyess	1	CM Rodriguez
	Kathryn Easterly	2	CM Cohen
	Edward Taravella	3	CM Cohen
	Vernita Harris	4	CM Adams
	Bert Keller	5	CM Costello
Wastewater Capacity Reservation	Robert J. Schwartz	4	CM Green
	Kathryn Ostroff	5	CM Noriega

All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0493 ADOPTED.

Mayor Parker stated that in addition to these nominees Council Members always reserved the right to refine their decision making process and asked if there were any further nominations, in addition to the nominees that were on the list., hearing none asked for a motion to close the nominations.

Council Member Bradford moved to close nominations listed in the report and accepted by MOTION 2013-0493 for Item Numbers 27 through 32 as follows, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2013-0494 ADOPTED.

MATTERS HELD - NUMBERS 33 through 34

33. ORDINANCE AMENDING CHAPTERS 1 AND 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to boarding homes (group homes) – **(This was item 6 on Agenda of July 10, 201, TAGGED BY COUNCIL MEMBER LASTER)** – was presented.

After discussion by Council Members Gonzalez and Rodriguez, Council Member Rodriguez offered the following written motion to amend Item No. 33.

“I move to amend Agenda Item #33 by adding the following to Sec. 28-457 –

- (e) The owner and operator of each boarding home facility shall implement the following emergency precautions and schedule and pay for an annual fire inspection by the fire marshal –
- (1) The owner and operator shall provide fire escapes and exits that are kept in good repair and accessible at all times in accordance with the Houston Fire Code, as amended
 - (2) The owner and operator shall implement a written fire and evacuation plan that sets forth the responsibilities and steps to be taken by staff and residents in the event of a fire or other emergency. If a boarding home facility has a resident who is non-ambulatory or has a mobility impairment, the owner and operator shall submit the written plan to the Houston Fire Marshal and obtain its approval of the plan.
 - (3) The owner and operator shall post an emergency evacuation plan in each sleeping room and the kitchen of the facility.
 - (4) The owner and operator shall ensure that each resident receives training on the emergency evacuation plan at least two times per year and shall maintain documentation of such training.
 - (5) Flammable supplies and gasoline-operated maintenance equipment and lawn care equipment must be stored in the garage of the facility or in a detached storage shed.
 - (6) The owner and operator shall provide a sufficient number of accessible fire extinguishers in accordance with the Houston Fire Code, as amended. The owner and operator shall ensure that a person licensed to inspect fire extinguishers inspects the fire extinguishers annually. The owner and operator shall ensure the fire extinguishers are recharged when needed by a person licensed to inspect fire extinguishers.
 - (7) The owner and operator shall provide a smoke alarm approved by the fire marshal in each place in the facility required by the Houston Fire Code, as amended. The owner and operator shall maintain a smoke alarm in good working order.
 - (8) If a boarding home facility has a resident that is hearing impaired, the owner and operator shall install and properly maintain a visual smoke alarm that is capable of alerting a hearing impaired person of the presence of fire or smoke in accordance with the Houston Fire Code, as amended.

- (9) The owner and operator shall install and properly maintain carbon monoxide detectors near sleeping rooms in accordance with Section 42.060 of the Texas Human Resources Code, as amended.
- (10) The owner and operator shall ensure that all residents are shown how to use all emergency exits from the boarding home facility within 24 hours after arrival at the boarding home facility. The owner and operator shall maintain documentation of such training.
- (11) First aid supplies
 - 1) The owner and operator shall provide first aid supplies that are equivalent to the 16-unit first aid kit that complies with the latest edition of the American National Standards Institute (ANSI)/International Safety Equipment Association (ISEA) standard Z308-1.
 - 2) The owner and operator shall ensure that the first aid supplies are readily accessible to all the residents and inform the residents of the location of the supplies.
 - 3) The owner and operator shall provide one set of such supplies for each 50 persons, or fraction of 50 persons, residing in the boarding home facility.”

After further discussion by Council Member Laster, Mayor Parker stated that Item No. 33 and the motion to amend were tagged by Council Member Rodriguez. Council Member Noriega absent.

34. ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas and **COSTCO WHOLESALE CORPORATION** for the development of a Wholesale and Retail General Merchandise Facility and related improvements – **(This was item 9 on Agenda of July 10, 2013 TAGGED BY COUNCIL MEMBER BURKS)** – was presented. Council Member Noriega absent.

After a lengthy discussion by Council Members, Mayor Parker stated she wanted to make sure everybody was clear, when they talk about investing in that area it was not that they were giving money to Costco, it was not that they were putting direct upfront money in, they were investing by allowing Costco to be reimbursed for their public infrastructure expenditure, because somehow it always got conflated as if the City were writing a check to Costco, Costco was putting their money into the City's infrastructure and they were allowing them to recoup it.

A vote was called on Item No. 34. Council Members Bradford, Burks and Green voting no, balance voting aye. Council Members Cohen and Adams absent on personal business. ORDINANCE 2013-0664 ADOPTED.

Council Member Green stated that he would release his tag on Item No. 12.

12. **CEMEX, INC.** for Ready Mix Concrete for the Department of Public Works and Engineering - \$1,095,283.00 - Enterprise Funds – was again before the City Council, previously moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Cohen and Adams absent on personal business. MOTION 2013-0495 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Hoang congratulated Air China coming to Houston, and congratulation to the administration for working very hard on the project for many years, that he thought it was going to be beneficial both for the City of Houston and Beijing and also the relationship between

the United States and China, as well as Asia, that he had been with the administration and Director Diaz on the issue as well as trying to push for more flights to Asia. Council Members Brown and Martin absent.

Mayor Parker stated it was a huge coup for the City of Houston to have the new Air China, the first new location in America in more than thirty years for the flag carrier for China, there were full flights going already and Air China was ecstatic about the response. Council Members Brown and Martin absent.

Council Member Pennington stated that he wanted to reiterate what Council Member Hoang had to say, they attended the gala and the Chinese were so convivial and welcoming, it was always great to go to their events, they were well organized as well; and wished Council Member Noriega a Happy Birthday; that he knew they had a public hearing coming up on the Chevron tax abatement issues and he would urge the Mayor's staff to try and make note of many of the issues that were discussed today, that he knew it was a different kind of thing and certainly Chevron was to be applauded for expanding it's campus downtown, but to the extent that they could quantify the benefits and the detriments and so forth, he thought, it was easier to get their hands around why they were doing an abatement, the numbers spoke more loudly than the policies in many situations, or at least the policies were better understood if they were backed up by numbers. Council Members Brown, Martin and Burks absent.

Council Member Green stated they were all mindful of the tragic and unnecessary shooting death of Trayvon Martin last year in Sanford, Florida, and they were also aware that the State trial reached it's conclusion on Saturday evening, as Americans they recognized that they were a nation of laws and that the jury had spoken, however the community was deeply and rightly concerned about this case as passionate community leaders and other concerned citizens had expressed in their City over the past days since the not guilty verdict and at City Council yesterday, as an African American male he was also very concerned about the case because their young African American boys should not fear for their lives just walking in their neighborhoods and should not be profiled because of the color of their skin or what they were wearing, that he believed this tragedy provided them another opportunity for their City to speak openly and honestly about the complicated and emotional charged issues that the case had raised, that issues of race, class and the belief by some in their community that somehow Black life was not valued as others in this community, that it was time to strip their narcoleptic resolve to address these issues that directly impacted the future of their children, they must confront the underlying attitudes that mistaken beliefs and the unfortunate stereotypes that served to often as the basis for police action and private judgments against African Americans in their City, that he would ask the City Council, of the most diverse City in the Country, that they pledge that they would work together to insure that the young 17 year Trayvon Benjamin Martin did not die in vain. Council Members Brown, Martin, Hoang and Burks absent.

Council Member Bradford stated that he wanted to commend the Houston Police Department Lieutenant who was in charge of the squad yesterday, the supervisors and police officers outside and those in the Council Chamber yesterday, that having been involved in many of those type of activities as a police officer he could say that the officers yesterday were very professional and exercised due restraint, that he would say also to the citizens in their community that there were civil, peaceful and lawful means to exercise an expression and would encourage all of them that they express positions, whether it was in concurrence or dissent or just plain outright protest, that they do it in activities that were peaceful, civil, and a lawful way, and know that there were people who were caught in the middle of these activities, they were not pro or con, they just happened to be there and they had some of that in the Council Chamber yesterday, there were children present in the Chamber yesterday, that was why he wanted to commend the officers for the job they did and would also say thank you to the protesters who came in, although they disrupted a meeting, but when they were asked by the

officers to shut it down and move on and exit the building, most of them did it peacefully and most of them followed the officers instructions, that he thought Houston had demonstrated for a long period of time that they were a City and could work out their differences and move down the road and he thought they had to continue to do that, and to the officers, whether they were HPD, Harris County Sheriff's, Constable or whomever, make sure they exercised their authority to assist groups in exercising their right to speak out, groups had a right in this Country to protest, by civil, peaceful and lawful means. Council Members Brown, Hoang and Burks absent.

Council Member Laster announced events he attended or would be attending; and stated that yesterday he received a visitor, Ms. Marisol Herrera, a native of Fort Worth, Texas, who had just finished her degree at Harvard University and was currently teaching for Teach for America and was assigned to Sylvan Rodriguez Elementary School in District J, that she had been working with the third grade summer school program and they were talking about leadership and Ms. Herrera, working through the tillage of Ms. Trujillo, Academic Director and Principal at the school, looked at City Council and she brought a series of letters from the third grade at Sylvan Rodriguez Elementary School and read a letter from young Ms. Laura Garcia, "Dear Mr. Laster, my name is Laura, I want to tell you that I want to be a Mayor, like you do, all cities have a Mayor and the Mayors make laws and they do good things like checking papers and people, we also want to be able to vote for you and the Mayor and when I grow up I want to be able to vote, I'm not sure if kids can vote yet, but I hope that you can help kids to vote to", that these were charming instances that told them so much about their community and wanted to thank Ms. Herrera for planting the seeds in these young people's minds being anxious to be able to vote and figure out what a leader was and wanted to thank her for her work in Houston and wanted to thank Ms. Trujillo and the Sylvan Rodriguez Elementary Community and looked forward to visiting with the third grade when school comes back in session. Council Members Brown, Hoang and Burks absent.

Council Member Gonzalez announced events he attended or would be attending; and recognized Mr. Ronald Green, City Controller, who was present in the audience with some guests; that he wanted to give a special thank you to Department of Neighborhoods, Inspector Daniel Franklin, for helping address a longtime eyesore in the Second Ward Community, in partnership with Chief Inspector Kenneth Valcum and HPD DRT Officer Sanchez, Inspector Franklin worked on the property for more than a year, over this time he was able to insure that huge piles of debris were removed, the lot was abated and lot was secured with fencing, all of this with the cooperation of the owner at no cost to the City, Community leaders Jessica Holse helped identify the issue and worked hand in hand with the City to see it addressed; that he wanted to commend Mayor Parker and Council Members, while this was unique to Council Member Martin's district, he was very supportive of the initiative to move them towards developing their commercial space port, today they approved a consulting contract to help them get the proper licensing and appreciated the vision of Airport Director Mario Diaz, that their taking these early steps and with Council Member Martin's leadership and the Mayor's it was very exciting to be at the forefront of the next era of commercial space flight, they had already done their due diligence, looked through some studies and Houston fit all the criteria to be a leader in this. Council Members Brown, Hoang, Pennington and Burks absent.

Council Member Noriega stated that they had kind of a dramatic public session yesterday, they had demonstrators present, some of them may have seen it, that she went and visited with her staff afterward, they went into her office and talked about what went on, how people felt about it and what they thought about it and they ended up kind of ranging far and wide about things that were important to them and out of that conversation they segued into talking about some of the hurricane issues they had seen in the past, the Chronicle had a Senior Living Section that talked about senior living facilities needed to be on alert turning Hurricane Season, that part of what they did at Council was to try and prepare and be appropriate in terms of

disasters or incidents management and that kind of thing, that there had been a lot of discussion about preparing their staff with some of the courses that were available, for example on line, in dealing with disasters, but what she remembered most vividly about Ike was how much of a hit seniors took, whether they moved or stayed put, whether they had air conditioning or did not, whether they had what they needed right away or not, somehow it seemed to really destabilize a lot of them, so she would suggest to all of them to be very aware of seniors and do their job as neighbors to know if there were seniors around them or facilities in their district. Council Members Brown, Martin, Hoang, Pennington and Burks absent.

Council Member Noriega further stated that the other thing they did was talk about yesterday and try to decide what they needed to do, one of the things that was difficult about a demonstration, like they had yesterday, was to know exactly what to do, she thought that most people were upset by the verdict that was brought down, Florida had not proven itself terribly wonderful at voting, she did not know why they would do this well, but they certainly had not, having said that she thought all of them had a responsibility to be aware that things like racism lived under the radar screen, but it had not gone away and that all of them had to be vigilant and try to do their very best to not participate in that, what she had been most aware of, dealing with it, was that she was a mother and had a 16 year old son, and every time he walked out the door she had this little hitch, that she wanted him to come back in one piece, that he was starting to drive and it was terrifying, so as a parent she could not imagine anything more painful, and as a community to feel like people did not notice or did not care would be horrible, that she asked her staff to write down what they thought or say about it and as a mom she thought one of the most powerful things was this quote from one of her staffers, "I heard your voice yesterday, but I did not hear your words, let's sit down and have a conversation to clearly understand each other", that what she wanted to do was figure out what the intervention was, what needed to actually happen, what she could do as a Council person, what was it that would make a long term difference, a short term difference, make things better, so what was that intervention, that she would throw that out there because she found the whole thing both thought provoking and concerning and still had not resolved it in her own mind, but she also was not going to let it go by without noting it. Council Members Brown, Martin, Hoang, Pennington and Burks absent.

Council Member Green announced events he attended or would be attending. Council Members Brown, Martin, Hoang, Pennington and Burks absent.

There being no further business before Council, the City Council adjourned at 10:43 a.m. Council Members Cohen and Adams absent on personal business. Council Members Brown, Martin, Hoang, Pennington and Burks absent.

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary