

City Council Chamber, City Hall, Tuesday, January 7, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, January 7, 2014, Mayor Annise Parker presiding, with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present.

At 1:42 p.m. Mayor Parker called the meeting to order and stated that they had two presentations today and asked Mayor Pro Tem Gonzalez to take over the Chair. Council Members Stardig, Boykins, Pennington, Gallegos, Laster, Green and Robinson absent.

Mayor Pro Tem Gonzalez recognized Mayor Parker for the two presentations. Council Members Stardig, Boykins, Pennington, Gallegos, Laster, Green and Robinson absent.

Mayor Parker stated that the City of Houston greatly valued the opportunity to do cultural exchanges with other cities, they did cultural and staff exchanges in many different departments within the City, but they had a particularly robust relationship between the City of Houston and China in policing and invited Executive Assistant Chief Kirk Munden to come forward and give a little background on the presentation they were about to make. Council Members Stardig, Boykins, Pennington, Gallegos, Laster, Green and Robinson absent.

Chief Munden stated that for the last couple of years the City of Houston had participated in an international Police Exchange Program run by the Sam Houston State University Criminal Justice School, and also participated with the Alvin Police Department and the Zhejiang Police College in Hangzhou City, China, that the Houston Police Department was going to host a group of Chinese scholars from the Zhejiang Police College, that over the next four days 15 police cadets from the Zhejiang Police College would be hosted by Houston Police Officers in their homes, along with five others going to homes of Alvin Police Officers and they were going to participate in a number of education programs, police ride along's and learn about how American Police Officers lived, that with them today were a number of folks from Sam Houston State University and the Zhejiang Police College. Council Members Boykins, Pennington, Gallegos, Laster and Robinson absent.

Mayor Parker stated that the City of Houston commended the Houston Police Department, Sam Houston State University and the Zhejiang Police College for working together to provide this resource program and extended best wishes on a successful and rewarding experience for the students participating, therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed January 8, 2014 as Sam Houston State University, International Police Exchange Day in Houston, Texas, and they welcomed their international visitors. Council Members Boykins, Pennington, Gallegos, Laster and Robinson absent.

Representatives from Sam Houston State University and Zhejiang Police College expressed their thanks to Mayor Parker for the proclamation. Council Members Pennington, Laster and Robinson absent.

Council Member Bradford and Mayor Pro Tem Gonzalez stated that they wanted to thank the Zhejiang Police College officials, Sam Houston State University officials and Chief Munden and the Houston Police Department, that the International Exchange Program had been a great success. Council Members Pennington, Laster and Robinson absent.

Mayor Pro Tem Gonzalez invited the Zhejiang Police College interns present to introduce

themselves. Council Members Pennington, Laster and Robinson absent.

Mayor Parker stated that they should note that Executive Chief Munden was modeling the new police uniform for the City of Houston Police Department, they were not replacing the Powder Blue or Columbia Blue shirts, but as they needed to be replaced they were going to the all Midnight Blue, so they should get used to seeing that going forward. Council Members Pennington and Robinson absent.

Mayor Parker stated that she was joined by Ms. Ghislaine Thomsen, President, Houston-Nice Sister City Association, that Houston and Nice had been Sister Cities since 1973 so 2013 marked Houston's 40th Anniversary as Sister Cities and presented a proclamation to Ms. Thomsen, and stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed Tuesday, January 7, 2014 as Houston-Nice Sister City Day in Houston, Texas. Council Member Pennington absent.

Ms. Thompson stated that she wanted to thank Mayor Parker and read a message from the Mayor of Nice to Mayor Parker. Council Member Pennington absent.

Mayor Pro Tem Gonzalez stated that he hoped they would continue to strengthen the ties between Houston and France and appreciated the message from the Mayor of Nice to Mayor Parker. Council Member Pennington absent.

At 2:01 p.m. Mayor Parker recognized Council Member Gonzalez for the invocation and pledge of allegiance. Council Member Pennington absent.

At 2:03 p.m. the City Secretary called the roll. Council Member Pennington absent.

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

The City Secretary began calling the list of public speakers. Council Member Pennington absent.

Mr. Joe Roche, 501 Lovett Blvd., Houston, Texas 77006 – 281-908-8055 – appeared and stated that he traveled a tremendous amount, that Item No. 22 on the agenda, advertising at the airport, IA, he noticed there was false advertising, it said free WiFi, but it was not free, and when flights canceled, like it did this week because of the weather, there were hundreds of people and they did not have free WiFi, which left a real foul impression of Houston because of that, that some of the best airports in the Country had free WiFi; that long term going to the airport he thought they needed a train, that it was not going to happen overnight and would take a better part of an airport, that the best airports in the Country had trains going there. Council Member Pennington absent.

Mayor Parker stated that she would love to see rail to the airport and fully expected that some day Houston would have it, but there was a lot of money to be found and spent between now and then. Council Member Pennington absent.

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

Ms. Lesa Lazard, 8635 Binkins Rd., Houston, Texas 77071 – 281-690-9912 – had reserved time to speak, but was not present when her name was called. Council Member

Pennington absent.

Mr. Don Nickals, 3130 Crestdale, Houston, Texas 77080 – 832-574-0586 – appeared and stated that he was present because he was injured and should not have been injured, that the injuries were based on three facts, that each of these facts were followed by an I statement, first, “I don’t like him”, second I’ll put you where I want you to be regardless to what you say, nobody would ask you a GD thing”, that he helped to create something and he presented them with that stuff the first and could have done the same thing this time, that it was factual and would not waste their time saying anything that was not a fact, that the first I statement happened when he was out the door and a person asked if he could help him create this and they went into the fabric of the collective, that as it pertained to the initial investment the return was not worth it, that health and human safety should be a priority and it was not in his case, that Mr. Turner tried to wrap his hands around this stuff when he saw it off of Sawyer Street and that was when the compound was under renovation, but it was more systemic then they knew, that they made changes, but when he saw what was happening was when Mr. Joe Howard and Ms. Lydia Fisher retired, that they would handle grievances different, that he did what he could to be heard and now he was present at Council to be heard. Council Members Martin and Pennington absent.

Council Member Stardig asked if there was something that needed to be addressed, and Mayor Parker stated that she did not hear one. Council Members Martin and Pennington absent.

Mayor Parker stated that Council Member Stardig would be happy to receive anything he had in writing about that issue, and Mr. Nickals stated that he would bring it to her. Council Members Martin and Pennington absent.

Mr. Emmanuel Hurd, 6427 Rosemary, Houston, Texas 77016 – 281-987-1038 – had reserved time to speak, but was not present when his name was called. Council Member Stardig, Martin and Pennington absent.

Mayor Parker stated that she wanted to acknowledge that they had a visiting public official, who she met with this morning, a Council Member from Bogota, Columbia, Ms. Lucia Bastidas, and welcomed her to the Chamber, that Bogota, Columbia had about 7 million people and they had 55 Council Members. Council Members Martin and Pennington absent.

Ms. Dee Dee Watters, 6550 Hillcroft, Houston, Texas 77081 – 713-780-8421 – appeared and stated that she was a transgender activist and was very active in her community, that she was told as a child that words could not hurt her, but in reality that was so not true, that Rafael De La Silva, cause of death, six gunshots, Kelly Young, cause of death, gunshots, Isla Neddles, cause of death, blunt trauma to the head, and sixteen year old Dwayne Johnson, multiple stab wounds, tied and robbed to a block of concrete and thrown into a pond, that the thing that hurt the most was that these were just a few of the children that they lost to domestic violence and hate crimes, that over 75% of hate crimes and domestic violence incidents involving transgender women were not reported, that hate crimes, discrimination, domestic violence, bullying, all happened daily and they needed shelter, they needed trans equality and funding, they needed support, that there once was a transgender shelter which allowed transgender persons a safe and comfortable place to rest for the night, which was now closed due to funding, shelters this day and age would house certain people, individuals that may even be rapists or even molesters, comfortably, but a transgender person was ostracized and even humiliated by having to shower with the men, or being called he, him or boy, and being told that they could not wear woman’s clothing while in the shelter, that one night a young transgender woman went to seek shelter at the transgender center and was turned away as they had run out of funding, her name was Cinnamon, that was Cinnamon’s last night on earth due to the

fact that she was shot while crossing Montrose shortly after leaving the transgender shelter, she was murdered while seeking a place to rest her head, the City had passed an Executive Order 1-50 allowing transgender individuals to occupy the restroom of which gender one identified with in all City of Houston facilities, but they must not stop there. Council Members Stardig, Martin and Pennington absent.

Council Member Laster stated that if there was anything that the District J office could serve her for to let them know. Council Members Stardig, Martin and Pennington absent.

Council Member Davis asked Ms. Watters if there was a specific question, and Ms. Watters stated that she was getting to the public accommodations language, that it was something that was needed right now, it was not fair, that many of them in the room were United States of America citizens and they all had rights and deserved the same rights that everyone else had, that mainly the public accommodations language would be able to assist and better them. Council Members Stardig, Martin and Pennington absent.

Mr. Joe Icet, 909 Texas, No. 1203, Houston, Texas 77002 – 832-517-0418 – appeared, presented a handout, and stated that he was the founder of the Last Organic Outpost and over the last fourteen years he had facilitated and created three farm projects in Houston's inner city, that the present project was the Emile Street Community Discovery Farm, that he was proposing a food security plan for Houston's limited resource communities, reintroducing farming to communities utilizing the Mayor's Mowdown Project or other programs to provide stewardship of the land through agricultural development, the goals were access to quality food, workforce development and education, their present partners were the College of Agriculture and Human Sciences at Prairie View NMU University and the Fifth Ward Church of Christ, that it had been his experience that they organize whole communities and build resources around needs, that in their current location in the Fifth Ward he proposed that Last Organic Outpost develop and test ideas and work solutions and resource the City so that costs were at a minimum, that his handout explained what they were doing, they had in the Fifth Ward a two and a half acre model for urban farming in the City, which was production farming and would invite people to come out and see what they were doing. Council Members Stardig, Martin and Pennington absent.

Mayor Parker stated that all of the work they were doing on urban farming flowed through Ms. Laura Spanijan, Sustainability Director. Council Members Stardig, Martin and Pennington absent.

After discussion by Council Members Davis, Laster, Gallegos, Gonzalez and Robinson, they all stated that they wanted to thank Mr. Icet for all the work he had been doing, and Council Member Gallegos stated that he knew Magnolia Park had a community garden and would extend an invitation to come to his office and was sure Magnolia Park would be interested; and Council Member Robinson asked for the name of the architect they were working with, and Mr. Icet stated Mr. Jake Salsman, that he would get him more information. Council Members Stardig, Martin and Pennington absent.

Mr. Steve Williams, No. Address, No. Phone – had reserved time to speak, but was not present when his name was called. Council Members Stardig, Martin and Pennington absent.

Ms. Patsy Malvo, 6338 Wayne St., Houston, Texas 77026 – 832-202-7764 – had reserved time to speak, but was not present when her name was called. Council Members Stardig, Martin and Pennington absent.

Ms. Susan Petty, 7706 Woodway, Houston, Texas 77063 – 713-784-8888 – appeared, presented a handout, and stated that she came from the neighborhoods of Charmwood, San

Felipe and Voss, they currently had their overlay removed and she had been requesting from Public Works that they run the Surface Assessment Vehicle, they started in June and knew they were going to do this at the end of the year, that Public Works turned her down, and knew that Council Member Pennington had requested from Public Works that they run it, they still refused, she had asked the Mayor and she told her that she deferred to the opinion of Public Works, so as the last ditch she needed City Council's help, that they would see in the handout pictures of the streets of Charmwood with the overlay off, these were the streets that Public Works told her were not bad, that Rebuild Houston talked about getting to the worst first, and their streets were the worst, under the overlay, that when she talked to Public Works they told her it was all about the surface, that nothing under the overlay mattered at all, but the condition of these streets was indicative of everything, indicative of the curbs, all the water lines under the streets, the sewers, it was the indicative of the failing infrastructure of the City, that everybody thought Rebuild Houston was put in place to replace failing infrastructure, it was not put in place to recoat streets that looked like the ones in her handout, that the way Public Works had setup their evaluation system they were equating overlay and streets with streets that had never had overlays and were calling it fair, that she had heard the word fair an untold number of times and it was getting extremely frustrating, when they pulled of the overlay and she saw the condition of the streets she could not believe the things that Public Works had been telling her, that she thought they were going to be re-overlaying next week and was hoping that someone could help to get them to run the Surface Evaluation Vehicle over their streets, and she strongly recommended that they look through the CIP Manual, that it took her two years to wade through it and understand their system of evaluation, it needed to be modified, simplified and more fair, that it was arbitrary. Council Members Stardig, Martin and Kubosh absent.

Mayor Parker stated that Council Member Pennington was very well aware of the condition of the roads there, and knew that he had been engaged in this process, that she wished that they could redo every street in the City of Houston, but some streets needed an overlay until they could get around to, that it was up to the Public Works Department to decide whether an overlay could carry a street until they could do a full street reconstruction. Council Members Stardig, Martin and Kubosh absent.

After discussion by Council Members Boykins and Green, Ms. Petty stated that the underlying problem was that there was no time frame, that the process as far as she knew was that the Department of Public Works had done an engineering study for their neighborhood and she had not received a copy, the engineer that did it said that they were recommended for reconstruction, however, they were thrown into the rankings with 65 other projects and half of the scoring was the Pavement Condition Rating, that was why she was requesting that they run the vehicle while their street looked as her pictures before they put a brand new overlay and tell her it was a new street. Mayor Parker and Council Member Martin absent. Mayor Pro Tem Gonzalez presiding.

Council Member Pennington moved that the rules be suspended for the purpose of extending time for questions of Ms. Susan Petty, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Laster absent. Mayor Pro Tem Gonzalez presiding. MOTION 2014-0004 ADOPTED.

Council Member Pennington stated that he had asked several times for the condition of the road to be looked with the machine while it was bare and they did not feel like they could do that, that in terms of getting her overlay actually done, he thought they had communicated with her that they had not been able to do it for the past several weeks because of the weather, that he thought the policy of the department was that they did not feel, while it might be useful information to have, like they could use it with the process they had right now, and Ms. Petty stated that she was complaining about the process. Council Member Martin absent.

After further discussion by Council Members Laster and Pennington, Council Member Pennington stated that Public Works did look at the condition of the pavement underneath and as he understood, from discussion with Mr. Norman, there were some areas where there had been some failures and they were going to repair those, they had not done it yet and that was one of the things that needed to be done and he had asked for a schedule of that. Council Member Martin absent.

Council Member Laster stated that a couple of the neighborhoods, where they had resurfacing happen in the last two years, where there was noticeable deterioration and street sinking, the Public Works Department certainly took care of those spot specific issues, but thought that Ms. Petty's point was the underlying infrastructure all together, that they were still trying to do worst first and would encourage the Public Works Department to relook at this street while it was bare so they could do some future sort of analysis. Council Member Martin absent.

Ms. Frankie Cade, 8602 Brandon, Houston, Texas 77051 – 713-386-9479 – appeared and stated that the water bill at 8604 Brandon Street, they were charging to 8602 Brandon, the water bill had gone from \$15 per month, with no one staying in the apartment, to \$1,300 per month, that she had gotten no answers and no good results and kept paying the bill, she did not live there, it was a rental property from her deceased brother, that this had been going on for three years, and she needed some answers. Council Members Martin and Pennington absent.

Mayor Parker stated that the notes she had indicated that Ms. Cade had extensive communications and interactions with the Water Department of Public Works, there were two leak adjustments that were applied over the last 18 months, they entered into three payment agreements with her since February 2013 and then finally service was turned off due to non-payment in November 2013, they had mechanisms for disputed bills, that clearly if it was unoccupied there was a large leak onsite and they had mechanisms for lead adjustments, that she was not sure what else it was Ms. Cade wanted to the City to do, and Ms. Cade stated that she wanted them to give her an answer as far as there was a freeze three years ago and there was a busted pipe and leak, that she talked with Mrs. Papajohn, that Ms. Leslie Lindsey was great as far as helping to get all of this resolved, but then Mrs. Papajohn and the new guy who was in place Ms. Lindsey took over and never responded, that she tried for the last two months to get some answers and get it finalized, that she paid \$300 this morning, that no one was in that house, and Mayor Parker stated that Mr. Gary Norman, Public Works Department, that they would put her together with him to try to figure out what the current situation was. Council Members Martin and Pennington absent.

Council Member Boykins stated that the meeting with Mr. Norman, he would like to attend, and Mayor Parker stated that she was asking them to meet right now so if he had an aide that he would like to sit in, and Council Member Boykins stated that he had someone who could attend the meeting, but he would like to visit with Ms. Cade one on one. Council Members Martin and Pennington absent.

Mr. Abdi Hassan, 6610 Tarneff Dr., No. 33, Houston, Texas 77074 – 832-896-1664 – had reserved time to speak, but was not present when his name was called. Council Members Martin and Pennington absent.

Mr. Abdullahi Haji Muhamed, 6610 Tarneff, No. 933, Houston, Texas 77074 – 832-630-1165 – appeared and stated that he was disabled and really needed help for a medallion for taxi drivers, that he had been driving for about four years, but it was hard for him, that he had eight children and wanted to help his children, that he had requested a medallion. Council Members Martin, Pennington and Green absent.

Mayor Parker stated that they did not distribute taxi medallions on an ad hoc basis, they had a formal process of application, that some of them were assigned to companies and some of them were distributed on a random basis, but until the next distribution of medallions they did not have a taxi medallion to assign to him. Council Members Martin, Pennington and Green absent.

Council Member Bradford asked on that point had the study be completed and when would Council have access to the study, and Mayor Parker stated that she hoped to present by the end of the month, once the Council committees were formed, and Council Member Bradford stated that he did not know if the information that was going to be in that study would be helpful to Mr. Muhamed's inquiry, but suspected not based on his questions, but it would be helpful as they looked at the industry in total. Council Members Martin and Pennington absent.

Mr. Tony Jones, 1915 Sponwick Dr., No. 318, Houston, Texas 77055 – 832-236-6950 appeared and stated that he was present regarding the lack of a Director for the Mayor's Office for People with Disabilities, that they had an interim director since last May, Mr. Todd Director, until yesterday when he went to work for the Airport System, so the MOPD was leaderless and no director, they had many Houstonians who depended on that office, that with no director he wondered if their population was going to be served, that he urged the Mayor to appoint someone, that Todd had done a fantastic job in the interim; that coming into City Hall it would be great if they had an automatic door opener, the doors downstairs were heavy. Council Members Martin and Pennington absent.

Mayor Parker asked if none of the doors coming into City Hall had an automatic opener, and Mr. Jones stated that he had not found one, and Mayor Parker thanked him for bringing it up, she would ask General Services about that, and Mr. Jones stated that they had a door bell at the reflective pool side and when he was present he found it and it said "ring here for help", so he rang and sat there for about 10 minutes until somebody came along, not from inside the building, just someone going into the building that helped him with it, that it would be real helpful, and Mayor Parker stated that it was noted; that the direct answer to his question, the Mayor's Office for People with Disabilities was not leadership less or director less, as Mr. Jones had pointed out, that Mr. Todd Curry had been acting director for a while and was not considered for the permanent position but had been doing an excellent job, that she signed off on a new director offer several weeks ago so they should anticipate the formal announcement of the new director being on board in the very near future, if not sometime this week, that they did a national search and she had been looking for the right person, just like any other director of a City Department or important function, they thought it was worthy of finding the best person from across the United States. Council Members Martin and Pennington absent.

Council Members Stardig stated that she wanted to thank Mr. Jones for keeping them on their toes, that sometimes they took things for granted as people who moved quickly through the buildings and did not realize some of the challenges, that she appreciated Mr. Curry being involved in the Disability Awareness Month, that she appreciated all that Mr. Jones did. Council Members Martin and Pennington absent.

Council Member Robinson stated that Mr. Jones brought up an excellent point, there were all forms of accessibility issues that they as a City and business with older buildings really needed to pay attention to, that hopefully they could all work together on this. Council Members Martin and Pennington absent.

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 – 832-258-7511 appeared and stated that he was homeless in Houston from 1992 to 1998, that his biggest contribution to the City of Houston was 2005-245, which made it illegal to smoke at all the Metro bus stops and park and rides throughout the City of Houston, that he thought it extended the lives of

thousands of people, that he lived in District D and Council Member Boykins was his Council Member, that he had a small consulting business in District D and had worked with Council Member Richard Nguyen when he decided to run for office, that he worked with him for two to three months, that Council Member Nguyen never returned any of his calls and did not even get a call saying thank you, that when they looked at his campaign finance reports they would see that he paid a political consultant, who happened to be him, thousands of dollars, and by not acknowledging his contribution to his campaign it hurt, but he was alright with that. Council Members Martin and Pennington absent.

Ms. Monica Roberts, 5155 Balkin St., Houston, Texas 77021 – 713-748-0301 – appeared and stated that he wanted to wish a Happy New Year to Mayor Parker and distinguished Council Members, that she was a longtime activist in the Transgender Community and a proud native Houstonian and resident of District D, that she was motivated by the recent speech by Mayor Parker in which she called for a comprehensive nondiscrimination ordinance that had sexual orientation and gender identity in it, that she was present to humbly ask the City Council when this issue did come up for a vote that they have Houston join the over 185 municipalities that had these nondiscrimination ordinances, with sexual orientation and gender identity in them, that unfortunately they were the largest City in the State and the Nation that did not have an ordinance that covered sexual orientation and gender identity, that it was much needed in the City, they had an incident in 2005 with Isla Lopez, in which she was offered a job and then during the process of her background check the employer at River Oaks Imaging discovered she was transgender and rescinded the job offer, that in the trans community they were facing double digit unemployment, it was even worse if they were a trans person of color, they were facing three and four times the discrimination and the unemployment, that it would definitely be a major feather in their cap if they finally did join the list of cities that did have gender identity and sexual orientation in the nondiscrimination ordinances, that to paraphrase one of the daughters of the City, Ms. Barbara Jordon, “they wanted a Houston that was as good as it’s promise”. Council Members Martin and Pennington absent.

Council Member Boykins stated that he wanted to visit with his staff, that he wanted to setup a meeting with her. Council Members Martin and Pennington absent.

Mr. Terrell Edwards, 3230 S. Gessner, No. 2113, Houston, Texas 77063 – 281-912-7831 appeared and stated that he served 8 years in the army fighting for their Constitution and he was getting sick and tired of having to defend a Constitution when people constantly said it did not apply to him because he was sleeping with someone of the same sex, that the Fourteenth Amendment stated that no State should make or enforce any law which shall abridge the privileges, that his question was when were the people that they elected to represent them going to truly say they were all people, that the sign says, “The people are the City”, did they need a definition on who was considered the people, were they going to start defining the people by their color, sex or gender, who cared, they were all people by the end of the day, the Constitution was made to protect each and every one of them, that he recently watched the news and saw that the Republican Party was challenging Mayor Parker’s executive order for supporting benefits for the people of same sex marriages, that she did not mandate it for every employer to do it, she just said it was going to apply to her employees, were the Council Members truly representing them, why were they still discussing discrimination, it was 2014 and they were still discussing discrimination. Council Members Martin and Pennington absent.

Mr. Steven Sherman, 11715 Bandlon, Houston, Texas 77072 – 281-879-5688 – appeared, passed out a handout and stated that the handout talked about fair campaign practices, it was a voluntary effort without any enforcement provisions and law, if it was not subscribed to it should not mean that the candidate was exempt from its provisions since there was no described penalty when unfair practices occurred, that it would be appropriate to make the fact that they did occur available for public censure, in order to discourage others from

repeating similar acts. Council Members Martin and Pennington absent.

Mayor Parker thanked Mr. Sherman for the presentation and as far as they in the Chamber were concerned the campaign was over, that Council Member Nguyen was never empowered to negotiate on behalf of the City for air service or anything else, however, he was a good will ambassador for the City of Houston and fully empowered to try to build business relationships and share that information with the appropriate City Departments. Council Members Martin and Pennington absent.

Ms. Glenola Hines, 3814 Lyons Ave., No. 130, Houston, Texas 77020 – 281-865-3774 – had reserved time to speak, but was not present when her name was called. Council Members Martin and Pennington absent.

Mr. Andrew Patterson, 6207 Fondren Rd., Houston, Texas 77036 – 832-276-1712 appeared, presented and read from a handout regarding issues that were facing Harris County as well as the City of Houston and was hoping that in conjunction with both parties, both governmental entities that the issues could be addressed, first, the FAA had approved the use of drones over US Territory to do surveillance; second, Council Member Robert Gallegos and Barrio Dogs, where people had been attacking people, that he would like to see the City and County address that; and homelessness. Council Members Boykins, Martin and Pennington absent.

Mayor Parker stated that an answer to a previous question about the Houston Airport System, they provided 45 minutes of free WiFi, the feeling being if there was an issue or they needed to make flight changes and so forth they had the ability to do that, but they were not entertaining them for long periods of time. Council Members Boykins, Martin, Pennington and Costello absent.

Ms. Mitsi Ordonez, 2900 Gessner, No. 1401, Houston, Texas 77063 – 713-927-5908 – appeared and stated that she was present on behalf of the Fey Justicia Workers Center and the 38 organizations and responsible business of the Down with Wage Theft Coalition, they would like to set a dedication together to set a precedent in the City of Houston by passing the Wage Theft Ordinance, that they wanted to thank Mayor Parker, Council Member Gonzalez and the Legal Department for their vision, commitment and determination in crafting a sound policy to address the issue of wage theft and raise the bar for responsible business in Houston and insure stability and wellbeing for their community, they were looking for words to implement in the ordinance, and to work together with the office of Inspector General to address wage theft cases through this ordinance, that on behalf of their members and allies they would like to express their gratitude and acknowledge their hard work. Council Members Stardig, Boykins, Martin, Pennington and Costello absent.

Mayor Parker stated that they appreciated working with them on this issue and hopefully they could make a difference. Council Members Stardig, Boykins, Martin, Pennington and Costello absent.

Council Member Gonzalez stated that he wanted to thank his colleagues on Council because obviously it required a vote of Council for it to pass and obviously a lot of discussion back and forth, their goal was not to put anyone out of business, but to make sure they were holding everyone accountable in those areas where they could have some input, especially with the ones that pertained to City contracts. Council Members Stardig, Boykins, Martin, Pennington and Costello absent.

Mr. Steven Biggs, 2918 Eagle St., Houston, Texas 77004 – 832-541-2773 – appeared and stated that he was present regarding a Memorandum of Understanding between the City of

Houston, the Parking Management Division of Administration and Regulatory Affairs Department and Steven Moonshine, as a part of the Across the Street Reserve Project, that he felt the agreement made was unfair and unequal due to the fact that it enabled Steven Moonshine to circumvent City ordinances, whereas the ordinances diligently enforced when it came to him, that the ordinance that Mr. Moonshine was in violation of was Section 22.12, Sales of Goods and Merchandise on public property and it stated that it should be unlawful for a street vendor to expose for sale or sell any goods or merchandise on any public sidewalk, public street, parking space, right of way or other public property, or offer for sale or sell any goods or merchandise to any person who was on any public sidewalk, street, parking space, right of way or other public property, that he would like to see what steps would he take to challenge the legality of the agreement. Council Members Martin and Pennington absent.

Mayor Parker stated that when they were going to quote a City ordinance to get all the way to the City ordinance and the other part that he did not mention was “without express permission by the City of Houston”, that the vendor that he referred to had a lease on a City owned piece of property and that lease was being ended early and to accommodate the vendor they were allowed, for a limited period of time, to use the City right of way where there were a couple of parking spaces, since they had moved the vendor off of his existing lease in a parking lot, that it was a limited duration fix to solve the problem with an existing lease holder and they did not intend to make a habit of it, but the new arrangement with Moon Tickets would stand until 2015, and Mr. Biggs stated that he would like to learn why was it that officers came to him at 1601 Congress, where he had a written agreement, that he would like to do was the opportunity to just be able to conduct office at 1601 Congress, where he had a written letter of permission, that it was private property, but officers still came and harassed him, and Mayor Parker stated that she would ask him to visit with Mr. Chris Newport, obviously that was a different issue and did not know what was happening if he was using private property. Council Members Martin, Pennington and Christi absent.

Council Member Boykins stated that he would like to sit and visit with him as well to get additional information. Council Members Martin, Pennington and Christi absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) - had reserved time to speak but was not present when his name was called. Council Members Martin, Pennington 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 his name was called. Council Members Martin, Pennington and Christi absent.

Mr. Michael Zarzarov, 3310 Aberdeen, Houston, Texas 77025 – 713-320-3726 – appeared and stated that he worked as a tour guide on a Segway in downtown, that he wanted to talk about three different things, he worked with an organization called “Food Not Bombs” who offered food to homeless people near the library and two weeks ago five police cars showed up right when they were serving food, cops got out wielding their batons, some of the policemen were very rude, two in particular were very kind, generous, patient and respectful, that he had spoken to a friend of the Police Chief and gotten the message to him that he would recommend them for commendations, they were Sargent Ming Tran, Special Operations and Officer Hickerson, that he would ask perhaps officers instead of harassing them, help them feed the homeless; second, he lived on Aberdeen Way, Council Member Cohen District, which was a thoroughfare that crossed from Buffalo Speedway to Stella Link and continued on, for many years they had a fire station on their street so they could not have speed bumps, the fire station had been moved to Stella Link, the street was very busy in the mornings and he was afraid that someone was going to be hurt because the people running from Buffalo Speedway to Mark Twain Elementary School often exceeding the speed limit and he would like to ask for

the consideration of a speed bump to be put in, or two; that Glen McCarthy put the City on the map in 1947 by building the Shamrock Hotel in the Medical Center, since that time the hotel had been demolished and the street that was called Shamrock Drive had been renamed Pressler for one of the people of the Medical Center, there was one particular section of Pressler that connected South Main with Holcombe and he would like the City to consider renaming that particular block in honor of either Glen McCarthy or the Shamrock Hotel, that he would also like statutes to be considered to honor other great Houstonians. Council Members Martin and Christi absent.

Ms. Adlinda Guajardo, 1131 Commanche Ln., Houston, Texas – 77041 – 832-366-4431 – had reserved time to speak, but was not presented when her name was called. Council Members Martin and Christi absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he wanted to acknowledge the beginning of the year and he was entitled to three minutes, that this was done the last year and the prior year, and continued to voice his personal opinions until his time expired. Council Members Martin and Pennington absent.

Ms. Sherry Browning, 2616 S. Loop, Ste. 110, Houston, Texas 77054 – 832-287-5909 – had reserved time to speak, but was not present when her name was called. Council Members Martin and Christi absent.

Ms. Yvette Gbalazeh, No Address, 936-672-3335 - appeared and stated that she was present today because they needed more education in the City, among their communities and the police officers about the Sight and Release Law, it was a Texas State Law and was not being enforced in Houston, it had been enforced in Austin over the past 7 years and she believed a lot of the reason was because of lack of education, that Council Member Bradford had a lot of experience and he said at one point that when a person was detained it allowed an officer to get more information out of them as to where they got their drugs from, that out of 800,000 people that were arrested in 2012, only 3% of those were drug dealers, so they were so wrong and if somebody with that much experience and that much authority could be so wrong that proved they needed a lot more education in their community about the Sight and Release Law . Council Members Martin and Christi absent.

At 3:21 Mayor Parker stated the City Council was recessed until 9:00 a.m., Wednesday, January 8, 2014. Council Members Martin and Christi absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, January 8, 2014, with Mayor Annise Parker presiding and with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; and Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present.

At 8:27 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:06 a.m. Mayor Parker called the meeting to order and recognized Council Member Gonzalez for a procedural motion. Council Members Davis, Cohen, Martin and Pennington absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of considering Item Numbers 2 and 3 first, followed by the MOFR and the Public Hearing,

seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis, Cohen, Martin and Pennington absent. MOTION 2014-0005 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of **ASHLEY R. THREEETON**, to Position Four to the **HOUSTON CLEAN CITY COMMISSION**, for a term to expire February 1, 2016 – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Pennington absent. MOTION 2014-0006 ADOPTED.
3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF PUBLIC TRUSTS**, for terms to expire 3/22/2015:
 - Position One - **PARVIN AHMADI MCVEY**, reappointment
 - Position Three - **KIM E. JONES**, appointment
 - Position Five - **KATHERINE M. YZAGUIRRE**, reappointment
 - Position Seven - **BRIE KELMAN**, appointment
 - Position Nine - **LILLIE J. SCHECHTER**, reappointment– was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0007 ADOPTED.

Mayor Parker stated that they had just confirmed the appointment of a member of the Houston Clean City Commission, as well as Members of the Board of Public Trust and believed there were some members of the Board of Public Trust present and invited those present to the podium, and she and Council Members Gonzalez and Gallegos thanked them for their willingness to serve the City of Houston.

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

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

Mr. Green and Mr. Dowe reviewed the Monthly Operations and Finance Report, a copy of which is on file in the City Secretary's office for review. Council Member Davis absent.

Council Member Pennington stated that he raised at the meeting on Tuesday when would they be considering policy issues regarding the budget and understood from the chairman, Council Member Costello, that they would be considering that next month, he wanted everybody at the table to know that, and also the public. Council Member Davis absent.

Council Member Costello moved to accept the Monthly Operations and Finance Report, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2014-0008 ADOPTED.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** on the proposal to use approximately 6,986 square feet of Stuebner-Airline Park for a sanitary sewer corridor - **DISTRICT B – DAVIS** – was called.

Mayor Parker stated the next item was a public hearing and invited Mr. Ravi Kaleyatodi,

P.E., Senior Assistant Director, Department of Public Works and Engineering and Joe Turner, Director, Parks and Recreation Department, to come forward.

Mr. Kaleyatodi stated that the Project involved the abandonment of the Willow Run Wastewater Treatment Plant and flow diversion for the West Mount Houston and Rutherford lift stations, that the Project would extend from the West Mount Houston lift station on the north, the Park on the east, the Willow Run Wastewater Treatment Plant on the south, and Harris County Channel P-118-32-00 on the west, that the Project would include construction of a 12 inch sanitary sewer line along the west boundary of the Park, diverting flows from the West Mount Houston lift station to the gravity sewer within the Willow Run Treatment Plant, that as part of the Project, PWE would require a ten foot wide sanitary sewer easement across approximately 6,896 square feet of the Park, that Section 26.001 of the Texas Parks & Wildlife Code provided that a city may not approve any program or Project for the use or taking of land designated as Park land unless, after a public hearing, its governing body determined that: (1) there was no feasible and prudent alternative to the use or taking of the Park land, and (2) the program or Project included all reasonable planning to minimize harm to the Park land, that since routing the sanitary sewer corridor through public street right-of-way would significantly increase the length of the sanitary sewer line and adversely affect the constructability of the Project, there was no feasible and prudent alternative to the use of a portion of the Park for the Project, that the Department of Public Works and Engineering and the Parks and Recreation Department had worked together to ensure that the Project had a minimal impact on the Park, that the Project would involve a trenchless method of construction, that was micro-tunneling, and minimal site clearing would be needed to remove tall grass and weeds to access tunnel pit from the West Mount Houston lift station, that excavation would only be needed at the location of the tunnel shaft, that in addition, as part of the Project, PWE would install an 8-inch sanitary sewer stub-out to serve future restroom facilities at the Park, that the affected surface of the easement area would be restored with sod or hydromulching, that when installation had been completed, the sanitary sewer facilities would be sub-surfaced and would not interfere with the continued use of the surface of the easement area for Park purposes, that in a few weeks the City Council would be asked to consider an ordinance making the findings necessary for the Department of Public Works and Engineering to take a portion of the Park for the Project.

Mr. Turner stated that Stuebner-Airline Park was acquired by the City in 1987 and consisted of approximately 26.8225 acres located at 9201 Veterans Memorial Drive, that the Park was in City Council District B, Jerry Davis, Council Member, that the Park amenities included a playground, splash pad, outdoor pavilion and walking trails, that the Parks and Recreation Department had worked with the Department of Public Works to determine that there was no reasonable and prudent alternative to the use of a portion of the Park for the Project and to minimize impacts to the Park, that the Project would provide a benefit to the community with minimal impacts to the Park, that the benefits to the Park would include the installation of an 8-inch sanitary sewer stub-out that would serve future restroom facilities at the Park.

Council Member Davis thanked them for the presentation, that he was big on parks in the area and restrooms at his park, that he wanted to thank Mr. Turner for all he was doing with this park and throughout District B and thanks to his staff.

Mayor Parker stated that no one had reserved time to speak at the public hearing and this was the final call for the public to address the issue and hearing none requested a motion to close the public hearing.

Council Member Davis moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0009 ADOPTED.

Mayor Parker stated they would move to the consent agenda.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 19

DAMAGES - NUMBER 4

4. RECOMMENDATION from City Attorney for settlement of claim of **MEMORIAL HERMANN HEALTH SYSTEM** - \$65,101.91 - Property and Casualty Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0010 ADOPTED.

ACCEPT WORK - NUMBERS 5 and 7

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$439,313.00 and acceptance of work on contract with **JERDON ENTERPRISE, L. P.** for Open Space Projects at Various Parks - 7.83% over the original contract amount and under 10% contingency amount - **DISTRICTS C - COHEN; D - BOYKINS; F - NGUYEN and H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0011 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$485,602.21 and acceptance of work on contract with **ISI CONTRACTING, INC** for On-Call Bridge Repairs City Wide Work Order Contract 2.88% under the original contract amount - **DISTRICT C - COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0012 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 9

9. **D.L. ELLIOTT ENTERPRISES, INC** for Emergency Waterline Break Repair Services for the Department of Public Works & Engineering - \$166,000.00 - Enterprise Fund - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0013 ADOPTED.

ORDINANCES - NUMBERS 12 through 19

12. ORDINANCE approving and authorizing the submission of an application for grant assistance from the Texas Department of Transportation for the FY14 Impaired Driving Mobilization Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department or his designee 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 2014-0001 ADOPTED.

13. ORDINANCE approving and authorizing an agreement between the City of Houston and **ICF INCORPORATED, L.L.C.** for the Development of a Preparedness Plan - \$298,306.23 Grant Fund – was presented. All voting aye. Nays none. ORDINANCE 2014-0002 ADOPTED.
15. ORDINANCE appropriating \$6,293,232.00 out of Metro Projects Construction DDSRF, awarding contract to **DURWOOD GREENE CONSTRUCTION CO** for City Wide Overlay Package #20; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF – was presented. All voting aye. Nays none. ORDINANCE 2014-0003 ADOPTED.
16. ORDINANCE appropriating \$6,605,583.00 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 – was presented. All voting aye. Nays none. ORDINANCE 2014-0004 ADOPTED.
17. ORDINANCES Nos. 2013-1183 to 2013-1185, passed first reading December 18, 2013 for Ordinances granting to the following listed as A through C, 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 and making certain findings related thereto **SECOND READING** – was presented. All voting aye. Nays none. ORDINANCE Numbers 2013-1183 to 2013-1185 PASSED SECOND READING IN FULL.
HOLCOMB ENVIRONMENTAL OIL SERVICES LLC, a Texas Limited Liability Company (2013-1183)
TOMMY MILES GARBAGE SERVICE, a Texas Partnership - (2013-1184)
THE DUMPSTER GUYS, LLC, a Texas Limited Liability Company - (2013-1185)
18. ORDINANCES Nos. 2013-1186 to 2013-1199, passed first reading December 18, 2013 for Ordinances granting to the following listed as A through N, 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 and making certain findings related thereto **SECOND READING** – was presented. All voting aye. Nays none. ORDINANCE Numbers 2013-1186 to 2013-1199 PASSED SECOND READING IN FULL.
TEXAS ENVIRONMENTAL CONTROL, INC, a Texas Corporation - (2013-1186)
SPECIALIZED MAINTENANCE SERVICES, INC, a Texas Corporation – (2013-1187)
K & S CONSTRUCTION SERVICES, LLC, a Texas Limited Liability Company – (2013-1188)

STERICYCLE SPECIALTY WASTE SOLUTIONS, INC, a Delaware Corporation - (2013-1189)
LEGACEE INTERNATIONAL ENVIRONMENTAL SERVICES, INC, a Texas Corporation (2013-1190)
DANIEL RODRIGUEZ DBA A-HAWK GREASE TRAP, a Texas Sole Proprietorship (2013-1191)
AMIR BENJAMIN DBA JAYCO VACUUM SERVICES, a Texas Sole Proprietorship (2013-1192)
J.A. GAMEZ TRUCKING SERVICES, a Texas Partnership - (2013-1193)
CLEANER EARTH GROUP, LLC, a Texas Limited Liability Company - (2013-1194)
COMBS INDUSTRIAL SERVICES, INC. DBA ONSITE ENVIRONMENTAL, a Tennessee Corporation - (2013-1195)
MAGNOLIA ENVIRONMENTAL SERVICES, a Texas Partnership - (2013-1196)
ALFRED SAVOY JR. DBA DIRT WORKS UNLIMITED, a Texas Sole Proprietorship (2013-1197)
SET ENVIRONMENTAL, INC, an Illinois Corporation - (2013-1198)
AARON OIL COMPANY, INC, a Texas Corporation - (2013-1199)

19. ORDINANCES Nos. 2013-1135 to 2013-1140, passed second reading December 18, 2013 for Ordinances granting to the following listed as A through F, 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 and making certain findings related thereto **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. ORDINANCE Numbers 2013-1135 to 2013-1140 ADOPTED THIRD AND FINAL READING IN FULL.

DANIELS SHARPSMART, INC, a Delaware Corporation - (2013-1135)
R. M. WOODS INC DBA DRANE RANGER VACUUM SERVICE, a Texas Corporation (2013-1136)
WASTE PARTNERS OF TEXAS, INC, a Delaware Corporation - (2013-1137)
TAP INC DBA TAP ENVIRONMENTAL, a Texas Corporation - (2013-1138)
INTERGULF CORPORATION, INC, a Texas Corporation - (2013-1139)
WASTEWATER TRANSPORT SERVICE, LLC, a Texas Limited Liability Company (2013-1140)

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,294,280.31 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Whiteheather Storm Sewer Improvements Segment III 0.92% under the original contract amount - **DISTRICT K – GREEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford.

Council Member Green stated that he had lots of discussions with Public Works, that this was where part of the neighborhood was funded, so they had some streets where a sidewalk would stop in the middle of the street and the drainage flow from this particular street would go down one way or the other, that moving forward they had talked about it and looked into taking care of the entire neighborhood from an aesthetic at least if not drainage stand point, that the contractors did a great job, hopefully they would be able to do the other half of the neighborhood.

Mayor Parker stated if she recalled correctly half of the neighborhood was in one watershed, and half in the other and the funds were for one watershed

A vote was called on Item No. 6. All voting aye. Nays none. MOTION 2014-0014 ADOPTED.

PROPERTY

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Janet Baccus, P.E., Jones & Carter, Inc, on behalf of GIIC Houston, LLC, and FC42 Houston, LLC, (Kenneth E. Aboussie, Jr., Owner of both businesses) for abandonment and sale of a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836, Parcels SY14-003 and LY14-010 - **DISTRICT G – PENNINGTON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0015 ADOPTED.

PURCHASING AND TABULATION OF BIDS

10. **SOUTHERN CRUSHED CONCRETE, LLC** for Reclaimed Asphalt Pavement Concrete Materials for Various Departments - \$33,515,188.44 - 5 years - General and Other Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford.

Council Member Pennington stated that he wanted to thank Mr. Gary Norman and Ms. Diane Benny, Department of Public Works, who came by and explained the matter to him, that he was concerned because it was such a large purchase and there was not a lot of backup information.

Mayor Parker stated that they spent a lot of money on asphalt.

A vote was called on Item no. 10. All voting aye. Nays none. MOTION 2014-0016 ADOPTED.

ORDINANCES

11. ORDINANCE amending the volume of the City of Houston Construction Code known as the City of Houston Residential Energy Conservation Code; containing findings; providing an effective date; providing for severability – was presented. All voting aye. Nays none. ORDINANCE 2014-0005 ADOPTED.
14. ORDINANCE appropriating \$2,216,900.00 out of Metro Construction – Other, awarding contract to **P^2MG,LLC DBA P2MG, LLC** for Safe Sidewalk Program Work authorization project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Construction – Other – was presented.

Council Member Costello stated that one of the questions he had for Public Works was to tell him what the average cost for a linear foot would be for a sidewalk based on the total contract amount, that it was about \$82.50 linear foot, that the reason why he asked that

question was really as a follow up to the pilot program that they had on sidewalks, if it was okay with the administration he would like to have an update from Public Works on the pilot program to see if there were any residents that had inquired about whether or not they wanted to have the City help them improve their sidewalks, if they could have an update at the TTI Meeting, and Mayor Parker stated of course.

Council Member Stardig stated that she had the same concerns and had already made the request to Public Works to see if there was anything in the queue so they would understand what the needs were in the communities.

Mayor Parker stated that she thought it would be prudent, since they had so many new Council Members, to re-present the proposed pilot for Sidewalk Reconstruction for the citizens, so they were bringing that forward.

Council Member Robinson asked for a point of clarification, the dollar fee, \$82, was it for a five foot wide sidewalk, and Council Member Costello stated that he believed it was the standards, four foot wide sidewalk.

A vote was called on Item no. 14. All voting aye. Nays none. ORDINANCE 2014-0006 ADOPTED.

MATTERS HELD - NUMBERS 20 through 23A

20. ORDINANCE approving and authorizing an agreement between the City of Houston and **AT&T CORP.** for a Central Office-Based Business Communications System Services (Plexar) for Houston Information Technology Services; providing a maximum contract amount - \$2,000,000.00 2 years with three one-year options - Central Service Revolving Fund – **(This was Item 16 on Agenda of December 18, 2013, TAGGED BY COUNCIL MEMBER DAVIS)** - was presented. A vote was called on Item no. 14. All voting aye. Nays none. ORDINANCE 2014-0007 ADOPTED.
21. ORDINANCE approving and authorizing a contract between the City and **MCCONNELL & JONES LLP/BANKS, FINLEY, WHITE & CO., a Joint Venture Partnership** known as M&J/BFW Team for Professional Auditing Services; providing a maximum contract amount \$7,000,000.00 3 years with two one-year options - General Fund – **(This was Item 18 on Agenda of December 18, 2013, TAGGED BY COUNCIL MEMBERS PENNINGTON AND MARTIN)** - was presented. A vote was called on Item no. 14. All voting aye. Nays none. ORDINANCE 2014-0008 ADOPTED.
22. ORDINANCE approving and authorizing an airport advertising concession agreement between the City of Houston and **THE JOINT VENTURE FOR THE ADVERTISING CONCESSION AT HOUSTON AIRPORTS, LLC** at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - **DISTRICTS B - DAVIS and I – GALLEGOS** – **(This was Item 51 on Agenda of December 18, 2013, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented, and tagged by Council Members Boykins and Nguyen
23. Written Motion by Council Members Costello and Green to amend Section 3-1 of the proposed following ordinance as follows:
Grocery store means establishments of at least 10,000 square feet of retail space, excluding space used to sell items subject to the motor fuels tax, and generally known as supermarkets and grocery stores engaged in retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish

and poultry. Included in this industry are delicatessen-type establishments primarily engaged in retailing a general line of food. Excluded from this industry are establishments with gross receipts from the sale of alcoholic beverages that exceed 25% and establishments that provide for on-premises consumption. A "grocery store" may only sell beer and wine, but not distilled spirits, and in calculating the percentage of alcohol sales to total sales, the sale of items subject to the motor fuels tax must be excluded from the calculation of total sales – was presented.

Mayor Parker stated that they had some extensive conversation about this at the last Council meeting and she particularly wanted to thank Council Members Costello, Green and Laster for engaging on this and thought they had some progress.

After discussion Council Member Costello offered the following substitute motion for Item No. 23:

"I move to substitute the following for agenda item #23:

Grocery store means an establishment which has at least 10,000 square feet of interior floor space, selling at retail a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish and poultry. Included in this industry are establishments, such as supermarkets that hold a valid Wine and Beer Retailer's Off-Premise Permit authorizing the establishment to sell wine, beer and malt liquors for off-premise consumption only. Excluded from this industry are establishments that derive more than 25 percent of gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, from the sale of wine, beer and malt liquors; also excluded are establishments that allow on-premises consumption or that sell distilled spirits."

Mayor Parker stated that the item had been presented in writing, so the motion before them was to consider the wording presented in the memo from Council Member Costello.

After discussion by Council Members Green, Laster and Stardig, Council Member Stardig asked how did they come up with the 10,000 square foot, and Council Member Costello stated that basically while they were reviewing the issue and trying to explore where other cities were addressing this they were able to find a waiver opportunity that the City of Dallas had, and their waiver opportunity started with the 10,000 square feet, they did not want to make the store footprint too small because then they would end up getting a convenience store; and Council Member Stardig asked if they were comfortable with the fact that this would exclude convenience stores, and Council Member Costello stated yes; and Council Member Stardig asked how would this be enforced and monitored, there was always a cost factor involved, and Mayor Parker stated that this was really at the permitting process early on so they still had to go through the same permits and they did not anticipate that this would be a significant cost, that it would be complaint driven because this was about sighting up front, finding the right retailers to come in, that this was really allowed to be a tool for proactive.

After further discussion Council Member Stardig, Gonzalez and Gallegos a vote was called on Council Member Costello substitute motion for Item No. 23. All voting aye. Nays none. MOTION 2014-0017 ADOPTED

23a. **ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Alcohol Free Zones; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 46 on Agenda of December 18, 2013, POSTPONED BY MOTION #2013-0823)** - was presented.

After discussion by Council Members Pennington, Costello and Robinson, a vote was called on Item No. 23a. All voting aye. Nays none. ORDINANCE 2014-0009 ADOPTED AS AMENDED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Gallegos stated as they knew on Sunday morning there was a tragic incident in regards to a homeless lady who was attacked by two stray dogs, that he was notified and he and a staff member went to look at the scene and ironically that Saturday morning he and a staff member were out volunteering with Barrio Dogs in the East End, trying to educate pet owners on the proper care and upkeep of their pets, that was a major problem they had in District I, that Mayor Parker, before the inauguration, had asked him what concerns and issues did he have in District I and that was one that he brought up, the major problem with stray dogs and that was something that he wanted to work on; that he spoke with Ms. Katey Tipton, Department of Neighborhoods, earlier this week, she sent an inspector to investigate the alleged apartments where the homeless person may have lived and where the owner of the dogs lived as well, that he understood they were maybe going to be issuing some violations on the complex itself, that he understood from Chief Montalvo that they did issue some violations to the dog owner, in regards to the upkeep of the dog itself, that yesterday afternoon he and a staff member met with Mr. Greg Damianoff, Director of BARC, Ms. Tina Paez, Director, Administration and Regulatory Affairs and Mr. Christopher Newport, Deputy Assistant Director, ARA, to see what they could do to address this issue and concern. Council Member Gonzalez absent.

Council Member Stardig stated that she was proud to have Ms. Amy Peck, as Chief of Staff and Mr. Tony Topping, who would be helping her with the agenda, they were continuing to build their team, that she wanted to thank everyone for their welcoming and looked forward to another productive year of making District A a better place.

Council Member Kubosh stated that it had been a great week and wanted to thank all who believed in him and voted for him, that he wanted to acknowledge Pastor James Nash and his wife for the wonderful things he was doing in the community and for all of the support he had been to him during this time and the wonderful work he was doing in giving away food and helping the seniors and the people in his community who were in need, that he wanted to thank his colleague and was looking forward to working with the Mayor Parker and the Council this year.

Council Member Nguyen stated that he wanted to say Happy Birthday to Elvis Arron Presley, the King Lives; that he wanted to say thank you to the constituents of District F, that just because he was serving District F did not mean that he was not representing the entire City, that Houston was his home, that he wanted to tell all of his colleagues that he was very glad to be at Council and was looking forward to working with them. Council Member Gonzalez absent.

Council Member Boykins stated that he wanted to thank Mayor Pro Tem Gonzalez for coming out to their Community Inauguration, that purpose was to allow people from their district who were not able to or did not have the opportunity to come down to the big inauguration, to celebrate, that they had over 300 community members there and he commended them; that he wanted to second what Council Member Kubosh stated about Pastor Nash, he was a pillar in their community; that he looked forward to moving District D forward. Council Members Stardig and Gonzalez absent.

Council Member Martin announced events he attended or would be attending; and stated that he wanted to wish good luck to Criag Biggio as the votes today for the Baseball Hall of

Fame came out and hopefully Mr. Biggio would be accepted into the Hall of Fame, he had always represented the City with class and dignity. Council Members Stardig and Gonzalez absent.

Council Member Laster stated that Council Member Gallegos pointed out some very important things to recognize and discuss around the table, that he wanted to extend his condolences to the people of District I about the loss of life arising from the dog attack, that he thought it was fair to say that every Council Member when they saw or heard a story about that, as they read through the newspaper they were hoping they did not see that kind of activity take place in their district, that he thought it went to the larger discussion about how they funded and staffed BARC, that as they moved forward in the budget negotiations and discussions, in the next several months, he hoped they continued to look at the type of resources they were putting into BARC, because BARC directly impacted their neighborhoods on a day to day basis, that he looked forward to having that discussion so the good people at BARC had enough resources to do the job that they asked them to do; that he wanted to say welcome to all of the Council Members and looked forward to working with each and every one of them this new year. Council Members Stardig and Gonzalez absent.

Mayor Parker stated that it was a tragic incident, and she certainly believed that BARC needed more resources, but there was no amount of money that they could put into BARC that would solve this problem, that this was a problem of irresponsible pet ownership, that a lot of these so called "stray dogs" went home at night, and at some point they were going to have a productive conversation about whether people should be allowed to have fertile pets and how many and what their standards were. Council Members Stardig and Gonzalez absent.

Council Member Costello stated that he wanted to thank his colleagues for supporting Item No. 23 and the amendment, that he appreciated the work they had done and the staff, particularly Ms. Melissa Arredondo of his office, she worked very hard on that and would continue to work on the food deserts, that she also made a point of noting that he misquoted the pilot project that they hoped to roll out, it was the Third Ward, not the Fifth Ward, that food deserts was an issue that he was very passionate about and hopefully over the next couple of years they would have more than one project to be able to highlight. Council Members Stardig and Gonzalez absent.

Council Member Gonzalez stated that he wanted to give a special thank you to the teams at Department of Neighborhoods and Solid Waste, that Ms. Natasha Johnson, Independence Heights Community, contacted their office to express her gratitude for the continued improvements she was noticing in her neighborhood; and announced events he attended or would be attending; that he wanted to thank Council Member Gallegos, they had a good meeting with BARC, that he appreciated his hitting the ground running and working for his constituents in trying to address a critical concern, that as they knew they too in District H had been working on this issue and he wanted to thank Mayor Parker and BARC for their proactive efforts in trying to address this throughout their City, that obviously it was a huge problem citywide. Council Members Stardig and Gonzalez absent.

Council Member Cohen stated that she had a number of calls and comments from people who were at the inauguration and everyone said it was so well run, a particular thanks to Ms. Susan Christensen and her group; and announced events she attended or would be attending; and stated that tomorrow at noon, she and Council Member Stardig would be appearing on a KUHF Radio Show talking about what it felt like to be the only two Council Members that were female on the City Council. Council Member Stardig absent.

Mayor Parker stated that was why they referred to them as Council Members and not Councilmen. Council Member Stardig absent.

Council Member Pennington stated that he wanted to mention the HPD Criminal Justice Complex, that it was reported on December 10, 2013 that the City planned to move forward on a project on the 12 acres west of downtown, at 61 Riesner Street, it was a major project and one that was badly needed, but he believed the 12 acres were very valuable as commercial property, due to its proximity to Washington Avenue entertainment area, downtown, and also the Buffalo Bayou Park, particularly since traffic had become a major issue, it was his understanding that in the request for proposals that the proposers had taken into consideration the cost of moving the project somewhere else and it would be more expensive to do that, that he would think it would be more expensive to move the HPD operations away for two or three years while the project was constructed and then move them back, than to stay in the project until a new project was completed and then move, that he did not believe that the current space was adequate because of the parking and other downtown congestions, and believed they could find a more accommodative place that would be near downtown on less expensive property that they ought to consider.

Council Member Green stated that Ms. Rita Woodward, Westbury Community, passed away last week, that she was the founder of the Friends of Westbury High School and during her tenure raised over a quarter million dollars for scholarships for students at Westbury High School and gave out about 188 scholarships; and announced events he attended or would be attending.; and stated that they in District K also had a BARC issue, that he believed that Council Member Laster hit the nail on the head with regard to additional resources, and of course individual responsibility, when they were told that they were to pick up the dog and then call BARC, and if it was a vicious dog that made it problematic, that he really looked forward to the discussion on how they would handle the BARC issue, especially to the challenges they had been having in District K.

Council Member Gallegos stated that this week when he spoke with Chief Montalvo the name of the victim had not been released, that he and his staff wanted to give their condolences to the family and friends of 43 year old Christina Bell Burleson for the tragic incident. Council Member Martin absent.

Council Member Kubosh stated that he wanted to recognize his son, Michael Scott Kubosh, who was in the audience, that he spent the first 110 days of his life at Hermann Hospital in the Neo Natal Intensive Care Unit and he wanted to thank Hermann Hospital and the Neo Natal Intensive Care Unit for taking care of his son 30 something years ago. Council Member Martin absent.

Mayor Parker stated that she had the privilege of attending Jack Blanton's service on Saturday, that she had to say that was an appropriate send off for a very worthy man and an impressively articulate family who stood up and spoke, that Jack Blanton would definitely be missed. Council Member Martin absent.

There being no further business before Council, the City Council adjourned at 10:03 a.m.
Council Member Martin absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary