

City Council Chamber, City Hall, Tuesday, December 21, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 21, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Ms. Lynette Fons, First Assistant City Attorney, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Ms. Marty Stein, Agenda Director; and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Wanda Adams absent due to being ill. Council Member Melissa Noriega absent on personal business.

At 1:37 p.m. Mayor Parker stated that presentations would begin with Council Member Clutterbuck. Council Member Clutterbuck on behalf of Council Member Noriega invited Mr. Syd Sanders, the senior vice president at Methodist Hospital and Mr. Tom Surley of the I. T. Department and Mr. Larry Smith who helped facilitate their honor of recognition to the podium and stated that in the past towers were voted on by Council for the safety radio system and they were missing one last location; that Methodist Hospital offered the last of the 48 key sites and it would provide imperative public safety coverage and were only charging for utilities used, no leasing fees; and for demonstrating outstanding corporate citizenship and Mayor Parker presented a Proclamation to the group commending them and thanking them for all they had done. Mr. Sanders stated that it was their pleasure to fill the role; and thanked all for the recognition. Council Members Johnson, Pennington, Rodriguez, Lovell and Jones absent.

Council Member Johnson invited Mr. Troyon Myree to the podium along with others with him and stated that Mr. Myree was the Barbara Jordan Endeavors ambassador; that he received disabilities while enlisted in the service, but continued to overcome and help others and earned his bachelor degree and two master degrees; and because of all he did for others; Mayor Parker presented him a Proclamation proclaiming today as "Troyon Myree Day and Barbara Jordan Endeavors Ambassador Day" in the City of Houston, Texas. Mr. Myree thanked all for recognizing his accomplishments. Council Members Rodriguez, Lovell and Jones absent.

At 1:57 p.m. Mayor Parker called the meeting to order and called on Council Member Clutterbuck who stated that through Council Member Noriega's beautiful thoughtfulness she had invited Ms. Emily Dawn Whitehurst to deliver the prayer; that she was executive director of the Rothko Chapel and an ordained Presbyterian minister; and Ms. Whitehurst led all in prayer; and Council Member Clutterbuck led all in the pledge. Council Members Johnson, Rodriguez, Lovell and Jones absent.

At 1:59 p.m. the City Secretary called the roll. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Johnson and Jones absent.

Council Members Lovell and Gonzalez moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Johnson and Jones absent. MOTION ADOPTED.

Mr. Brian Greene, 3811 Eastex Freeway, Houston, Texas 77026 (281-924-9332) appeared and stated that this had been a good time for Houston Food Bank and all charities were extremely grateful; that in Houston Walmart was doing a challenge with a Facebook Campaign and if Houston received the most lights on their campaign then Houston would receive \$1,000,000 for hunger relief; that currently they were in ninth place and should be able to get to number one and to access the page it was houstonfoodbank.org; and urged they notify all constituents. Council Member Jones absent.

Mayor Parker stated that it was on her Facebook page and encouraged all Council Members to place it on theirs; and Council Members thanked Mr. Greene for coming and making all aware of the contest; and for all their services. Council Member Clutterbuck absent.

Mr. Robert Edness, 6221 Main, Houston, Texas 77030 (713-367-3826) had reserved time to speak but was not present when his name was called. Council Member Clutterbuck absent.

Ms. Susana Sanchez, 6405 Westward #5, Houston, Texas 77081 (713-363-1494) appeared and stated that she was present regarding a school community project at Burnett Bayland Park; that they were very disappointed in its stability, there was no grass, no nets, excessive litter; and they wondered what they could do to help the city fix the problems. Council Member Clutterbuck absent.

Mayor Parker thanked Ms. Sanchez for coming and raising the issue; that there was no grass on the soccer fields and they were aware of not enough soccer fields in Houston and working hard to create more, but they categorized such fields as practice fields and did not normally maintain the sod as they were used seven days a week, sixteen hours a day and it was impractical to put sod unless they took them out of service; and regarding litter they cleaned the park yesterday and would go out again today; that they tried to go out after a heavy weekend's usage; that they would love to work with the Pin Oak Middle School PTA on perhaps a delittering message and if she believed part of the problem was not enough trash containers she hoped she would get back to them about that; and regarding the nets, they usually require teams to provide their own nets, it was standard policy. Council Member Clutterbuck absent.

Council Member Hoang thanked Ms. Sanchez for coming with the issue and stated that the Mayor answered her concern and litter was usually after the teams played and he thought teams and volunteers should be asked to clean. Council Member Costello absent.

Mayor Parker stated that Ms. Erika Sanchez with Parks was present and could speak with her at this time; and she appreciated her coming. Council Member Costello absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) had reserved time to speak but was not present when her name was called. Council Member Costello absent.

Ms. Pamela Curvey, 7607 Moline, Houston, Texas 77087 (713-634-0984) appeared and stated that she had a complaint against the Houston Fire Department; that she wanted to complain about abuse of city time and equipment by unnecessary sirens making trips to HEB, Walmart, etc., they did it about six times a day and of late started night runs; that she had confronted them and was told the Mayor lied about their retirement money and she was told she was parked on their property and should leave. Council Member Costello absent.

Mayor Parker stated to clarify firefighters did stay with their truck, they did not use lights and sirens to just drive through the neighborhood and if lights and sirens were on they were going to an emergency; that if they were doing as she said and if given the times then it would be investigated and see if there was any misuse of policy. Council Member Costello absent.

Council Member Jones stated that on a number of occasions she did 24 hour shifts with the Fire Department and learned they could not leave the station, they had to be there 24 hours and they did cook there and went to grocery stores; that even in their "Fill the Boot Campaign" they had to be in route in seconds if a call came in; that staying with their trucks was for quicker response; and Ms. Curvey stated that this was now routine. Council Members Hoang and Costello absent.

Mr. Griff Griffin, 5327 Winding Way, Houston, Texas 77091 (713-503-8064) appeared, presented information to Council Members and stated that he was present with a great concern of the West Montrose Management District; that all liked to see something improved, but he received a letter from Mayor Parker to a member of the board which he read over; that he started his own investigation and found some business had not received notice and some said they were opting out. Council Member Hoang absent.

Mayor Parker stated that the district was created by the state legislature and not the City of Houston and the city had no oversight over the particular management district; and upon questions, Mr. Griffin stated that this was the biggest travesty since Enron; and Mayor Parker stated that there was an Agenda Item where they were consenting to them in doing it, but they had to follow rules the Legislature laid out; and Mr. Griffin stated that he would like the city to put a hold on it while it was investigated; and Mayor Parker stated that she would assume a Council Member could tag the item for him which would give him two weeks; that all management districts were created the same way all across the State of Texas. Council Members Sullivan, Pennington, Rodriguez and Lovell absent.

Council Member Jones stated that she received his information, it was a bad copy; that she understood he was complaining the statute allowed for the creation of a management district with at least 25 owners of real property in the district; and Mr. Griffin stated that he was told by Representative Wong that for most management districts you had to have at least 50 signatures; and Council Member Jones stated that she would assume they needed to try and have this changed at the Legislative level; and Mayor Parker stated the city did not create them, but allowed them to happen; consented to them being within the city jurisdiction and there were a number of them and her Agenda backup should have a readable copy; and Council Member Jones stated that she would tag the item for him. Council Members Sullivan, Pennington, Rodriguez and Lovell absent.

Council Member Stardig stated that she had the same questions when she was briefed on the issue as to the history of the management district or improvement district in this case; that it had layers and she would also like more information or clarification to be able to support it; that the Spring Branch and Westchase Districts had great success; and Mayor Parker stated that more backup information would be provided. Council Members Sullivan, Pennington, Rodriguez and Lovell absent.

Mr. Greg Martin, 307 Drew, Houston, Texas 77006 (281-900-3512) appeared and stated that two weeks ago they came to Council regarding parking lifts at the Union Bar and expressed concerns of safety; that two days later the city stopped their work and during that time residents were seeking information and wanted to say they were not seeking closure of the bar nor ganging up on them, but only wanted the safety kept as a paramount concern and in the manual books lifts were not intended for outdoor use and warnings were found all through the manual; that during a city meeting he was told the units were determined appropriate for outdoors which contradicted the manual's warning and he wanted to know who assumed that responsibility. Council Members Sullivan and Rodriguez absent.

Mayor Parker stated that as indicated the installation of the lifts were red tagged and so was the patio; that there were issues of permits, but she at this point did not know if the lifts were being allowed, but it was possible according to Public Works to install them in such a way the electric components were sealed; that she would assume the District Council Member would keep him informed and he would be provided information after the fact. Council Members Stardig, Sullivan and Rodriguez absent.

Council Member Jones stated to the Administration there was information the city did not

regulate lifts; and Mayor Parker stated that a lot of cities allowed lifts, they did tend to be in enclosed parking garages; that the city never had to permit them before so this was new territory; and Council Member Jones stated that she would like to know where they were going or how they would land where they were to land; that this was like Washington Avenue where a business was there and so were parking problems; that you should have sufficient parking and it set bad precedent to make exceptions for companies because they were doing well; that it still increased traffic problems, etc.; and Mayor Parker stated that there were a number of discussions going on with changes to parking ordinances; that Council would not see them come before March or April, but a number of things in Chapter 26 needed to be addressed and this was one; that as the city became denser she would assume they would need to deal with lifts and so they needed to figure how to get them in the ordinance, but for this particular location there was electrical and structural permits needing to be acquired and they were not there yet; that she also raised the issue of why they were being put in along the perimeter fence rather than next to the building and those questions were also going back to the bar. Council Members Sullivan, Pennington and Rodriguez absent.

Mr. Ramon Fernandez, 310 Dennis, Houston, Texas 77006 (713-524-9359) appeared and stated that he was present to voice his concerns also about the Union Bar which was in a block 100% residential except for them; that they had operated two years without sufficient parking and now after being caught were putting in lifts which were for indoor use only causing safety concerns; and urged the lifts be stopped. Council Members Stardig, Johnson, Sullivan, Gonzalez and Lovell absent.

Mayor Parker stated that she had made a note to ask the Parking management to look at Dennis Street as a part of the overall project and to visit with him. Council Members Stardig, Johnson, Sullivan, Gonzalez and Lovell absent.

Mr. Naing A. Aung, 9800 Larkwood #1427, Houston, Texas 77096 had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Sullivan, Gonzalez and Lovell absent.

Ms. Leticia Ablaza, 8022 Glen Dell, Houston, Texas 77061 (713-644-1332) appeared and stated that she lived in a proposed historic district, Glenbrook Valley, she like many others did not have the means to come and speak out against the district and today brought her children; that hopefully they had received almost the 190 retractions submitted or faxed and hoped they would accept that as homeowners standing in front of them; that the middle income for those in the area was about \$33,000 and they could not afford to take time from work and hire babysitters and asked she come on their behalf; that the ordinance would hurt those who could not afford to keep up with the ordinance; that being stuck between the old and new ordinance they had been subjected to the whim of the Planning Department and City Hall officials such as raising the number of signatures to meet the new ordinance when they met the one for the ordinance previous; that they had a recent run-in with Maverick Welsh who sits on the Historic Commission as he appeared to revel in the idea he successfully kept a family with young children from having heat on one of the coldest nights of the year; that he drove by their home, honking, waiving and laughing while the inspector stood in front of their yard; that even the inspector commented on his blatant involvement and it should not take several calls from Council Members to get a release for a permit when it was for something legally allowed by the ordinance; and continued expressing issues until her time expired. Council Members Stardig, Johnson and Sullivan absent.

Mayor Parker stated that if there was a city appointee or employee who in any way used pressure in terms of inspectors or anyone behaved unethically she would suggest she file a complaint with the Office of Inspector General and may reach them through the Legal Department, if she had information she should bring it forward. Council Members Stardig,

Johnson and Sullivan absent.

Upon questions by Council Member Pennington, Ms. Ablaza stated there were 190 retractions and according to Michael Schafer's database that brought the percentage down to 39% support compared to what was turned in; that Ms. Gaffrick told them she would get a historical designation in Glenbrook Valley one way or the other so they may break it up which would be bad for them as people in her block were diehard proponents of this; that they did have deed restrictions at this time and did get a "say so" and she would like Planning to leave them alone. Council Member Stardig absent.

Upon questions by Council Member Jones, Ms. Ablaza stated that she had called her office and there were Spanish and Vietnamese people who signed by what they were told; that they were offered a free taco to sign and did not fully understanding what they signed, they were just told they were signing for something good for their area; that her family was without heat for over a week waiting for a permit and this was holding it up and that was why she was talking about the designation; and Mayor Parker stated that someone could be fired over that and she suggested to her to bring a formal complaint. Council Members Stardig, Johnson and Sullivan absent.

Council Member Hoang moved the rules be suspended for the purpose of extending the time for questions of Ms. Leticia Ablaza, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Stardig, Johnson and Sullivan absent. MOTION 2010-0881 ADOPTED.

Upon further questions by Council Member Jones, Mayor Parker stated that permits for a furnace or anything inside the house had nothing to do with the historical designation; and Ms. Ablaza stated that when you applied for a permit for a furnace or something mechanical in your home there was a hold put on the permit; and Mayor Parker stated that once it was determined it had no exterior impact it was released. Council Members Stardig, Johnson and Sullivan absent.

Council Member Lovell stated that if she were to file a complaint they would be happy to track it and would like her to let her office know. Council Members Stardig, Johnson and Sullivan absent.

Mr. Joe Ablaza, 8022 Glen Dell, Houston, Texas 77061 (713-644-1332) appeared and stated that he was present to discuss the pending historic designation for Glenbrook Valley; that they were opposed to it and he did believe they were retaliated against as far as their furnace, but more specifically, he heard Council would lean on their Council Member as to how to vote and he knew it was hearsay, but Council Member Rodriguez had been given the other side and they made many attempts to get him to come where people who said they had not seen the ordinance would meet; that Council Member Rodriguez was at a meeting where people were given tacos for their property rights, as far as he was concerned, he walked the streets to get signatures and said people knew what they signed for even though they spoke no English; and he was urging to not lean on someone else's vote; that they had enough retractions and would like those considered. Council Members Stardig, Johnson and Sullivan absent.

Council Member Lovell stated that as she understood they wanted a new furnace; and upon questions, Mr. Ablaza stated that he paid someone to get the permits; and Council Member Lovell stated that what they were accusing someone of she considered serious and if they were to file a formal complaint she wanted to make sure they followed it; that they did not vote people to sit on boards and commissions to conduct themselves in that way and it was a serious allegation; and Mr. Ablaza stated that he did not make phone calls, he was told it came

from up high and their contractor told them the city was going to make him pull the equipment out and the day they were out talking to the inspector, Mr. Maverick Welsh passed by, honked his horn and waived and grinned and even the city inspector picked up on it and commented it was so obvious. Council Members Johnson and Sullivan absent.

Council Member Rodriguez stated that he wanted to clarify a couple of Mr. Ablaza's points; and Council's time ran out. Council Members Johnson and Sullivan absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Mr. Joe Ablaza, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Johnson and Sullivan absent. MOTION 2010-0882 ADOPTED.

Council Member Rodriguez stated that he wanted to clarify a couple of Mr. Ablaza's points and not get into the hearsay, etc., but several Council Members were very independent and did their due diligence and homework on any issue voted on and none leaned on him for a vote; that he thought he was still going through a designation process and there would be a report made by Planning and it would be shared by all at the table and make up their own minds; that he did attend a meeting at the taqueria and it was a whole spread of food and several came to get more information and there was a sign in sheet to say whether you were supportive or needed more information and he did not think anyone was strong armed; that they would take the information and look at the report and make their decision and he was sorry if they felt retaliated against and he had met with him and his wife and the Planning Director who gave them the tools and information to formalize a protest and he did have an open door policy. Council Members Johnson and Sullivan absent.

Council Member Jones stated to the Administration that if someone on a board drove by a site when a permit was halted she thought it did need to be looked into; that she did not want a witch-hunt to happen; and Mayor Parker stated that the allegation was a hold was placed on their permit in retaliation and that was what they would investigate, but going after the inspector she did not think they should go after that; and Mayor Parker stated that Mr. Ablaza stated that the inspector was there because someone had used influence. Council Members Johnson, Sullivan and Lovell absent.

Ms. Zoe Ablaza, 8022 Glen Dell, Houston, Texas 77061 (713-644-1332) appeared and stated that she had been helping her parents in their opposition to Glenbrook Valley's proposed district and had opportunity to meet many people, one being Ms. Delores Robinson who was a senior citizen and African American and lived during an era not so kind and witness fights to have a voice and one day a man assaulted her and she says that because he confronted her in a way to make her think he would hurt her and in effect he took her voice, was that the way advocates should treat others; that last week after dealing with no heat for over a week in cold weather they had a contractor begin replacing their furnace and within a couple of hours an inspector was there and a member of the Archeological Commission, Mr. Maverick Welsh, soon drove by and honked with an "I got you grin" on his face and they later found the city was holding their permit and attempting to get the contractor to remove the equipment even though the contractor had said he did nothing out of the ordinary; that they were preparing to go through a 30° night with no heat, why would advocates of the city attempt to suppress and retaliate against those opposing historical status; that they collected many retractions and heard how angry people were about the whole process; and urged they give Glenbrook Valley what they wanted and turn down the historical application. Council Members Johnson, Sullivan and Lovell absent.

Council Member Bradford congratulated Ms. Ablaza for coming and assisting her parents

on a critical issue and encouraged them to stay strong and document what they were going through and report it to proper authorities and in her case it would be the OIG and they should give all Council Members a copy also so they could try and follow; that in the investigative process in most instances it worked promptly and things worked as they should. Council Members Stardig, Johnson, Sullivan, Costello and Lovell absent.

Council Member Jones thanked Ms. Ablaza for coming; and upon questions, Ms. Ablaza stated that she was fourteen; and Council Member Jones stated that what she said at the podium spoke volumes, she boiled it down to its core and all three of them helped her to see this and she thanked them as they were helpful in her landing in a spot for this issue. Council Members Stardig, Johnson, Sullivan, Costello and Lovell absent.

Council Member Pennington stated that Ms. Ablaza made a great presentation and the issue they raised was a perfect example of a difficulty he saw with this ordinance, one issue he had raised was they needed a more flexible ordinance and staff who were aware of such issues needing to be addressed immediately rather than bureaucratically and he would raise that issue again and urge a relook at the ordinance so it would not stop such emergencies from being remedied. Council Members Stardig, Johnson, Sullivan, Costello and Lovell absent.

Council Member Rodriguez thanked Ms. Ablaza for coming and stated that their job was interesting, you dealt with many people on both sides of issues and they did need their position known; and commended and applauded her for coming and being involved in the process. Council Members Stardig, Johnson, Sullivan, Costello and Lovell absent.

Ms. Jackaline Hickman, 4210 FM 1960 #203, Houston, Texas 77068 (832-884-6197) appeared and stated that she now understood what brought her today; that in Mathew it talked of a Kingdom divided among itself; and continued to express her personal opinions until her time expired. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the President of the U. S. of America; and continued expressing his personal opinions until his time expired. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

Mr. Carlos Solis, 309 Drew, Houston, Texas 77006 (713-520-9876) appeared and stated that he thanked Council for their work regarding the Union Bar but there was still work needed; that their concern was actually ordinances which governed businesses like these and that no preferential treatment be given to some over others; that also on the safety and security they had been very active on providing city government with information regarding the solution and they still had great concern that security concerns or security specifications in the manual were being overridden. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

Mayor Parker stated that it was being worked on. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

Ms. Sandra Organ, 309 Drew, Houston, Texas 77006 (713-520-9876) appeared and stated that while she was grateful work was stopped on the parking lifts they did not feel their concerns of safety as indicated by the manufacturing standards of this model was a viable solution and wanted proof from the city why they were; that they sat through a hearing where it seemed no one had verified their square foot measurements or calculated how many spaces, why were they being given the benefit of a doubt when they built beyond their plans without permits, doubled their occupancy and violated several ordinances and why were citizens who brought the issues forward not included in meetings; that they did not want the bar closed only held accountable to the same standards as others and did not want their safety endangered.

Council Members Johnson, Sullivan, Costello and Rodriguez absent.

Ms. Carol Simon, 2505 Fannin, Houston, Texas 77002 (713-987-4988) had reserved time to speak but was not present when her name was called. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

Ms. Patricia Martin, 5900 Selinsky, Houston, Texas 77051 (832-244-7856) appeared and stated that she was visually impaired and present as she wanted to present President and Mrs. Obama a gift by way of the Department of Justice; that she had a list of those involved in conspiracy, money laundering, etc., and continued expressing her personal opinions until her time expired. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

Mr. Robert Searcy, 8206 Glencrest, Houston, Texas 77061 (832-279-5332) had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) was now present and appeared and stated that she enjoyed working with Council, but most did not know of the projects she had; that she was present as she thought a meeting was needed with City Park, TxDOT and Joe Turner, money was awarded and they did not get it; that she needed a lawyer to fight the cases for her; and continued expressing her personal opinions until her time expired. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

At 3:19 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, December 22, 2010. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Johnson, Sullivan, Costello and Rodriguez absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, December 22, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Ms. Lynette Fons, First Assistant City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director present. Council Member Wanda Adams absent due to being ill. Council Member Melissa Noriega absent on personal business.

At 8:21 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:04 a.m. Mayor Parker called the meeting to order.

Council Member Clutterbuck moved to suspend the rules to consider Item Numbers 1 through 6 out of order at this time, seconded by Council Member Lovell. All voting aye. Nays none. 2010-0883 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment of **MR. DAVID L. SEAVEY** as Director of the Fleet Management Department – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0884 ADOPTED.

Mayor Parker stated that she wanted to welcome him aboard as the new Director of Fleet Management for the City of Houston.

Members of Council congratulated Mr. Seavey on his confirmation as Director of Fleet

Management and thanked him for his service to the City of Houston.

2. REQUEST from Mayor for confirmation of the reappointment of **MR. DAVID P. MARTIN** to Position Three of the **HARRIS-COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for a term to expire August 31, 2012 – was presented, moved by Council Member Bradford, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0885 ADOPTED.

Mayor Parker and Members of Council congratulated Mr. Martin for reappointment to Position Three of the Harris County-Houston Sports Authority Board of Directors and thanked him for his service to the City of Houston.

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF PUBLIC TRUSTS**:
  - Position One - **MS. PARVIN AHMADI MCVEY**, appointment, for a term to expire 3/22/2011
  - Position Two - **MS. YVONNE M. CABRAL**, appointment, for a term to expire 3/22/2012
  - Position Three - **MS. PAT GEORGE**, reappointment, for a term to expire 3/22/2011
  - Position Four - **MS. LENORA SOROLA-POHLMAN**, appointment, for a term to expire 3/22/2012
  - Position Five - **MR. ASHOK RAO**, appointment, for a term to expire 3/22/2011
  - Position Six - **MR. WILLIAM J. HILL**, reappointment, for a term to expire 3/22/2012
  - Position Seven - **MR. BILL C. LITTLEJOHN**, appointment, for a term to expire 3/22/2011
  - Position Eight - **DR. ABDEL K. FUSTOK**, appointment, for a term to expire 3/22/2012
  - Position Nine - **MS. LILLIE J. SCHECHTER**, appointment, for a term to expire 3/22/2011

- was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0886 ADOPTED.

Mayor Parker and Members of Council congratulated, Ms. McVey, Ms. Sorola-Pohlman and Mr. Littlejohn, who were present in the audience, and thanked them for their volunteer service to the City of Houston. Council Member Sullivan absent.

4. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF DIRECTORS OF THE HOUSTON AMATEUR SPORTS PARK LGC, INC**:
  - Position Five - **MR. LES HAULBROOK**, for a term to expire 1/1/2013
  - Position Seven - **MR. MARTIN FOX**, for a term to expire 1/1/2012

- was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Member Sullivan absent. MOTION 2010-0887 ADOPTED.

Mayor Parker congratulated Mr. Haulbrook, who was present in the audience, and thanked him for his service to the City of Houston.

5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION**, for terms to expire 3/1/2012:

Position Two - **MR. WILLIAM HENRY KELLAR**, appointment  
Position Four - **MS. DEBRA BLACKLOCK-SLOAN**, reappointment  
Position Six - **MR. ROMULO TIM CISNEROS**, appointment  
Position Eight - **MR. ROB D. HELLYER**, reappointment

- was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0888 ADOPTED.

Mayor Parker and Members of Council congratulated Mr. Kellar, who was present in the audience and thanked him for his service to the City of Houston.

6. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **TOWER PERMIT COMMISSION**, for two year terms:

Position One - **MR. ROB TODD**, appointment, and to serve as Chair  
Position Five - **DR. SHIN-SHEM STEVEN PEI**, reappointment

- was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0889 ADOPTED.

Mayor Parker and Members of Council congratulated Mr. Todd and Dr. Pei, who were present in the audience and thanked them for their service to the City of Houston.

Council Member Rodriguez moved to suspend the rules to consider Item No. 45 out of order, seconded by Council Member Costello. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0890 ADOPTED.

45. RECEIVE nominations for Positions 10 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012 - was presented.

Council Member Rodriguez nominated Ms. Ann Collum to Position 10 of the Houston Archaeological and Historical Commission Board of Directors, and stated that he had distributed the nomination in writing with a resume to Council Members.

Council Member Clutterbuck moved to close the nominations to Position 10 of the Houston Archaeological and Historical Commission Board of Directors, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0891 ADOPTED.

At 9:20 a.m. Mayor Parker stated that they would move to the Mayor's Report. Council Members Clutterbuck and Sullivan absent.

### **MAYOR'S REPORT** - Rebuild Houston

Mayor Parker stated that Council Members should have a copy of the following document and if they brought one that was distributed to them earlier she would ask that they follow along with the one at the Council table, that there had been some distributed to the media as well, that she would start the presentation and then hand it off to Mr. Icken and Mr. Krueger, that the first

thing she wanted them to notice on the hand out, "Rebuild Houston", that Prop 1 was over, that it was the election campaign, there was going to be another Prop 1 next year and they needed to begin to own this item and to be clear about what they were doing Rebuild Houston was how they were referring to it within the administration and she thought it was appropriate because it was designed to provide the funds to fundamentally change the infrastructure in the City of Houston over the next 20 years and allow them to rebuild parts of the City that desperately needed that work, both in streets and in drainage.

Mayor Parker, Mr. Andy Icken, Development Officer and Mr. Dan Krueger, Director, Public Works and Engineer, reviewed a PowerPoint presentation titled "Rebuild Houston, Implementation Discussion Guide", a copy of which is on file in the City Secretary's office for review; and Mr. Icken stated that an oversight of this important plan and reports like this they would expect before they began the CIP and townhall meetings on this, that they would have a report in late January, one in the middle of the townhall meetings and one at the end of the townhall meetings to report on what they were hearing from the public, that they did want to create an advisory council in the same January/February timeframe, they would like to hear nominations, and Mayor Parker stated that she did not have a magic number on the advisory council, that she truly did not want it to be a cast of thousands, that it was a working committee, that if it was a seven member group, four Members from Council, three from her, that nine would be the same way but maybe they would add two members who were brought forth by stakeholder groups, that she did not know how that process should be defined, but would work with Council to figure out what the best mechanism was to do that, and Mr. Icken stated that they would be using committee and this Council to continue to keep them all advised of where they were, and Mayor Parker stated that this process, the redistricting process and the budget all were going on simultaneously, it would frankly put a significant burden on certain staff within the City of Houston and she would ask Council Members to be aware of that, but these were the three highest priorities they had, they for redistricting and this they would be doing much of it at the full Council meetings as a committee of the whole and she would make every effort to remind Council Members of key dates as they moved forward, but expect a lot of work over the next four months of the year in both redistricting and the rebuild Houston efforts, that when they were not having a Mayor's Report on either one of those issues they would be hearing from departments on their continued work in cutting spending and the zero base budgeting process that she had been rolling out.

After discussion and questions by Council Members, Mayor Parker stated that she would be happy to consider the intent of the oversight committee, that she would work on the oversight committee if the Council did not want one; that she intended to bring forward a plan with no exemptions except those specifically required by State law, that she thought it was very instructive that of the other cities in Texas that had drainage fees none of them exempted churches and that only 2 exempted schools, that because there were other governmental entities they were exploring ways to perhaps create an interlocal agreement where if they did work as part of their Capitol Programs, that the City could give them a credit against what their fee would be, they had also explored the idea of creating, such as they did the Safe Sidewalk Programs around their schools, that through an interlocal agreement any money that they put in through the drainage fees for drainage and street work that the City commit to spend at their site, where they could create a prioritized list of projects and they work down that project list, that she thought the options with the school districts were excellent and they could do it in a way that did not penalize them at all, that they had started the dialog with the Archdiocese, it had not proceeded very far, and the only reason it started there was that she had a relationship with certain members of their legal staff, but also because the Archdiocese centrally owns the part, or the church itself had a centralized ownership, even though there was control at the parish level, that HISD and the Archdiocese, starting with the larger land owners and trying to work through them as stakeholder groups; and Mr. Icken stated that reacting to the nonprofit question, State law actually did not permit them to exempt non profits.

After further discussion by Council Members, Mayor Parker stated that she wanted to thank Mr. Icken and Mr. Krueger for their presentation. Council Member Johnson absent.

At 10:36 a.m. Mayor Parker stated that they would move to the consent agenda. Council Member Johnson absent.

### **CONSENT AGENDA NUMBERS 1 through 44**

#### **MISCELLANEOUS** - NUMBER 7

7. RECOMMENDATION from Finance & Administration Department to authorize and grant a waiver of certain requirements under the City of Houston Ordinance No. 97-416 with respect to the terms and conditions of certain refunding bonds to be issued by **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 67** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Member Johnson absent. MOTION 2010-0892 ADOPTED.

#### **ACCEPT WORK** - NUMBERS 10 through 14

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,350,681.04 and acceptance of work on contract with **C. E. BARKER, LTD.**, for Clairmont Place Drainage Improvements - 22.83% under the original contract amount **DISTRICT B - JOHNSON** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0892 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,280,175.91 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.**, for Safe Sidewalk Program D2 Project - 2.87% under the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0893 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,341,444.92 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC**, for Water Line Replacement in Mangum Manor-South Area 0.97% under the original contract amount - **DISTRICT A - STARDIG** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0894 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBER 15

15. **NEO GOV** for additional services under an existing maintenance agreement for development of a software interface - \$7,000.00 - General Fund – was presented, moved by Council Member Lovell, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0895 ADOPTED.

**ORDINANCES** - NUMBERS 20 through 43

20. ORDINANCE approving and authorizing contract between the City and the **HARRIS COUNTY HOSPITAL DISTRICT** for HIV Health Education, Risk Reduction and Testing Services for the Houston Department of Health and Human Services - 1 Year with 1 successive one-year renewal \$106,898.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1046 ADOPTED.
22. ORDINANCE approving and authorizing contract between the City of Houston and **CATHOLIC CHARITIES OF THE ARCHDIOCESE OF GALVESTON-HOUSTON** providing up to \$600,000.00 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Tenant-Based Rental Assistance Program, Short-Term Rent, Mortgage, and Utility Assistance Program and the provision of other supportive services - **DISTRICTS D - ADAMS and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1047 ADOPTED.
23. ORDINANCE relating to the City of Houston’s Neighborhood Stabilization Program approving and authorizing 1) a second amendment to Loan Agreement between the City of Houston and **TEJANO CENTER FOR COMMUNITY CONCERNS, INC**, authorized by Ordinance No. 2010-307, as amended by Ordinance No. 2010-612, to reduce the maximum loan amount to be advanced thereunder from \$935,000.00 to \$765,000.00 and to reduce from eleven to nine the minimum number of foreclosed homes to be acquired, rehabilitated and resold to income-qualified households in order to obtain the maximum loan advance; and 2) a second amendment to Loan Agreement between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC**, authorized by Ordinance No. 2010-498, as amended by Ordinance No. 2010-594, to increase the maximum loan amount from \$1,215,000.00 to \$1,430,549.00 and to increase from fifteen to seventeen the minimum number of foreclosed homes to be acquired, rehabilitated and resold to income-qualified households in order to obtain the maximum loan advance - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1048 ADOPTED.
25. ORDINANCE approving and authorizing Compromise and Settlement Agreement between **THU BINH SI HO** and City of Houston to settle a lawsuit - \$210,000.00 - Property and Casualty Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1049 ADOPTED.
26. ORDINANCE changing the Name of Willardville Road to East Orem Drive - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1050 ADOPTED.
28. ORDINANCE consenting to the addition of 1.9960 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1051 ADOPTED.
29. ORDINANCE consenting to the addition of 13.83 acres of land to **SOUTHERN MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district –

was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1052 ADOPTED.

30. ORDINANCE consenting to the addition of 39.0883 acres of land to **WEST PARK MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1053 ADOPTED.
31. ORDINANCE establishing the south side of the 1800-1900 block of South Boulevard within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1054 ADOPTED.
32. ORDINANCE establishing the east and west sides of the 900 block of Tabor Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1055 ADOPTED.
33. ORDINANCE establishing the east and west sides of the 900 block of Tabor Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1056 ADOPTED.
34. ORDINANCE amending License Agreement with **AMERICAN TOWER ASSET SUB, LLC**, Licensor, and the City of Houston, Texas, Licensee, approved by Ordinance No. 2009-0879, to allow for an increase of the monthly license fee from \$4,635.00 to \$6,335.00 and the payment of \$20,000.00 for remediation costs associated with structural improvements to accommodate the additional equipment, all in connection with a new Public Safety Radio System located at 17118 Bohemian Hall Road, Crosby, Texas – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1057 ADOPTED.
35. ORDINANCE amending License Agreement with **AMERICAN TOWERS, INC**, Licensor, and the City of Houston, Texas, Licensee, approved by Ordinance No. 2009-0882, to allow for an increase of the monthly license fee from \$4,635.00 to \$5,385.00 and the payment of \$20,000.00 for remediation costs associated with structural improvements to accommodate the additional equipment, all in connection with a new Public Safety Radio System located at 29327 Plum Creek Drive, Spring, Texas – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1058 ADOPTED.
36. ORDINANCE amending License Agreement with **UNISITE, LLC**, Licensor, and the City of Houston, Texas, Licensee, approved by Ordinance No. 2009-0885, to allow for an increase of the monthly license fee from \$4,635.00 to \$6,035.00 and the payment of \$30,000.00 for remediation costs associated with structural improvements to accommodate the additional equipment, all in connection with a new Public Safety Radio System located at 5910 County Road 182, Alvin, Texas – was presented. All voting aye.

Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1059 ADOPTED.

37. ORDINANCE appropriating \$5,599.02 out of Julia Ideson Library Contributions Fund as an additional appropriation and approving and authorizing first amendment to Construction Contract (Approved by Ordinance No. 2010-0164) between the City of Houston and **CST ENVIRONMENTAL, LP** for Asbestos Abatement and Demolition at Julia Ideson Building - Phase 2; providing funding for contingencies relating to construction of facilities financed by the Julia Ideson Library Contributions Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1060 ADOPTED.
38. Omitted
39. ORDINANCE appropriating \$247,790.00 out of Woodlands Regional Participation Fund; awarding Construction Contract to **RESICOM, INC** for Lake Houston Park Left Turn Lane; 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 testing services and contingencies relating to construction of facilities financed by Woodlands Regional Participation Fund – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1061 ADOPTED.
43. ORDINANCE appropriating \$50,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Interlocal Agreement with the **HOUSTON-GALVESTON AREA COUNCIL** to conduct a Special Districts Pedestrian-Bicyclist Planning Study within the Clear Lake Area of Houston - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1062 ADOPTED.

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

**MISCELLANEOUS** - NUMBER 7

8. RECOMMENDATION from Director Mayor's Office of Intergovernmental Relations for renewal of Annual Membership in the **HOUSTON-GALVESTON AREA COUNCIL** - \$78,145.24 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez, and tagged by Council Member Lovell.

After discussion Council Member Lovell stated that she was concerned that they should have greater representation on the board and was tagging the item so that they could have some discussions about that, and what were Mayor Parker's feelings about that, and Mayor Parker stated that she appreciated the point, that Council Member Lovell had been active in HGAC for a while and had served as her alternate there, that Houston was the largest population and were charged based on their population but they had two votes, that Harris County was in the same situation, by far the largest County, the bulk of the population represented at HGAC, they had their two votes, but the discussions were dominated by the smaller counties and municipalities around the area, so they pay for their representation but did not receive adequate representation in that Chamber and certainly thought they needed to consider whether there was some other configuration that would serve them better.

After further discussion Council Member Lovell stated that she would release her tag on Item No. 8.

A vote was called on Item No. 8. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0897 ADOPTED.

### **ACCEPT WORK**

9. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$309,705.05 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal and Installation at City of Houston Police Academy Vehicle Maintenance Shop - 4.33% over the original contract amount **DISTRICT B – JOHNSON** - was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0898 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,215,272.60 and acceptance of work on contract with **TJ & T ENTERPRISES, INC** for Safe Sidewalk Program D7 Project - 6.02% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ and I – RODRIGUEZ** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0899 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,688,795.00 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for 69th Street Wastewater Treatment Plant Improvements (Package 2) - 0.33% under the original contract amount - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Rodriguez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0900 ADOPTED.

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

16. **SPRINT SOLUTIONS, INC** for Land Mobile Radio Wireless Telecommunication Services and Hardware from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering \$7,332,469.00 - General, Enterprise, Storm Water Utility, Building Inspection and CIP Cost Recovery Funds - 5 Years – was presented, and tagged by Council Members Jones and Bradford.

Council Member Bradford stated that he was not clear as to why they were spending the \$1.3 million on Item No. 42 when the \$7 million on Item No. 16 gave them the capability to do the tracking, that he intended to tag Item No. 42 also and get additional information.

Mayor Parker stated that they would get him the information, that she would point out that in Item No. 42 was a vehicle tracking device, and Item No. 16 was actually something like a Blackberry for employees of the Public Works Department, that Item No. 16 had been tagged by Council Members Jones and Bradford and she would ask Public Works to visit with them.

17. **NORTH SHORE SUPPLY COMPANY, INC** for Steel Construction Materials for Various Departments - \$822,030.36 - General and Enterprise Funds - 5 Years – was presented, moved by Council Member Hoang, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0901 ADOPTED.

## **ORDINANCES**

18. **ORDINANCE AMENDING SECTION 10-713 OF THE CITY OF HOUSTON CODE OF ORDINANCES** relating to penalties, costs and fees in Alternate Administrative Adjudication Procedures; containing provisions relating to the foregoing subject; containing a savings clause; providing an effective date – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1063 ADOPTED.

Mayor Parker stated that she wanted to point out that she thought Item No. 18 was going to be a really good thing going forward, that it was the Alternate Administrative Adjudication Procedure, which was a long name, but going after those bad property owners.

Council Member Jones stated that she wanted to thank Ms. Fons, Legal Department, she came to her office yesterday and they had a long briefing on this item, that she had some concerns and those concerns were addressed and after a long time figured out why they were doing it and how it was meant to address the sort of Candle Light Trails slum property owners, that they needed to make a change, they were charging everyone for an administrative hearing even if they did not have a hearing and she thought it was problematic, and Mayor Parker stated that she wanted to thank the Council Members, they passed the item and she thought it was a big step forward and knew the judge was waiting for that one.

19. **ORDINANCE** amending City of Houston Ordinance No. 2010-1016 relating to Service and Permit Fees to correct errors of omission; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1064 ADOPTED.
21. **ORDINANCE** amending City of Houston Ordinance No. 2009-772 to modify the budget shown in Exhibit “B” for the Community Development Block Grant Funds under the American Recovery and Reinvestment Act of 2009 Program - **DISTRICT D – ADAMS** - was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1065 ADOPTED.
24. **ORDINANCE** authorizing the Director of the Mayor’s Office of Public Safety and Homeland Security (“Director”) to execute four Subrecipient Grant Agreements with the **TEXAS DEPARTMENT OF PUBLIC SAFETY** accepting FY2010 Homeland Security Grant Funding from the Urban Area Security Initiative Grant Program: The Urban Area Security Initiative Law Enforcement Terrorism Prevention Activities Program; The State Homeland Security Law Enforcement Terrorism Prevention Activities Program; and The Metropolitan Medical Response System Program; declaring the City’s eligibility for such grants; authorizing the Director to execute all modifications to the agreements and to execute any subsequent documents necessary to secure the City’s allocations throughout the life of these grant awards - \$18,309,920.03 – was presented.

Council Member Jones stated that this item passed out of the Housing Committee, that

one of the fire station's included in this item was station No. 25, which happened to be her home fire station, that one of the problems that the Housing Department had over time was that other departments had come and raided the Housing Department funds for themselves and she knew that HUD did not like that and knew that HUD did agree to this, they were not excited about it but did not think that the City was going to continue doing that, that she would like for them to look more closely at other departments using the Housing Department budget as a piggy bank, and Mayor Parker asked Council Member Jones if she was talking about Item No. 24, and Council Member Jones stated that she wanted to apologize, that the comment was actually for Item No. 21. Council Members Sullivan and Rodriguez absent.

A vote was called on Item No. 24. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Sullivan and Rodriguez absent. ORDINANCE 2010-1066 ADOPTED.

27. ORDINANCE consenting to the creation of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 11** and the inclusion of certain land within the district - **DISTRICT D – ADAMS** – was presented, and tagged by Council Members Stardig, Jones and Costello.

Council Member Jones stated that she tagged the item because Mr. Griffin had come to public session yesterday and had asked them to tag it so that he could get more information, and Mayor Parker stated that she expected the tag.

40. ORDINANCE appropriating \$11,670.00 out of Solid Waste Consolidated Construction Fund as an additional appropriating for Professional Engineering Services Contract between the City of Houston and **REY DE LA REZA ARCHITECTS, INC d/b/a RdIR ARCHITECTS, INC** (Approved by Ordinance No. 2009-1110) for Design of 9003 N. Main Building Renovation - **DISTRICT H – GONZALEZ** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1067 ADOPTED.
41. ORDINANCE awarding contract to **ARAMARK CORRECTIONAL SERVICES, LLC** for Jail Food Services; providing a maximum contract amount - 3 Years with two one-year options \$3,296,043.99 - General Fund - was presented, and tagged by Council Members Gonzalez and Jones.
42. ORDINANCE awarding contract to **RADIO SATELLITE INTEGRATORS, INC** for a Vehicle Tracking System, Software and Maintenance Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,380,181.80 - General Fund – was presented, and tagged by Council Members Bradford and Jones.
44. ORDINANCE appropriating \$948,569.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation for Professional Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for services associated with the development of the Stormwater Evaluation Enhancement Tool (Approved by Ordinance No. 2009-0947); approving and authorizing an amendment to the contract; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund – was presented.

Council Member Costello stated that this amendment was presented to the Flooding and Drainage Committee last Thursday and he wanted to commend Mark Lathan, Public Works and Eric Dargen, Fleet and Right of Way and Fleet Maintenance for their presentation to discuss how the payment assessment program would integrate with the SWEET model and Mr. Lathan presented an overview of how the SWEEP Program was established several years ago and

how this was a natural extension of it and they would be able to apply this program towards the Rebuild Houston, as was described earlier in the Mayor's Report, that they did not have a quorum at their meeting, but did have a favorable reaction from the members who were there, and he personally supported it.

Council Member Sullivan stated that he would tag Item No. 44.

**NON CONSENT AGENDA** - NUMBERS 45 and 46

**MISCELLANEOUS**

46. MOTION to set a date not less than seven days from December 22, 2010, to receive nominations for Positions Four and Six of the **ETHICS COMMITTEE**, for two year terms expiring December 31, 2012 – was presented.

Council Member Costello moved to set Wednesday, January 5, 2010, to receive nominations for Positions Four and Six of the Ethics Committee, seconded by Council Member Gonzalez.

Council Member Sullivan stated that they were working on Chapter 18 revisions right now and was wondering if this might be premature, and Mayor Parker stated that they needed members of the committee, that she did not know if changing the ordinance itself would affect this, but on the next agenda they should be bringing forth the ethics items forward as well.

A vote was called on Item No. 46. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0902 ADOPTED.

**MATTERS HELD** - NUMBERS 47 through 55

47. ORDINANCE appropriating \$2,035,000.00 out of Airports Improvement Fund and approving and authorizing agreement between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Job Order Contracting - Capital Improvement for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516D); providing funding for the Civic Art Program - 5 years - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – **(This was Item 20 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBERS HOANG and JOHNSON)** – was presented.

Council Member Hoang offered the following written motion to amend Item No. 47:

"I move to amend Item 47 on the agenda of December 21, 2010 by:  
Amending the caption to lower the appropriation to \$2,000,000.00; and  
Amending Section 1 to delete \$35,000.00 appropriated as funding for the Civic Art Program.

After discussion by Council Members, Mayor Parker stated that as they knew she was a big supporter of the Civic Art Program but she happened to agree with him that these were a small conglomeration of very small projects, they were never intended to be for those types of projects, that she thought it was an appropriate amendment and the administration supported it; that there was an ordinance that created the Civic Art Program and it defined the projects to which it would be applied and they were large construction projects, the Job Order Contracting, the series of contracts were for relatively small projects that would have an insignificant increment, it was never intended to be for projects like that, it was intended to be for major

capitol projects so they could actually do some significant designed based work or architectural elements or so forth, that this was more appropriate that it not be included in this.

A vote was called on Council Member Hoang's motion to amend Item No. 47. Council Member Costello voting no, balance voting aye. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0903 ADOPTED.

After further discussion by Council Members, a vote was called on Item No. 47 as amended. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1068 ADOPTED AS AMENDED.

48. ORDINANCE appropriating \$2,035,000.00 out of Airports Improvement Fund and approving and authorizing agreement between the City of Houston and **WILLIAMS AND THOMAS, L.P. d/b/a JAMAIL & SMITH CONSTRUCTION** for Job Order Contracting - Capital Improvement for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516E); providing funding for the Civic Art Program - 5 years - DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ – **(This was Item 21 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBERS HOANG and JOHNSON)** – was presented.

Council Member Hoang offered the following written motion to amend Item No. 48:

"I move to amend Item 47 on the agenda of December 21, 2010 by:  
Amending the caption to lower the appropriation to \$2,000,000.00; and  
Amending Section 1 to delete \$35,000.00 appropriated as funding for the Civic Art Program.

A vote was called on Council Member Hoang's motion to amend Item No. 48. Council Member Costello voting no, balance voting aye. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. MOTION 2010-0904 ADOPTED.

A vote was called on Item No. 48 as amended. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1069 ADOPTED AS AMENDED.

49. ORDINANCE approving and authorizing agreement between the City of Houston and **CENTENNIAL CONTRACTORS ENTERPRISES, INC** for Job Order Contracting - Operations and Maintenance for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516F); providing a maximum contract amount - 5 years \$2,500,000.00 - Enterprise Fund - DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ – **(This was Item 22 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBERS HOANG and JOHNSON)** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1070 ADOPTED.
50. ORDINANCE approving and authorizing agreement between the City of Houston and **HORIZON INTERNATIONAL GROUP, LLC** for Job Order Contracting - Operations and Maintenance for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516G); providing a maximum contract amount - 5 years - \$2,500,000.00 - Enterprise Fund - DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ – **(This was Item 23 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBERS HOANG and JOHNSON)** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent

on personal business. ORDINANCE 2010-1071 ADOPTED.

51. ORDINANCE approving and authorizing contract between the City of Houston and **BOMBARDIER TRANSPORTATION (HOLDINGS) USA INC**, for Automated People Mover Operations and Maintenance Services at George Bush Intercontinental Airport/Houston; providing a maximum contract amount - 5 Years with 5 option years - \$63,488,026.75 - Enterprise Fund **DISTRICT B - JOHNSON – (This was Item 24 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1072 ADOPTED.
52. ORDINANCE awarding contract to **GENUINE PARTS COMPANY** for Strategic Vehicle Parts Partner; providing a maximum contract amount - 5 Years - \$95,068,803.75 - General and Fleet Management Funds – **(This was Item 29 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1073 ADOPTED.
53. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Cleaning and Janitorial Services for Various Departments (Approved by Ordinance No. 2005-1010); providing a maximum contract amount - 1 year - \$4,709,028.13 - General, Enterprise, Park Special Revenue and Houston TranStar Funds – **(This was Item 30 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented.

After discussion by Council Member Jones a vote was called on Item no. 53. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1074 ADOPTED.

54. ORDINANCE amending Ordinance 2008-584 to increase the maximum contract amount and approving an additional allocation for Legal Services with **JACKSON, SJOBERG, MCCARTHY & WILSON** to represent the City before the Texas Commission on Environmental Quality and other State and Federal Regulatory Agencies on Water, Wastewater, and Storm Water Issues; providing a maximum contract amount - \$400,000.00 - Enterprise Fund – **(This was Item 32 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBER COSTELLO)** – was presented. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. ORDINANCE 2010-1075 ADOPTED.
55. REVIEW on the record and make determination relative to the appeal from the decision of the Electrical Board, filed on behalf of Patrick Hebert regarding the revocation of his State of Texas master electrician registration and Charles Hebert regarding the revocation of his State of Texas contractor's registration with the State of Texas as Heights Electrical Services, Inc – **(This was Item 39 on Agenda of December 15, 2010, TAGGED BY COUNCIL MEMBER GONZALEZ)** – was before Council.

Council Member Gonzalez moved to uphold the decision of the Electrical Board, seconded by Council Member Clutterbuck.

After discussion by Council Members, Council Member Gonzalez stated that he would withdraw his motion at this time, and Council Member Clutterbuck her second, and Council Member Pennington moved to postpone Item No. 55 for two weeks, seconded by Council Member Jones. Council Members Johnson, Clutterbuck and Sullivan absent.

After further discussion a vote was called on Council Member Pennington's motion to postpone Item No. 55. All voting aye. Nays none. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Johnson, Clutterbuck and Sullivan absent. MOTION 2010-0905 ADOPTED.

Mayor Parker stated that this was the last day for the Farmers Market outdoors, they were going to take some time off during January, which tended to be Houston's coldest month, but it was a last chance to get their holiday shopping done downstairs and she would encourage them to do that. Council Members Johnson, Clutterbuck and Sullivan absent.

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

Council Member Hoang stated that in regard to the voluntary furlough process, he and his office had heard that different departments were doing very well, that participation was very high, that he wanted to thank the employees, including his staff, and all those who had stepped up and made the decision to participate, that he wanted to commend HOPE and the administration for working together on this and was looking forward to getting the results next month; that they had another Christmas party for underprivileged families in his district and he wanted to thank HPD and the Mayor's Anti Gang office for working hard on this event, that they hosted dozens of families and gave out a lot of Christmas gifts at the Westwood Storefront; that he wanted to wish happy holidays to everyone Council Members Johnson, Clutterbuck, Sullivan, Rodriguez and Bradford absent.

Council Member Stardig stated that last Tuesday she attended the Houston West Chamber of Commerce Diamond Leadership awards and the event highlighted great Houston leaders that had made an impact in the City with their hard work and dedication and she wanted to highlight Dr. Zachery Hodges, who had done a fantastic job and continually supported the West Houston area and served on the Board of Directors of the Chamber with her; that she wanted to recognize their Sustainability Director, Laura Spangin, that she joined her at the new Greenstar Recycling Center located in District A on Brittmore, along with staff from Council Members Costello and Sullivan offices; that many of their communities were still plagued with gunfire, people who shoot their guns up into the air with no regard for life and safety, that Crime Stopper would have a press conference at the Long Point Storefront, in Spring Branch, on December 28, 2010 at 10:00 a.m., that this was a citywide issue. Council Members Johnson, Clutterbuck, Sullivan, Gonzalez, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that a reminder to citizens that fireworks were also illegal in the City of Houston, not quite as dangerous as the gunfire, but both were illegal; that there was a free public event downtown, Glowrama, to welcome the New Year outside the George R. Brown Convention Center. Council Members Johnson, Clutterbuck, Sullivan, Gonzalez, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Pennington stated that he wanted to wish everyone a Merry Christmas and a safe and healthy New Year; that last Friday, Mary Harmon of his staff, joined the Houston Police in a ride around from patrol officers of the Westside Police Station for about four hours, that he looked forward to his ride around next week, he would be joining an HPD officer next Wednesday to learn first hand what goes on and looked forward to exchanging ideas with him; that they learned of the death on December 16, 2010 of Houston Police Officer Robert Curl, who was the coordinator of the Mid West Division PIP Program, that he had been stationed for years at the Richmond Storefront, which served many of his constituents, and asked for a moment of silence for Officer Curl. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Gonzalez, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that she attended the event that a number of people had and wanted to congratulate Mayor Parker for picking William Paul Thomas, that it was a fun event that they went to last week to commemorate that; that she wanted to wish her son Giovanni a Happy Birthday; that she spoke with her grandmother last night and reminded her that she was on City Council and sometimes she was on television, so she wanted for her holidays to be good. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell, and Bradford absent. (NO QUORUM PRESENT)

Council Member Costello stated that he would suggest that Council Member Pennington take the 10:00 p.m. to 4:00 a.m. route, which is the one he did in his neighborhood, that he would be surprised as to what actually happens when they are sleeping, that it was a very enlightening tour that he had and was before he was on Council, that he thought it was a good thing to do to see what kind of danger their police officers faced in the evenings for their safety; that a lot of times the general public, and even his colleagues, did not really appreciate some of the work that their staff did, not the Council staff, but the people who actually worked for the City, that Max Sanfield, the IT person who was doing the impervious cover that Mr. Icken described in the presentation during the Mayor's Report, that he had the opportunity to meet Max, along with the Planning Director when they were discussing how they were going to have to calculate it and do it internally, that this was after Thanksgiving and Max was told that they needed it in less than 60 days and he said that he could do it, that he walked over to his office last week and asked that he show him what they were doing and working on, that he was amazed on how quickly their staff responded to the needs that they had and wanted to personally thank Max and his staff for what they were doing right now to help them through the process in terms of Rebuild Houston, that he would be available for whatever the administration thought would be helpful in this program. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that she wanted to thank Council Member Costello and stated that there were a lot of stakeholder groups out there, that she appreciated the offer very much; that she wanted to thank Council Member Lovell for letting her steal her Chief of Staff and bringing him to her staff, that he was well trained. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Lovell stated that it was an opportunity of a lifetime for him, that the motto in her office had been and would be this year, "if you can find another job take it", that they were only going to be in office another year and if by the end of the year if someone else had not come and offered them a job she had not served them well as a boss, that it should be staff that other people wanted; that today the At Large Two office would participate again in the Annual Holiday Bike Donation Program sponsored by the City of Houston, Solid Waste Department, Keep Houston and DRC, Inc, that the program provides brand new bicycle to youngsters between the age of 6 years to 10 years, through Council offices, the Mayor and Controller's offices and other City departments, that last year 26 bikes were given away to children during the Christmas season; that she was at BARC this weekend, they issued a call, they were overcrowded and needed people to come and foster or adopt dogs and she and Robbie went there Saturday and were fostering a wonderful four month old male mixed Pit Bull and Labrador retriever; that she wanted to wish everyone a Merry Christmas and a Happy New Year. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Gonzalez stated that this past Saturday they hosted pet photos with Santa in the community in the Heights area and Natural Paws donated the proceeds to BARC; that Santa would be making one last stop at 4:00 p.m. for story time at the Tuttle Library at 702 Crest Street in Denver Harbor; that he wanted to give a special thanks to the Erway Limousine Service this past weekend they hosted their Sixth Annual Best Christmas Ever Event and with

their help was able to reach out to over 600 children in the City; that he wanted to thank all of the viewing public, his colleagues and Mayor Parker for a great 2010, that he wanted to wish everyone a Merry Christmas and a prosperous 2011 as they go forward and deal with a lot of tough issues; that he wanted to thank the police officers who work in the Council Chamber to make sure they were safe and also to members of the media reporting on the issues of the day, that he wanted to thank them for getting the message out to the community as well. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:59 a.m. Council Member Adams absent due to being ill. Council Member Noriega absent on personal business. Council Members Stardig, Johnson, Clutterbuck, Hoang, Pennington, Gonzalez, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary