

City Council Chamber, City Hall, Tuesday, September 13, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 13, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Ann Clutterbuck, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Melissa Noriega and C. O. "Brad" Bradford; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Xavier Herrera, Citizens Assistance Office and Ms. Marta Crinejo, Agenda Director, present. Council Members Wanda Adams and Jolanda "Jo" Jones out of the city on city business. Council Member Sue Lovell absent on personal business.

At 1:37 p.m. Mayor Parker stated that Council Member Pennington would begin presentations and Council Member Pennington invited those present with the Marathon Oil Corporation and Mr. John Breeding with the Uptown Management District and Mr. Joe Turner, Director of Parks and Recreation to the podium and stated that they were present to honor a wonderful and local corporation and several individuals who were officers of the corporation, Mr. Clarence Cazalot, Jr., the chairman of the board, CEO and president; Mr. Howard Thill, vice president of relations and public affairs and Darisa Moore, governmental affairs manager; that Marathon was a terrific citizen who had given substantial sums to the City of Houston for improvements and fire victims; and the city was lucky to have them; and Mayor Parker stated that she wanted to join Council Member Pennington in thanking and saluting Marathon Oil for their generosity to the City of Houston and for being good corporate citizens year in and year out; and presented a Proclamation to the group and proclaimed today as "Marathon Oil Corporation Day" in Houston, Texas. Council Members Johnson, Sullivan and Rodriguez absent.

The Spokesman for the group stated that Marathon was a global company operating in nine countries around the world and Houston, Texas, was home; that they lived their values of corporate citizenship and gave back to communities; and thanked all for the recognition. Council Members Johnson, Sullivan and Rodriguez absent.

Council Members Clutterbuck and Stardig thanked all at the Marathon Oil Corporation for their generous donations for after school programs, summer programs, etc. and their leadership in being good neighbors. Council Members Johnson and Rodriguez absent.

Council Member Stardig invited those present with the recipients of the 2010/2011 Neighborhood Matching Grant Program to the podium and stated that it was established through the Planning and Development Department and was to cultivate the spirit of voluntarism and help neighborhood organizations learn the art of planning and community building through neighborhood projects and the funding helped by providing a dollar for dollar matching grant from \$500.00 to \$5,00.00; and thanked the fifteen organizations who accomplished this for a total of \$127,000.00 invested in the communities; and she and Mayor Parker presented Certificates to each group who represented each Council District; and Mayor Parker stated that she kept this in the budget as Council Member Stardig had said they had to keep the matching grant program and she was right. Council Members Johnson, Rodriguez and Noriega absent.

Council Member Hoang congratulated all recipients and stated that the group in his district did a great job on beautifying an esplanade; and thanked them for their efforts. Council Members Johnson, Rodriguez and Noriega absent.

Council Member Sullivan invited Superintendent Dr. Kirk Lewis with the Pasadena Independent School district to the podium and stated that there were Pasadena schools within the City of Houston and they had performed exceptionally well and had achieved recognized status from the TEA which was hard to do; that 41 of 58 schools in the Pasadena I. S. D. had

been rated exemplary or recognized without the curve in place; and Mayor Parker presented Dr. Lewis a Proclamation and proclaimed today as "Pasadena Independent School District Day" in Houston, Texas; and congratulated them on their status. Council Members Johnson, Rodriguez and Noriega absent.

Dr. Lewis thanked all for the recognition and the help provided to them by the Mayor and Council over the course of their yearly school year; that about one-third of their campuses were in the City of Houston and they were to build three more with one being a career and technology academy to prepare students for the twenty first century job market and job needs identified. Council Members Johnson, Rodriguez and Noriega absent.

Council Member Clutterbuck stated that school districts were the number one thing people looked at in relocating and this was an exemplary school district; and thanked Dr. Lewis for their contribution in educating students so well and for contributing to the city's economic growth. Council Members Johnson, Rodriguez and Noriega absent.

At 1:55 p.m. Vice Mayor Pro Tem Gonzalez called on Council Member Costello on behalf of Council Member Jones to lead in prayer and Council Member Costello invited Bishop Kindal Baker with the Straight Up Ministries Church to the podium who led all in the prayer and Council Member Costello led the pledge. Council Members Johnson and Rodriguez absent.

At 1:59 p.m. the City Secretary called the roll. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Johnson absent.

Council Members Gonzalez and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Johnson absent. MOTION ADOPTED.

Council Member Stardig moved that the rules be suspended for the purpose of moving Mr. Michael Poulos to the top of the three minute Speakers List, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Johnson absent. MOTION 2011-0719 ADOPTED.

Council Member Gonzales moved that the rules be suspended for the purpose of moving Ms. Elvis Malveaux to the top of the three minute Speakers List, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Johnson absent. MOTION 2011-0720 ADOPTED.

At 2:00 p.m. the City Secretary began calling the public speakers. Council Member Johnson absent.

Ms. Mary Jane Buschlen, 5703 Cornish, Houston, Texas 77007 (832-261-3663) appeared, presented information to Council Members and stated that she was the acting secretary for the Cottage Grove Civic Club and Council Member of Super Neighborhood 22 and present on Agenda Item 14 which was an ordinance between the city and Texas Department of Transportation and the Union Pacific Railroad Company; that information passed out was from a previous council for the purchase of a parcel of land from downtown to the Hempstead Highway for the express purpose of safer routes for bicyclists and hikers; that this was relevant because it was the same piece of land Council would vote on this week; that they just heard of this and hopefully next week they could present more material, but they wanted in this ordinance a

provision which would guarantee access for the express purpose this land was purchased for; that 90% of the bike trail was complete and to not complete the last 10% was like saying you did not need your fifth finger; and she did think Council Member Gonzalez would be tagging the item. Council Member Johnson absent.

Council Member Gonzalez thanked Ms. Baschlen for always being on top of things and since reviewing this he had been in contact with Director Krueger wanting reassurance for the same thing as it was important to the community; that he was getting additional details on the trail and the joint use agreement and would be in contact with her; and Ms. Baschlen stated that they would like to see something in writing because historically they were left out of all discussions on this and heard about it at the last minute; that they appreciated the bridge being added last year in the 380 agreement and hoped assurance could be in writing; and Council Member Gonzalez stated that he was working on it and would touch base and do all possible for a commitment that the intent was going forward. Council Member Johnson absent.

Mayor Parker stated that she had assured the Council Member and would assure her also that nothing they were doing with this ordinance should have any impact whatsoever on bike trails, but if she needed it in writing they would get it in writing. Council Member Johnson absent.

Ms. Lisa Sacaris, 5540 Petty, Houston, Texas 77007 (832-265-7733) had reserved time to speak but was not present when her name was called. Council Member Johnson absent.

Mr. Mack Stoops, 1102 Pinewood Lane, Houston, Texas 77586 (no phone) had reserved time to speak but was not present when his name was called. Council Member Johnson absent.

Council Member Costello moved that the rules be suspended for the purpose of moving Ms. Elvis Malveaux before Mrs. Lois Eugene, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Johnson absent. MOTION 2011-0721 ADOPTED.

Ms. Elvis Malveaux, 7116 Goforth, Houston, Texas 77021 (713-748-2653) appeared and stated that she was a proud leader of the Texas Organizing Project and longtime homeowner in the Sunnyside Area; that three years ago Hurricane Ike hit Houston and today she was representing her community and other struggling communities around Houston who were still suffering its impact; that over 200 of them were present today to call on the Mayor and Council's leadership to make the repair of homes a priority; that \$87 million was directed to Houston for repair for those of low income, however, the funding did not go there, only \$10 million was set-aside for that purpose, enough to repair 242 homes, and today only 24 homes were worked on and it was substandard as shown in the Houston Chronicle and that was unacceptable; that she too applied for repairs and her ceiling was caving in and cabinets now falling; that home inspectors gave mixed messages and lastly they said she needed \$1,600 in escrow to cover duplication of benefits and borrowed the money which was still in account and still nothing from Housing; that she met with Mayor Parker and Housing Director James Noteware and assistant secretaries with HUD; that the Housing Department was a problem. Council Member Johnson absent.

After an outburst in the Chamber Mayor Parker stated that the Chamber would be cleared if there was another outburst; that it was against Council rules to have public demonstrations and they could stand and show support. Council Member Johnson absent.

Upon questions by Council Member Gonzalez, Ms. Malveaux stated, as others stood in

support, that calls were not being returned and she was present to have homes repaired; that her last calls were August 15th and to no response.

Mayor Parker stated that Ms. Malveaux was number 346 out of 2,300 who signed up for the program and there was money for 242 homes and despite the statement made there were 71 homes completed or under construction, but money was available for 242 homes and that was the problem.

Upon questions by Council Member Rodriguez, Ms. Malveaux stated that they wanted the repairs on the remainder of the 242 homes started; and Mayor Parker stated that Ms. Malveaux was misinformed that 71 homes were completed or under construction and the information was publicly available; and Ms. Malveaux stated that she signed papers and was told to get the money needed or be thrown into the second round and she borrowed money and then she was told about August 15th they would call her, but she had to call them; and Mayor Parker stated that it was unacceptable they did not call her back and she would make sure the Housing Department followed up with her, but one of the problems discussed multiple times was out of the 2,300 people wanting access to the program only one-third actually qualified because they received money from other sources. Council Member Pennington absent.

Upon questions by Council Member Rodriguez, Mayor Parker stated that the Housing Department was responsible for following and working with Ms. Malveaux and she thought Mr. Eichenbaum was present at this time and could follow up with Ms. Malveaux before she left. Council Member Pennington absent.

Mr. Michael Poulos, 4006 Lila, Houston, Texas 77026 (832-515-0511) appeared and stated that he was present about an article written about his Aunt yesterday; that she spoke to an over aggressive lady who never introduced herself with T.O.P.S.; that today he found out her name was Janice and she was trying to put words in her Aunt's mouth about how unhappy she was with the Housing Department and how she was the "watchdog" watching that department; that his Aunt had just got out of the hospital from two mild heart attacks and was upset about the article and it was wrong what she did; that his Aunt had a house vacant and he called the Housing Department and they said Neighborhood Protection would go clean the lot and he did not understand why all present were complaining as all could not be helped, but his Aunt was happy with the department. Council Members Sullivan and Pennington absent.

Mayor Parker stated that she met his Aunt Lulu and she wanted to apologize to her and him for it being improperly constructed because of the insulation, but the good news was the process worked; and Mr. Poulos stated that she understood and she was grateful; and he wanted to know who was watching the "watchdog". Council Members Sullivan and Pennington absent.

Upon questions by Council Member Stardig, Mr. Poulos stated that his Aunt lived in the Fifth Ward and the city was to clean the lot next door for her security. Council Members Sullivan and Pennington absent.

Mrs. Lois Eugene, 4518 Sunflower, Houston, Texas 77051 (713-734-5771) appeared and stated that she lived in the Sunnyside Addition and present for house repair, it needed to be torn down and she could never get an answer when she called numbers; that the roof looked like a roller coaster and outside critters came in through the warped floor; that in a few weeks the city would have additional funding for round two and would it take another three years to start spending that money. Council Members Sullivan and Pennington absent.

Mayor Parker stated that there was a waiting list of 91 applications and she did qualify, but there was a waiting list; that they had funds for 12 houses a year with the waiting list of 91 and it

was unfortunate false expectations had been raised about the ability of the program to provide significant home repairs, but her situation was noted; and she appreciated her coming. Council Members Stardig, Sullivan and Pennington absent.

Mr. William Beal, did not wish to give address or phone number, had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan and Pennington absent.

Mr. Louis Hamilton, (homeless) P. O. Box 20126, Houston, Texas 77225 (832-468-4442) appeared and stated that he was present about the Fonde Gym and the Houston hygiene problem; that he had filed suit against Harris B. Arthur when he tried to shut down the Beacon and the problem with this was the lady standing had to bathe in the bayou now because they were getting shut out of the gym; that everywhere they went in the city they were getting the runaround; that he did not want to take Council to court so they could have restrooms and showers; that they should build something so just the homeless could go for what was needed and he had a solution, a city piece of property was on Hamilton and Jefferson, an empty lot and they could build it just for a latrine facility, it was away from the downtown area and the police station was just three blocks from it and the hospital was there if needed and it was away from everyone; that if they copied the design like in New Orleans, Louisiana, for the homeless it had 18 stalls, toilets and solar panels, it was efficient and eco friendly; that they needed to be able to shower and have a little respect. Council Members Stardig, Sullivan and Pennington absent.

Mayor Parker thanked Mr. Hamilton for coming and stated that it was an interesting suggestion; that she understood he too was homeless and if he would visit with Citizens Assistance and leave a way to follow-up with him they would; that there were a number of agencies working on issues of homelessness with the Coalition for the Homeless being the lead organizer and she would get information from Parks on the issue at Fonde. Council Members Stardig, Sullivan and Pennington absent.

Council Member Rodriguez stated that they did have services to provide showers and meals, the Beacon.; and Mr. Hamilton stated that he was familiar, he was the one who filed suit so it would not be shut down; and Council Member Rodriguez stated that they also had laundry services and there were other agencies downtown providing services. Council Members Stardig, Sullivan and Pennington absent.

Mr./R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) appeared and stated behavior coward conspiracy why born little girl from birth; and continued expressing his personal opinions until his time expired. Council Members Sullivan and Rodriguez absent.

Ms. Nakilia Nash, 13502 Northborough Drive #911, Houston, Texas 77067 (832-322-8886) had reserved time to speak but was not present when his name was called. Council Members Sullivan and Rodriguez absent.

Mr. Rick Hurt, 2500 West Mt. Houston #142, Houston, Texas 77038 (281-213-8323) appeared, displayed a sign and stated that the sign had a very large nail in it and it had fallen from a utility pole in the city along I-45; that many signs were flapping and ready to fall and the city cut down on the billboards and was not allowing inflatables on buildings, but yet candidates were placing signs where they should not and if a candidate was going to write, judge and enforce laws they should abide by those laws. Council Members Sullivan, Rodriguez and Bradford absent.

Mayor Parker stated that he was a hero to her, she appreciated the hundreds and hundreds of hours he put in to tackle litter on a stick; that she would strongly urge people to vote against anyone who posts their signs on overpasses or telephone poles, power lines, etc., they

did not belong on City Council. Council Members Sullivan, Rodriguez and Bradford absent.

Council Member Clutterbuck stated that she heard so much about him and it was a pleasure to meet him in person; that she did share Mayor Parker's profound frustration with this and every candidate knew what the law was; that she instructed all her friends and sign people specifically to not place them on any location which did not have permission and would urge all elected officials and anyone running for office to do the same; and thanked him for painting over signs and bringing in that visual; that it was difficult to enforce and hold candidates accountable but would urge a review; and Mayor Parker stated that she just sent a note over, this was a legal issue and something did need to be done. Council Members Stardig and Sullivan absent.

Council Member Bradford stated that it was not always the candidate to blame for the signs, some understood opposition stuck their literature in other places; that politics was a dirty business and ethics was virtually gone, but when they were put on notice signs were in the wrong location he thought they should remove them as quickly as possible; and thanked him for what he did. Council Members Stardig and Sullivan absent.

Council Member Costello moved the rules be suspended for the purpose of extending time of questions of Mr. Hurt, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Members Stardig and Sullivan absent. MOTION 2011-0722 ADOPTED.

Council Member Gonzalez thanked Mr. Hurt for his service and stated that when he was an officer patrolling he had a friend who filled his truck with signs and it went beyond campaigns, businesses should be responsible also, but he appreciated his work. Council Members Stardig and Sullivan absent.

Council Member Rodriguez thanked Mr. Hurt for his work and stated that he too picked up signs and Council Member Sullivan did also, they were an eyesore; and Mr. Hurt stated that maybe since signs were close to cable wires a cable company could take the signs down safely and bill the violator; and Mayor Parker stated that was a good suggestion; that if they were on power poles they required Center Point come and take them down and she wondered if they had the ability to bill candidates; and Mr. Hurt stated that they said no because it was a PR situation and they did not want to participate in a suit. Council Members Stardig and Sullivan absent.

Mr. Jerry Wade, 737 Green Meadow Lane, Houston, Texas 77091 (713-876-8485) had reserved time to speak but was not present when his name was called. Council Members Stardig and Sullivan 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 Stardig and Sullivan absent.

Ms. Gilda Black, 4219 Kelling, Houston, Texas 77045 (713-434-7602) had reserved time to speak but was not present when her name was called. Council Members Stardig and Sullivan absent.

Ms. Patricia Martin, 6060 Belarbor #33, Houston, Texas 77033 (832-266-0049) had reserved time to speak but was not present when his name was called. Council Members Stardig and Sullivan absent.

Ms. Hattie Morgan, 2828 Collingsworth #46, Houston, Texas 66026 (832-405-6855) had

reserved time to speak but was not present when her name was called. Council Members Stardig and Sullivan absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was the official President of the U. S.; and continued expressing his personal opinions until his time expired. Council Members Stardig and Sullivan absent.

Ms. Paula Harrison, 14410 Brunswick Point Lane, Houston, Texas 77047 (713-549-2585) appeared, presented information and stated that she was present to discuss housing downtown; that she spent 5 years in Seattle and 4 months in Chicago and the housing agency had no housing listed for the downtown area; that there were many homeless in Houston seeking housing in the downtown area. Council Members Stardig and Sullivan absent.

At 2:44 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, September 14, 2011. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Members Stardig and Sullivan absent.

City Council Chamber, City Hall, Wednesday, September 14, 2011

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, September 14, 2011, 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, Melissa Noriega and C. O. "Brad" Bradford; Mr. David Feldman, City Attorney, Legal Department; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present. Council Members Wanda Adams and Jolanda "Jo" Jones out of the city on city business. Council Member Sue Lovell absent on personal business.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:06 Mayor Parker called the meeting to order and stated that the first item was a Mayor's Report and recognized Council Member Rodriguez. Council Member Sullivan absent.

Council Member Rodriguez moved to suspend the rules to consider Item No. 1 before the Mayor's Report, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. MOTION 2011-0723 ADOPTED.

1. REAPPOINTMENT of Mr. Kase L. Lawal for Position 3 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. MOTION 2011-0724 ADOPTED.

Mayor Parker stated that they had just reaffirmed the re-nomination of Mr. Kase Lawal as a Port Commissioner and invited Mr. Lawal to the podium. Council Members Sullivan and Noriega absent.

Members of Council congratulated Mr. Lawal on his reappointment to Position 3 of the Port of Houston Authority of Harris County and thanked him for his service to the City of Houston, and Mayor Parker stated that they appreciated his service, that she knew that he had

paid close attention to the criticism of the Port and obviously the report by the County Attorney's Office and he understood that they needed a more open and transparent process over there and she trusted that he would make that happen. Council Members Sullivan and Noriega absent.

Mr. Lawal stated that he wanted to thank them very much, that over the last six terms he had been a stalwart of the City, that he had been given an opportunity that only a few in their lifetime would have the opportunity to serve a great city like the City of Houston, that they had been extremely supportive, every single time that he had called on each and every one of them they had been extremely supportive of everything they had tried to do at the Port, and he honestly believed that the County Attorney's review of what they did at the Port was something that was needed for any public enterprise like themselves, that from time to time they did need to be looked at and to be able to be told and reviewed what they were doing and if there were some areas that they needed to improve it was their responsibility to do that and he assured them today as they give him their support and imposed their confidence in his ability to run the issues at the Port that they would continue to look at areas that they could improve and could better serve those who put them there and the stakeholders of the Port of Houston; that on a very personal note he would like to inform them that with all their support, confidence and trust in him and to be able to have an opportunity to serve the great city of theirs this would be his last time to appear before them and ask for their support to serve the Port again, that with the issue that was before them, with the sunset review, with everything that they had been asked to do he believed it was only important for him to be a part of the solution to those issues that had been raised, that he was very much committed to that and personally would do his best to make sure that they would never see those issue being raised again, but needlessly to say and suffice to say that he had really enjoyed serving at the Port and he would not be seeking their support beyond the next two years to serve at the Port, that he believed other people needed to step forward to be able to take it from where they leave it, but hopefully they would leave a legacy that the Port could grow from strength to strength and to the next level of it's level and hopefully the Port would be so independent that they would not even need to go back to taxpayers to seek their support for financial support or bonds to be able to move forward, that he would be working and dedicating himself for the next two years to make sure that the Port could be independent and be able to pursue it's ability to grow it's business on it's own, that again he wanted to thank them and GOD bless the City of Houston. Council Members Sullivan and Noriega absent.

Mayor Parker stated that they would proceed to the Mayor's report. Council Members Sullivan and Noriega absent.

#### **MAYOR'S REPORT** - Clear Lake - Ellington Economic Development Projects

Mayor Parker stated that this report was prompted by comments and a request by Council Member Sullivan and was something that was raised with her on a regular basis as she was out speaking across the City of Houston, what was happening at NASA, Johnson Space Center, what was the impact on the Clear Lake area, what was being done to mitigate any of the job losses out there that she wanted to start with a very clear statement and they all needed to make sure that they spread the message that Johnson Space Center was alive, it was open for business, it was working, there were thousands of employees out there who continued to serve the Country and apparently with the end of the shuttle program a lot of folks got the impression, and frankly some of the aggressive statements down here about things that happened around the Shuttle Program and cancellation of the Constellation Program, that work had ceased at NASA and Johnson Space Center and that could not be further from the truth, that there were more than 18,000 Civil Service and contractor employees originally, there had been a loss of 4,000 jobs, but that still meant that there were 14,000 Civil Servant and contractor employees at Johnson Space Center, that clearly the loss of that many jobs was difficult and had had an



impact on the area, but she knew that NASA had worked with their employee base and the contractors, a lot of those because of the 30 years of the Shuttle Program were retirement eligible and had chosen to retire, and in other of the scientists and engineers who were laid off were being picked up by the energy sector, health care and other technology heavy employers in the area, that with 14,000 direct employees working NASA would remain a very significant sector of their employment base in the City for a long time to come, that she had asked Bob Mitchell to come and speak a little about what was happening at NASA, that everyone knew that Bob Mitchell represented the Bay Area Houston Economic Partnership, that BAHEP had announced the formation of BATEC, which was a technology consortium that would bring together academia, industry, NASA, Johnson Space Center and the State of Texas to utilize NASA's talent and resources in order to create additional jobs and to transition the workforce out there, that they were all working very closely together to recruit companies to relocate into the Houston area as they moved into a privatization of space flight, according to the President's directives, that Steven González was present representing Houston Technology Center, he was a loaned executive from NASA and Johnson Space Center and was helping them establish a center at NASA using Building 35, actively engaged in developing programs for entrepreneurs to work more closely at the space center, of course tourism remained health with Johnson Space Center with the rocket part but also the relocation from Galveston of the Lone Star Flight Museum and a \$17 million investment by the supporters of the Loan Star Flight Museum at Ellington, that in addition in support of the activities out there they were going to be doing more expansion at Ellington Field, the intention was to build a new terminal with U.S. Customs and Border Protection Station at Ellington to promote more traffic into Ellington, that the Coast Guard would be moving their Gulf Coast Headquarters to a newly constructed building they had under way at Ellington and again with BAHEP they were working on a number of activities to fund other productive cross pollination for Ellington Field, and would allow Mr. Mitchell to be a little more direct about some of the things that were going on that he at BAHEP and the other representatives were engaged in. Council Member Stardig absent.

Mr. Mitchell stated that a lot of the people around town thought that the Johnson Space Center was closed, that like the Mayor stated they had 14,000 direct employees supporting space exploration, that there was going to be a big announcement today to talk about the heavy launch initiative that they were going to be moving forward with, that they had an international space station up there that they were maintaining and like the Mayor stated they created an organization of 501C3 BATEC Organization that would partner public companies, universities and the Johnson Space Center to bring new technologies and new innovations to the area, they started that about a year ago, it just got off the ground, they had a tremendous amount of support from the Governor's office, as well as the Mayor's office, to get that started, they had a number of projects that they were going to be working on, that the Mayor talked about the people that did get laid off, that fortunately this was a vibrant City, there were a lot of technologies that were needed in the City and they had a lot of people that could provide a good base to help the other industries in the region, they had five job fairs and three virtual work fairs, they had most recently Baker Hughes come out and do a specific recruitment, they were looking for 150 of their engineers, so they were very fortunate that they had a very strong City and that these employees were getting picked up by other industries, that they were going to continue to work with the City, the Mayor and the entire Council to keep moving forward. Council Member Stardig absent.

Mayor Parker stated that they also had Joe Mayer, Lockheed Martin, in the audience, the prime contractor leading the private sector team for Orion, which would be the multi purpose crew vehicle, America's next human space craft, again an opportunity to hear from folks who were actually on the ground doing work at NASA. Council Member Stardig absent.

After discussion by Council Members, Mayor Parker invited Mr. Mayer to the podium, and stated that she understood that Johnson Space Center had some 800 engineers who were

working on Orion right now, what was the time frame for that. Council Member Stardig absent.

Mr. Joe Mayer, Senior Manager, Business Development Orion Project, stated that they had begun the production of the crew module that would be capable of a first orbital test flight in 2013, that was an important milestone in order to meet the Congressional mandate that the United States be able to resume man space operations by the 2016 or 2017 time frame, that the announcement, that he understood NASA was going to make today, was to move forward with the launch vehicle that would be able to, again, be able to support them going into deep space, that by deep space he meant the ability to go to an asteroid, go back to the moon if necessary, to go to the moons of Mars and ultimately to go to Mars itself, that the Orion was America's next human space craft, they had a crew module out in Denver going through acoustic and vibration testing for space environment so they were moving forward, that it was and would be the world's first interplanetary human space craft and they were very proud of the fact that NASA and Lockheed Martin, the team together, were leading that from the Johnson Space Center. Council Member Stardig absent.

Mayor Parker stated that there had been a lot of discussion that they cancelled the Constellation Program and it was all going to go to complete private sector work and asked Mr. Mayer to address that. Council Member Stardig absent.

Mr. Mayer stated that he thought the Orion and NASA Programs were very complimentary with private sector initiative, that right now NASA was endeavoring to move forward with private sector capabilities that could provide, what he would call, kind of a trucking taxi cab service back and forth to the international space station, that was an important thing to do, they needed to harvest the capability of the private sector and take advantage of what it could bring to the table, that the Orion Program and the national program was really an exploration initiative, that operations to the station were just that, space operations, but to go beyond into deep space really would take them into the realm of exploration, that was a national endeavor and had serious implications for their ability to promote STEM Education with their youth, to push the bounds of technology and innovation, to really underscore the high ground of space from a national security perspective and to insure that the United States remained a leader, they did not need to do it themselves, just like with the International Space Station, they were the leaders of a 16 nation endeavor in space so they were harnessing all of that across the international scope and the international arena, they could do the same thing in taking humans to Mars and they would push the bounds and change and transform their world in ways that they could never even imagine today and "Houston" would be the first words spoken from the planet Mars, "Houston we have landed". Council Member Stardig absent.

Upon further questions by Council Members, Mr. Mayer stated that the activities in terms of employment, they were approximately 800 employees with the Lockheed Martin team, in addition to the civil servants working at the NASA Johnson Space Center, that they were pretty much stabilized there, they were down from about 1,000 employees that they had just prior to the time when the President announced the cancellation of the Constellation Program, that he should say that the President proposed that, Congress never agreed to that, had they agreed to it the Orion Program would have been terminated, but Congress did not approve that and one reason was the very effective coalition and work that the City did with BAHEP, with Citizens for Space Exploration, a grass roots advocacy effort that they had ongoing for almost 20 years, that he had the pleasure of chairing Citizens for Space Exploration and the Mayor had gone with them to Washington, D.C. and to Austin and Council Member Sullivan had been with them and his staff, so a very effective outreach, but he thought it was recognized that they would not win support from the Congress if this was not viewed as a national program, a national imperative to maintain their leadership around the world, to be able to influence events around the world, it was part of the soft power that the United States used in an international arena, so they had stabilized at about the 800 level, they hoped once they were able to kind of get themselves

situated, move forward with the heavy lift launch vehicle, that they would then once again be able to grow, they had projected that they would have grown past this level, certainly, when the program started, but they were at a good position right now, they had right sized, that it was painful medicine when they were targeted to be terminated, they thought about things in a different way and they had used that opportunity working with their NASA colleagues as well, that some of the oversight that they had exercised in the past they had streamlined that, so he guessed they could say they had tried to make lemonade out of lemons, they viewed it as a painful opportunity to see ways that they could reduce cost and become more effective and operate within the budget constraints that really did exist at the federal level, so they continued to work together as a united voice in support of human exploration of space, they were doing that effectively and they could stabilize and now hopefully move forward for the future; that the 14,000 employees included both the civil servants and the contractors, the predominate part of that 14,000, Mr. Mitchell probably knew the figure better than he, were private sector companies working with and for NASA, so they were fully integrated, the Mayor mentioned the International Space Station Program, NASA was responsible, obviously, for continuing to support the operations of the International Space Station and insuring that world class science was being done aboard that orbiting platform so they come together, that in the arena of human space flight they had test facilities at the Johnson Space Center, on and off site where they were doing Human Factors Engineering, basic things where they had a module for the crew module of the Orion Program so that the astronauts could go in, sit in the seats, so they could reach out, what could they hit, all of the kinds of design issues that would be required in developing a space craft for the future.

Upon further questions by Council Members, Mr. Mitchell stated that there were 3,400 civil servants, the remaining employees were actual aerospace contractors that supported, that from a stabilization of the workforce they were there right now, that they asked what could the Mayor and the City Council do to help, they needed to continue to pursue their federal elected officials to make sure that the funding that had been set aside for human space exploration continues to be funded, that currently they were not funding it at the levels, from headquarters, that Congress had asked so they ask that the City support them with their federally elected officials to make sure that those funds go to JSC so they do not experience any additional layoffs, if they spend the money there would not be any additional layoffs, if they did not spend the money there would be layoffs and the money was set aside for human space exploration.

Mayor Parker thanked Mr. Mayer for being present and invited Mr. Steven González to come forward and very briefly talk about what the Houston Technology Center was doing at NASA.

Mr. González stated that the Houston Technology Center had a long history with the Johnson Space Center and just this summer had been trying to provide opportunities for the workforce, for those who had stomach for it, to be able to enter into the entrepreneur community, they set up a number of workshops there that had introduced them into the world of entrepreneurship, they brought down the community of entrepreneurs from Houston from the various industries, energy, information technology and life sciences set up a number of workshops and had a very positive response from the community, that in the mean time they had also set up office hours in the Clear Lake area and with partnership with BAHEP in their facility to be able to allow the community down there to get together with serial entrepreneurs to be able to look at their business plans and how to develop new capabilities, that just last week it was announced that NASA had asked Houston Technology Center to start pursuing activities to be able to join them in the creation of a JSC Acceleration Center at Johnson Space Center. Council Member Johnson absent.

Mayor Parker stated that Council Members were generally familiar with the Houston Technology Center, but they had opened up a satellite office in the Clear Lake area to deal

specifically with former NASA employees and contractors who may have that entrepreneurial spark, and Mr. Mitchell stated that was exactly right, they were housing HTC within BAHEP right now, they had done that for about three weeks, the idea originally was for HTC to come down and spend one day a week there, the activity had been so brisk that they may go to two days because they could just not handle the load, that it was amazing how many entrepreneurs and small business owners were coming in and seeking that help, so it had been a great partnership and they were really excited about what the outcome had been already. Council Member Johnson absent.

Mayor Parker stated that they had indicated that they had five job fairs, they had three virtual job fairs, that Houston Technology Center was down there working to help grow entrepreneurs, they had indicated that they needed to keep after their Members of Congress, what could they do in the area of bringing companies in, that she was down for at least one event where they had private sector companies that were involved in Space Technology in some way, bringing them into Houston, was there anything that Council Members could do in that recruitment effort, and Mr. Mitchell stated that they had been so supportive so it was kind of hard to ask for anything more than they had already provided, just continue to do the great work that they were doing, that they were actually working 52 new projects as they sit there today, and those were active projects, real projects, they were not inquiries, they were projects of companies that were looking to relocate to Houston and expand their operations, that they were doing a lot of work right now, and Mayor Parker stated that she knew that Council Member Sullivan was very engaged in this, not all of those companies, if they relocate, would be relocating in his district, there may be others, so she was assuming that everybody on Council was willing to show up, stand up and show the support if they would just call upon them. Council Member Johnson absent.

Mayor Parker stated that they would move to the Consent Agenda.

### **CONSENT AGENDA NUMBERS 1 through 21**

#### **MISCELLANEOUS** - NUMBERS 2 and 4

2. RECOMMENDATION from the Director of the Finance Department to place the proposed 2011 tax rate of \$.63875 on each \$100 of taxable value on the September 21, 2011 Council Agenda – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. MOTION 2011-0725 ADOPTED.
  
4. RECOMMENDATION from Director of the Mayor’s Office of Business Opportunity for MBE and WBE participation goals for contracts funded under Environmental Protection Agency grants or loans – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. MOTION 2011-0726 ADOPTED.

#### **ACCEPT WORK** - NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,466,534.20 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, CO.** for Water Lines along Tidewater, S. Post Oak, W. Orem, Croquet, and Existing Easements from Candleshade to Sims Bayou Pump Station, and Westheimer Rd. - 5.09% under the original contract amount - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and G - PENNINGTON** – was presented, moved by

Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. MOTION 2011-0727 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 and 7

6. **HELI MART, INC** for MD Helicopter Replacement Parts for the Houston Police Department - 3 years with two one-year options - \$1,725,000.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. MOTION 2011-0728 ADOPTED.
7. **W. W. GRAINGER, INC** for Industrial Supplies & Equipment, Janitorial Supplies & Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - 29 month period \$6,067,193.10 - Various Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. MOTION 2011-0729 ADOPTED.

**ORDINANCES** - NUMBERS 15 through 21

15. ORDINANCE appropriating \$230,000.00 out of Street & Bridge Consolidate Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **ENTECH CIVIL ENGINEERS, INC** for On-Call Citywide Rehabilitation and Replacement of Bridge Structures/Roadways (Approve by Ordinance No. 2011-0112); providing funding for CIP Cost Recover relating to construction of facilities financed by the Street & Bridge Consolidate Construction Fund – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. ORDINANCE 2011-785 ADOPTED.
16. ORDINANCE appropriating \$614,409.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; 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. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. ORDINANCE 2011-786 ADOPTED.
17. ORDINANCE awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sewer Stoppage Cleaning and Television Inspection; 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 Operating Fund - 2 years with a one year option to renew - \$3,361,600.00 Enterprise Fund - had been pulled from the Agenda by the Administration, and was not considered. Council Member Sullivan absent.

18. ORDINANCE appropriating \$1,896,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Bissonnet No. 2 and Belle Park No. 3 Lift Station Replacement; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT F - HOANG** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. ORDINANCE 2011-787 ADOPTED.
19. ORDINANCE appropriating \$2,203,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **RESICOM, INC** for Water Line Replacement in Oakwood Area; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. ORDINANCE 2011-788 ADOPTED.
20. ORDINANCE appropriating \$2,717,000.00 out of Water & Sewer System Consolidate Construction Fund; awarding contract to **RESICOM, INC** for Water Line Replacement in Atherton Area; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. ORDINANCE 2011-789 ADOPTED.
21. ORDINANCE appropriating \$2,798,100.00 out of Water & Sewer System Consolidate Construction Fund; awarding contract to **DCE CONSTRUCTION, INC** for Water Line Replacement in Janowski Area; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. ORDINANCE 2011-790 ADOPTED.

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

### **MISCELLANEOUS**

3. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2010 Major Thoroughfare and Freeway Plan – was presented, moved

by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Sullivan absent. MOTION 2011-0730 ADOPTED.

## **ORDINANCES**

8. ORDINANCE authorizing the Mayor to continue a proclamation of local state of disaster for longer than seven days; containing findings related to the foregoing subject; providing for severability – was presented. Council Member Sullivan absent.

After discussion by Council Members, Mayor Parker stated that they did not have a standard by which they would measure when they were out of harms way that they could fully incorporate in the ordinance, that she did not bring an emergency order forward until the Fire Chief and the Parks Director said that they had a problem in the parks, that she would depend on their emergency personnel to advise her when it was safe to remove the order, that they were placing signs in all of the parks and in fact they had signs in the back for Council Members, the Urban Park Rangers were making the announcements as well as police officers who patrol in the park areas, that part of the problem was that because the City of Houston had always enjoyed an abundance of rain they did not have an ordinance that dealt with this and absent the action of City Council they could not issue citations all they could do was tell people and if they did not want to comply with a lawful order from a police officer they could arrest them but there was no other real enforcement mechanism without some action by City Council, that it was a frustrating situation, that the parks would be bagging the barbecue pits. Council Members Sullivan and Noriega absent.

Mayor Parker further stated that while they had done a complete burn ban in City parks one of the problems was that a lot of people would come out and bring their barbecue pits and then dump the coals and bury them, or dump the coals in a trash can, it was actually cigarettes that they were particularly worried about and understood that in Levy Park there was a mulch fire which the Fire Department believed was started by a cigarette going into a pile of mulch, that mulch was not normally something that would burn, but in these conditions it was, there was a significant fire by Intercontinental Airport over the weekend, apparently struck by a spark from the roadway, a chain would bounce off of a truck and be dragged and the spark was enough to start a fire, that in their park areas they would be bagging the barbecue pits and there was a burn ban, but it was cigarettes, they had discussions about posting signs, if there were golfers out on the course, bring their butts back. Council Members Sullivan and Noriega absent.

After further discussion Mayor Parker stated that she was considering banning smoking in parks and how they would enforce it, that it would be helpful to her to have a strong statement by Council and even amending Item No. 9 to make that explicit, that it was something the Council could do, and asked Mr. Feldman if she was wrong about that, that it was an executive order that did it, and Mr. Feldman stated that Item No. 9 was a general amendment that created the enforcement mechanism for the executive orders, and Mayor Parker stated that she wanted to make sure if they did have to ban, during this drought, smoking in parks that the enforcement piece for open flames would cover any open flames, and did the cigarette fall under that as did the barbecue pit would or would there need to be some other, and Mr. Feldman stated that they would have to amend her executive order to cover the cigarettes, that the way the executive order was currently worded it did not, and Mayor Parker stated that the enforcement mechanism was what they were passing and would the enforcement mechanism cover both, and Mr. Feldman stated yes, and Mayor Parker stated that it did not need an amendment by Council and Mr. Feldman stated correct, that it was correct they would be able to do it by executive order. Council Members Sullivan and Noriega absent.

After further discussion by Council Members, Mr. Feldman stated that in Mayor Parker's proclamation, which by Item No. 8 Council was extending, and the reason why Council had to extend it, he thought everybody understood now that the Government Code stated that if it was going to go beyond 7 days the governing body had to extend it, but in Mayor's proclamation they included language with respect to the cooking fire ban, that the reason he was putting this out was that technically under Item No. 8 if the Council wanted to suggest that the proclamation be expanded to include a prohibition on, for example, smoking in the parks, that could be done as an amendment to the ordinance under Item No. 8. Council Members Johnson, Sullivan and Noriega absent.

Mayor Parker stated that she also had the ability under the executive order to do this once they figured out an enforcement mechanism, and Mr. Feldman stated absolutely, that the only distinction was that it would last for 7 days and then they would be coming back again for a further extension. Council Members Johnson, Sullivan and Noriega absent.

A vote was called on Item No. 8. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Members Johnson, Sullivan and Noriega absent. ORDINANCE 2011-791 ADOPTED.

9. **ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to emergency management; containing findings related to the foregoing subject; providing for severability, providing for severability; containing a savings clause – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Members Sullivan and Noriega absent. ORDINANCE 2011-792 ADOPTED.
10. ORDINANCE authorizing the issuance of City of Houston, Texas Public Improvement Refunding Bonds in one or more Series or Subseries (Tax Exempt and Taxable) as may be further designated and described herein and providing for the payment thereof; authorizing the Mayor, the City Controller and/or certain other designated city officials to approve the sale, par amount, interest rates, prices and terms thereof; authorizing such officials to determine the outstanding obligations to be refunded and/or defeased and to approve certain other procedures, provisions and agreements related thereto; authorizing the execution and delivery of one or more Purchase Contracts, Paying Agent/Registrar Agreements, Escrow Agreements, and other Agreements relating to one or more Series and Subseries of Refunding Bonds and the Security of the same; approving the use of a Preliminary Official Statement and authorizing the Preparation and Distribution of an Official Statement to be used in connection with the sale of such Refunding Bonds; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; and making certain findings and other declarations necessary and incidental to the issuance of such Refunding Bonds – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Members Clutterbuck, Sullivan and Noriega absent. ORDINANCE 2011-793 ADOPTED.
11. ORDINANCE appropriating \$4,395,000.00 out of the Equipment Acquisition Consolidated Fund for the Municipal Courts Case Management System Developed by the Information Technology Department – was presented, and tagged by Council Member Jones. Council Member Sullivan absent.
12. ORDINANCE approving and authorizing an amended and restated economic development agreement between the City of Houston and **HOUSTON BUSINESS DEVELOPMENT**,



**INC, formerly known as THE CITY OF HOUSTON SMALL BUSINESS DEVELOPMENT CORPORATION**, for the continuing administration of a Small Business Revolving Loan Fund Program, the ownership, operation, and maintenance of the Palm Center Business and Technology Center, and the performance of other Economic Development Activities authorized under the Community Development Block Grant Program – was presented, and tagged by Council Member Hoang. Council Member Sullivan absent. (Note: Council Member Hoang released his tag later in the meeting.)

13. ORDINANCE approving and authorizing agreements between the City of Houston and the Houston First Foundation for (1) adoption of the City's Employee Health Benefit Plan by the Houston First Foundation and (2) adoption of the City of Houston Employees' Section 125 Plan by the Houston First Foundation; and letter amendment 4 to the administrative Services Agreement between the City of Houston and **CONNECTICUT GENERAL LIFE INSURANCE COMPANY** – was presented, and tagged by Council Member Hoang. Council Member Sullivan absent. (Note: Council Member Hoang released his tag later in the meeting.)
14. ORDINANCE approving and authorizing a Joint Use Agreement between the City of Houston, the Texas Department of Transportation, and the Union Pacific Railroad Company for the Reconstruction of Washington Avenue and to Construct Storm Sewer and Detention Ponds **DISTRICTS A - STARDIG and H – GONZALEZ** - was presented. Council Member Sullivan absent.

After discussion by Council Member Gonzalez, Mayor Parker stated that Council Members Stardig and Gonzalez had tagged Item No. 14. Council Member Sullivan absent.

#### **NON CONSENT AGENDA** - NUMBERS 22 and 23

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

22. MOTION to reconsider a contract award for Jail Food Services – was presented. Council Members Stardig, Clutterbuck and Rodriguez absent.

After discussion by Council Members, Council Member Costello moved to reconsider a contract award for Jail Food Services, seconded by Council Member Gonzalez. Council Member Johnson voting no, balance voting aye. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. MOTION 2011-0731 ADOPTED.

- 22a. ORDINANCE awarding contract to **ARAMARK CORRECTIONAL SERVICES, LLC** for Jail Food Services for the Houston Police Department; providing a maximum contract amount - 3 years with two one-year options – was presented.

After discussion by Council Member Johnson, Mayor Parker stated to Mr. Feldman, to be clear, Council Member Johnson indicated there was no communication or activity with either of these vendors after the item was voted down, did he in fact have communication with these vendors subsequent to that.

Mr. Feldman stated yes, that he did not have communication, and Mayor Parker asked if Mr. Feldman had shared that with City Council Members via memo or an email, and Mr. Feldman stated yes.

Upon further questions by Council Members, Mr. Feldman stated that he did not speak with both vendors, that after Council had rejected the item back in June 2011, and

understanding what Council Member Johnson's concerns were, he contacted Aramark to see whether or not they would be willing to joint venture with or subcontract to Sorico and what occurred with the 90 days was that their jail population had been reduced substantially, it was now 50% of where it was before and as a result the economics were different and Aramark stated that because of that it was not economically to joint venture or subcontract to Sorico, so that was the inquiry he had made and the discussion that took place.

After a further lengthy discussion by Council Members, a vote was called on Item No. 22a. Council Member Johnson voting no, balance voting aye. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. ORDINANCE 2011-796 ADOPTED.

23. RECOMMENDATION from Purchasing Agent to make the following awards for Plumbing Supplies for Various Departments - \$2,387,192.25 - Enterprise, General and In-House - 5 years Renovation Revolving Funds

**TEXAS PLUMBING SUPPLY - \$1,155,983.85**

**CITY SUPPLY CO., INC - \$1,187,878.40**

**COUNCIL DRAW LOTS**

**ITEM NO. 2** due to receiving identical bids from **TEXAS PLUMBING SUPPLY** and **CITY SUPPLY CO., INC** in the amount of \$43,330.00

The City Secretary stated that Item No. 23 was a tabulation of bids received and on Item 2 there were identical bids received on that item and would ask Council Member Johnson to draw the successful bidder, that the two bids that were identical were Texas Plumbing Supply and City Supply Co., Inc. and drawn was Texas Plumbing Supply.

Council Member Bradford moved to approve Item No. 23, seconded by Council Member Stardig. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. MOTION 2011-0732 ADOPTED.

**MATTERS HELD** - NUMBERS 24 through 27

24. ORDINANCE **AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to corrections necessary to keep the Code of Ordinances current and updated; authorizing the City Attorney to direct the publisher of the Code to make non-substantive amendments, correct typographical errors and effect similar changes without the necessity of further action of the City Council – **(This was Item 13 on Agenda of September 7, 2011, TAGGED BY COUNCIL MEMBERS JONES and NORIEGA)** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. ORDINANCE 2011-797 ADOPTED.
25. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two parcels of excess Wirtcrest Lane right-of-way located in the John Flowers Survey, A-269, Harris County, Texas; abandoning the parcels to Jose and Ysmari Barcena and Hammerly Longpoint Joint Ventures, L.L.C., owners, in consideration of their payment to the City of \$74,700.00 and other consideration - **DISTRICT A – STARDIG – (This was Item 17 on Agenda of September 7, 2011, TAGGED BY COUNCIL MEMBER STARDIG)** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. ORDINANCE 2011-798 ADOPTED.

26. ORDINANCE approving and authorizing contract between the City of Houston and **UR INTERNATIONAL, INC**, for Maintenance, Tracking and Reporting of Mobile Food Units as regulated under the Houston Food Ordinance; establishing a maximum contract amount - 2 Years – **(This was Item 23 on Agenda of September 7, 2011, TAGGED BY COUNCIL MEMBERS STARDIG and ADAMS)** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. ORDINANCE 2011-799 ADOPTED.
27. ORDINANCE appropriating \$1,147,183.65 out of Miscellaneous Capital Projects/Acquisitions Commercial Paper Series E Fund; approving and authorizing contract between the City of Houston and **ALVAREZ & MARSAL BUSINESS CONSULTING, LLC** for Consulting Services for Citywide Accounts Receivables and Collections Improvement for the Finance Department; approving a maximum contract amount – **(This was Item 24 on Agenda of September 7, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. ORDINANCE 2011-800 ADOPTED.

Council Member Hoang stated that he would release his tag on Item Numbers 12 and 13, that he had a chance to visit with Mr. Andy Icken and also the related folks and their explanations to him sounded reasonable, so he was going to release the tag..

12. ORDINANCE approving and authorizing an amended and restated economic development agreement between the City of Houston and **HOUSTON BUSINESS DEVELOPMENT, INC, formerly known as THE CITY OF HOUSTON SMALL BUSINESS DEVELOPMENT CORPORATION**, for the continuing administration of a Small Business Revolving Loan Fund Program, the ownership, operation, and maintenance of the Palm Center Business and Technology Center, and the performance of other Economic Development Activities authorized under the Community Development Block Grant Program – was again before City Council. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. ORDINANCE 2011-794 ADOPTED.
13. ORDINANCE approving and authorizing agreements between the City of Houston and the Houston First Foundation for (1) adoption of the City's Employee Health Benefit Plan by the Houston First Foundation and (2) adoption of the City of Houston Employees' Section 125 Plan by the Houston First Foundation; and letter amendment 4 to the administrative Services Agreement between the City of Houston and **CONNECTICUT GENERAL LIFE INSURANCE COMPANY** – was again before City Council. All voting aye. Nays none. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Member Noriega absent. ORDINANCE 2011-795 ADOPTED.

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

Council Member Sullivan stated that he wanted to recognize Public Works for assisting him with some very specific constituent problems in his Council District, that he wanted Eric Dargan and Art Kidder, who he thought had gone above and beyond, to know how much he appreciated it as did his constituents; that recently they celebrated the 10th Anniversary of 9/11, that there were a lot of event across the City, but one in particular that was in his Council District that he wanted to highlight was the 9/11 Heroes Run at Ellington Field, that he wanted to thank Mayor Parker for lending her name to the event and for being there and for the City sponsorship, that it was to recognize one of their military men, Travis Manion, while he was

servicing in Afghanistan, that two primary individuals who drove the event were Houston Police Department Captain Greg Freeman, from the Airport Division, and Captain Bryan Bennett from the Kingwood Division, who without their leadership he did not think the event would have been as successful as it was, they took great care of Mr. Manion's dad, Colonel Tom Manion who was in Houston and made sure that he was taken care of, that he also wanted to thank Brian Rinehart, the Ellington Field Airport Manager, Houston Airport Management System and Mario Diaz for their involvement in the program as well; that he had a townhall meeting last week at the University of Houston Clear Lake and wanted to thank all the departments attending and participating and the University of Clear Lake for allowing them to use their facilities. Council Members Johnson, Hoang and Rodriguez absent.

Mayor Parker stated that she wanted to join Council Member Sullivan in appreciation of those who helped put on the Heroes Run at Ellington, but also the Mayor's Office of Special Events, Susan Christian and her team, that they had multiple events that weekend all across the City and they did an outstanding job; that to those Council Members who were able to attend the City's official memorial commemoration service on Friday it was absolutely beautifully done, that the pieces of 9/11 song cycle by the Houston Grand Opera was a very moving work. Council Members Johnson, Hoang and Rodriguez absent.

Council Member Gonzalez stated that he wanted to once more sincerely thank their first responders as the fires that had ravaged the State had reached a little bit closer to the Houston area as they saw with George Bush Park, that he appreciated the dedication of the brave men and women that served to maintain their safety; that he was pleased to participate in the kickoff of the First Annual Pink Ribbon Parade outside of City Hall yesterday and would commemorate the Breast Health Collaborative of Texas as they aim to unite breast health advocates and providers to educate those at risk; that he wanted to thank Sergeant Baltazar for his efforts with the Houston Police Department Mentorship Program and also the Greater Houston Boys and Girls Club of Houston, that he was able to participate and attend a ceremony at the club on Airline Drive and was able to visit that place many times as a young child growing up in the neighborhood, that they had a great program and he wanted to acknowledge Angela Hodson, who was the President and CEO of the Boys and Girls Club and had worked to make the program a success, the police officers who were working with the kids or showing them a path to success by serving as a positive role models, that a beautiful painting of former HPD Officer Kurl was unveiled, he passed away last year but had been a long time mentor at the Boys and Girls Club in the Fort Bend area; that he accepted, along with many of his colleagues at the table, the Greater Houston Women's Chamber of Commerce Wellness Challenge, over the next 90 days they would be working to lead healthier lifestyles and set a positive example for their children, they had a growing epidemic of childhood obesity and this was an opportunity to lead the way as they worked to create healthy communities. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Gonzalez announced the following; on Saturday, 10:00 a.m. Fiestas Patrias Parade at the corner of Texas and Hamilton; on Saturday, last Healthy Cooking Class at Ripley House, 4410 Navigation; on Sunday, September 18, 2011, Trap, Neuter and Release Day for zip codes 77011 and 77023, SNAP and BARC had partnered to help control the Ferrel Cat population in their neighborhoods. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Stardig stated that she also would like to thank the Houston Fire Department for the diligent work in controlling a roughly 1,500 acre grass fire at George Bush Park yesterday, that she wanted to thank the administration, Darrin Hall and Director Turner for keeping her in the loop; that last Friday she was able to do a ride along, and evidently the Mayor, was out the same night and she did not realize it, that she went out with Vice in District A and learned a lot about working with HPD and what the concerns they address, that she had to

say publicly that many of their citizens did not understand what went on after dark in the City and they needed to be very careful and cautious and support the Houston Police Department in their efforts and the work they did, that they were willing to answer any questions that she had and it gave her an opportunity to see what other areas she needed to work on in her district; that Saturday she attended Rice University's first football game of their 100th season along with her colleagues Council Members Pennington, Hoang and Clutterbuck, that the game kicked off a week long series of Rice and NASA anniversary celebrating the 50th Anniversary of NASA and it's collaboration with Rice University; that yesterday, along with many of her colleagues, she also attended the Collaborative for Children Luncheon, the luncheon provided an opportunity to learn about Collaborative for Children and their focus to provide quality education foundations early in a child's life; that she would be attending the Sixth Annual Firefighter's Foundation Dinner honoring the men and women of the Houston Fire Department; that on Thursday the Lone Star College would have their opening ceremony for the college's new satellite location at Victory Center, the Lone Star College System closed a \$1.8 million land purchase of 17 acres at the corner of Victory and Vogel Streets located in the Aldine Area near Acres Homes and Inwood Forest Communities back in 2009, the new building was designed to handle a capacity of up to 3,500 students, that she wanted to thank the Lone Star College System for continuing to expand their school to the greater North Houston area and also wanted to thank Representative Sylvester Turner for his involvement throughout the expansion of the college; that September 16 through 18, 2011 was the Polish Harvest Festival at Our Lady of Czestochowa Polish Church at 1731 Blalock Road in District A. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Mayor Parker stated that she did not know that Council Member Stardig was doing a ride along the same night, she was in the Third Ward and actually got to see the CERT Team as one of their stops and she had not seen them in action before, that it was their crisis intervention folks. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Pennington stated that last Sunday he attended an event at Grace Presbyterian Church, at the Sam Houston Tollway and Ella Lee, that it commemorated 9/11, that it was a wonderful event and very well attended; that he wanted to thank the Mayor and Joe Turner, Director, Parks Department, because they had allowed him, with leftover funds from his office account, to program that money towards building a fence at Briar Bend Park along the bayou, which was destroyed by Hurricane Ike, that he attended the property owners association meeting last night and they acknowledged the fence and liked it, but they also had a very sober discussion of security; that they attended the Houston Women's Chamber of Commerce at City Hall and he applauded the Mayor and others who were involved on behalf of the City and also those in the private sector; that yesterday they had the Pink Ribbon Parade, the Breast Cancer Collaboration of Texas, it was a wonderful event with the artist who had created the various icons that would be up in various places, plus the donations that were announced, it was a unique event that he was proud to attend; that last week he attended a reception of the Houston Wilderness, a nonprofit, and a bridge between the dynamic growing City and the wetlands and the outdoors that they all enjoyed, that according to the information there were about 7 million Texans who get out into the State Parks and wilderness, that Carter Smith, Director of Parks and Wildlife for the State was present and painted a pretty grim picture about the drought situation in the parks, but also acknowledged the help of Marathon and others, who provided equipment to squelch some of the fires in the camps, so it was great that citizens were involved in that; that he would like to add his thanks to the first responder group, the firemen and policemen who responded to their fires, and also the many individuals who spend time and attention. Council Members Johnson, Sullivan, Rodriguez and Noriega absent.

Council Member Costello stated that he wanted to advise his colleagues that next Monday they would have a special called Budget and Fiscal Affairs meeting at 10:00 a.m. to discuss the Fleet and Equipment Acquisition Plan, that it would also include the Technology and Investment

Plan and would shed some light on Item No. 11 that they tagged this morning. Council Members Johnson, Sullivan, Rodriguez and Noriega absent.

Council Member Bradford stated that he wanted to extend a special thanks to the Houston Grand Opera and the Houston Fire Department for yesterday about the noon hour, they had a special performance at Fire Station No. 8, that it was called "Pieces of 9/11" a reflection on the activities here in Houston and portrayed via music and words, which the opera did an excellent job, that it brought back some memories as he served as Police Chief during 9/11 and they had some really tough and tense moments in the City 10 years ago. Council Members Johnson, Sullivan, Rodriguez and Noriega absent.

Council Member Hoang stated that last Sunday he attended an event with Council Member Pennington at the Grace Presbyterian Church for remembrance of the fallen heroes of September 11, that the songs were wonderful because some of them were new to him; that he wanted to thank the many firefighters from HFD and surrounding agencies that responded to the grass fire last night; that last week he attended the First Southwest TIRZ meeting with the new and reappointed board members, that he wanted to thank the Council for supporting and helping appoint great citizens to these positions; that he wanted to extend congratulations to the Star of Texas Award recipients, that on Monday State officials honored and recognized five Houston Police Officers injured or killed in the line of duty while protecting and serving the citizens of Houston, the ceremony took place in the Senate Chamber of the State Capital in Austin, that Lieutenant Governor David Dewhurst presented the Star of Texas Award to the following HPD officers, Sergeant Steven Henry, Emergency Communications Division, on June 26, 2009, Sergeant Henry suffered serious physical injuries while attempting to stop a combative robbery suspect ; Officer Frank Pierce, South Central Patrol Division; on February 8, 2010, Office Pierce was shot and wounded in the line of duty while attempting to arrest two burglary suspects; Lieutenant Henry Zamora, South Gessner Division, on February 22, 2011, Lieutenant Zamora suffered severe burns while rescuing an elderly male from a burning vehicle on the Southwest Freeway; Officer Jason Roy, Gang Division Crime Reduction Unit, on May 3, 2011 Officer Roy suffered serious neck injury and temporary paralysis after being involved in a motor vehicle accident while pursuing an auto theft suspect; Officer Kevin Will, Vehicular Crimes Division, May 29, 2011, Officer Will was killed in the line of duty while investigating a previous accident on the North Loop near Yale. Council Members Johnson, Sullivan, Rodriguez and Noriega absent.

There being no further business before Council, the City Council adjourned at 11:12 a.m. Council Members Adams and Jones out of the city on city business. Council Member Lovell absent on personal business. Council Members Johnson, Sullivan, Rodriguez and Noriega absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary