

City Council Chamber, City Hall, Tuesday, November 15, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, November 15, 2011, Vice Mayor Pro Tem Edward Gonzalez presiding and with Council Members Brenda Stardig, Jarvis Johnson, Ann Clutterbuck, Al Hoang, Oliver Pennington, James G. Rodriguez, Stephen C. Costello, Sue Lovell and C. O. "Brad" Bradford; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marta Crinejo, Agenda Director, present. Mayor Annise D. Parker and Council Member Wanda Adams out of the city on city business. Council Members Mike Sullivan and Jolanda "Jo" Jones absent on city business. Council Member Melissa Noriega absent on personal business.

At 1:41 p.m. Vice Mayor Pro Tem Gonzales stated that presentations would begin with Council Member Clutterbuck.. Council Member Clutterbuck invited a group she refereed to as "Super Women" to the podium, Ms. Becky Pope, Ms. Pam Helms, Ms. Deb Sanders, Ms. Vinita Ray, Ms. Sherry Dawson and Ms. Jackie Duvall, and stated that today they were celebrating the journey of six women who banned together overcoming hardships and climbed Mt. Kilimanjaro; that they raised awareness of ovarian cancer; and presented the group a Proclamation recognizing their efforts and supporting them and their team; and proclaimed today as "We Choose To Climb Day" in Houston, Texas. Council Members Stardig, Johnson, Hoang, Pennington, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Spokespersons for the group thanked all for the recognition and stated that their climb was to show all it was never to late to take back their life and that on their climb they took pictures with them of those who had lost their lives in the fight and others still fighting; that they took ashes to release, etc., displayed a banner recognizing their climb and the City of Houston; and presented a small rock from the top of Mt. Kilimanjaro for the Mayor. Council Members Stardig, Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez and Council Member Clutterbuck congratulated each and stated that they were in awe of their journey; and upon questions by Vice Mayor Pro Tem Gonzalez, Ms. Ross stated that they were in negotiations with a film maker and she was writing a book entitled "We Choose To Climb". Council Members Stardig, Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Lovell invited Mr. John Sedlak to the podium and stated that Mr. Sedlak was retiring from METRO after 28 years; that he assisted in strategic planning and management of authority functions in additions to redirecting efforts and reestablishing METRO's role; that he served with many community groups including the Downtown Management District, Galveston County Board of Directors, etc., and his work was integral to the growth of Houston; and presented him a Proclamation proclaiming today as "John Sedlak Day" in Houston, Texas. Council Members Stardig, Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Lovell stated that on a personal note, having served with him in many capacities, there was a gasp in the room when they heard he was retiring at the Transportation Policy Council with all the talent and dedication walking away; and Mr. Sedlak thanked all for the honor; and stated that his work was a labor of love and he would continue in transportation in the region and look for future activities; and introduced his family members and members of METRO who were present. Council Members Stardig, Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez and Council Member Clutterbuck thanked Mr. Sedlak for his

work, congratulated him on his recognition and stated that he would be missed. Council Members Stardig, Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

At 2:01 p.m. Vice Mayor Pro Tem Gonzalez called on Council Member Lovell who, as an outgoing Council Member, stated that this would be her last prayer in the Chamber and she would lead in the same prayer she had for the last six years, "the Serenity Prayer"; and led all in the prayer and pledge. Council Members Stardig, Johnson, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

At 2:02 p.m. the City Secretary called the roll. Mayor Parker and Council Member Adams out of the city on city business. Council Members Sullivan and Jones absent on city business. Council Member Noriega absent on personal business. Council Members Stardig, Johnson and Bradford absent. (NO QUORUM PRESENT)

Council Members Gonzalez and Noriega moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Sullivan and Jones absent on city business. Council Member Noriega absent on personal business. Council Members Stardig and Johnson, absent. MOTION ADOPTED.

At 2:03 p.m. the City Secretary began calling the public speakers. Council Members Stardig and Johnson absent.

Mr. David Atwood, 1802 Kipling, Houston, Texas 77098 (832-693-5710) appeared and stated that he was president of the Houston Peace and Justice Center and present expressing support of their organization for the group of Occupy Houston; that they believed in what they were doing and were opposed to officers cleaning out their camp; and urged support of them. Council Members Stardig and Johnson absent.

Mr. Rasqul Saneifard, P. O. Box 33, Cypress, Texas 77410 (832-335-2153) appeared and stated that he was owner of property known as 1526 Bradley Drive and in July his water meter was read but no leak was reported and the next day a leak was reported by a neighbor who shared the meter box and on July 24, 2011, a city worker placed a notice on his door but did not turn the water off and water flowed down the street, when they were aware they called a plumber who turned off the water supply at the meter on July 26, 2011, that he was present requesting his \$523.43 back as the city worker did not report a leak, the leak was due to corrosion in the city component and his \$200.00 deposit be returned; and there should be a new Public Works Director. Council Members Stardig and Johnson absent.

Upon questions by Vice Mayor Pro Tem Gonzalez, Mr. Saneifard stated that he did submit a leak adjustment form and he was given almost 50% of the bill as adjustment, however, he tried every attempt to meet with Mr. Krueger who ignored him though his team followed-up; and Vice Mayor Pro Tem Gonzalez stated that Mr. Gary Norman with Public Works was present with additional information. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Mr. Deidris Woods, 900 N. Durham #122, Houston, Texas 77008 (713-851-5375) appeared and stated that he was present on behalf of those with HIV in Houston and all over the world; that many were dying and he was an HIV survivor and many, including him were in need; that the homeless also needed help; and he urged all to look at his website, [www.helpthehomeless.com/cityofhouston](http://www.helpthehomeless.com/cityofhouston). Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Mr./R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

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 Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Ms. Shaniqua Warren, 9889 Cypreswood Drive #1102, Houston, Texas 77070 (832-341-3585) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Mr. Don Cook, 7954 Glenheath, Houston, Texas 77061 (713-705-5594) appeared and stated that he was present to advise Council of the egregious error it made in passing the city's austerity budget, compared stuffing money in a mattress during hard times to banks placing money in government bonds and securities; and urged government take the money out and put it into the economy causing it to multiply with a ripple effect boosting the economy. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Mr. Joe Roche, 400 Walker, Houston, Texas 77002 (no phone) appeared and stated that he thanked Council for limited interference of Occupy Houston in the rights of a peaceful assembly; that there were many movements in other states and urged Council invite them to join in the "Bayou City" and showcase Houston; and questioned the street name change on the Agenda of Champs-Elysees Way; and Vice Mayor Pro Tem Gonzalez stated that it was a private property and was requested. Council Members Stardig, and Hoang absent.

Mr. Dustin Phipps, 5500 Sampson, Houston, Texas 77004 (281-543-2095) appeared and stated that he was present with Occupy Houston and present on the same matter as three weeks ago which was the issue of protection of those practicing peaceful assemble; that the city of Houston was a model in this occupy movement, but HPD had an unfortunate job of enforcing ordinances which kept them from protecting themselves, equipment, etc., and urged Council take action to assure their safety. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Council Member Lovell stated that when she demonstrated they marched from one location to another; that he was speaking of a different type of demonstration and it could not go on forever; and upon questions, Mr. Phipps stated that this was a unique style of protest and they were unable to address larger issues such as corporate corruption of democracy, etc., because of other issues and they had no clear plan or deadline, but were working to address it; that they did have clear lines of communication and he spoke with CID, Criminal Intelligence Division, of HPD on a daily basis and commended them. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that it was Council's understanding they were able to use tarps; and upon questions, Mr. Phipps stated that they were using tarps on an ad hoc basis, but only allowed to drape them over equipment and when a storm moved in quickly it was difficult to do effectively. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Mr. William Beal, 5814 Overdale, Houston, Texas 77033 (713-738-3410) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson and Hoang absent. (NO QUORUM PRESENT)

Mr. Raphael Wakefield, 600 Drew, Houston, Texas 77006 (646-206-8312) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Hoang and Pennington absent. (NO QUORUM PRESENT)

Mr. Remington Alessi, 4620 Clay #A, Houston, Texas 77023 (281-323-0535) appeared and stated that he too was present supporting the Occupy Houston movement and quoted an abolitionist from 1848 and in retrospect history was on his side and it was their belief history was on their side as well; and urged Council's support. Council Members Stardig, Johnson, Hoang and Pennington absent. (NO QUORUM PRESENT)

Mr. Alessi asked that he be able to continue his comments; and Vice Mayor Pro Tem Gonzales stated that there was not a quorum to extend his time, but if he wanted to submit comments in writing they would be forwarded to the Mayor's Office. Council Members Stardig, Johnson, Hoang and Pennington absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373 #227, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was President of the U. S. and continued to express his personal opinions until his time expired. Council Members Stardig, Johnson, Hoang and Pennington absent. (NO QUORUM PRESENT)

At 2:27 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, November 16, 2011. Mayor Parker and Council Member Adams out of the city on city business. Council Members Sullivan and Jones absent on city business. Council Member Noriega absent on personal business. Council Members Stardig, Johnson, Hoang and Pennington absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, November 16, 2011, Vice Mayor Pro Tem Edward Gonzalez presiding and with Council Members Brenda Stardig, Jarvis Johnson, Al Hoang, Oliver Pennington, James G. Rodriguez, Stephen C. Costello, Sue Lovell, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney, Legal Department; Ms. Marta Crinejo, Agenda Director present. Mayor Annise Parker and Council Member Wanda Adams out of the city on city business. Council Members Anne Clutterbuck and Melissa Noriega absent on personal business. Council Member Mike Sullivan absent on city business.

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

At 9:13 a.m. Vice Mayor Pro Tem Gonzalez called the meeting to order and recognized Council Member Lovell for a point of personal privilege; and Council Member Lovell stated that it was a privilege to welcome Council Member Elect for District J, Mr. Mike Laster to the Chamber. Council Members Johnson and Hoang absent.

Vice Mayor Pro Tem Gonzalez welcomed Council Member Elect and stated that all looked forward to serving with him. Council Members Johnson and Hoang absent.

Vice Mayor Pro Tem Gonzalez stated that they would move to the public hearing. Council Member Lovell absent.

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

1. **PUBLIC HEARING** to hear comments concerning whether a mandatory property tax exemption for goods-in-transit should be allowed to take effect automatically on January 1, 2012 – was called.

The City Secretary stated that Mr. Kelly Dowe, Director of Finance would make comments on the hearing. Council Member Lovell absent.

Mr. Dowe, Director of Finance, stated that on January 1, 2012, a property tax exemption on certain “goods in transit” would automatically take affect unless the city took action to prevent it; that the city already once prevented the exemption from taking place in 2007, but Senate Bill of the 2011 Texas Special Session required cities to once again take action between October 21, 2011 and December 31, 2011, to provide for taxation of the super free port goods in transit, the law covered all goods in transit expanding the existing free port exemption covering export goods only and to qualify goods must be detained in this state in which the owner of the property did not have a direct or indirect ownership interest for assembling, storing, manufacturing, processing or fabricating purposes by the person who acquired or imported the property and must be transported to another location in the state or outside the state not later than 175 days after the property was acquired or imported the property into the state; that jurisdictions such as the Houston Spring Branch and Alief Independent School Districts had already prevented the exemption from taking place and other jurisdictions in the Houston Metropolitan Area were in the process; that the exemption would cost the City of Houston at least \$5.9 million in property tax revenue in future fiscal years beginning in FY2013. Council Member Lovell absent.

Vice Mayor Pro Tem Gonzalez stated that no Council Members were in the queue and asked if anyone was present that would like to speak as no one was listed; and hearing none called for a motion to close the hearing. Council Member Lovell absent.

Council Member Costello moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. Council Member Lovell absent. MOTON 2011-0847 ADOPTED.

- 1a. ORDINANCE providing for the ad valorem taxation of certain tangible personal property in transit, described as “goods-in-transit: under Section 11.253 of the Texas Tax Code, which would otherwise be exempt – was presented. Council Member Lovell absent.

Upon questions by Council Member Pennington, Mr. Dowe stated that currently they were taxable goods and not exempt from property tax, if they voted against the item it would make them exempt from property tax and it would cost the city \$5.9 million, making them nonexempt. Council Member Lovell absent.

Upon further questions by Council Member Pennington, Vice Mayor Pro Tem Gonzalez stated that the Administration was supporting the item. Council Member Lovell absent.

A vote was called on Item 1a. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. Council Member Lovell absent. ORDINANCE 2011-960 ADOPTED.

2. **PUBLIC HEARING** regarding the designation of a banner district in the **HOUSTON MUSEUM DISTRICT - DISTRICTS C - CLUTTERBUCK and D – ADAMS** – was called.

The City Secretary stated that speakers had reserved time to speak and Mr. Mark Loethen, Deputy Director of Public Works would make comments on the hearing.

Mr. Loethen, Deputy Director of Public Works, stated that this was the first of two public hearings this morning under Chapter 40, Section 30 of the Code of Ordinances and a petition for a Banner District required posting and holding of a public hearing, basically it allowed an entity to work with Center Point Energy to secure banners on their power poles at no cost to the city for purposes of artistic expression, they were not commercial advertisements.

Vice Mayor Pro Tem Gonzalez stated that no Council Members were in queue and called on the City Secretary to call speakers.

Ms. Susan Myers, 5401 Caroline, Houston, Texas 77004 (713-942-8000) appeared and stated that she was executive director of the Holocaust Museum and former chair of the Museum District and the Museum District was about improving the experience of visitors and they wanted to give all a sense of place; that there were 18 museums and over 7,000,000 visitors a year; and urged a positive vote on the district.

Council Member Johnson stated that he did support all museums and the Museum District was a great district; and upon questions, Mr. Loethen stated that this was a prescribed process to create a district, it was not an individual property owner; that under the Code of Ordinances the Banner District was petitioned for creation which it was and there were no advertisements permitted and text must be artistic in nature and these were not residential, but commercial streets; and the Banner District was created with no termination of time, the time for banners up were solely at the discretion of the District, however, under the ordinance the Director of Public Works had authority to require removal of banners for emergency conditions or event of failing or tattered conditions; that currently 11 Banner Districts were in creation from Westchase to Downtown so an entity could petition for the district creation, but it had to be an entity which could be responsive and responsible for maintaining banners, etc., and all requirements were in Chapter 40-30 of the Code of Ordinances; and Council Member Johnson stated that he wanted it all fair and equitable across the board and to make sure they were not usurping what Scenic Houston did.

Council Member Jones stated that she supported the museums and also had wanted to know Scenic Houston's position on this; and Mr. Feldman stated that they were only regulating content to the extent that they were distinguishing between commercial and noncommercial speech and it had to be noncommercial and non political; and upon further questions by Council Member Jones, Ms. Myers stated that all museums were nonprofit, all 501c3, and they were looking to provide directional signage to various museums and it was beautification.

Upon further questions by Council Member Jones, Mr. Feldman stated that he communicated with Scenic Houston regularly and he heard nothing negative from them on banner districts.

Council Member Stardig stated that she agreed there was a branding issue; and upon questions, Ms. Myers stated that people drove into the Museum District to go to a particular museum and were unaware of all things offered; that banners would let them know what else was available and it enhanced their feelings for the district.

Council Member Stardig stated that as Council Member Johnson indicated her district looked at banners and were given an indication by Center Point there was a liability to pole workers doing maintenance; and Mr. Feldman stated that the city had no liability in this instance, they were simply enabling the utility company to permit the placement of banners on their poles. Council Members Hoang and Rodriguez absent.

Council Member Lovell stated that she agreed it was a great idea for the district, the Museum District was the best kept secret in the city and she had no fear they were in any way undoing any good work done on billboards; and upon questions, Ms Myers stated that right now they were working with directional and overhead signage along with street signs to give a sense of place and they had HOT funds available. Council Members Stardig and Rodriguez absent.

Ms. Susan Young, 1401 Richmond Avenue #270, Houston, Texas 77006 (713-790-1020) appeared and stated that she worked at the Holocaust Museum for Ms. Myers and was its executive director and still president of the South Main Alliance a support organization; that city representatives explained what was being asked for and it was an important way to showcase assets; that it was not new law, but policy and procedure in place in other places; and thanked all for their support. Council Member Rodriguez absent.

Vice Mayor Pro Tem Gonzalez asked if there were any more questions or comments or anyone wanting to speak; and hearing none called for a motion to close the hearing.

Council Member Costello moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTON 2011-0848 ADOPTED.

2a. RECOMMENDATION from Director Department of Public Works & Engineering to designate a banner district in the **HOUSTON MUSEUM DISTRICT - DISTRICTS C - CLUTTERBUCK and D - ADAMS** – was presented and moved by Council Member Lovell, seconded by Council Member Costello.

Upon questions by Council Member Bradford, Mr. Loethen stated that according to ordinance a prerequisite for a banner district was that streets be nonresidential in nature; and upon further questions, Mr. Feldman stated that the final arbiter of what was considered artistic would be a Legal determination, but done in consultation with Sign Administration.

A vote was called on Item 2a. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTON 2011-0849 ADOPTED.

3. **PUBLIC HEARING** regarding the designation of a banner district in the **INTERNATIONAL MANAGEMENT DISTRICT - DISTRICTS F - HOANG and G – PENNINGTON** – was called.

The City Secretary stated that there was one speaker who had reserved time and Mr. Mark Loethen, Deputy Director of Public Works would make comments on the hearing.

Mr. Loethen, Deputy Director of Public Works, stated that this petition request had met requirements under Chapter 40-30 of the Code of Ordinances and the International Management District was located in Southwest Houston bounded by the Westpark Toll Road on the north, Highway 6 on the west, Beltway 8 on the east and Bissonnet and or bayou to the south and streets petitioned

for the banner district were major thoroughfares of Beechnut and Bellaire; and the Department of Public Works request it be moved forward. Council Member Johnson absent.

Council Member Hoang stated that he worked with the International Management District and believed it would help the district grow, the area needed beautification and the banner district would do so, he supported this and urged his colleagues support the item also. Council Member Johnson absent.

Ms. Karen Rogers, 8955 Katy Freeway, Houston, Texas 77024 (713-722-8897) appeared and stated that she was with M2L Associates and representing the International Management District; that the district was created in 2007 and in 2009 they adopted an environmental master plan with the goal to enhance visual appeal of the international theme and facilitate business development, etc., described projects and programs they were undertaking; and urged support of the item.

Council Member Hoang stated that Ms. Rogers presented her case well and they had met requirements and he supported the item.

Vice Mayor Pro Tem Gonzales asked if there were any others present who wished to speak on the item; and Mr. Tony Morris came forward.

Mr. Morris stated that he was very familiar with the district and their plans and outline of what was in store, which was extraordinary; and urged Council Members attend one of the district's meetings for a power point and urged support of the item.

Council Member Costello moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTON 2011-0850 ADOPTED.

3a. RECOMMENDATION from Director Department of Public Works & Engineering to designate a banner district in the INTERNATIONAL MANAGEMENT DISTRICT - DISTRICTS F - HOANG and G - PENNINGTON – was presented, moved by Council Member Hoang, seconded by Council Member Pennington. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTON 2011-0851 ADOPTED.

The City Secretary stated that Item 4 was a hearing on 29 proposals for the City to enter into separate strategic partnership agreements and there was no one who had reserved time to speak and Ms. Nicole Smothers, Planning Department would make remarks on the hearing.

4. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts – was called.
1. Fallbrook Utility District
  2. Fort Bend County Municipal Utility District No. 50
  3. Harris County Municipal Utility District No. 412
  4. Harris County Municipal Utility District No. 166
  5. Harris County Water Control and Improvement District No. 109



6. Northwest Harris County Municipal Utility District No. 21
7. Harris County Municipal Utility District No. 280
8. Fort Bend County Municipal Utility District No. 194
9. Fort Bend County Municipal Utility District No. 23
10. Harris County Municipal Utility District No. 36
11. Harris County Municipal Utility District No. 230
12. Harris-Fort Bend Counties Municipal Utility District No. 3
13. Bridgestone Municipal Utility District
14. Reid Road Municipal Utility District No. 1
15. Barker Cypress Municipal Utility District
16. Harris County Municipal Utility District No. 494
17. Fort Bend County Municipal Utility District No. 143
18. Harris County Municipal Utility District No. 96
19. Harris County Municipal Utility District No. 364
20. Reid Road Municipal Utility District No. 2
21. Harris County Municipal Utility District No. 238
22. Harris-Fort Bend Counties Municipal Utility District No. 1
23. Harris County Municipal Utility District No. 215
24. Harris County Municipal Utility District No. 205
25. Harris County Municipal Utility District No. 183
26. Southern Montgomery County Municipal Utility District
27. Montgomery County Municipal Utility District No. 19
28. Spring Creek Utility District
29. Fort Bend County Municipal Utility District No. 30

Ms. Nicole Smothers, Planning Department, appeared and stated that since January 2001, the City had approved 242 Strategic Partnership Agreements, or SPAs, with 186 MUDs generating approximately \$179 million in revenue for the City thru Fiscal Year 2011, that on October 20, 2011, they presented the proposed SPA's to the Development and Regulatory Affairs Committee, that following the required 2 public hearings in the City and by the District, the SPAs and the limited purpose annexations would go before Council for action on December 7, 2011, if approved, tax collections would begin April 1, 2012, that for all of the MUDs included in the hearing, except for Harris County MUDs 412 and 494, the City would levy a 1% sales tax, which it would divide evenly with the MUDs, that these areas included commercial or undeveloped territory only, there were presently no residents in the areas to be annexed, that while the City was not required to provide a service within the utility districts, they were required to provide a service if they used rights of roadways outside of the district to connect to the annexed property, that in those instances, the City will extend section 6-3 of the Code of Ordinances regarding the running at large of domestic animals; that for Harris County MUD 412, the City would retain 100% of the sales tax collections, that this area would include commercial and residential territory, that there were residents in the areas to be annexed; that for Harris County MUD 494 the City would retain 60% of the sales tax revenues, that this area would include commercial and undeveloped residential territory along the shores of Lake Houston; that the agreements for 2011 were as follows, for the following Districts, the City would amend an existing agreement by adding new territory, that was no territory outside the MUD to be included in the annexation, Fallbrook Utility District, Harris County MUD No. 166, Harris County Water Control and Improvement District No. 109 and Northwest Harris County MUD No. 21; for the following District, the City would amend an existing agreement by adding new territory, there was no territory outside the MUD to be included in the annexation, the City would provide fire protection, emergency and police services, Harris County MUD No. 412; that for the following Districts, the City would execute a new Strategic Partnership Agreement, there was no territory outside the MUD to be included in the annexation, Fort Bend County MUD No. 23, Fort Bend County MUD No. 194 and

Harris County MUD No. 280; that for the following Districts, the City would amend an existing agreement by adding new territory, that there was territory outside the MUD to be included in the annexation, the City would enforce Section 6-3 of the Code in the area to be annexed, Bridgestone MUD, Harris County MUD No. 36, Harris County MUD No. 230, Harris - Fort Bend Counties MUD No. 3 and Reid Road MUD No. 1; that for the following Districts, the City would execute a new Strategic Partnership Agreement, that there was territory outside the MUD to be included in the annexation, the City would enforce Section 6-3 of the Code in the area to be annexed, Barker Cypress MUD, Fort Bend County MUD No. 30, Fort Bend County MUD No. 143, Harris County MUD No. 96, Harris County MUD No. 183, Harris County MUD No. 205, Harris County MUD No. 215, Harris County MUD No. 238, Harris County MUD No. 364, Harris-Fort Bend Counties MUD No. 1, Montgomery County MUD No. 19, Reid Road MUD No. 2, Southern Montgomery County MUD and Spring Creek Utility District; that for the following District, the City will execute a new Strategic Partnership Agreement, there was territory outside the MUD to be included in the annexation, the City would enforce the animal control service in the area to be annexed, that because of the district's proximity to Lake Houston, the City would also extend Chapter 23 of the Code of Ordinances to Harris County MUD No. 494; that Fort Bend County MUD No. 50 had withdrawn its request. Council Members Costello and Lovell absent.

Vice Mayor Pro Tem Gonzalez stated that there were no Council Members in the queue, no one had signed up to speak; and asked if there was anyone who wished to speak specifically to the issue, there being none called for a motion to close the hearing. Council Members Costello and Lovell absent.

Council Member Jones moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. Council Members Costello and Lovell absent. MOTION 2011-0852 ADOPTED.

### **CONSENT AGENDA NUMBERS 5 through 41**

#### **MISCELLANEOUS** - NUMBERS 5 through 7

5. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **GREATER GREENSPOINT REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS:**

- Position Six - **MR. JOHN O. CORNETT**, representing Aldine Independent School District, for a term to expire 8/31/2013
- Position Seven - **MR. ELVIN FRANKLIN, JR.**, representing Harris County, for a term to expire 8/31/2013
- Position Eight - **DR. STEPHEN C. HEAD**, representing Lone Star College System, for a term to expire 8/31/2013
- Position Nine - **MR. SETH L. SHARR**, representing Spring Independent School District, for a term ending 8/31/2012

- was presented, moved by Council Member Bradford, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTION 2011-0853 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering to apply to the

Environmental Protection Agency's Brownfield Revolving Loan Fund for a grant to fund brownfield remediation work - was presented, moved by Council Member Bradford, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTION 2011-0854 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 10A

8. **BIO-RAD LABORATORIES, INC** for Medical Diagnostic and Virological Test Kits for the Houston Department of Health & Human Services - 5 Years - \$345,128.84 - General Fund – was presented, moved by Council Member Bradford, seconded by Council Member Pennington. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTION 2011-0855 ADOPTED.
10. ORDINANCE appropriating \$159,695.30 out of Police Consolidated Construction Fund for purchase of Office Furniture for the Houston Police Department – was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-961 ADOPTED.
- 10a. **CONTRACT RESOURCE GROUP, LLC** for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department – was presented, moved by Council Member Bradford, seconded by Council Member Pennington. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTION 2011-0856 ADOPTED.

**ORDINANCES** - NUMBERS 11 through 41

11. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public right-of-way of Arcadia Street, from Quitman Street north to its terminus, a 6-foot-wide easement in Block 1, and a variable-width easement in Block 2, all located in Arcadia Place Subdivision, North Side Buffalo Bayou, Harris & Wilson Survey, A-32, Harris County, Texas; vacating and abandoning the right-of-way and easements to the Houston Independent School District, owner, in consideration of owners' conveyance to the City of right-of-way easements to widen Abernathy Street and Liberty Road, payment to the City of \$14,832.00, and other consideration - **DISTRICT B – JOHNSON** – was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-962 ADOPTED.
12. ORDINANCE approving and authorizing Lease Agreement between the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY, as tenant**, and the City of Houston, Texas, as landlord, for the purpose of construction and maintenance by tenant of a park located at 901 Sawyer Street **DISTRICT H – GONZALEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-963 ADOPTED.

14. ORDINANCE relating to the Fiscal Affairs of the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (LAMAR TERRACE ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-964 ADOPTED.
15. ORDINANCE relating to the Fiscal Affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY d/b/a DOWNTOWN REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET/MARKET SQUARE ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvement Projects Budget for the Zone **DISTRICTS D - ADAMS and H - GONZALEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-965 ADOPTED.
16. ORDINANCE relating to the Fiscal Affairs of the **REINVESTMENT ZONE NUMBER FOUR, CITY OF HOUSTON, TEXAS (VILLAGE ENCLAVES ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Zone - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-966 ADOPTED.
17. ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER FIVE, CITY OF HOUSTON, TEXAS (MEMORIAL HEIGHTS ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvement Projects Budget for the Zone **DISTRICTS A - STARDIG; D - ADAMS; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-967 ADOPTED.
18. ORDINANCE relating to the Fiscal Affairs of the **OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-968 ADOPTED.
19. ORDINANCE relating to the Fiscal Affairs of the **GULFGATE REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER EIGHT, CITY OF HOUSTON, TEXAS (GULFGATE ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and

Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-969 ADOPTED.

20. ORDINANCE relating to the Fiscal Affairs of the **SOUTH POST OAK REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER NINE, CITY OF HOUSTON, TEXAS (SOUTH POST OAK ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-970 ADOPTED.
22. ORDINANCE relating to the Fiscal Affairs of the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREATER GREENSPPOINT ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-971 ADOPTED.
23. ORDINANCE relating to the Fiscal Affairs of the **CITY PARK REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority - **DISTRICTS A - STARDIG and H - GONZALEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-972 ADOPTED.
24. ORDINANCE relating to the Fiscal Affairs of the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-973 ADOPTED.
25. ORDINANCE relating to the Fiscal Affairs of the **FOURTH WARD REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone **DISTRICTS D - ADAMS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-974 ADOPTED.
26. ORDINANCE relating to the Fiscal Affairs of the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**; approving The Fiscal Year 2012 Operating Budget for the

Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-975 ADOPTED.

27. ORDINANCE relating to the Fiscal Affairs of the **UPTOWN DEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone - **DISTRICTS C - CLUTTERBUCK and G - PENNINGTON** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-976 ADOPTED.
28. ORDINANCE relating to the Fiscal Affairs of the **FIFTH WARD REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER EIGHTEEN, CITY OF HOUSTON, TEXAS (FIFTH WARD ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvement Projects Budget for the Zone - **DISTRICTS B - JOHNSON and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-977 ADOPTED.
29. ORDINANCE relating to the Fiscal Affairs of the **UPPER KIRBY REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone **DISTRICTS C - CLUTTERBUCK and G - PENNINGTON** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-978 ADOPTED.
30. ORDINANCE relating to the Fiscal Affairs of the **HARDY/NEAR NORTHSIDE REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority and the Fiscal Years 2012-2016 Capital Improvements Budget for the Zone - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-979 ADOPTED.
31. ORDINANCE relating to the Fiscal Affairs of the **LELAND WOODS REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER TWENTY-TWO, CITY OF HOUSTON, TEXAS (LELAND WOODS ZONE)**; approving the Fiscal Year 2012 Operating Budget for the Authority - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-980 ADOPTED.

32. ORDINANCE changing the name of Holt Street to Cambridge Street - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-981 ADOPTED.
33. ORDINANCE changing the name of Champs-Elysees Way (PVT) to Place Royale Way (PVT) **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-982 ADOPTED.
34. ORDINANCE approving and authorizing agreement between the City of Houston and the **HOUSTON AREA WOMEN'S CENTER** to provide shelter and support services to survivors of domestic and sexual violence; establishing a maximum contract amount - 3 Years - \$200,000.00 Battaglia Trust Fund - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-983 ADOPTED.
36. ORDINANCE approving and authorizing Amendment No. 1 to contract between the City of Houston and **VERIZON SELECT SERVICES, INC** for Telecommunication Equipment Maintenance Services for the Houston Airport System - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business.
38. ORDINANCE appropriating \$1,817,164.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **TEXAS REEXCAVATION, L.C.** for Wastewater Collection System Rehabilitation and Renewal; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - (4235-53) - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-984 ADOPTED.
39. ORDINANCE appropriating \$3,398,581.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - (4257-122) - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-985 ADOPTED.

40. ORDINANCE appropriating \$689,424.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **QUALITY PIPE SERVICES, LLC** 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 - (4277-61) - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-986 ADOPTED.
41. ORDINANCE appropriating \$561,849.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, 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 - (4277-67) - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-987 ADOPTED.

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

**MISCELLANEOUS** - NUMBERS 5 through 7

7. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from TEXAS COMMISSION ON ENVIRONMENTAL QUALITY Annual Water System Fees for 2012 - \$2,268,054.15 - Enterprise Fund - was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTION 2011-0857 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 10A

9. **COBURN SUPPLY COMPANY, INC** for Boxes, Plastic Meter and Covers for the Department of Public Works & Engineering - 5 Years - \$956,246.00 - Enterprise Fund – was presented, and tagged by Council Member Jones. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business.

**ORDINANCES** - NUMBERS 11 through 41

13. ORDINANCE enlarging the boundaries of Reinvestment Zone Number Three, City of Houston, Texas (Main Street Market Square Zone) - **DISTRICTS D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-988 ADOPTED.



- 13a. ORDINANCE approving the fifth amended Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET/MARKET SQUARE ZONE)**; authorizing the City Secretary to distribute such plans; extending the duration of the Zone to December 31, 2043 - **DISTRICTS D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-989 ADOPTED.
21. ORDINANCE relating to the Fiscal Affairs of the **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE)**; approving the Fiscal Year 2012 Operating Budget and the Fiscal Years 2012-2016 Capital Improvement Projects Budget for the Zone **DISTRICT E - SULLIVAN**- was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-990 ADOPTED.
35. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and the **TRINITY RIVER AUTHORITY** for Legal Services relating to an appeal of the Federal Energy Regulatory Commission Permit for the East Texas Electric Cooperative Hydroelectric Project on Lake Livingston; establishing a maximum contract amount - \$150,000.00 - Enterprise Fund - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-991 ADOPTED.
37. ORDINANCE appropriating \$2,900,000.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **AECOM USA GROUP, INC** for services associated with the Storm Drainage Program Support, Formerly known as Storm Water Management Program (Approved by Ordinance No. 2003-1195); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - was presented. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-992 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 42

**MISCELLANEOUS**

42. **MOTION TO SET A DATE** not less than seven (7) days from November 9, 2011, to receive nominations for the City of Houston representative of the **HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**, for a two year term - was presented, moved by Council Member Lovell to set the next Council Meeting to receive nominations, seconded by Council Member Pennington.

Council Member Pennington stated that he was in favor and would be circulating information. Mayor Parker and Council Member Adams out of the city on city business. Council Members

Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business.

A vote was called on Item 42. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTION 2011-0858 ADOPTED.

**MATTERS HELD** - NUMBERS 43 through 49

43. RECOMMENDATION from Purchasing Agent to award to **SMITH PUMP COMPANY, INC** to Furnish Pumps and Parts for the Department of Public Works & Engineering - \$669,761.00 Enterprise Fund – **(This was Item 26 on Agenda of November 9, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented, moved by Council Member Bradford, seconded by Council Member Rodriguez. All voting aye. Nays none. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. MOTION 2011-0859 ADOPTED.
44. ORDINANCE **AMENDING SECTION 16-9 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to Juvenile Case Managers for the Municipal Courts Department; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 32 on Agenda of November 9, 2011, TAGGED BY COUNCIL MEMBER JONES)** - was presented. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-993 ADOPTED.
45. ORDINANCE approving and authorizing Memorandum of Understanding between the City of Houston and **HOUSTON INDEPENDENT SCHOOL DISTRICT** for the Juvenile Case Manager Program for the 2011-2012 Academic Year – **(This was Item 33 on Agenda of November 9, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-994 ADOPTED.
46. ORDINANCE **AMENDING SECTION 16-47 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to failure of defendants to appear in Municipal Courts; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 34 on Agenda of November 9, 2011, TAGGED BY COUNCIL MEMBER JONES)** - was presented. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-995 ADOPTED.
47. ORDINANCE appropriating \$1,815,511.90 out of Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Houston Fire Department – **(This was Item 40 on Agenda of November 9, 2011, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-996 ADOPTED.

48. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **SAM HOUSTON STATE UNIVERSITY REGIONAL CRIME LAB** for Laboratory Testing Services in DUI/DWI Cases for the Houston Police Department; establishing a maximum contract amount \$65,000.00 - General Fund – **(This was Item 43 on Agenda of November 9, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-997 ADOPTED.
49. ORDINANCE approving and authorizing contract between the City and **MUNISERVICES, LLC** for Sales/Use Tax Audit and Sales/Use Tax Analysis and Reporting Services; providing a maximum contract amount - 4 years - \$850,000.00 - General Fund – **(This was Item 47 on Agenda of November 9, 2011, TAGGED BY COUNCIL MEMBER PENNINGTON)** – was presented. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. ORDINANCE 2011-998 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Hoang first

Council Member Stardig stated that she attended the Hollow Brook Elementary School Spark Park dedication ceremony yesterday and there was an excellent turnout; that this week seven elementary schools were being celebrated becoming Spark Parks; and she thanked all who made it possible. Council Members Hoang and Rodriguez absent.

Council Member Stardig stated that last night she attended a Citizens on Patrol Meeting at First Baptist Church in District A and citizens were informed on internet safety; and it was very informative on keeping children safe. Council Members Hoang, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Stardig stated that the Lillian Beard Deaf Connection Center would be holding a food drive through January 3, 2012, to help support their food pantry located at 9920 Long Point; and for more information call Ashley Martinez at 713-464-8509 and urged support from everyone. Council Members Hoang, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Pennington stated that last week and he and his wife attended the grand reopening of the Julia Idelson Library downtown, it was built in 1926 and the Julia Idelson Preservation Partners launched a campaign in 2007 raising funds to restore the building to its original grandeur; and thanked all volunteers and contributors as it was a wonderful downtown venue to be enjoyed by all. Council Members Hoang, Rodriguez, Lovell and Bradford absent. (NO QUORUM PRESENT)

Council Member Pennington stated that last Thursday he attended the Houston International Affairs Luncheon organized by the Mayor's staff and honorary counsels for a number of countries were there and he was able to visit with many; and it was very important to the community. Council Members Johnson, Hoang, Rodriguez, Lovell and Bradford absent. (NO QUORUM PRESENT)

Council Member Pennington stated that last night he attended the "Thank You" event for the principal donors of the BARC Foundation; that the foundation was off to a great start, but more work was to be done. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Pennington stated that later he attended a public hearing on proposed improvements to Briar Meadow Park which was well attended and well received. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that she attended the Emancipation Park Renovation Ceremony and it was great and she was glad with what was being done. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that she attended many veteran events last week, she had many in her family, and they did still need to do better by veterans and thank them for all they had done; that she thanked the Golden Corral off 610 who fed vets and their families with a line around the building; that she ate and spoke with them and it was really nice with people from the most recent wars back to the Korean War. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that on a sad note she was offering condolences to Constable Reuben Davis whose mother, Lolla May Davis, passed and she had attended her wonderful ceremony, she was a joy. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that there was a Housing Committee Meeting tomorrow, Thursday, at 2:00 p.m. in the Council Chamber and welcomed all to attend. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that she was a Cougar and the Cougars were making it to the "Big Time" playing SMU; and gave a shout out to all; that they were undefeated and ESPN was going to watch them play; and congratulated all. Council Members Johnson, Hoang, Rodriguez, Lovell and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzales congratulated the Houston Dynamo MLS Eastern Conference Champions as they prepared to compete for their third MLS Cup on Sunday in Los Angeles; that at 5:00 p.m. today they would be hosting a sendoff rally at City Hall and he hoped all would attend; that he looked forward to another Hometown Championship Team; GO DYNAMOS. Council Members Johnson, Hoang, Rodriguez, Lovell and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzales stated that the Annual District H Food Drive continued this week with seven drop-off boxes throughout the District and one at the City Hall Annex; that goods would be sent to the brave men and women over seas in time for Christmas holidays; and for more information contact Jerry Peruchini at 832-393-3225; and thanked all who joined them in this endeavor. Council Members Johnson, Hoang, Rodriguez, Lovell and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez thanked the North Shepherd Business Association and Melrose Civic Club for hosting the neighborhood cleanup; and stated that working together they were making neighborhoods safer, cleaner and greener; and for someone to work with his office on their own cleanup contact the District H Team at 832-393-3003. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez congratulated Booker T. Washington High School which was recognized as a significant part of Texas history and awarded a historical marker over the weekend; and stated that the Booker T. Washington Alumni Association worked extremely hard to make the

dedication happen and he appreciated their efforts. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated all could support the Ripley House Neighborhood Center by purchasing a \$10.00 Lasagna plate starting at 11:00 a.m. located at 4410 Navigation; that they provided numerous services for the District H constituents and to order a plate they could contact Mr. Fraga at 713-315-6400. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he wanted to give a special thanks to City employee Ralph DeLeon and the Old Six Ward TIRZ for their hard work and efforts in creating a new park at Sawyer, that it would enhance the community and he appreciated their efforts. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that as Council Member Jones mentioned there were many veteran events and he thanked all veterans; that he had not realized Houston was the top city in terms of veterans and also well regarded on how vets were treated here though much more needed to be done as they were the largest segment of the homeless population and some of the highest numbers of the unemployed. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Council Member Lovell stated that there would be a Joint Transportation, Infrastructure and Aviation and Development and Regulatory Affairs Committee Meeting tomorrow at 10:00 a.m. in the City Council Chamber with a lengthily Agenda covering parking, permitting and residential energy code; and invited all to attend. Council Members Johnson, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 10:10 a.m. Mayor Parker and Council Member Adams out of the city on city business. Council Members Clutterbuck and Noriega absent on personal business. Council Member Sullivan absent on city business. Council Members Johnson, Hoang, Rodriguez and Bradford 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