

City Council Chamber, City Hall, Tuesday, February 21, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 21, 2012, Mayor Pro Tem Edward Gonzalez presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Oliver Pennington, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie D. C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office present. Mayor Annise D. Parker and Council Member Al Hoang out of the city on city business.

At 1:53 p.m. Mayor Pro Tem Gonzalez called the meeting to order and stated that Council Member Adams would begin presentations. Council Member Adams invited Mr. Claude Griffin, Mr. J. Griffin, Mr. Dee Andre Sams, Mr. Richard Davidson and Mr. Barry Khan with HEB, A Rocket Moving and Storage and Got You Pest Control and stated that usually Council Members did not do this, but she had to do this; that last year was one of the worst droughts in Houston and District D lost three people who perished; that last year bees were discovered in homes and there was an outcall for air conditioners and food; that these men stepped forward without anyone asking, but food and air conditioners multiplied; and presented Certificates of Appreciation to each for all they did in helping so many. Council Members Sullivan, Pennington, Rodriguez and Burks absent.

Mayor Pro Tem Gonzalez and Council Member Noriega thanked each for their contributions and leadership; and for going above and beyond. Council Members Sullivan, Rodriguez and Burks absent.

Council Member Laster invited all present with Harmony School of Innovation to the podium and stated that it was his honor on behalf of Council Member Hoang and himself to present a Proclamation which was presented last year, but they just got all together this morning; that the students present were in the seventh grade and in the Chess Club and won a trophy, Harmony Schools were high performing K through 12 grades and blend high standards and expectations, rigorous curriculum, etc., to cultivate students to prepare for college careers; that they now had 36 campuses; and the City of Houston was proud to commend them on their commitment to education; and last year on November 14, 2011, declared that day for "Harmony Schools Day" in Houston, Texas and today was publicly honoring them. Council Members Sullivan, Rodriguez and Burks absent.

A Spokesperson for the group stated that they had 13 campuses in Houston; and thanked all for the recognition. Council Members Sullivan, Rodriguez and Burks absent.

Council Member Noriega stated that she was so impressed with their school and all were so proud of each student and expected great things from them for Houston, Texas and for their own lives and families. Council Members Sullivan, Rodriguez and Burks absent.

Council Member Green invited Mr. Harry E. Johnson to the podium and stated that today they were honoring a great Houstonian who the nation called on to build a monument fit for a "King"; that the nation called on his fraternity Alpha Phi Alpha, which was his fraternity also and invited all those in the fraternity present to stand to be recognized, that approval had to come from both houses of Congress, raise over \$120 million and get the "King" family on board; that Mr. Johnson made this happen; and presented him a Proclamation on his many accomplishments and wishes for continued success; and proclaimed today as "Harry E. Johnson Day" in Houston, Texas. Council Members Sullivan, Rodriguez and Burks absent.

Mr. Johnson thanked all for the recognition and stated that he could not have raised the funds with out his great understanding wife, all his Alpha Phi Brothers and all who gave their time and effort and it was an honor to have worked on the Martin Luther King Memorial and place in the nation's Capital the first memorial to a man of peace, man of color and non president and situated in the Mall between the Lincoln and Jefferson Memorials. Council Members Sullivan, Rodriguez and Burks absent.

Mayor Pro Tem Gonzalez and Council Members Adams and Bradford thanked, commended and congratulated Mr. and Mrs. Johnson for all done in allowing Dr. King's legacy to continue forward forever. Council Members Cohen, Sullivan, Rodriguez and Burks absent.

At 2:20 p.m. Mayor Pro Tem Gonzalez recognized Council Member Bradford for prayer and pledge. Council Member Bradford invited Dr. Vern Swisher, Chief Executive Officer of Career and Recovery Services, Inc. and Pastor with Galilee Community Baptist Church to lead all in the prayer and Council Member Bradford led all in the pledge. Council Members Cohen, Sullivan, Rodriguez and Burks absent.

At 2:23 p.m. the City Secretary called the roll. Mayor Parker and Council Member Hoang out of the city on city business. Council Members Sullivan and Burks absent.

Council Members Bradford and Noriega moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor Parker and Council Member Hoang out of the city on city business. Council Members Sullivan and Burks absent. MOTION ADOPTED.

Council Member Laster moved the rules be suspended for the purpose of hearing Mr. Dan Burden at the top of the two minute speakers, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Member Hoang out of the city on city business. Council Members Sullivan and Burks absent. MOTION 2012-0099 ADOPTED.

At 2:24 p.m. the City Secretary began calling the public. Council Members Sullivan and Burks absent.

Mr. Dan Burden, 2323 S. Shepherd #1100, Houston, Texas 77019 (614-595-0976) appeared and stated that he was representing the future of people being a part of the transportation system in Houston and many other cities; that for years one of the most simplest forms of transportation was overlooked and that was the human foot; that Houston was heavily dependent on its mobility with the automobile and it would be a tough act figuring out how to do this; that with AARP and an entire coalition of people working toward completing streets in Houston they were looking at a new way of doing things with the ultimate goal of all people of all ages to be able to travel on their own; that complete streets was bringing back equity to transportation systems; that they were looking at Navigation for a model program; and one neighborhood at a time could strengthen all neighborhoods. Council Members Sullivan and Burks absent.

Council Member Noriega stated that she joined the group with Mr. Burden and he was showing how to look at widths of sidewalks, street easement needed, parking needed, etc., and plans for Navigation were very exciting; that many people did not have cars and they had real opportunities in a time when it was tough to invest in infrastructure providing jobs and making a huge difference. Council Members Sullivan and Burks absent.

Council Member Pennington stated that in his work and talking about streets like Memorial Drive being redone, he emphasized they needed a good space for pedestrians and bicycle riders, now it was not a part of minimum requirements in many areas because of widths of right-of-way, expenses, etc., but in keeping it a priority they would eventually get there; that great

things were already done with hike and bike trails; and he thought there was a lot of support on Council for what he was advocating. Council Members Sullivan and Burks absent.

Mayor Pro Tem Gonzalez stated that on behalf of the Mayor and Administration they were reviewing the concepts through Public Works and speaking on his behalf as a Council Member he was a strong advocate for complete streets, in his opinion it was a great concept for public safety, the disabled community and economic development as well, there was a lot of up site to this and many details had to be worked out, but he looked forward to hearing them. Council Members Sullivan and Burks absent.

Mr. David Crossley, 3015 Richmond #201, Houston, Texas 77098 (713-523-5757) appeared, presented information and stated that he was president of Houston Tomorrow and member of the Houston Coalition for Complete Streets; that Council had opportunity to significantly increase health and wellbeing of Houstonians by creating a better environment for people to walk, if it was safe for children and seniors to walk, bikes, etc., they would lead healthier and more active lives; that Dr. Stephen Klineberg's survey showed 50% of the people would like Houston more walkable; that shortly Houston would have 65 neighborhoods with light rail, 30 square miles in walk zones around stations; that most wanted "walkable urbanism", but there was only about 5% supply; and for Houston to become one of the best connected cities they needed complete streets. Council Members Sullivan and Burks absent.

Mr. Doug House, 7132 Staffordshire, Houston, Texas 77030 (713-796-9304) appeared and stated that he was a healthcare professional and volunteer Bike Houston board member; that Bike Houston was a coalition partner of Complete Streets Houston and as representative of over 400 Bike Houston members and over 1,800 Facebook followers they commended Council's efforts for bayou trail systems, etc., that today he was advocating for a "complete streets" policy and an important component was safe, non motorized connectivity to rails, schools, shopping, etc., that Rebuild Houston would be tearing up roadways and providing better drainage and with little or no additional funding a "complete streets" policy would ensure they be rebuilt with all users in mind. Council Members Sullivan, Green and Burks absent.

Ms. Charlene James, 12063 E. Circle Drive, Houston, Texas 77071 (713-779-5999) appeared and stated that complete streets stood to benefit all residents; that she was an advocate for older adults and member of the Texas State Executive Council of AARP and this movement could have great value in terms of quality of life for older adults; and reduced mobility impacted seniors ability to get around and safe sidewalks, etc., were critical factors. Council Members Sullivan, Green and Burks absent.

Council Member Noriega asked Ms. James to take a sentence to complete; and Ms. James stated that she would like Council to keep their initiative in mind; and asked all of the "Complete Street" initiative to stand to be recognized. Council Members Sullivan, Green and Burks absent.

Ms. Diane Schenke, 3211 Harrisburg, Houston, Texas 77003 (713-928-9916) appeared, presented information and stated that she was president of the Greater East End Management District who was charged with increasing economic activity and improving infrastructure in the East End; that since 2007 they were involved with the Houston/Galveston Area Council's Livable Centers Program and one key was numerous public meetings and the vision developed included recognizing the East End was already a transit oriented community and they wanted an infrastructure reflecting the reality; shade trees along light rail and sidewalks; and discussed the five million dollar stimulus grant and their vision of Navigation. Council Members Sullivan, Green and Burks absent.

Council Member Noriega asked Ms. Schenke to sum up; and Ms. Schenke stated that they believed all improvements would lead to economic improvements and development in the East

End. Council Members Sullivan, Green and Burks absent.

Upon questions by Council Member Pennington, Ms. Schenke stated that they would be coming back with more of a "complete Streets" proposal, much was looking at public right-of-way. Council Members Sullivan, Green and Burks absent.

Council Member Noriega stated that one example would be reclassifying; that they had a certain number of classifications for kinds of streets and they would be looking at specifics which opened options. Council Members Sullivan, Green and Burks absent.

Mayor Pro Tem Gonzalez stated that there was no Council action pending on this matter; that they wanted to come and advocate their position and the Administration and Public Works was reviewing these concepts going forward and any input or suggestions Council may have they should relay it to the Administration to be taken into consideration as they craft something. Council Members Sullivan, Green and Burks absent.

Mr. James Llamas, 23 Sunset Boulevard, Houston, Texas 77005 (860-997-4493) appeared and stated that he was present representing the Citizens Transportation Coalition of which he was a member and volunteer to urge the city to adopt policies and append manuals for safe streets for all users, especially as they embark on Rebuild Houston; that in 2009 a bridge on Cambridge was opened and sidewalks from the bridge and crosswalks did not connect to the Medical Center and pedestrians were forced to walk through the grass or mud and wheelchairs were forced into traffic. Council Members Sullivan, Rodriguez, Green and Burks absent.

Upon questions by Council Member Adams, Mr. Llamas stated that the bridge on Cambridge had sidewalks and crosswalks up to McGregor that when you got to the west side of McGregor they did not continue to Herman Park or Ben Taub; and Council Member Adams stated Mr. Gary Norman was present and she would ask him to work with him and give her an update on the reason why the sidewalks were not completed. Council Members Sullivan, Rodriguez, Green, Burks and Noriega absent.

Mr. Robert Valyan, Jr., 11922 Panay Village, Houston, Texas 77048 (713-738-5784) appeared and stated that he pastored a church in the Sunnyside community and his concern was many individuals in the area were either on drugs or selling drugs and lived in the homes to sell; that his concern was for them and others without adequate food and clothing, etc., they were renovating a building by the church and he wanted to have a clothing and food pantry and computers where they could look for jobs; and he did not want drug dealers run out, but to have them delivered. Council Members Sullivan, Rodriguez, Green, Burks and Noriega absent.

Council Member Bradford stated that many were involved in nonprofits and other organizations community based to help those in need; and upon questions, Mr. Valyan stated that he applied for a United Way grant to finish their building and let others know there was a better way; and Council Member Bradford stated that an individual needed to want help before they received help and there were a number of places already; and he would continue to work with him. Council Members Sullivan, Rodriguez, Burks and Noriega absent.

Council Member Adams stated that she knew he had a concern with vacant property in the area needing to be cleaned; that Mr. Landon Taylor with the Department of Neighborhoods was present as well as her staff member and she would ask they both meet with him. Council Members Sullivan, Rodriguez, Burks and Noriega absent.

Mayor Pro Tem Gonzalez stated that he was a patrol supervisor with HPD out in the area for some time and was very familiar with Maggie Street and site visits would be taking place tomorrow to review properties, etc., and he appreciated him being present. Council Members

Brown, Sullivan, Rodriguez, Burks and Noriega absent.

Mr. Donald Burns, 13021 Donegal Way, Houston, Texas 77047 (713-882-0307) appeared and stated that last Tuesday he delivered a video tape and printout from incidents at 11800 Scott, the Betsy Community Center, every tape had police acting in law enforcement capacity and not one incident number or call that they were at the address telling him not to come back to a civic club meetings; and this had to stop. Council Members Sullivan, Pennington, Rodriguez, Burks and Noriega absent.

Council Member Bradford stated his inquiry had to do with correspondence from the Legal Department to Mr. Burns stating deed restrictions were reviewed and did not appear to be valid; and upon questions, Mr. Heilman stated that they attempted to refer them to volunteer lawyers who would give guidance on preparing deed restrictions or updating them; that Legal would pursue deed restriction violations, but could not prepare the document for them; and Council Member Bradford stated that may be a conflict; and upon further questions, Mr. Burns stated that there were three parties wanting to build nice brick homes in a modest neighborhood and the restrictions were done for a handful of people and even though they were not valid the city represented them as valid restrictions. Council Members Sullivan and Rodriguez absent.

Council Member Green stated that this weekend they were hosting a deed restriction workshop at the Hiram Clark Multi Purpose Center in conjunction with the city of Houston Legal Department and pro bono attorneys were coming in to assist communities. Council Members Sullivan and Rodriguez absent.

Upon questions by Council Member Burks, Mr. Heilman stated that to make deed restrictions legal you had to prepare the document to be approved by the majority of the homeowners. Council Members Adams, Sullivan and Rodriguez absent.

Council Member Bradford moved the rules be suspended for the purpose of extending the questions of Mr. Donald Burns, seconded by Council Member Burks. All voting aye. Nays none. Mayor Parker and Council Member Hoang out of the city on city business. Council Members Adams, Sullivan and Rodriguez absent. MOTION 2012-0100 ADOPTED.

Council Member Burks stated that he wanted to be sure and get the number right on the majority; and Mr. Heilman stated that he would get back with him, he thought it was 51%, but he may be incorrect; and upon questions by Council Member Burks, Mr. Burns stated that he sent every Council Member and the Mayor a tape; that law enforcement was there doing an investigation, asking for his drivers license, etc., they were using oppression, the city litigated him for the deed restrictions which were not valid. Council Members Davis, Adams, Sullivan and Rodriguez absent.

Mayor Pro Tem Gonzalez stated that Mr. Burns had been present several times and it seemed somehow either they were not resolving what he needed resolved because they could not or because ...; Mr. Burns interrupted and Mayor Pro Tem Gonzalez stated he should let him finish as he was trying to get a better understanding of what needed to be done; that he presented a call for service slip from officers but that was if an officer was dispatched, but perhaps if they were attending the meeting it might not necessarily be listed as a call for service; that if he wanted to lodge a complaint instead of Council he would suggest he start with Sergeant Baltazar who was present as there would need to be a formal investigation; and if he wanted to submit something in writing maybe they could take another look, he wanted to get something resolved for him as he was seeking relief and this may not be the body to give it to him; that he did not know what right a civic club would have to keep someone out of a meeting; and Mr. Burns stated that he was asking the City not represent the civic club when they were not chartered and not official; and upon questions of Mayor Pro Tem Gonzalez, Mr. Heilman

stated that they would take a look at this; and Mr. Burns stated that their email verified they were no good. Council Members Davis and Rodriguez absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA34511) had reserved time to speak but was not present when his name was called. Council Members Davis and Rodriguez absent.

Reverend Leopoldo H. Mata, 14616 Leacrest, Houston, Texas 77049 (281-316-4144) appeared, presented information and stated that he was a pastor in the Denver Harbor area for the past 26 years and now he volunteered as a soccer coach; that they started a ministry where they created a sports program which was on television every Friday for the past two years; that he wanted to involve young people in the entertainment business, but the PR people from the Astros, Rockets and Texans thought they were doing it to try and evangelize the players and they were denying him his job; and he would like someone to tell them he was not a threat. Council Members Davis and Adams absent.

Mayor Pro Tem Gonzalez stated that they received his letter and would make sure the Mayor received a copy, unfortunately the three teams listed were privately owned and the city did not have direct oversight over their operations or how they managed their media or press credentials. Council Members Davis and Adams absent.

Upon questions by Council Member Burks, Mr. Mata stated that he was being denied media credentials as they thought he was a threat; that only the Dynamos would give him credentials; that the other teams had written him and he would show him the letters. Council Members Davis, Adams and Noriega absent.

Ms. Simanal Foster, 7522 Elbert, Houston, Texas 77028 (713-634-8377) appeared and stated that she had come to address Mayor Parker and would hold what she had until next week. Council Members Davis, Adams and Noriega absent.

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

Mr. Samuel Smith, 16803 Imperial Valley Drive #86, Houston, Texas 77036 (281-447-3994) appeared, presented information and stated that last time present the Mayor stated the city hired ex-offenders and some employers also did but were not open about it; that he was still unemployed; that he understood this was his fault he was in these circumstances but he could not overcome them alone and needed intervention. Council Members Davis, Adams and Noriega absent.

Mayor Pro Tem Gonzalez stated that he believed last time Council Member Green had provided information on outreach opportunities for employment; that Ms. Kathy Barton was present with the Health Department and some outreach was done through that department; and encouraged he speak with her. Council Members Davis, Adams and Noriega absent.

Council Member Green stated that his office sent him on a couple of interviews and it did take time and he had to be persistent. Council Members Davis, Adams and Noriega absent.

Council Member Burks stated that he should have a seat and his office would work on doing something for him today; that Council Member Green was working with him and he would be working, they were going to help him get a job or create a job. Council Members Davis, Adams and Noriega absent.

Council Member Rodriguez stated that he heard Representative Herald Dutton speak and he had a former inmate on staff and they were successful helping folks who served their time; and he might reach out to him. Council Members Davis, Adams and Noriega absent.

Mr. Joseph B. Roche, 1703 Gray, Houston, Texas 77004 (281-928-5999) appeared and stated that gross inequality wealth was his topic today; that a pothole was in Hyde Park and it had hurt a lot of folks, he called 311 and was on hold too long; that even Council staffers had a problem being put on hold at 311 so there was a problem which needed a solution. Council Members Brown, Davis, Adams and Noriega absent.

Mayor Pro Tem Gonzalez stated that the item was already listed with 311 and they did have a service request number, Mr. Norman was on top of it and the Streets and Drainage Division would address the issue and he would be given the number so he could track it. Council Members Brown, Davis, Adams and Noriega absent.

Ms. Paula Harrison, 14410 Brunswick, Houston, Texas 77047 (832-339-8225) appeared, presented information and stated that today she was addressing the library across the street which was full of vagrants daily, there was a long line waiting for them to open and they stayed there all day, they were homeless like herself, because she was waiting on a Housing apartment, she went to where she was told and the lady said she gave it away because she was late, she went back to Housing and was told she would receive another letter to take back; and she was asking for a new Librarian. Council Members Brown, Davis, Adams and Noriega absent.

At 3:22 p.m. Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, February 22, 2012. Mayor Parker and Council Member Hoang out of the city on city business. Council Members Brown, Davis, Adams and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, February 22, 2012, with Mayor Annise D. Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director, present. Council Member Al Hoang out of the city on city business.

At 8:22 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:07 a.m. Mayor Parker called the meeting to order and called on Council Member Gonzalez for a point of order.

Council Member Gonzalez moved to suspend the rules to consider Item No. 2 out of order at this time, seconded by Council Member Costello. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Davis, Cohen, Sullivan, Burks and Noriega absent. MOTION 2012-0101 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **SPRING BRANCH MANAGEMENT DISTRICT**, for terms to expire June 1, 2015
  - Position One - **MR. C. DAVID SCHWAB, JR.**, reappointment
  - Position Two - **MR. THOMAS G. SUMNER**, appointment
  - Position Three - **MS. CATHERINE M. BARCHFELD-ALEXANDER**, reappointment
  - Position Four - **MS. SHERRI OLDHAM**, appointment
  - Position Five - **MR. VICTOR ALVAREZ**, reappointment

Position Six - **MR. MAURICIO VALDES**, reappointment  
Position Seven - **MR. DAN SILVESTRI**, reappointment

- was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. Council Members Davis, Cohen, Sullivan, Burks and Noriega absent.

Council Member Brown stated that she had spoken with many on the Spring Branch Management District Board, that this slate of candidates was not approved last year and moved to amend Item No. 2 to change one of the names on the slate for Position No. 5, and Mayor Parker stated that she was going to rule that motion out of order, it was a Mayoral appointment, and Council Member Brown stated that with all due respect this was an item in Spring Branch. Council Member Sullivan absent.

After further discussion by Council Members, Council Member Rodriguez moved to suspend the rules to hear from Mr. David Hawes on Item No. 2. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-0102 ADOPTED.

Upon questions by Council Member Rodriguez, Mr. Hawes stated that he was the Executive Director of the Spring Branch Management District, that the board had half of it's board members come up every two years, every odd year, that this was the slate whose term had expired in June 2011, that the board went through an extensive process for board selection and reappointment, that every board member had to fill out an application, even if they were a reappointment, they went through an interview process and then presented to the board under the statute for recommendation to the City, that the City could either accept or reject the state if they so desired, that the board would go through the process of doing the interviews, receiving applications and making recommendations, that this was the state that the board had voted on and put forth to the Mayor and City Council for approval as provided for under Chapter 375 Local Government Code. Council Member Sullivan absent.

After further discussion by the City Council, Mayor Parker stated that Council Member Brown could move to divide the question to consider Position No. 5 separately. Council Member Sullivan absent.

After further discussion by Council Members, Council Member Brown moved to divide the question to consider Position 5 separately on Item No. 2 and postpone Position 5 for two weeks. Council Members Brown and Pennington voting aye, balance voting no. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-0103 FAILED.

After further discussion by Council Members, Council Member Brown moved to postpone Item No. 2 for two weeks, seconded by Council Member Pennington. Council Members Brown and Pennington voting aye, balance voting no. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-104 FAILED.

A vote was called on Item No. 2. Council Members Brown and Pennington voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-105 FAILED.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 37**

### **MISCELLANEOUS - NUMBERS 1**



1. REQUEST from Mayor for confirmation of the appointment of **MR. DOUGLAS A. ERWING, State District 147 Representative**, to Position Two of the **BOARD OF DIRECTORS OF THE MIDTOWN REDEVELOPMENT AUTHORITY**, for a term to expire December 31, 2013 – was presented, moved by Council Member Gonzalez, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Sullivan and Noriega absent. MOTION 2012-0106 ADOPTED.

**PROPERTY** - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Dennis McQueen, on behalf of Elsaifi Interests, LP (Diran Elsaifi President), for abandonment and sale of a ±15-foot-wide alley, from Durham Drive east to Shepherd Drive, Brunner Addition, out of the John Austin Survey, Parcels SY12-013 and SY12-027 - **DISTRICT C - COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Sullivan and Noriega absent. MOTION 2012-0107 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 5 and 5A

5. ORDINANCE appropriating \$19,560.00 out of Woodlands Regional Participation Fund for Purchase of Log Cabin Furniture for Parks & Recreation Department – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0148 ADOPTED.
- 5a. **3MB INTERIOR PLUS** for Purchase of Log Cabin Furniture for Parks & Recreation Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-0108 ADOPTED.

**ORDINANCES** - NUMBERS 16 through 37

16. ORDINANCE approving and authorizing second amendment to loan agreement between the City of Houston and **CLOUDBREAK HOUSTON, LLC** to extend the deadline for completion of work in connection with the renovation of a multi-unit residential development located at 4640 Main Street to house qualifying U.S. Veterans - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0149 ADOPTED.
21. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **MOTOROLA SOLUTIONS, INC (Formerly MOTOROLA, INC)** for Radio and Mobile Data Computer Repair Services for the Houston Police and Fire Departments – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0150 ADOPTED.
22. ORDINANCE approving and authorizing third amendment to contract between the City and **DATABANK IMX LLC, Formerly IMAGEMAX, INC** (Approved by Ordinance No. 2000-194) for Document Scanning and Retrieval Services for the Controller's Office – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0151 ADOPTED.

23. ORDINANCE amending Ordinance No. 2008-0099 (Passed on February 6, 2008) to increase the maximum contract amount for contract between the City of Houston and **TEXAS CORRECTIONAL INDUSTRIES DARRINGTON TIRE RETREADING FACILITY** for Tire retreading and repair services for the Fleet Management Department - \$114,697.63 - General Fund - had been pulled from the Agenda by the Administration, and was not considered. Council Member Sullivan absent.
29. ORDINANCE appropriating \$821,939.81 out of Street & Traffic Control and Storm Drainage DDSRF Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Neighborhood Street Reconstruction Project 453 (Approved by Ordinance No. 2011-0409, as amended); providing funding for CIP Cost Recovery relating to construction financed by the Street & Traffic Control and Storm Drainage DDSRF Fund - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0152 ADOPTED.
30. ORDINANCE appropriating \$3,268,400.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** 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 (4235-54) – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0153 ADOPTED.
31. ORDINANCE appropriating \$10,460,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LLC** for Greens Bayou 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 I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0154 ADOPTED.
32. ORDINANCE No. 2012-0132, passed first reading February 15, 2012  
ORDINANCE granting to **ADAM H. BELMONT d/b/a BETO'S HYDRO & SANITATION, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0132 PASSED SECOND READING IN FULL.
33. ORDINANCE No. 2012-0133, passed first reading February 15, 2012  
ORDINANCE granting to **C.R. MCCASKILL ENTERPRISES, INC dba TIDELAND GREASE TRAP SERVICE, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances,

Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0133 PASSED SECOND READING IN FULL.

34. ORDINANCE No. 2012-0134, passed first reading February 15, 2012  
ORDINANCE granting to **JERRY BRUMFIELD d/b/a BRUMFIELD SANITATION SERVICE, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0134 PASSED SECOND READING IN FULL.
35. ORDINANCE No. 2012-0135, passed first reading February 15, 2012  
ORDINANCE granting to **SONYA CARR BERTRAN d/b/a ANITA'S VACUUM SERVICE, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0135 PASSED SECOND READING IN FULL.
36. ORDINANCE No. 2012-0136, passed first reading February 15, 2012  
ORDINANCE granting to **CIMA SERVICES, L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0136 PASSED SECOND READING IN FULL.
37. ORDINANCE No. 2012-0137, passed first reading February 15, 2012  
ORDINANCE granting to **WASTE PARTNERS OF TEXAS, INC d/b/a JACKPOT SANITATION SERVICES, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0137 PASSED SECOND READING IN FULL.

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

**ACCEPT WORK**

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,853,926.26 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Market Street Reconstruction from N. Wayside to Lockwood Drive 3.77% over the original contract amount - **DISTRICTS H - GONZALEZ and I – RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded

by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-0109 ADOPTED.

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

6. **SAFE BOATS INTERNATIONAL LLC** for Purchase of a Full-Cabin Boat from the General Services Administration Schedule 84 Contract through the Cooperative Purchasing Program under the Local Preparedness Acquisition Act for the Houston Police Department - \$367,462.78 Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-0110 ADOPTED.
7. **AMEND MOTION #2007-588, 6/13/07, as amended by Motion #2011-406, TO INCREASE** spending authority from \$9,000,000.00 to \$10,080,000.00 for Chemical, Liquid Polymer Flocculent for the Department of Public Works, awarded in part to **POLYDYNE, INC** - Enterprise Fund – was presented, and tagged by Council Member Adams. Council Member Sullivan absent.
8. ORDINANCE appropriating \$1,598,523.33 out of Equipment Acquisition Consolidated Fund and \$593,641.00 out of Fleet/Equipment Special Revenue Fund for Purchase of Automobiles, Van, Utility Vehicles and Light-Duty Trucks for Various Departments – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0155 ADOPTED.
- 8a. **PHILPOTT MOTORS, LTD., dba PHILPOTT FORD** - \$88,375.00, **FRED HAAS TOYOTA COUNTRY** - \$70,350.00, **CALDWELL AUTOMOTIVE PARTNERS, LLC dba CALDWELL COUNTRY CHEVROLET** - \$692,973.00, **CALDWELL AUTOMOTIVE PARTNERS, LLC dba CALDWELL COUNTRY FORD** - \$1,657,177.00, **TOMMIE VAUGHN MOTORS, INC** - \$394,240.00 and **RON CARTER AUTOMOTIVE** - \$194,537.00 for Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments - \$3,097,652.00 – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-0111 ADOPTED.

### **ORDINANCES**

9. ORDINANCE amending Exhibits “A” of City of Houston Ordinance No. 90-1292 (As amended by City of Houston Ordinance No. 2011-0490), to amend the Master Classification Ordinance to add three new job classifications and changing one job classification title; providing a repealer; providing for severability – was presented, and tagged by Council Member Adams. Council Member Sullivan absent.
10. ORDINANCE enlarging the boundaries of **REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS, (OLD SIXTH WARD ZONE) - DISTRICT H – GONZALEZ** – was presented, and tagged by Council Member Brown. Council Member Sullivan absent.
- 10a. ORDINANCE approving the third amendment to the **PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS, (OLD SIXTH WARD ZONE)**; authorizing the

City Secretary to distribute such plans - **DISTRICT H – GONZALEZ** – was presented, and tagged by Council Member Brown. Council Member Sullivan absent.

11. ORDINANCE amending Ordinance No. 2003-1034 relating to Special Event Temporary Information Signs – was presented. Council Member Sullivan absent.

After discussion by Council Members, a vote was called on Item No. 11. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0156 ADOPTED.

12. ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code – was presented, and tagged by Council Member Brown.
13. ORDINANCE approving and authorizing contract between the City and **EASTER SEALS OF GREATER HOUSTON, INC** for Respite Services provided through the Harris County Area Agency on Aging of the Houston Department of Health and Human Services; providing a maximum contract amount - Through August 31, 2013 with three one-year renewals \$350,000.00 - Grant Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0157 ADOPTED.
14. ORDINANCE appropriating and transferring \$400,000.00 out of Contractor's Responsibility Fund into the Health Special Revenue Fund for the provision of services under the Care Houston Program for the Department of Health and Human Services – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0158 ADOPTED.
15. ORDINANCE amending Ordinance No. 2009-152 to increase the maximum contract amount for contract between the City and **THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON** for Behavioral Surveillance Services - \$388,918.00 - Grant Fund - was presented. Council Member Sullivan absent.

After discussion by Council Members, a vote was called on Item No. 15. Council Members Pennington, Brown and Christi voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Adams, Sullivan and Rodriguez absent. ORDINANCE 2012-0159 ADOPTED.

17. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **STAR OF HOPE MISSION** to provide \$300,000.00 in Community Development Block Grant Funds for the renovation of the Women and Family Emergency Shelter Facility located at 419 Dowling Street, Houston, Texas - **DISTRICT I - RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0160 ADOPTED.
18. ORDINANCE approving and authorizing Master Contractor Agreement between the City of Houston and **ALTURA HOMES DFW, LP, AS CONTRACTOR**, and providing \$3,508,560.00 of Community Development Block Grant (Disaster Recovery) Funds for the reconstruction of up to forty single family homes; approving revised Hurricane Ike/Dolly Housing Assistance Guidelines; approving and authorizing the form of reconstruction agreements for each of the Single Family Home Reconstruction Projects; authorizing the Director of the Housing and Community Development Department to select, pursuant to

the guidelines, eligible properties to be reconstructed – was presented, and tagged by Council Member Brown. Council Members Adams and Sullivan absent.

19. ORDINANCE appropriating \$480,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund for use in the Single Family Home Repair Program – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0161 ADOPTED.
20. ORDINANCE appropriating \$1,500,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City and **NETVERSANT SOLUTIONS, LLC** for Telecommunication Services for the Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$10,489,626.92 - Enterprise Fund - was presented, and tagged by Council Member Brown. Council Members Adams and Sullivan absent.
24. ORDINANCE awarding contract to **COMMERCIAL CHEMICAL PRODUCTS, INC d/b/a POOLSURE** for Swimming Pool Maintenance Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$4,441,890.00 - General Fund – was presented, and tagged by Council Member Brown. Council Members Adams and Sullivan absent.

Council Member Brown asked how many pools did they have in the City of Houston, and Mayor Parker stated 37, and Council Member Brown stated that they were talking about \$15,000 per month or more for each pool maintenance for the next 3 years, and Mayor Parker stated that it was a 5 year contract, it was 3 years with two 1 year options, so they put the maximum 5 year amount in.

Council Member Brown stated that she would go ahead and vote on this item and Mayor Parker stated that Council Member Brown had withdrawn her tag of Item no. 24, and a vote was called on Item No. 24. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0162 ADOPTED.

25. ORDINANCE awarding Technical and Installation Services Agreement to **TRIUMPH CABLING SYSTEMS, LLC** for Houston Public Library Broadband Technology Opportunities Program; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by the Digital Houston WIFI Fund and the American Recovery and Reinvestment Act Fund \$25,000.00 Digital Houston WIFI - \$134,546.80 Grant Fund - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ; J - LASTER and K – GREEN** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0163 ADOPTED.
26. ORDINANCE appropriating \$3,000,000.00 out of Airports Improvement Fund and approving and authorizing contract for Professional Engineering Services between the City of Houston and **ATKINS NORTH AMERICA, INC** for Reconstruction of Taxiway “NB” at George Bush Intercontinental Airport/Houston, (Project No. 647) - **DISTRICT B – DAVIS** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0164 ADOPTED.

27. ORDINANCE appropriating \$191,958.00 out of Metro Projects Construction - Dedicated Drainage and Street Renewal Fund and approving and authorizing Signal Interconnect Agreement between the City and **UNION PACIFIC RAILROAD COMPANY** for the proposed installation, maintenance, and operation of a Signal Interconnect Facility at the Little York Road At-Grade Public Road Crossing - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0165 ADOPTED.
28. ORDINANCE appropriating \$163,800.00 out of Street & Traffic Control and Storm Drainage DDSRF Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **JONES & CARTER, INC** for White Oak Bayou Cottage Grove Subdivision Low Impact Development Demonstration Project; providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF Fund - \$178,000.00 - Grant Fund - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0166 ADOPTED.

**MATTERS HELD** - NUMBERS 38 through 42

38. ORDINANCE appropriating \$119,784.00 out of Equipment Acquisition Consolidated Fund for the purchase of Utility Vehicles for the Houston Police Department – (**This was Item No. 5 on Agenda of February 15, 2012, TAGGED BY COUNCIL MEMBERS PENNINGTON and HOANG**) – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Adams and Sullivan absent. ORDINANCE 2012-0167 ADOPTED.
- 38a. RECOMMENDATION from Purchasing Agent to award to **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** for Police Utility Vehicles for the Houston Police Department – (**This was Item No. 5A on Agenda of February 15, 2012, TAGGED BY COUNCIL MEMBERS PENNINGTON and HOANG**) – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. Council Members Adams and Sullivan absent.

Council Member Pennington stated that he had tagged the item just to determine whether the Buy Houston Ordinance was being applied since the seller was Caldwell Country Chevrolet, but understood they had a Houston location as well and guessed that qualified and thanked Mayor Parker for the information.

A vote was called on Item No. 38a. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2011-0112 ADOPTED.

39. RECOMMENDATION from Purchasing Agent to **AMEND MOTION #2010-200, 4/7/10 as amended by MOTION #2011-395 and #2011-644, TO INCREASE** award amount from \$10,268,000.00 to \$13,068,000.00 for Purchase of Fuel Cards and related services from the Texas Facilities Commission formerly known as the Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments, awarded to **COMDATA NETWORK, INC** - \$2,800,000.00 - Fleet Management Fund – (**This was Item 6 on Agenda of February 15, 2012, TAGGED BY COUNCIL MEMBER HOANG**) - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Sullivan

absent. MOTION 2011-0113 ADOPTED.

40. ORDINANCE appropriating \$3,500,000.00 from TIRZ Affordable Housing Fund (2409) and authorizing the use of \$3,500,000.00 in TIRZ Affordable Housing Funds for the demolition of dangerous single and multi-family vacant buildings under the City of Houston's "Distressed Properties Intervention & Demolition Initiative" – **(This was Item 19 on Agenda of February 15, 2012, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0168 ADOPTED.
41. ORDINANCE approving and authorizing first amendment to contract (Approved by Ordinance No. 2007-0972) between the City of Houston and **BL TECHNOLOGY, INC** for Security System Installation and Repair Services for the General Services Department - **DISTRICT A – BROWN – (This was Item 22 on Agenda of February 15, 2012, TAGGED BY COUNCIL MEMBER GONZALEZ)** – was presented. Council Member Sullivan absent.

After discussion Council Member Brown moved to postpone Item No. 41 for one week, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. MOTION 2012-0114 ADOPTED.

42. ORDINANCE appropriating \$7,218,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for West District and Upper Brays Wastewater Treatment Plant Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - HOANG and G - PENNINGTON - (This was Item 26 on Agenda of February 15, 2012, TAGGED BY COUNCIL MEMBER HOANG)** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Sullivan absent. ORDINANCE 2012-0169 ADOPTED.

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

Council Member Adams stated that she wanted to thank Council Member Gonzalez for yesterday kicking off Rodeo Week and reminding everyone that Friday was Go Texan Day, that she wanted to salute the mounted patrol for everything they had done teaching her how to ride, that she looked forward to riding this coming Saturday in the parade; that tonight the District D CIP meeting would be at the Judson Robinson Jr. Community Center, 2020 Hermann Drive, at 6:30 p.m., that the Mayor would join them tonight to give her perspective of where they were going with Rebuild Houston and she looked forward to seeing all her constituents tonight; that on Monday there would be joint CIP meeting and she wanted to thank Council Member Sullivan and Mayor Parker for letting them partner for the District D CIP meeting on Monday, February 27, 2012 at the University of Houston Clear Lake at 6:30 p.m.; that on Thursday, February 23, 2012 the Houston Housing Authority Family Self Sufficiency Program would encourage families obtain employment and education and she would be the keynote speaker, that she wanted to thank the Housing Authority for inviting her to participate; that Sterling High School Aviation Magnet Program was to recognize five students who had finished their solo flight, D'Jan Woodford, James Bunch, Jesse Soto, Christian Moreno and George Smith, who in addition had completed and passed his FAA Exam, that Sterling High School was the only High School Aviation Program in Houston and she wanted to congratulate those students and would



recognize them tomorrow at the airport; that she wanted to thank Mayor Parker's staff and the Mayor's Citizens Assistance team, for all they had done in the last year preparing for the What If Fashion Show tomorrow, that many Council Members and various staff throughout the City of Houston would be modeling fashion for girls to encourage them and get them excited about the prom, that Adrian Garcia would be the keynote speaker tomorrow night; that as she gets ready for the Rodeo cook-off she would be joining Clear Channel tomorrow, as well as Reliant, for the Rodeo cook-off as they celebrate and have a good time; that on Friday, February 24, 2012, would be the Firefighters Trailblazers Breakfast and she looked forward to attending that event, that Council Member Davis would be the keynote speaker tomorrow at the Kashmere Multi Service Center. Council Members Brown, Rodriguez and Noriega absent.

Council Member Pennington stated that last Thursday night he attended the HPD Westside PIP meeting on Dairy Ashford, that Captain Skillner and his staff were there and he wanted to compliment them for making a crime report and talking about the activities of their technical teams; that he and Council Member Cohen attended, yesterday, the first meeting of the Houston Galveston Area Council as City representatives, that a number of topics were discussed, one was just beginning to come forward, regional councils for dealing with the new Federal Medicare Law, that Mr. Lopez, head of the Harris County Hospital District was there and answered a number of questions, that he was sure Mayor Parker was up on that and wanted her to give them a report once she figured what they needed to do; that he wanted to thank Gary Norman, Public Works, they had a number of serious calls late in the afternoon, emergencies, and Gary had been very attentive, that he wanted to remind Public Works that they appreciated what they did; that in 1732 their first President, George Washington, was born today. Council Members Brown, Rodriguez and Noriega absent.

Council Member Green stated that yesterday they honored Harry Johnson, who was the President of the National MLK Foundation and he wanted to thank the brothers of Alpha Phi Alpha as well as Harry Johnson supporters who all came down to the Council session to be a part of that honor; that on Saturday, February 25, 2012, District K would have their first Deed Restriction Workshop from 10:30 a.m. to 1:30 p.m. at the Hiram Clarke Multi Service Center, 3810 West Fuqua, the purpose was to focus primarily on civic clubs that were in need of amending, modifying or establishing their deed restrictions; that on Sunday he would attend the 42nd Anniversary of the Robert M. Beren Academy, which resided in District K, was a Jewish Modern Orthodox, K through 12 school, which had been recognized for its integrated college preparatory education, that he had been given the honor to also present Dr. Allen Hoffman with a proclamation for being a pillar in the Jewish Community, that he looked forward to that opportunity; that the Braes Oaks Management District, Southwest Houston 2000 and the Houston Baptist University would have their bi monthly breakfast on Tuesday, March 13, 2012, at 7:15 am. at Houston Baptist University, the guest speaker would be David Crosslian and he would be discussing Quality of Life Issues that affected the Houston region through research, education and discussion, for more information contact Judy Terry at judynmike@sbcglobal.net; that the President of the Westbury Area Improvement Corporation, Mr. Dabney Kennedy would be honored with an outstanding Eagle Scout Award, the award was actually given to alumni Eagle Scouts who had gone over and above the call of duty, that he would be honored on February 29, 2012 at the Merrell Center in Katy, Texas; that they had three hiring events at the Workforce Solution Office, Astrodome, location, that Family Dollar would be having a hiring event for Customer Service Representatives; tomorrow, February 23, 2012, at 10:00 am., Aramark Reliant, would be looking for Facility Events Supervisors; and next Thursday, March 1, 2012, Aramark, Minute Maid Park, would have concession staff positions available, for more information they could call the Workforce Solution office at 713-661-3220. Council Members Brown and Rodriguez absent.

Council Member Davis stated that last night Super Neighborhoods 49 and 50 met off of North Wayside where construction was being done and he wanted to thank Remeka Allen for

getting Joe Smith out to talk about the construction, that on the sidewalks the seniors had a lot of questions and issues, that they were going to talk to the contractors today to get some things modified so they could have access until they finish with the construction, that he wanted to thank the Mayor and her staff for working on that; that on March 3, 2012 there would be a cleanup at Mount Horeb off of Montgomery and Acres Homes at 9:00 a.m., they would encourage people in the Acres Homes area to come out and help; that on March 6, 2012, they would have their CIP at 9729 Spaulding, the Northeast Community Center, that since they were only going to have one CIP meeting in their large district they were setting up the new Skype for their other community centers, like the ones in the Fifth Ward, Kashmere Gardens and Pleasantville, that they would have information today if they could do it in Acres Homes, that it was a way to bring their District up to speed, that since they wanted to see the department heads they were going to blast it on the broadband to other community centers so they would not have to make the trek to the Northeast Community Center. Council Members Brown and Rodriguez absent.

Council Member Cohen stated that last night she spoke to the Magnum Manor Civic Club, that the questions and attentiveness of the group really indicated their passion for the community, that there were a lot of things that needed attention; to remind everybody, the League of Women Voters was having a luncheon honoring two former Council Members, Council Members Clutterbuck and Lovell. Council Members Brown and Rodriguez absent.

Council Member Christi stated they had some of the greatest citizens in the world that gave to the City and wanted better, that was the feeling he had gotten over the weeks, that he thought they were on their way. Council Members Brown, Rodriguez and Noriega absent.

Council Member Burks stated that Mr. John H. Williams, a parishioner at the church where he pastored for 13 years, passed away last week, and his brother was part of the security detail in the building, that he was an inspiration to their church members and he would be missed, that he wanted to extend his condolences to the family; that as they continue with the celebration of Black History Month he wanted to point out a noteworthy performance which he attended at the Ensemble Theater, the Ballad of Emmett Teal, a story of an African American College teenager, 15 years old, who visited Mississippi in 1955 and after whistling at a White woman a group of men kidnapped, tortured, killed and discarded Teal's body in a lake, the story tells of a loving and energetic boy and reminds them of the brutality of Jim Crow and the tremendous progress that Americans had made over the past 60 years; that on March 2, 2012 over 1,100 junior high and high school students would be displaying their Science Fair projects at the George R. Brown Convention Center, hosted by the University of Houston Downtown, that the Science Fair would display a wide array of projects from students all over the Houston area; that next week their Sister City, Karachi, Pakistan, would be sending a trade delegation to Houston for a week, that these representatives of the Karachi Business Community would be exploring new trade and commerce connection opportunities with the City; that they were days away from kicking off the rodeo, that it was important to remember that the rodeo brought a full month of family fun, live music, competitive rodeo sporting events and an economic powerhouse to the City. Council Members Grown, Rodriguez and Noriega absent.

Council Member Bradford stated that he would encourage all to fully enjoy the barbeque, livestock show, the rodeo itself and the parade scheduled for the weekend; that as he moved across the City of Houston the real big issue on citizens and business minds, to some extent, had to do with the upcoming budget cycle they were headed into, they were concerned about what they were going to do, as a local governing body, to make their ends meet this time around, that he was pleased to report that Council Member Costello was doing a yeoman's job in the Core Services Workshops, they were going well, the directors were coming in, in his view they were fully engaged, they were fully participating and they were getting, what he thought, some very beneficial information out of those workshops, if it was no more than to explain

further to some of them how important some of those services were, that there were some things that they thought perhaps could be eliminated that they determined no, if they disconnected "a" there was a ripple effect to b, c, and d, that he wanted to commend the Mayor and Department Directors for coming in and participating diligently to help them get a better understanding as Council Members to prepare them for the budget workshops that were coming up. Council Members Brown, Davis, Cohen, Pennington and Rodriguez absent.

Council Member Laster stated that in keeping with the Rodeo theme he had not intended to say much about it aside from the fact that it was always a wonderful time of year, that when he was a young man it was his father's joy and passion to make sure that he worked with him on the ranch to not only help break horses, but prepare horses, and there was kind of a general rule that if they did not know the horse they ought not to be on top of the horse, that since he did not know the horses that would be in the parade he would probably be walking aside Council Member Burks, that it was his joy to be with the Rodeo this weekend and was looking forward to it and the great work they did; that this past week he was with India House, located in District J and had their fund raiser at Hotel Intercontinental, that community was so vibrant in southwest Houston and they did great work in that location; that on Thursday, March 1, 2012, one of the next public hearings on Chapter 42 would be held at the Sharpstown Recreation Center, at 6:30 p.m., at 6600 Harbor Town Boulevard, that the Planning Commission would be with them, that next week on Thursday, March 8, 2012, District J would be holding the CIP meeting at the same location at 6:30 p.m.; that today was Ash Wednesday and the day that thousands of Christians around the world reflected on the beginning of the Lenten Season and he would encourage all of the Council Members to have a Holy Lenten Season. Council Members Brown, Davis, Cohen, Pennington and Rodriguez absent.

Council Member Costello stated that Council Member Bradford vice chaired all of the Core Services meetings and he wanted to thank him; that he to wanted to encourage his colleagues, that having been able to provide those rankings that they asked for and were still providing those to the administration he wanted to personally thank the Mayor's office, as well as Kelly Dowe and all the directors who had done an excellent job in providing the information for them, that it had been very helpful, especially for the freshman Council Members and he appreciated everyone's attendance; that over the past several days he had been reading a lot about and hearing a lot on talk shows about their Long Range Management Task Force and their recommendations and the inquiry about what they were going to be doing next, that he wanted to remind his colleagues that at their next Budget and Fiscal Affairs meeting on March 6, 2012 they would start that discussion. Council Members Brown, Davis, Pennington and Rodriguez absent.

Council Member Sullivan stated that District E received a phone call from a Houston based company, KBR, who had volunteered to provide \$5,000 for a tree replacement program on Kingwood Drive, that he wanted to thank KBR, in particular Phillip Ivy, who was also a Kingwood resident for his work in marshalling this through KBR's organization, they were going to have an employee event, that a local non profit was going to match the \$5,000 so they would have \$10,000 worth of new trees on Kingwood Drive to fill some of the areas where trees had to be removed, that he wanted to thank Director Joe Turner for his involvement in helping make this happen; there was a new Brigadier General at Ellington Airport, in an effort to introduce the General to the local Clear Lake Community, yesterday he held a meet and greet at Ellington Field, that the General had a chance to learn more about the community than he had any idea about, that he wanted to thank Brian Rhineheart, Airport Manager and Saab Abasha for providing lunch and refreshments for all of them; that he wanted to congratulate Council Member Gonzalez on LULAC recognizing him as "Man of the Year" , that it was a great dinner, that they needed to keep in mind that the money raised at the dinner went into their scholarship fund so that more Latinos could get an education, that Houston Port Commissioner Ms. Janice Longoria was also recognized as "Woman of the Year"; that last week the City of Houston

hosted the Harris County Association of Mayor's and Council's at Hotel ZaZa, that it was a good opportunity to network with other cities and see what was going on and hear all of the problems they shared; that he wanted to thank Boy Scout Troop 595 in Clear Lake for inviting him to their annual Blue and Gold Banquet this past weekend in Clear Lake. Council Members Brown, Davis, Pennington, Rodriguez and Green absent.

Council Member Gonzalez stated that he appreciated Council Member Sullivan's kind words, that he wanted to thank Mayor Parker as well for attending, it was a great event, that Commissioner Longoria was also recognized and honored, that he appreciated everyone's presence there; that yesterday they had an opportunity to hear from the Houston Coalition for complete streets, that he wanted to offer his support and advocate for the cause, they had a vision that all streets were safe for all users at all times throughout Houston, that he wanted to encourage the administration to continue to look at the issue and explore all possibilities; that for the rodeo run cleanup he wanted to thank the Greater Northside Management District, Houston Works, Conoco Phillips and State Representative Jessica Farrar for their hard work on the annual Conoco Phillips Rodeo Run Cleanup on Saturday; that yesterday it was his pleasure to kickoff the rodeo roundup at City Hall on behalf of Mayor Parker, that he was joined at Hermann Square by his colleagues, Council Members Rodriguez, Adams and Christi, that since 1932 the Houston Livestock Show and Rodeo had committed more than \$283 million to the youth of Texas, that currently more than 2,000 students were on scholarships worth over \$39 million, that the Houston Livestock Show and Rodeo was a Texas tradition with a legacy of 8 decades and it was their great pleasure, as a City, to declare this Friday, February 24, 2012, as "Go Texan Day"; that he wanted to mention the passing of Mr. Gilbert Rodriguez and would like to extend his condolences and support to his close friend, Lenore Pullman, on the passing of her father, that he made mention of Council Member Noriega's loss and was keeping her and her family in their thoughts and prayers; that today was Ash Wednesday and marked the first day of Lent, a period of prayer, fasting and reflection. Council Members Davis, Pennington, Rodriguez and Green absent.

Council Member Noriega stated that they lost Rick's father last week, Joe Noriega, and she wanted to take a minute to thank everyone who sent notes, food, wishes, text and emails and all of those things, that it meant so much to have the support of family and friends when they were working their way through something like that, that it was always a blessing to be lifted up by the prayers and thoughts of family and friends, that the mother of Paul Bettencourt, Dorothy Jean Fisk Bettencourt passed away, that the obituary was in the paper today and was a treat and she recommended they read it; that Carmel Dyer, who was in charge of the Geriatric and Palliative Medicine Department at Memorial Hermann obviously cared for that family as well, that she wanted to mention that they had a center for aging health care at Memorial Hermann that was terrific and in conjunction with the U.T. Health Medical School, they were helpful with Joe and this family mentioned also, that it was something that people needed to be aware of, they were all getting older and their parents were getting older and they were coming to this place, that was a resource that she thought people needed to be aware of, the Center for Healthy Aging was available through Memorial Hermann; that someone she worked with at the Houston Independent School District, Ms. Krish Garza, passed away, that she was a champion for children, that to Kris and her family and all of the folks that worked with her at HISD she was terrific; that she thought that Ash Wednesday and all of Lent was a time to reflect and she was looking forward to having a little quiet time to do that. Council Members Davis, Pennington, Rodriguez and Green absent.

Council Member Brown announced the following events; Thursday, February 23, 2012, the Greater Inwood Partnership Community was having their meeting at Advent Luthern Church, 7:00 p.m. to 9:00 p.m., 5820 Pinemont Drive; Tuesday, February 28, 2012, the District A CIP meeting would be from 6:30 p.m. to 8:30 p.m. at Spring Wood High School, 2045 Gessner; that she and some of her staff attended a Pro Life Banquet last Friday benefiting the

Beltway 8 South Crisis Pregnancy Center at Grace Community Church, that here in Houston they had the world's largest abortion facility, that she was a supporter of life and encouraged everyone to get involved in trying to remedy this situation. Council Members Davis, Pennington, Rodriguez, Green and Noriega absent.

Council Member Adams stated that she wanted to thank Mayor Parker and her staffer, Brenda Murphy, for her consideration in hosting Delta Days next Tuesday at City Hall, that many ladies from Delta Sigma Theta would be present and would encourage all ladies who were members of Delta Sigma Theta if they would like to participate the event would begin at 12:15 p.m. in the Mayor's Conference Room; that she was happy to see Ms. Olivia Randle out in public this weekend and was glad she was feeling better, that Ms. Randle was an advocate for her community; that she wanted to thank the directors, she had sent Mayor Parker a memo about meeting with the directors, the ones that fell under the Housing and Sustainable Growth Committee, that she wanted to thank her Vice Chair, Council Member Laster, for giving input on how they moved the committee forward with the Mayor's vision, that they provided their next six month plan of items that were coming before City Council so they could have a heads up on what they needed to start preparing for; that she would be meeting with the International Protocol Leadership next week and Director Hayes, Solid Waste, would be going with her and this was what these meetings would be about, that yesterday they hosted their first Housing and Community Development Committee meeting and it was a well formed and organized committee meeting; that yesterday she had the opportunity to honor five people about the Drought and Beat the Heat Program that was initiated out of the District D office, the ones who purchased air conditioners, bought food for families that were in the heat and when they found bees who were swarming around during the heat, that yesterday she honored those five individuals at Council and she wanted to thank all those who helped and were strong partners of the District D office for making their program a success, that it was not her, she had her staff on board, headed by Valerie Atara and who led the efforts to make sure air conditioners got delivered and all of their partners; that today she tagged Item No. 7, it was an item, since 2007, that continued to have a low MWBE percentage, that she knew there were attempts to do better but they only had a 1.7 since 2007, that today they requested additional funds for expenditures to be extended from \$9 million to \$10 million, but this was their third request and she would ask that they continue to look at these contracts, when they sign on as a prime with the City of Houston and commit to use minority vendors and then when they receive the contract they decide not to use minority vendors she thought it was something they needed to look at as a City. Council Members Davis, Sullivan, Pennington, Rodriguez, Green and Noriega absent.

Mayor Parker stated that she was happy to discuss with her now or would certainly be glad to send the department to describe to her what happened, but she wanted to thank her for raising that issue. Council Members Davis, Sullivan, Pennington, Rodriguez, Green and Noriega absent.

Mayor Parker stated that she wanted to note that the Farmers Market was back, for the new Council Members it was the best place for lunch downtown and also a great place to buy their groceries, that she was very happy it was there, that they needed to start spreading the word so they could build the crowds back up; that Friday was "Go Texan Day" in the City of Houston so she expected to see some cowboys and cowgirls around City Hall; that she wanted to salute the City of Houston, they had multiple awards at the Greater Houston Preservation Alliance, that she had a meeting this weekend, the Ideson Library renovation continued to rack up awards, it received the Steward Title Award for Restoration, it was just a phenomenal and beautiful building, that the City was also honored for the 802 Washington Permit Facility, that Ideson was largely done with private funds, the 802 Washington was a massive major renovation but it consolidated the permitting into one facility and was really a stellar job, that the City of Houston was honored for the restoration of the Oak Forest Neighborhood Library, thanks to the City departments for their hard work in making sure they kept their history alive here in

Houston. Council Members Davis, Sullivan, Pennington, Rodriguez, Green and Noriega absent.

Council Member Gonzalez stated he wanted to mention and congratulate Mayor Parker for receiving the Martha Peterson Award for Strengthening Historic Preservation. Council Members Davis, Sullivan, Pennington, Rodriguez, Green and Noriega absent.

Mayor Parker stated that she missed them yesterday, that it was apparently the hottest winter or warmest winter in Chicago's history, that she was up with the Greater Houston Partnership and it was a balmy 35 degrees there and they were all sweating, it was a very warm winter in Chicago, that she ran into a lot of former Continental and now United folks and all they could talk about was that Illinois had doubled the State Income Tax. Council Members Davis, Sullivan, Pennington, Rodriguez, Green and Noriega absent.

There being no further business before Council, the City Council adjourned at 11:02 a.m. Council Member Hoang out of the city on city business. Council Members Davis, Sullivan, Pennington, Rodriguez, Green 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