

City Council Chamber, City Hall, Tuesday, March 27, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 27, 2012, Mayor Pro Tem Edward Gonzalez presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega and C. O. "Brad" Bradford and; Ms. Lynette Fons, First Assistant City Attorney, Legal Department; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office present. Mayor Annise D. Parker and Council Member Jack Christie D. C. out of the city on city business.

At 1:42 p.m. Mayor Pro Tem Gonzalez called the meeting to order and stated that the presentations today would begin with Council Member Costello. Council Member Costello invited those present with the Bayou Preservation Association to the podium and stated that today they were celebrating Houston's bayous; that the greater Houston area had over 2,500 miles of streams and bayous and for the past 45 years the Bayou Association had worked to protect and restore the richness of the waterways; and Mayor Pro Tem Gonzalez presented a Proclamation to the group proclaiming March 2012 as "Bayou Month" in Houston, Texas. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

A Representative for the group thanked all for the recognition and acknowledging their work and the importance of the bayous to the Bayou City. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Council Members Pennington and Burks thanked all for the great job done and encouraged them to continue; and Council Member Burks encouraged all to get our bayou on the map as San Antonio had done. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Council Member Laster invited those present with the Greater Houston Safe Kids Coalition to the podium and stated that the coalition consisted of several agencies committed to drowning prevention including the Houston Fire Department, Houston Police Department, Houston Department of Health and Human Services, Texas Children's Hospital, U. S. Army Corps of Engineers, Houston Apartment Association, YMCA, Red Cross, Greater Houston Pool Management Association, Harris County Public Health and Environmental Services, Child Protective Services and Parents of Drowning Victims; that these agencies were committed to changing behaviors and risk factors associated with drowning; and Mayor Pro Tem Gonzalez presented a Proclamation to the group and proclaimed April 2012 as "April Pools Water Safety Awareness Month" in Houston, Texas. Council Members Adams, Hoang, Rodriguez and Green absent. (NO QUORUM PRESENT)

Ms. Gray thanked all for the recognition of water safety month and stated that she was very passionate about it as several years ago she lost her daughter to a drowning death; and thanked all those working with her to get the word out. Council Members Adams, Hoang, Rodriguez and Green absent. (NO QUORUM PRESENT)

Council Members Noriega and Burks expressed sympathy to Ms. Gray for the loss of her daughter; and thanked them for all they did; and upon questions by Council Member Burks, Ms. Gray stated that through her organization every Summer she provided swim lessons for at least 10 youth and it was mandatory their parents become CPR certified. Council Members Adams, Hoang, Rodriguez and Green absent. (NO QUORUM PRESENT)

Council Member Sullivan thanked the Houston Apartment Association for their continued

involvement. Council Members Adams, Hoang, Rodriguez and Green absent. (NO QUORUM PRESENT)

At 1:54 p.m. Mayor Pro Tem Gonzalez recognized Council Member Sullivan who called on Mr. Bryan Gowan, executive Pastor of Community Transformation for Grace Community Church to lead all in prayer and Council Member Sullivan led all in the pledge. Council Members Rodriguez absent.

At 1:58 p.m. the City Secretary called the roll. Mayor Parker and Council Member Christie out of the city on city business. Council Member Rodriguez absent.

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

The City Secretary began calling the public speakers. Council Members Sullivan and Rodriguez absent.

Ms. Judy Thompson, 54 Blooming Grove, Houston, Texas 77077 (281-752-7601) appeared and stated that she was on the board of directors for Parkway Villages, a residential subdivision in West Houston and served on the Eldridge West Oaks Super Neighborhood Council, currently in Districts G and F and was present regarding Campanile On Briar Forest, a low to moderate housing development for seniors 55 and over proposed for their area; that at last months Super Neighborhood Meeting the developer Kilday Realty gave a presentation seeking their support and a vote was taken and the vote was six to five but it was opposed; that the HOA boards of the developments who opposed Campanile gave her permission to speak on their behalf today which included Lakes of Parkway, Briar Hills, Park Hollow Place and the Parkway Association; that the main reason given for opposing was the impact on property value; that Campanile was a good development, she had visited one just like it but it would not serve people in the community, it would bring them to the community.

Upon questions by Council Member Davis, Ms. Thompson stated that she was speaking for residents and people of the Super Neighborhood; that they did not discuss where it should be, but maybe an area where businesses could support them; that they would like that plot of land for single residence homes like in the area. Council Member Noriega absent.

Council Member Hoang stated that the residents did not support the project and he listened and he would not support it. Council Members Sullivan and Noriega absent.

Upon questions by Council Member Pennington, Ms. Thompson stated that she could only speak for Parkway Village since she was on the board and they sent letters to all 540 homes polling residents and they received back about 260 and of that number 80% opposed the project and several reasons were given, but mostly property value; gave a rundown of economic activity on Eldridge, I-10, etc., in the energy corridor, great growth with more traffic. Council Members Sullivan and Noriega absent.

Council Member Hoang moved the rules be suspended for the purpose of extending the time for questions of Ms. Judy Thompson, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Members Sullivan and Noriega absent. MOTION 2012-0189 ADOPTED.

Upon further questions by Council Member Pennington, Ms. Thompson stated that she did not think a delay in the matter would change any opinion. Council Members Sullivan and

Noriega absent.

Council Member Burks stated that she just said companies were moving in and doing good for the community and the high school could help children do better; a housing project did not have to be bad; that he heard of their expensive homes, but if presidents, etc., came from that school would that not be a plus; and Ms. Thompson stated yes; and upon further questions, Ms. Thompson stated that one issue was they only had one week from their meeting to turning in their votes, but out of 540 homes to get 260 back it was a good number and about 230 opposed and the concern was bringing in low income housing put a stigma and sent a message to other developers and with private developers they had no say. Council Member Sullivan absent.

Council Member Burks moved the rules be suspended for the purpose of extending the time for questions of Ms. Judy Thompson, seconded by Council Member Pennington. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Member Sullivan absent. MOTION 2012-0190 ADOPTED.

Upon further questions by Council Member Burks, Ms. Thompson stated that there was a terrible problem with homelessness close by and they still had graffiti and vacant buildings, but they were working hard on the community and bringing in low to moderate income housing many times other things came with it; that she had nothing negative to say about the complex, she had visited Campanile on Eldridge and it was a wonderful complex. Council Member Sullivan absent.

Mr. Barry Palmer, 3 East Greenway Plaza #2000, Houston, Texas 77046 (713-953-9555) appeared and stated that he was with Coats Rose Law Firm and they represented the developers proposing to build Campanile at Eldridge which was to be a first class new housing facility for the elderly; that it was restricted to those 55 and older and most residents would actually be in their 70s; rent would range from \$300.00 to \$675.00 depending on income levels; that the National Association of Aging said the population nationwide of people over 65 would double between 2000 and 2030 and in eight years 25% of the population in most states would be 60 and older and quality housing was needed; that they were only asking the city for support to compete in competition for tax credits which helped build elderly facilities and if they did not get the support the funding would go elsewhere in the state; and urged support for the elderly and their project. Council Member Sullivan absent.

Upon questions by Council Member Laster, Mr. Palmer stated that they were required to reach out to the community for support, but the developer for the project would speak next and could speak in detail to efforts on reaching out. Council Member Sullivan absent.

Upon questions by Council Member Pennington, Mr. Palmer stated that he was familiar with the award process and there were 388 pre applications statewide and it was narrowed to about 165 applications in the Houston region and about 20 applications or less; that sites were preliminary selected for the projects and probably six or seven would be awarded, but that was not just Houston it was the region including Galveston and other counties. Council Member Sullivan absent.

Mr. Les Kilday, 1717 St. James Place #150, Houston, Texas 77056 (713-914-9400) appeared, presented information to Council Members and stated that he was with Kilday Reality Corporation and was present regarding Campanile on Briar Forest at the corner of Highway 6; that a large scoring item in the application process was neighborhood support and they were working with Super Neighborhood 17, they met with them February 8th with a detailed presentation of the development and received a good response, but about the same time frame a letter from a competing developer was sent to HOAs in the area warning of low income projects coming which caused a firestorm of emotional responses which led to misinformation

being spread and taking away support; that at the end of the voting process he received an email from the Super Neighborhood president summing up the poison pill letter stating it seemed a case could be made for a biased trend based on the letter forwarded to homeowners to generate a firestorm of opinions not necessarily based on reality; and suggested he visit with the Texas Senator and Representative and ask for support; that all fears were based on emotion and not facts. Council Member Sullivan absent.

Upon questions by Council Member Laster, Mr. Kilday stated that the application process was a point structure; that points of support was the only entity from a neighborhood standpoint which counted; that other support points were for a letter of support from either the State Senator or State Representative and that deadline was May 1st, the deadline for the Super Neighborhood was March 1st and they were asking for an extension of that; that five HOAs had voted in favor of this and he asked the Super Neighborhood to give him a list of those who voted for it and who did not vote at all but did not have it as yet. Council Member Sullivan absent.

Council Member Adams stated that she served as chair of the Housing and Sustainable Growth Committee; and upon questions, Mr. Kilday stated that they went to the neighborhood for support; that he talked to the state offices, but because of the letter sent out they were asking for more time to speak to the people; and upon questions by Council Member Adams, Council Member Pennington stated that no Council Member was in charge of matters to be placed on the Agenda; that he was not in support of the item. Council Member Sullivan absent.

Council Member Burks stated that he wanted to know who the competitive developer was; and moved the rules be suspended for the purpose of extending the time for questions of Mr. Les Kilday, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Member Sullivan absent. MOTION 2012-0191 ADOPTED.

Upon further questions of Council Member Burks, Mr. Kilday stated that when the Super Neighborhood meeting was finished they felt the response was good and they felt confident of support; that the pool of credits for Region 6 included a number of counties and areas and one was Missouri City and a competing developer had a proposed development in Missouri City and he looked at other competitive developments and sent the letter out to his and other areas and the TDHA knew about it and a lot of work was done to find out who he was and he was found out and he admitted what he did and the TDHA had taken all his applications away and asked the development community to give feedback on how they felt their developments were harmed; and he felt they were harmed as did the president of the Super Neighborhood by his email; that senior developments did not decrease property value. Council Member Sullivan absent.

Upon questions by Council Member Noriega, Mr. Kilday stated that the pictures were taken at Campanile on Eldridge about five miles away and it was 100% full and opened about one year; that the proposed facility was not different; and discussed amenities of the properties. Council Members Sullivan and Hoang absent.

Council Member Laster moved the rules be suspended for the purpose of extending the time for questions of Mr. Les Kilday, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Members Sullivan and Hoang absent. MOTION 2012-0192 ADOPTED.

Council Member Laster stated that he had presented Council new information; and upon questions, Mr. Kilday stated that he would give him as much information as he could find about the developer, etc.; and ask the TDHA what their process was. Council Member Sullivan absent.

Mr. Erwin Gaytan, 9219 Katy Freeway #264, Houston, Texas 77024 (713-914-9200) appeared and stated that he was assistant manager at the complex on Eldridge; that it was for those 55 and older and no one with felonies qualified; that it was quiet and no crime; and described amenities. Council Member Sullivan absent.

Council Member Bradford moved the rules be suspended for the purpose of inviting Ms. Judy Thompson back to the podium for further questions, seconded by Council Member Burks. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Members Sullivan and Hoang absent. MOTION 2012-0193 ADOPTED.

Upon questions by Council Member Bradford, Ms. Thompson stated that she had visited the property on Eldridge, it was only about five minutes up the road, she spoke with the manager and it was a beautiful property, she had nothing negative to say about it; that her understanding was there had been no crime issues at all, the concern from the residents in her area was no one had a problem with the development itself; that they had not pulled facts on crime or do analysis on property value. Council Member Sullivan absent.

Mr. Stephen Peltier, 9206 Memorial Valley Drive, Spring, Texas 77379 (281-654-5936) appeared and stated that he was present speaking on behalf of the Spring Skate Park project being run by the Greater Greenspoint Redevelopment Authority; that his interest in this was he was a Greenspoint resident for awhile and a longtime Greenspoint employee; that he was involved with the design through a mutual friend; that he thanked the Mayor and Council for supporting previous skate parks and he believed a skate park would have an excellent effect on the Greenspoint area as it was between Central Houston and the Northern suburb and it would serve youth and adults and be a magnet for skateboarders around the world; and there was not much recreation in that area. Council Members Sullivan, Pennington and Laster absent.

Upon questions by Council Member Davis, Mr. Peltier stated that he was a community volunteer and a friend put him in touch with Sally Bradford, director of the Greater Greenspoint Redevelopment Authority as he had interest in skateboarding and she asked him to consult on design; that he had been to every skateboard park within 100 miles and he would love to see one in that area; that it was a safe enclosed area and youth could stay there as long as their legs held out, there was no end to progression and tricks to learn; that he was 40 and had skateboarded since he was 10 and would not stop until he physically had to and he would like to pass it on; that he knew if it was built they would come. Council Members Sullivan, Pennington and Laster absent.

Mayor Pro Tem Gonzalez thanked Mr. Peltier and others present on the issue for coming and stated that on behalf of the Administration a couple of points were that this was a \$6 million project and it was in the TIRZ 11 Greater Greenspoint Budget CIP, but it was allocated for the out years, not the current fiscal year and there were still ongoing issues needing to be resolved such as management of the park and maintenance; that the Jamail Park had private dollars, but it was not that they did want to pursue this, it had to do with the potential redevelopment of Greenspoint and a fire station in the area. Council Members Sullivan, Pennington, Laster, Burks and Noriega absent.

Upon questions by Council Member Davis, Mayor Pro Tem Gonzalez stated that the information he had was that it was still in the CIP, but the \$6 million was not in the proposed fiscal year 2013 budget, but in the out years; that maintenance and management was still not fully resolved, but he was sure the Administration would be glad to visit and work with him and the community; and Mr. Peltier stated that they would be more than happy to consult on maintenance, the Jamail had a much greater maintenance structure than most skate parks, most skate parks did not have attendants and physical maintenance was not as much as most parks. Council Members Sullivan, Pennington, Laster, Burks and Noriega absent.

Mr. Barry Blumenthal, 1124 Fugate, Houston, Texas 77009 (281-658-4762) appeared and stated that he was with (PUSH) Public Use Skateparks for Houston and they were skateboarders and families of skateboarders who helped successfully advocate and design the Lee and Joe Jamail Skatepark which represented the largest private donations ever made to a public skatepark in the United States so the citizens of Houston had the vision to see the importance; that the park blew the ball out of the park in terms of metrics, hundreds of thousands had utilized the facility and those in North Houston wanted a skatepark and the Greater Greenspoint Redevelopment Authority recognized the demand and decided it was a great catalyst for change such as Discovery Green for the eastside; that the money was set-aside and as delayed commodity prices were moving; that there were 193 skateparks in the State of Texas and only two others besides the Jamail Park were supervised and that was Corpus Christie; that money was being considered for the Greenspoint Mall and after 36 years of that mall's operating history they had a good idea of what would transpire and there was an abundance of retail and lack of youth facilities; and this park was also for disabled children. Council Members Sullivan, Pennington, Laster, Burks and Noriega absent.

Upon questions by Council Member Cohen, Mr. Blumenthal stated that according to the CIP for the TIRZ the development the money was already set-aside; and upon further questions by Council Member Cohen, Mayor Pro Tem Gonzalez stated that his information was that the design and construction was and has been in the TIRZ 11 Greater Greenspoint Budget CIP, but not in the proposed fiscal year 2013 budget, but in the out years; that he would have to get more clarification; and Council Member Cohen stated that she sensed the money was there, but they would find out, she was not sure what the hesitancy would be, she had no doubt what it would do and if it was built they would come and it would be a great addition to the community; and Mayor Pro Tem Gonzalez stated that the TIRZ was a yearly allocation and part of it was to determine what priorities were that could best be used with the money. Council Members Sullivan, Hoang, Pennington, Laster, Burks and Noriega absent.

Council Member Davis stated that the area was around 14,000 units of apartments and the skatepark would provide another greenspace; and upon questions, Mr. Blumenthal stated that Austin built a comparable site but it did not have a disabled children's park, it was the Austin House Park and it opened with no supervision. Council Members Sullivan, Hoang, Pennington, Laster, Burks and Noriega absent.

Upon questions by Council Member Green, Mr. Blumenthal stated that it was called the Spring Recreation Area, but it was in the Spring Greenspoint Area, not the Greenspoint Mall location; that the design was completed and it was one of the finest facilities in the world; that it was his understanding the TIRZ dollars paid for the design. Council Members Sullivan, Hoang, Pennington, Laster, Burks and Noriega absent.

Dr. Caleb Gonzalez, 15 Holcombe, Houston, Texas 77030 (713-563-4237) appeared and stated that their hope was to light a candle on the Greenspoint facility and perhaps to recruit some of Council to be advocates for the project; an advocate for youth; that it was a complex for a skatepark and park without limits, it would serve kids and families with disabilities and improve quality of life in the Houston area; that it had been in the CIP three years he thought so he did not see why it was being delayed; that today they were trying to help it come to fruition. Council Members Sullivan, Hoang, Pennington and Noriega absent.

Council Member Costello stated that this was not just a skatepark, but a park without limits facility and he had been to a number of the facilities and both handicap and non-handicap children used them; and to the Administration, he would like to see a copy of the proposed park plan; and would encourage all colleagues to visit a couple of the parks without limits and it was something needed in the Greenspoint community and he was in favor of it; and he was

interested in talking to the Administration and Parks and Recreation about the issues; and Mayor Pro Tem Gonzalez stated that he had heard of no opposition to the proposal, but it was a matter of priorities for the TIRZ and other issues and it was a matter of measuring priorities and executing a plan; and hopefully they could find a win/win for all. Council Members Sullivan, Hoang, Pennington, Green and Noriega absent.

Mr. Tim Hill 3335 Green Fields Drive, Sugarland, Texas 77479 (832-746-1546) appeared, presented information and stated that he was the CEO and Head Coach of the West Houston Aquatics Team, a non for profit organization, he was requesting they be allowed to provide at no cost to the city a simple cooling or mist system for the Agnes Moffat Pool on Hammerly, it would lower the water temperature about 3° when setup each evening by a lifeguard in approximately five minutes and a healthier water degree would be safer and less chance for algae buildup. Council Members Sullivan, Hoang, Pennington, Green and Noriega absent.

Upon questions by Council Member Costello, Mr. Hill stated that he had support of the Parks and Recreation Direction, there was concern with a system being put in with an electrical output and he was asked to get Council's support; and Council Member Costello stated that he was generally supportive of a cooling system; and upon questions, Mr. Hill stated that it was a system that could be set up a number of different ways and they looked at a portable system, you would plug it in and there was a pump which would spray water out and the mist in the air cooled the water and it would help in the maintenance end. Council Members Sullivan, Hoang, Pennington, Green and Noriega absent.

Upon questions by Council Member Cohen, Mr. Hill stated that there was no cost to the city as for as the system, they would purchase it and have the lifeguard setup; that the cost would be the electrical to run it which would be minimal, it was a small motor which sprayed water out. Council Members Sullivan, Hoang, Pennington, Rodriguez, Green and Noriega absent.

Mayor Pro Tem Gonzalez stated that Mr. Gary Norman with Public Works and Ms. Luci Correa with Parks were present and he could visit with them and provide additional information. Council Members Sullivan, Hoang, Pennington, Rodriguez and Noriega absent.

Mr. Shelton Modelist, 6103 Airport, Houston, Texas 77048 (713-991-6994) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Hoang, Pennington, Rodriguez and Noriega absent.

Ms. Karen Jackson, 2922 Rosedale, Houston, Texas 77004 (713-781-0255) appeared, presented packets to Council Members and stated that she was founder and CEO of Sisters Network, Inc., the leading and only national African American Survivorship Organization in the country and their national headquarters was in Houston; that they were survivor run and their purpose was to save lives; that they provided free mammograms for all women and helped navigate them through the system; that they would love Council's support for their April 14th National Breast Cancer 5K Walk Run and this was their third year; that Mayor Parker had supported them the first two years and was coming back and Council Member Adams supported Sisters Network. Council Members Sullivan, Pennington, Rodriguez and Noriega absent.

Upon questions by Council Member Adams, Ms. Jackson stated that their website was www.sistersnetworkinc.org and they were located at 2922 Rosedale. Council Members Sullivan, Pennington, Rodriguez and Noriega absent.

Council Member Green congratulated Ms. Jackson or her organization and their work; that he first became aware of the network through her daughter and it was incredible; and she had his support. Council Members Sullivan, Pennington, Rodriguez and Noriega absent.

Council Member Davis stated that he was familiar with the organization, they were out last year and would be again with "Team Davis" him, his wife, son and two daughters and some of his wife's friends. Council Members Sullivan, Pennington, Rodriguez and Noriega absent.

Council Member Cohen stated that she had been aware of their organization since they started because she was a 42 year breast cancer survivor; and she always wishes for others to be standing with their 42 survivor years talking to people; that your color, faith, etc., did not matter it affected all. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Burks congratulated them on their work and stated that his mother was a cancer survivor and 86 years old and he would take exception and be there for this walk. Council Members Sullivan, Rodriguez and Noriega absent.

Mayor Pro Tem Gonzales stated that her presentation was appreciated and it was important to note men could be great supporters as well of women in their lives, etc. Council Members Adams, Sullivan, Rodriguez, Laster and Noriega absent.

Mrs. Ann Shaw, 6343 Ivyknoll Drive, Houston, Texas 77035 (713-721-5760) appeared and stated that we were living in a recession and the Water Department kept raising the bills; that in March 2011 they raised it by 7.9% and in March 2012 8.9% and now they paid for drainage; that she lived in an all electric home and many times her water bill was higher than her electric; that her neighbor just watered her yard on permitted days and received a \$400.00; and Houston may have the sickest people because they will not be as sanitary as they would be cutting down on water. Council Member Sullivan absent.

Council Member Green stated that he understood how active they were in their community and regarding the water bill they could petition it; that they could contact his office and they would work with them. Council Members Sullivan and Bradford absent.

Council Member Costello stated that he would remind all that for people on fixed incomes the city had a water program available for assistance and it was a 6 month renewal program; and suggested they get on the website and pursue it; and the rate increases were passed several years ago to be phased in over three increments. Council Members Sullivan and Bradford absent.

Mayor Pro Tem Gonzalez stated that Mr. Norman with Public Works was present and she could meet with him and he would see if all was in order. Council Members Sullivan and Bradford absent.

Council Member Rodriguez moved the rules be suspended for the purpose of adding Mr. Dick Kilday to the speakers list after Mr. Marvin Shaw, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Members Sullivan and Bradford absent. MOTON 2012-0194 ADOPTED.

Mr. Marvin Shaw, 6343 Ivyknoll Drive, Houston, Texas 77035 (713-721-5760) appeared and stated that the Water Department sent someone to their residence this morning to check the meter and no internal problems were found; that the Philadelphia Water Department said their bills averaged \$40.00; that there should be other methods of collecting money in Houston. Council Members Davis, Adams, Sullivan, Hoang and Bradford absent.

Mayor Pro Tem Gonzalez stated that the water system was maintained by an enterprise fund which meant the monies went back to fund the operations and maintenance of the system. Council Members Davis, Adams, Sullivan, Hoang and Bradford absent.

Council Member Brown stated that they were speaking also for many Houstonians struggling to make ends meet with a higher cost of living and with water rates being raised 40% and the new drainage fee and it was a huge concern; that people and businesses needed to be encouraged to move to Houston with lower fees and taxation, etc., she was happy they came to represent so many. Council Members Davis, Adams, Sullivan, Hoang and Bradford absent.

Council Member Noriega stated that Council appreciate citizens like each of them; that she had the same conversation with her mother-in-law and she told her that was how much it cost; that water, in particular, was becoming more scarce in the State of Texas; that last summer was extraordinary and she hoped we had no more like it; that chemicals, etc., were very expensive and all were going to work together to conserve as this was not an infinite resource. Council Members Davis, Adams, Sullivan, Hoang and Bradford absent.

Mr. Dick Kilday who was previously added to the Speakers List, appeared and stated that he was present about the tax credit program and seniors who lived in the facility; that the housing for seniors was the best government related program of all time because it provided tax credits to build luxurious Class A housing for seniors at affordable rents; and discussed amenities at the facilities. Council Members Davis, Adams, Sullivan, Hoang and Bradford absent.

Council Member Rodriguez stated that he had the opportunity to open Sterling Court and it was a senior living in District I and wonderful project; and encouraged them to look at building in District I. Council Members Brown, Davis, Adams, Sullivan, Hoang and Bradford absent.

Mr. Michael Lutz, 6540 Bellows Lane, Houston, Texas 77030 (281-460-4553) appeared, presented information and stated that he was with Dr. Krishnan who was present regarding the closing of Favrot Tower in the Medical Center; that since the center began in 1945 this 13 story apartment building within the geographical confines of the Texas Medical Center ..; that they were given notice to leave in a couple of months and what they presented to Council was the two letters telling them to leave from their management company hired by the TMC; that late last year the building was scheduled for an \$80,000.00 upgrade and now they were given walking papers; that the TMC had agreed to meet with an informal group of the residents trying to stop this, but they felt it was against the TMC's basic charter which required them to provide on campus housing for faculty, etc., and he had lived there six years; that about 75% were foreign physicians who did not have drivers license, etc., and needed a place able to get into. Council Members Brown, Adams, Sullivan, Hoang, Burks and Bradford absent.

Council Member Noriega stated that they could call Council Member Adams and she felt she would be grateful if they did; and upon questions, Mr. Lutz stated that no one said why they were closing; and Council Member Noriega stated that she had a hunch they could do whatever they wanted to do, but she understood their concerns and perhaps the Council could help get them a hearing; that Council Member Adams number was 832-393-3001. Council Members Brown, Adams, Sullivan, Hoang, Rodriguez, Burks and Bradford absent. (NO QUORUM PRESENT)

Council Member Green stated that the Medical Center was landlocked and growing; and Council Member Noriega stated that perhaps they should share their concerns of visiting doctors, professors, etc., but felt they needed a forum to express concerns. Council Members Brown, Adams, Sullivan, Hoang, Rodriguez, Burks and Bradford absent. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 3939 NW Freeway #210, Houston, Texas 77022 (832-696-9204) had reserved time to speak but was not present when his name was called. Council Members

Brown, Adams, Sullivan, Hoang, Rodriguez, Burks and Bradford absent. (NO QUORUM PRESENT)

Ms. Pam Curry, 7607 Moline, Houston, Texas 77087 (832-242-8691) appeared and stated that she was present with a difficult, she lived in the low-end district by the Gulfgate Mall where police, firemen and constables raised all kinds of hell and she was tired of it, they made noise with sirens day and night; and flash mobs were in the malls; and she hoped someone would help; and she reported it to Sheriff Garcia and he sent a car to her house to take her for a mental evaluation. Council Members Brown, Adams, Sullivan, Hoang, Rodriguez, Burks and Bradford absent. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzales stated that he heard a couple of issues, flash mobs and concern with HPD and HFD and Captain Kent with the Houston Fire Department and Sergeant Baltazar with the Houston Police Department were present and she could speak with them. Council Members Brown, Adams, Sullivan, Hoang, Rodriguez, Burks and Bradford absent. (NO QUORUM PRESENT)

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) appeared and stated that he had been present before concerning HPD having his property; that Council Member Bradford said he should get a courts document and he got what he needed, but then they said he needed something else; and he had a dismissal and they were wrong for keeping his property in the first place. Council Members Brown, Adams, Sullivan, Hoang, Rodriguez, Burks and Bradford absent. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that Council Member Bradford was correct the decision was based out of the Harris County District Attorney's Office, they had to give authority; that based on some history on a previous case there was a provision the weapon could be held up to five years and that was the decision they were choosing to pursue; that if he was saying the recent case rendered the first case moot then again he would have to discuss it with them; and Sergeant Baltazar was present and could explain some of the explanation given, it was not the Houston Police Department's fault. Council Members Brown, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Dr. Elangovan Krishnan, 6540 Bellows Lane #109, Houston, Texas 77030 (832-800-3575) appeared and stated that he was from India and a physician and scientist; that he came to Houston because of the name of the Texas Medical Center and he had resided in the Favrot Apartments for the last four years; that today he was representing several residents and gave scenarios of others living there; that the medical center was not number one because of the buildings, the researchers, scientists, physicians, etc., make the medical center and every medical center across the states had residents stay on campus and the Texas Medical Center the largest in the world was closing theirs. Council Members Brown, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Council Member Noriega stated that the city had no jurisdiction, but it did not mean they could not try to help; that her recommendation would be to get Council Members Adams and Greens and visit with them on going forward; that Council had no formal authority but they could organize and talk with them. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Ms. Maria Tellez, 8211 Kingsbrook #203, Houston, Texas 77024 (832-358-5459) had reserved time to speak but was not present when her name was called. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373, Houston, Texas (713-928-2871) appeared and stated that he was present regarding HPD paying the mafia to assassinate him; and continued expressing his personal opinions until his time expired. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Ms. Paula Harrison, 14410 Brunswick, Houston, Texas 77047 (832-339-8225) appeared, presented information and stated that there were no school zones in downtown Houston and she thought there should be schools at all levels in the area and the Fourth Ward; that Section 8 apartments were also needed in the same areas. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Ms. Anna Ashmore, 7815 Windswept, Houston, Texas 77063 (713-953-9955) appeared, displayed a graph and stated that she was again present about her water bill; that she had replaced toilets and faucets in her home as the city was trying to charge \$800 - \$950 for her bills and many times it was more than her house payment; that she was clearly a victim of city negligence, water theft or water fraud and the city owned her at least \$3,000.00 and she would like the problem identified, for it to be fixed and her money refunded. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Pennington, Ms. Ashmore stated that a bill was \$950. \$700. and \$800. range; that it showed 77,000 gallons used. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that the current ordinance had to be followed which required her to have a hearing prior to any final resolution and Mr. Gary Norman was present and could speak with her. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Ms. Deyadira Trevino, 4918 Cochran, Houston, Texas 77009 (832-638-0768) had reserved time to speak but was not present when her name was called. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Mr. J. W. Masseh, P. O. Box 742713, Houston, Texas 77274 (713-545-4777) had reserved time to speak but was not present when his name was called. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

At 4:07 p. m. Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, March 28, 2012. Mayor Parker and Council Member Christie out of the city on city business. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m., Wednesday, March 28, 2012, with Mayor Pro Tem Edward Gonzalez presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega and C. O. "Brad" Bradford; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director present. Mayor Annise D. Parker and Council Member Jack Christie, D.C. out of the city on city business.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:10 a.m. Mayor Pro Tem Gonzalez stated that they had a light agenda today so they would move straight to the consent agenda. Council Members Davis, Cohen, Green and Burks absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 26

MISCELLANEOUS - NUMBER 1

1. REQUEST from Mayor for confirmation of the appointment of the following individual to the **INDEPENDENT POLICE OVERSIGHT BOARD**:

Name	District	Panel	Term
Frank Watson, Sr.	B	B4	2 years

- was presented, moved by Council Member Bradford, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. MOTION 2012-0195 ADOPTED.

ACCEPT WORK - NUMBERS 2 and 3

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,182,866.53 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION L.P.** for Generic City Wide Overlay Package #15 (Work Order Contract) - 4.72% over the original contract amount - **DISTRICTS A - BROWN; D - ADAMS; E - SULLIVAN; H - GONZALEZ; I - RODRIGUEZ and J - LASTER** - was presented, moved by Council Member Bradford, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. MOTION 2012-0196 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,413,662.30 and acceptance of work on contract with **PELTIER BROTHERS CONSTRUCTION, LTD.**, for Easthaven Wastewater Treatment Plant - Lift Station Replacement - 0.62% over the original contract amount - **DISTRICT E - SULLIVAN** - was presented, moved by Council Member Bradford, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. MOTION 2012-0197 ADOPTED.

PURCHASING AND TABULATION OF BIDS – NUMBERS 6 and 6A

6. ORDINANCE appropriating \$418,223.56 out of Equipment Acquisition Consolidated Fund for purchase of Grounds Maintenance Equipment for Parks & Recreation Department and Houston Airport System - \$269,963.16 - Enterprise Fund - was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0247 ADOPTED.

- 6a. **PROFESSIONAL TURF PRODUCTS, LP** - \$407,198.31, **TIGER CORPORATION** - \$103,606.80 and **DEERE AND COMPANY** - \$166,356.36 for Grounds Maintenance Equipment through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and BuyBoard for Various Departments - was presented, moved by Council Member Bradford, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. MOTION 2012-0198 ADOPTED.

ORDINANCES - NUMBERS 9 through 26

9. ORDINANCE approving and authorizing submission of an application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the **General Juvenile Justice and Delinquency Prevention Program**; declaring the City's eligibility for such grant; authorizing the Director of the Department of Neighborhoods to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$44,560.00 - Grant Fund - was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0248 ADOPTED.
16. ORDINANCE appropriating \$150,300.00 out of Street & Traffic Control and Storm Drainage DDSRF Fund and approving and authorizing agreement between the City of Houston and **WILLIAM MARSH RICE UNIVERSITY** for Research Services 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 - **DISTRICT C - COHEN** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0249 ADOPTED.
18. ORDINANCE granting to **DANIEL RODRIGUEZ d/b/a A-HAWK GREASE TRAP, 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 **FIRST READING** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0250 PASSED FIRST READING IN FULL.
19. ORDINANCE granting to **TRUE BLUE SOLUTIONS, L.L.C., A Texas Limited Liability 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 **FIRST READING** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0251 PASSED FIRST READING IN FULL.
20. ORDINANCE granting to **COMBS INDUSTRIAL SERVICES, INC dba ONSITE ENVIRONMENTAL, A Tennessee 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 - **FIRST READING** - was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of

the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0252 PASSED FIRST READING IN FULL.

21. ORDINANCE No. 2012-230, passed first reading March 21, 2012
ORDINANCE granting to **MTI SERVICES, LLC dba ENERGY CLEAN A Texas Limited Liability 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. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0230 PASSED SECOND READING IN FULL.
22. ORDINANCE No. 2012-231, passed first reading March 21, 2012
ORDINANCE granting to **ANDERSON POLLUTION CONTROL, INC, 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. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0231 PASSED SECOND READING IN FULL.
23. ORDINANCE No. 2012-232, passed first reading March 21, 2012
ORDINANCE granting to **CONSOLIDATED WASTE LLC dba LIQUID WASTE SOLUTIONS A Texas Limited Liability 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. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0232 PASSED SECOND READING IN FULL.
24. ORDINANCE No. 2012-233, passed first reading March 21, 2012
ORDINANCE granting to **SET ENVIRONMENTAL, INC, An Illinois 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. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0233 PASSED SECOND READING IN FULL.
26. ORDINANCE No. 2012-235, passed first reading March 21, 2012
ORDINANCE granting to **CLEANER EARTH GROUP, LLC A Texas Limited Liability 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. Mayor Parker and Council Member Christi out of the city on city business. Council Members Cohen, Davis, Green and Burks absent. ORDINANCE 2012-0235 PASSED SECOND READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS

FOLLOW:

PURCHASING AND TABULATION OF BIDS

4. **PHILPOTT MOTORS LTD.** for Utility Bucket Truck through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department - \$100,891.09 - Grant Fund – was presented, moved by Council Member Laster, seconded by Council Member Bradford. Council Members Davis and Burks absent.

After discussion by Council Member Brown, a vote was called on Item No. 4. Council Member Brown voting no, balance voting aye. Council Member Burks absent. MOTION 2012-0199 ADOPTED.

5. **AMEND MOTION #2009-889, 12/9/09, TO INCREASE** spending authority from \$1,583,182.00 to \$2,216,454.80 for Chemical, Inorganic Metal Salt Coagulant (Ferric Sulfate) for the Department of Public Works & Engineering, awarded to **KEMIRA WATER SOLUTIONS, INC** – was presented, moved by Council Member Bradford, seconded by Council Member Sullivan. Council Member Burks absent.

After discussion by Council Members Hoang and Brown, Council Member Brown requested a report on the breakdown of the chemicals that they purchased last year and this year, kinds and amounts. Council Member Burks absent.

Mayor Pro Tem Gonzalez stated that they would make sure that Public Works would follow up and give her a breakdown, and Council Member Brown stated also what was anticipated for the following months, and Mayor Pro Tem Gonzalez stated that overall they were anticipating about a \$2 million savings by the transition from aluminum sulfate to ferric sulfate, and was a much better and affective process, that it also met the requirements by the TCEQ and EPA, that the reason for the change was because now they were using the aluminum sulfate which was not part of the original contract, that they were needed more amounts of this particular chemical now. Council Member Burks absent.

A vote was called on Item No. 5. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0200 ADPTED.

ORDINANCES

7. ORDINANCE approving and authorizing four Sub-Grantee Award Agreements between **HARRIS COUNTY, TEXAS** and the City of Houston to accept FY2011 Port Security Grant Program funding for Police Dive Team Equipment, Public Safety Video Equipment, Specialized Police Marine Deployment Vehicles and Police Helicopter Operational Support - \$1,608,817.00 - Grant Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Burks absent. ORDINANCE 2012-0253 ADOPTED.
8. ORDINANCE approving and authorizing deposit of all revenue generated from the Geriatric Dental Program, including Medicaid fee-for-services payments and other fees generated from the operation and administration of the program, into the Health Special Revenue Fund to be used exclusively to defray the costs associated with the administration and operation of the program – was presented. Council Member Burks absent.

After discussion by Council Members Brown, Adams and Laster, Mayor Pro Tem Gonzalez stated that they would be receiving \$100,000 from the Harris County Area Agency on

Aging, they did have an aging population and there was a growing need for these geriatric dental services, that four year dental students would actually be part of the program where they could also get some excellent training and still help offset and lowering some of the costs, that those were some of the good aspects of the program. Council Member Burks absent.

A vote was called on Item No. 8. Council Member Brown voting no, balance voting aye. Council Member Burks absent. ORDINANCE 2012-0254 ADOPTED.

10. ORDINANCE approving and authorizing submission of an application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the **Juvenile Accountability Block Grant Program**; declaring the City's eligibility for such grant; authorizing the Director of the Department of Neighborhoods to act as the City's representative in the application process, to approve, accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. Council Member Brown voting no, balance voting aye. Council Member Burks absent. ORDINANCE 2012-0255 ADOPTED.
11. ORDINANCE approving and authorizing Child Care Local Match Certification Agreement between the City of Houston and **GULF COAST WORKFORCE BOARD** for the Certification of After School Achievement Program Expenditures to obtain additional federal funding for child care services – was presented. Council Member Burks absent.

After discussion by Council Members Adams and Rodriguez a vote was called on Item No. 11. Council Member Brown voting no, balance voting aye. Council Member Burks absent. ORDINANCE 2012-0256 ADOPTED.

12. ORDINANCE approving and authorizing the City of Houston to enter into first contract amendment with the **HOUSTON INDEPENDENT SCHOOL DISTRICT** to add two school sites and to provide an additional \$40,000.00 to administer an After School Achievement Program **DISTRICT I – RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Burks absent. ORDINANCE 2012-0257 ADOPTED.
13. ORDINANCE allocating \$154,962.50 out of SECO ARRA Grant Fund and approving and authorizing contract between the City of Houston and **ZIPCAR, INC** for an Automated Motor Pool System for the Fleet Management Department; providing a maximum contract amount - 3 years with two one-year options - was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2012-0258 ADOPTED.
14. ORDINANCE appropriating \$897,900.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **PCS MOBILE, INC** for the Mobile Data Strategy for the Houston Police Department; providing a maximum contract amount \$9,292,899.99 - Equipment Acquisition Consolidated and Grant Funds – was presented. Council Member Burks absent.

After discussion by Council Members Green and Adams, Council Member Adams stated that she knew they were going to be taking down old equipment and wanted to know what they were going to be doing with those, the company that was going to be disposing of them or was it something that the City of Houston was looking at donating to some of their Sister Cities.

Council Member Bradford moved to suspend the rules to hear from Mr. Joe Fenninger, seconded by Council Member Burks. All voting aye. Nays none. MOTION 2012-0201 ADOPTED.

Upon questions by Council Members, Mr. Joseph Fenninger, Chief Financial Officer, Deputy Director, Houston Police Department, stated that if there was a lesson to be learned it was that they needed to do a little bit more planning in terms of understanding what the deadlines were on the grants, number one, that number two, they were a little bit surprised by the vendor who advised that if they could get them an order by April 4, 2012, they could guarantee them delivery by May 25, 2012, that the problem was that two of the grants, \$4 million, expired May 31, 2012, so they needed to have delivery of the equipment, they needed to pay for it, demonstrate that they had paid for it so that he could turn around and request reimbursement from those two grants by May 31, 2012, otherwise they risked losing \$4 million of grants, so the lesson they had learned was that they had to do better time management on this and it was a lesson well learned, that they spent a lot of due diligence going through this exercise so it was a very thorough exercise, in fact the various vendors provided equipment and they were actually installed in police cars and the police officers worked with them so they had a chance to do hands on, that the winning vendor, their laptops had met military specification and were also used by the military so this equipment should be extremely durable.

After further questions and discussion by Council Members, Mr. Fenninger stated that it was a total package so the vendor was responsible for removing all of the old equipment and consoles from the 1,800 vehicles they had, they then had to fabricate new consoles to go into the vehicles to meet with the docking stations that would exist for the laptops that would be installed because the laptops could actually be removed from the vehicle to be used in the field, that it was also all of the cabling, wiring and the air cards, that the air cards were a particular note because that was going to provide them with a bandwidth on new digital radio transmission instead of analog radio transmission, that broader bandwidth was going to allow integration with the RMS System, that was all part of the grand plan, that the warranty on the laptops was three years, they had a life expectancy of five to six years on those laptops, that as to software upgrades he could not answer but he had people with him who could; that he had limited knowledge with regard to the MWBE participation and how the additional vendor was added and how the percentages shifted, he believed that it was yesterday afternoon they were advised that there was an additional participant that was added, that he would have to get back to Council Members on that, he did not have the answer.

After further discussion by Council Members, Mayor Pro Tem Gonzalez stated that beyond just a public safety component that they heard about just a reminder that this was important because it would help synchronize with the ongoing implementation of the record management system that HPD was upgrading or implementing, which was a very important paradigm shift for the Police Department, that in addition, the administration was well aware of some of the delays that had occurred and had been diligent to try to look into them and what occurred and had brought discussions with everybody involved, that it was a very thorough process, there were some initial issues with some of the scope of work that had to be revised and then it had different layers of review from the patrol officers to internally within the command staff at HPD, through City Legal, so this was a very complex type of procurement, but it was very broad and very lengthy and he thought at times perhaps, as Mr. Fenninger stated, not being aware of some of the deadlines on the grants and then understanding the necessary implementation times where they could be guaranteed implementation times for it to be able to synchronize with the other RMS System that was being implemented, and Mr. Fenninger stated that was an excellent summation, and Mayor Pro Tem Gonzalez stated that they did understand the concern of the one vendor that was below a percentage, that it increased the overall percentage when the one sub was added so it actually went up 1% than had originally been proposed, but it was their understanding that it was reviewed by the Office of Business Opportunities and Director Wright so they were cognizant of that and always looking for opportunities to try to improve, that there were limited opportunities just because of the licensing of the product and it was very specific to the vendor, but they were aware of that. Council Member Adams absent.

After further discussion by Council Members, Mr. Feldman stated that these grants had matching features, that they could not get reimbursement from the grant unless they also had skin in the game.

A vote was called on Item No. 14. Council Member Brown voting no, balance voting aye. ORDINANCE 2012-0259 ADOPTED.

15. ORDINANCE appropriating \$37,547.00 out of Public Health Consolidated Construction Fund; awarding construction contract to **HALLMARK CAPITAL GROUP, LLC dba HALLMARK FARRELL ROOFING COMPANY** for Sunnyside Multi-Service Center Roof; 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 Public Health Consolidated Construction Fund and American Recovery and Reinvestment Act (ARRA) Fund \$478,005.00 ARRA Fund - **DISTRICT D – ADAMS** – was presented.

After discussion by Council Member Adams a vote was called on Item No. 15. Council Member Brown voting no, balance voting aye. ORDINANCE 2012-0260 ADOPTED.

17. ORDINANCE appropriating \$2,526,500.00 out of Water & Sewer System Consolidated Construction Fund; rejecting the apparent low bid; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for US 290 Program IH-610 Interchange Crossing at 72-inch water line along West 12th Street; 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 - **DISTRICT A – BROWN** – was presented, and tagged by Council Member Sullivan.
25. ORDINANCE No. 2012-234, passed first reading March 21, 2012 ORDINANCE granting to **ENVIROWASTE SERVICES GROUP, INC, A Florida 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. ORDINANCE 2012-0234 PASSED SECOND READING IN FULL.

NON CONSENT AGENDA - NUMBERS 27 and 27A

PURCHASING AND TABULATION OF BIDS

27. ORDINANCE appropriating \$108,924.00 out of Equipment Acquisition Consolidated Fund for purchase of additional Ambulance Cabs & Chassis for the Houston Fire Department – was presented. All voting aye. Nays none. ORDINANCE 2012-0261 ADOPTED.
- 27a. **AMEND MOTION #2012-9, 1/4/12, TO PURCHASE** additional Ambulance Cabs & Chassis for a total increase of \$108,924.00 for the Houston Fire Department, awarded to **CALDWELL COUNTRY CHEVROLET - REQUIRES THREE MOTIONS**

Council Member Laster moved to suspend the rules for the purpose of reconsidering Motions No. 2012-0009, seconded by Council Member Burks. All voting aye. Nays none. MOTION 2012-0202 ADOPTED.

Council Member Laster moved that Motion No. 2012-0009 be brought back to Council for reconsideration, seconded by Council Member Burks. All voting aye. Nays none. MOTION 2012-0203 ADOPTED.

Council Member Laster moved to amend Motion No. 2012-0009, passed and adopted January 4, 2012, to purchase additional Ambulance Cabs & Chassis for a total increase of \$108,924.00 for the Houston Fire Department, awarded to Caldwell Country Chevrolet, seconded by Council Member Burks. MOTION 2012-0204 ADOPTED.

MATTERS HELD - NUMBERS 28 through 31

28. RESOLUTION supporting and approving the proposed construction of the **CAMPANILE ON BRIAR FOREST**, a Multi-Family Affordable Housing Development, to be located at the northeast corner of Briar Forest and Highway 6 in Houston, Texas and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT G - PENNINGTON** – (**This was Item 12 on Agenda of March 21, 2012, TAGGED BY COUNCIL MEMBER PENNINGTON**) – was presented.

Council Member Pennington stated that he had been informed by the Interim Director of Housing that the applicant on the matter had withdrawn the application and moved to refer Item No. 28 back to the administration, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2012-0205 ADOPTED.

29. RESOLUTION supporting and approving the proposed construction of the **ZION BAYOU**, a Multi-Family Affordable Housing Development, to be located at 5200-5300 Airport Boulevard in Houston, Texas, and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT D - ADAMS** – (**This was Item 15 on Agenda of March 21, 2012, TAGGED BY COUNCIL MEMBER ADAMS**) – was presented.

After discussion by Council Member Adams a vote was called on Item No. 29. All voting aye. Nays none. RESOLUTION 2012-0011 ADOPTED.

30. ORDINANCE relating to the Retail Electric Rates of Entergy Texas, Inc within the City of Houston, Texas; ordering reimbursement of all rate case expenses incurred on behalf of all Entergy Texas, Inc ratepayers within the City of Houston, Texas; denying rate increase request and maintaining the current Entergy Texas, Inc rates in effect - **DISTRICT E - SULLIVAN** – (**This was Item 21 on Agenda of March 21, 2012, TAGGED BY COUNCIL MEMBER BROWN**) - was presented.

After discussion by Council Members, a vote was called on Item No. 30. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. ORDINANCE 2012-0262 ADOPTED.

31. ORDINANCE appropriating \$2,195,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHESTER ENGINEERS, INC** for Design of Southeast Water Purification Plant Sedimentation Basins A & B Improvements (Treatment Module 1), Flocculators Rehabilitation Basins A & B (Treatment Module 1), Rehabilitation of Transfer and Distribution Pumps & Motors and Miscellaneous Engineering Services; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN** – (**This was Item 42 on Agenda of March 21, 2012, TAGGED BY COUNCIL MEMBER BROWN**) - was presented. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. ORDINANCE

2012-0262 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Davis stated that on Saturday Legacy Community Center opened in Fifth Ward, that they had a lot of services and wanted to encourage people to use them as a resource, they were located in the old Lyons Avenue Clinic; that last week they went to Barbara Jordan and Key Middle School and were trying to bridge the gap between the school system and the City and figure out some ways to help improve and one of the things they talked about were the libraries, they wanted to figure out how to enhance a partnership; that yesterday he went to the Kashmere Northeast Multi Service Center and fed about 100 seniors for lunch; that they had a District B Advisory Council meeting, that they were having one every month because District B was so huge and spread out and they were trying to bring forth a level of connectivity between all of their leaders, because they needed to celebrate when one portion of the district got funds or streets or drainage fixed and not be resentful of that portion, that they wanted to bring everyone together in District B; that on Saturday he came out and played dog catcher, they had a couple of calls in the Glenwood Forest area, they had a pack of dogs roaming and he went out with Officer Chris Miller and two staff members and he brought two trucks and they picked up six or seven animals to bring back to the shelter, that a lot of them were cute so he was sure that a lot of them would get adopted; that for the last two days he had been wearing a hoodie, that the reason was that it was a shame that they had to go through so many things to get the basic rights of other citizens throughout the U.S., that it was 2012 and people could not get a break sometimes, they worked hard for everything they had and in District B they wanted the same as other minorities throughout the City. Council Members Brown, Sullivan, Rodriguez, Laster, Hoang, Costello and Bradford absent. NO QUORUM PRESENT

Council Member Cohen stated that on Saturday, March 31, 2012, Rice University was going to be playing against Southern Mississippi in baseball, that she would be throwing out the first pitch; that last Friday she spoke to the University of Houston students at the Hobby Center for Public Policy, that students participate in the Civic Houston Internship Program, which coordinated students to intern with various local government entities, that she thought some of the Council Members may also have students from there, that she had two civic interns, Andy Young and Ari Cassio, that an intern she had named Tracy Elsner went from being an intern to a permanent member of her staff; that she went to the Victory Fun Champagne Brunch on Sunday, March 25, 2012, and was impressed by Council Member Laster's speech, that Council Member Davis was present with her. Council Members Brown, Sullivan, Hoang, Rodriguez, Laster, Costello and Bradford absent. NO QUORUM PRESENT

Council Member Burks stated that he agreed with Council Member Davis remarks and respected his position; that last Thursday he joined Council Member Pennington to represent the City of Houston in receiving this year's Propatria Award at a Dinner in Austin, Texas, that the award was given by the Texas Committee for Employer Support for the Guard and Reserve and the Agency of Department of Defense to employers who displayed friendly and human resource policies toward members of the National Guard and Military Reserves, that he wanted to give special recognition to Buddy Grantham, Director of Veterans Affairs, for facilitating the trip, as well as his tireless work to support the City service men and women and families; that on Friday he went to the Lake Houston Wilderness Park and they had a great time just north of Kingwood, that he wanted to congratulate the hard working employees of the Parks and Recreation Department; that this weekend was the Japanese Festival at Hermann Park. Council Members Sullivan, Hoang, Rodriguez, Laster, Costello and Bradford absent.

Council Member Noriega stated that several members at the table were members of the Houston Galveston Area Council, that she was on the Transportation Policy Committee, that there were regional and a lot of decisions that came through with either State or Federal dollars

were made at HGAC, right now there was a lot of talk about Highway 290 and trying to move funds to Highway 290 to improve, that what was important about that was the regional piece, more and more areas like Houston really were not Houston, they were a region or a super region, that they were competing with San Antonio, which had far fewer entities to try to accommodate or Dallas, but they were also competing with super regions like Los Angeles or New York, they were a regional competitor and competing with those areas for dollars, business, transportation, tourism and all of those things, that Houston and Harris County both together were the core of this region and represented almost two thirds of the people and a lot of the geography, yet the way that the organization was set up they had a lot of entities around Houston in those Counties that had votes and the ability to say aye or nay, thumbs up or thumbs down to activities that they were doing, that what was important was that the inner City, inside the loop, inside the beltway, all of those things, whether they were talking about Chapter 42 or anything they were doing they had to be successful, if they were not successful the whole doughnut of counties were not successful so she was just suggesting that people might want to start thinking about this area as more than just the City of Houston, that was an artificial distinction that did not always allow them to have the most efficient or effective government and trying to work across jurisdictions was one of the great challenges that they had, but as she dealt with HGAC she was more convinced and more clear that this region was going to stand or fall on what happens to the City of Houston, that they were the hole in the doughnut and if the hole in the doughnut did not do well the doughnut did not do well, that they had to think like a region and collaborate differently and work together, they had to find those things that they all gave lip service, which were efficiencies and effectiveness' s across jurisdictions, that they had some real assets in the area, the Port, the airports and water rights for a number of years where a lot of Texas looking at possibly running out of water, they had real leaders who had been folks of vision and she felt that she would like to say that they had to do that to because if they did not they were going to get left behind and the success or failure of the children they had in their schools, whether or not they were trained or ready to work, whether or not they had the ability to get around, whether or not they resorted to crime to try to survive, all of those things affected everyone of them and that included all of those out in the suburbs and the hinder lands, not just the folks that lived in the inner city like she did, that what she was trying to do was figure out how to reach out to her neighbors, how to think differently, how to be bigger because really all of them, their future and success and prosperity, people in place depended on it. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Costello, Burks and Bradford absent. NO QUORUM PRESENT

Council Member Adams stated that she had the opportunity for two years to be appointed to the HGAC TPC Council for Transportation Infrastructure and wanted to thank Mayor Parker for allowing her to serve; that the Health Department was conducting an AIM Project in the South Park Community that would touch about 7,500 residents, that AIM was an assessment intervention and mobilization effort, that it assesses the needs of a community to promote and protect it's health and social well being; that they would be doing an AIM Project in the northern part of Third Ward at a later date; that the Housing Department was holding the 2012 Action Plan Hearings, the first hearing was tonight at the Hiram Clarke Multi Service Center and the final hearing would be held on April 4, 2012 at the City Hall Annex; that on Thursday, March 29, 2012, Skills for Living was hosting an annual breakfast at the Weston Oaks Hotel, 5011 Westheimer, the organization assisted underserved high school students and low income families to achieve their dreams through financial education and career development; that Friday, March 30, 2012, she would host the Worthing High School and Furr High School students, the GIVE Club, which was Grad Lab Student Involved in Volunteer Services, their goal was to make a positive contribution in making the world a better place for tomorrow; that Worthing High School was launching their Legacy Program to nourish the growth and empowerment for exposing students to the world beyond their community; that on Saturday, March 31, 2012, her office and the Departments of Neighborhoods and Parks and Recreation and State Representative Boris Miles for Re-pride Sunnyside, that it was promoting a cleanup

and beautification initiative targeting one of Houston's oldest and predominately African American neighborhood, the Sunnyside Community. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Laster, Costello, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Pennington stated that the Memorial Super Neighborhood No. 16 Quarterly Law Enforcement Award went to a two officer unit of the Houston Police Department, Officers Brittany Thaylor and Marisha Blackburn, from the Westside Patrol; that as Council Member Burks mentioned he attended the ESGR Event in Austin, that the primary attendees were employers of people who were in the guard and reserve and actual reservists who gave up their personal and professional lives to support their Country, that two local companies, Enterprise Products and Waste Management won awards in the private sector; that last Thursday he attended the Christis Health Care Benefit Luncheon, that Christis operated Saint Josephs Hospital Downtown; that on Saturday, March 31, 2012, was the Annual Terry Hershey Trash Bash and thousands of volunteers would work to cleanup the park; that the City of Houston was very challenged and if they looked at the Census 2000 to 2012 they achieved only 10% of the growth in the area, that he thought that the rule "if you don't grow you die" and demographically they were challenged as well, that in the interviews he had done people wanted to live in Houston, they liked the neighborhoods, but they needed to get the word out and do all they could do to preserve and enhance the neighborhoods that they had within infrastructure replacement and police protection and the other things the City could do, and a high priority item, which Council Member Davis mentioned, to improve relations between HPD and certain sectors of their community. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Costello, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Green stated that he wanted to piggyback with Council Members Noriega and Pennington with regard to the doughnut versus the doughnut hole situation, that he had been talking about it for years but he would ask the administration to really look into how they as a City were marketing, and the actual strategic plan, they had for the City for the doughnut hole, that when they went to Greater Houston Partnership and HGAC meetings they always heard about the plans for the doughnut, but did not hear about plans for the doughnut hole, that he knew they had contracts with regard to certain entities that were supposed to be looking at that and marketing that to their neighborhoods that were within the Beltway and the Loop to see how they could bring that growth into the doughnut hole; that this was March on Crime Month and yesterday he met with Senior Officer D. E. Berry, Officer Sedrick Kirby and Barbara Hite from his office at the Braeburn Store Front with the South Gessner Division, they walked the neighborhood with the West Belfort Property Owners Association; that tonight was the Housing Community Development at the Hiram Clarke Multi Purpose Center; that on Saturday, from 10:00 a.m. to 2:00 p.m., Welch Middle School would have their Spring Community Festival Health Fair at 1154 South Gessner; that this past week they had the Jamming for Education Excellence sponsored by the South Houston Concerned Citizens at Townwood Park, that he wanted to thank all of the City of Houston Departments who did a phenomenal job; that for this weeks hiring events they could call his office and ask for Lynette at 832-393-3016 for further information; that with regard to Trayvon Martin, he attended rallies at City Hall on Sunday, that it was unfortunate that in 2012 they were still having issues with regard to equity but was glad that the Department of Justice had stepped into the case and hopefully a resolution to the matter would be done soon. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Costello, Burks and Bradford absent. NO QUORUM PRESENT

Council Member Brown announced the following events: this past Saturday the Spring Branch Little League had their parade and opening ceremonies; that this past Saturday was a cleanup day hosted by the Shepherd Forest Civic Club at the Stonecrest Park on East T.C. Jester; that this past Thursday she had an opportunity to visit the Guthrie Center, for a Spring

Branch Independent School District Leaders Luncheon, that there is a Culinary School at the Guthrie Center and students there were doing a great job at their culinary skills, that on Friday would be the Seventh Annual Guthrie Center Battle of the Bands, presented by the Digital Filmmaking and Commercial Photography Club of the Guthrie Center on Hammerly Boulevard; that on Saturday were the following events the 2012 Lake Houston Trash Bush; the Bunker Hill Annual Easter Egg Hunt at the HEB on I-10 and Bunker Hill Road, the grand opening, from 1:00 p.m. to 4:00 p.m., of Spring Spirit Baseball Sports and Educational Complex at 8526 Pittner Road; that if they had not heard about the parade that they were having as a City in the City of Houston to honor their military veterans returning from the Iraq War, they could contact her office for more information at 832-393-3010. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Costello, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 10:45 a.m. Mayor Parker and Council Member Christi out of the city on city business. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Costello, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary