

City Council Chamber, City Hall, Tuesday, May 8, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 8, 2012, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie D. C. and; Ms. Lynette Fons, First Assistant City Attorney Legal Department; Ms. Marta Crinejo, Agenda Director, Agenda Office present. Council Member Stephen C. Costello absent on personal business.

At 1:52 p.m. Mayor Parker stated that the presentations today would begin with one she was presenting; and invited those with her presentation to the podium; that this was National Travel and Tourism Week and communities all over were celebrating; that all thought of Houston as a business town but they received tens of thousands of tourists and it was an intricate part of the economy; that all were proud of all those working in the hospitality industry; and presented a Proclamation which proclaimed the week of May 5 through May 13, 2012, as "National Travel and Tourism Week" in Houston, Texas. Council Members Brown, Davis, Sullivan, Pennington and Rodriguez absent.

A Spokesperson for the group thanked all for the recognition and all their support; and asked all present in the hospitality industry to stand to be recognized. Council Members Brown, Davis, Sullivan, Pennington and Rodriguez absent.

Council Members Hoang, Green and Noriega expressed thanks and appreciation to all in the industry. Council Members Brown, Davis, Adams, Sullivan, Pennington and Rodriguez absent.

Prince Alexander stated that the City had honored him and his wife and they were proud to be honorary citizens of Houston and promised to promote Houston abroad and happy to be here. Council Members Davis, Sullivan, Pennington and Rodriguez absent.

Council Member Cohen invited those with her presentation to the podium and stated that she was recognizing Ms. Margo Williams and Mr. Charles Cook today; that Olivewood Cemetery in Houston, Texas was the first incorporated African American Cemetery and was incorporated in 1875; that Margo and Charles were descendants and had given selflessly to enhance the site for future generations; and Mayor Parker presented each a Proclamation, to Ms. Williams proclaiming today as "Margo Williams Day" and to Mr. Cook proclaiming today as "Charles Cook Day" in Houston, Texas. Council Members Davis, Sullivan, Pennington and Rodriguez absent.

Mr. Cook and Ms. Williams thanked all for the recognition and thanked all who helped continue upkeep of the cemetery. Council Members Davis, Sullivan, Pennington and Rodriguez absent.

Mayor Pro Tem Gonzalez stated that he had visited Olivewood Cemetery on several occasions and it was an amazing site; and upon questions, Ms. Williams stated that to contact them they could go to [www.descendantsofolivewood.org](http://www.descendantsofolivewood.org). Council Members Davis, Sullivan and Rodriguez absent.

Council Member Gonzalez invited all with his presentation to the podium and stated that he thanked Wells Fargo for being a great community corporate partner in rebuilding communities; that the "Neighborhood Lift Program" was designed to help qualified prospective homebuyers offering them a May 11 and May 12, 2012 event at the George R. Brown Convention Center

where they could apply for down payment assistance grants and homebuyer support programs totaling \$9,000,000.00 with grants being up to \$15,000.00; and Mayor Parker stated that these were grants and not loans, people who qualified had to spend a certain amount of time in their home, but they did not have to pay money back; and presented a Proclamation and proclaimed today as "Wells Fargo Neighborhood Lift Day" in Houston, Texas. Council Members Davis, Sullivan and Rodriguez absent.

A Spokesperson for the group thanked all for the recognition and stated that they were very proud of the event; and urged that information be sent to all. Council Members Davis and Sullivan absent.

Council Members Noriega, Rodriguez, Burks and Pennington expressed thanks for their work and for a wonderful program; and the Spokesperson stated anyone could go to neighborhoodlift.com for an appointment or could just walk in at the event. Council Members Davis and Sullivan absent.

At 2:19 p.m. Mayor Parker recognized Council Member Green who introduced Co-Pastor Mia K. Wright of the Fountain of Praise Church who led all in prayer and Council Member Green led all in the pledge. Council Member Sullivan absent.

At 2:18 p.m. the City Secretary called the roll. Council Member Costello absent on personal business.

Council Members Gonzales and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Adams absent. MOTION ADOPTED.

Council Member Sullivan stated that he wanted to thank Council Member Noriega for the way she conducted the meeting earlier this morning, it was long and she was fair and evenhanded. Council Member Adams absent.

Council Member Gonzalez moved the rules be suspended for the purpose of hearing Mr. Greg Ortale at the top of the two minute speakers list, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Adams absent.

Mayor Parker stated that on a point of personal privilege she had the opportunity to join the Houston Symphony in New York last night at Carnegie Hall and it was phenomenal and it was a great honor and next month would be playing in Moscow, the first north American symphony to ever be invited to their symphony fest. Council Member Adams absent.

The City Secretary began calling the public speakers.

Mr. Greg Ortale, President and CEO of the Houston Convention and Visitors Bureau, 4 Houston Center #700, 1331 Lamar, Houston, Texas 77010 (713-437-5201) appeared with Mr. Fernando Oramon and stated he was a visual aid and one reason they were successful because of people like him and others reaching out; that his smile was the first and last impression for visitors and on behalf of all 113,000 hospitality employees represented by this man they thanked Council for all their support. Council Member Sullivan absent.

Council Members Rodriguez, Gonzalez, Adams and Burks thanked and commended all for the top notch job all did in keeping Houston at the forefront. Council Member Sullivan absent.

Ms. Elizabeth Brooks, 801 Peden, Houston, Texas 77006 (337-781-9766) appeared and

stated that she worked for Better Houston and was a member of the Complete Streets Coalition; that this weekend they were hosting "Better Block on Walkable Washington"; that it was a day long showcase of what complete streets may look like; that it would be held between 3:00 p.m. and 10:00 p.m. in the 3000 block of Washington; and invited all to attend. Council Member Sullivan absent.

Ms. Marci Perry, did not wish to give address (832-768-5258) appeared, presented information and stated that she was the chair of the Citizens Transportation Coalition which were members of the Houston Complete Streets Coalition; that they also had a petition for "complete streets" and the signers continued to increase; and complete streets brought property value up. Council Members Sullivan and Hoang absent.

Council Member Gonzalez stated that he was a strong advocate for complete streets and as Houston continued to grow it was imperative to be respectful of all modes of transportation. Council Members Sullivan and Hoang absent.

Council Member Pennington stated that he was an advocate for all transportation and upon questions, Ms. Perry stated that one thing which needed to be done was the Public Works Design Manuel needed to incorporate the elements of complete streets so as streets were reworked the elements could be applied; and this was a statewide issue. Council Members Sullivan, Hoang and Noriega absent.

Mr. Ryan Boehner, 617 Silver, Houston, Texas 77007 (713-306-0097) appeared and stated that he purchased a home in Sixth Ward, restored it and they were in a walkable neighborhood; and urged Council support implementing a program of complete streets. Council Members Adams, Sullivan, Hoang, Rodriguez and Noriega absent.

Council Member Cohen stated that she wanted to reiterate the event for Saturday, it was very important and to be held after the Art Car Parade; and it was extremely important to this city. Council Members Adams, Sullivan, Hoang, Rodriguez, Green and Noriega absent.

Council Member Gonzalez stated that he met Mr. Boehner and he was strongly for complete streets and thanked him for appearing and advocating his position. Council Members Adams, Sullivan, Hoang, Rodriguez, Green and Noriega absent.

Mr. Fausto Tello, 1930 Jeffer Circle, Houston, Texas 77032 (832-351-0841) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan, Hoang, Rodriguez, Green and Noriega absent.

Mr. Gustano Morales Lara, 15622 Donnet Lane, Houston, Texas 77032 (832-273-1290) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan, Hoang, Rodriguez, Green and Noriega absent.

Miss Adalinda Guajardo, 10951 Ridgeview Drive, Houston, Texas 77043 (832-366-4431) appeared and stated that she was present on behalf of her parents, particularly her dad, who was a victim of wage theft; that it was \$2,000.00 with Mike Brooks and they went to the Texas Workforce; that she and her brother were students and her dad had the only income; that Mr. Brooks was still running his business and was not responding to calls of the Texas Workforce; that their family was very affected; and she would like to know if something could be done. Council Members Adams, Sullivan, Hoang and Noriega absent.

Upon questions by Mayor Parker, Miss Guajardo stated that they had appealed the wage theft issue to the Texas Workforce and they could not collect their money. Council Members Adams, Sullivan, Hoang and Noriega absent.

Upon questions by Council Member Gonzalez, Miss Guajardo stated that her dad was a truck driver for eighteen wheelers and Mr. Brooks had him driving, the first week he told him you had to be there a week before you were paid, the second week he was paid and then the third and fourth weeks was told he would pay him next week; that they were present trying to get their money; that they still had a business running and they would like if there was some way they could stop him; and Council Member Gonzalez stated that he did commend them for pursuing a higher education and they should continue.. Council Members Adams, Sullivan, Hoang and Noriega absent.

Mayor Parker stated that she would like Miss Guajardo to visit with Sergeant Baker who was present at this time. Council Members Adams, Sullivan and Noriega absent.

Ms. Shannan Murray, 6900 Fannin, Houston, Texas 77030 (713-794-5688) appeared and stated that she was executive director of the Children's Art Project at the M. D. Anderson Cancer Center; that in 39 years they had given \$39 million back to M. D. Anderson for patient programs; that today she was present to make all aware of the support United Airlines had given them over the years; that they had traveled and been in five national magazines for recognition and it would not have happened without United Airlines and she was present in their support. Council Members Adams, Sullivan and Noriega absent.

Upon questions by Council Member Burks, Ms. Murray stated that Continental was there for them and they now signed a contract with United and their support of them had never wavered; that she had no problem accepting support from anyone, but she was discussing what had been given. Council Members Adams, Sullivan and Noriega absent.

Mr. Don Sweat, 5005 Woodway, Houston, Texas 77056 (713-629-5555) appeared and stated that he was present about the Southwest and United fiasco going on; that the Galleria Chamber recognized groups with pioneer spirit and while they recognized each for what they had done for Houston, the Galleria Chamber was in favor of the Hobby expansion and he was speaking on behalf of businesses he spoke with. Council Members Brown, Adams, Sullivan and Noriega absent.

Mr. Max Blankfeld, 8902 Limerick Lane, Houston, Texas 77024 (713-868-1438) appeared and stated that he owed a genetic testing laboratory in Houston and was present in support of the Mayor's visit to Israel. Council Members Brown, Adams, Sullivan and Noriega absent.

Council Member Gonzalez stated that he too commended Mayor Parker for traveling and being an advocate for this city and friendship with Israel needed to be strong; and thanked Mr. Blankfeld for his efforts. Council Members Brown, Adams, Sullivan and Noriega absent.

Mayor Parker stated that she would point out her trip was sponsored by Project Interchange and she had extensive exposure to Palestinian leadership and it was an interesting trip. Council Members Brown, Adams, Sullivan and Hoang absent.

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 and Hoang absent.

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) appeared and stated that she was present as high grass on Vaster between Mykawa and Martin Luther King and she was assured it would be cut once a year, but children passed by and it was on city right of way and it took in acres of land and a citizen would not be able to cut it; that she would like it on a scheduled cutting and not a yearly cutting; that also on Mykawa and South Wayside there

were many trees planted and she would like them spread out to other needed places. Council Members Brown, Sullivan and Hoang absent.

Mayor Parker stated that she understood Vaster was mowed last month, but the mowing schedule was constrained by budget and they hoped more aggressive mowing would come about when the economy picked up. Council Members Brown, Sullivan and Hoang absent.

Upon questions of Council Member Burks, Ms. Randle stated that she was present on quality of life, she liked those words, their requested drainage on Bellfort needed the culverts cleaned and grass cut and there was a lot of mulch piled up at South Wayside and Bellfort and on city property and she wondered what it was about. Council Members Brown, Davis, Sullivan, Hoang, Rodriguez and Bradford absent.

Council Member Adams thanked Ms. Randle for all she did; and Mayor Parker stated that she had staffers present to speak with her at this time. Council Members Brown, Davis, Sullivan, Hoang, Rodriguez, Green and Bradford absent.

Mr. Richard Watkins, 2106 Dunston, Houston, Texas 77005 (713-203-4034) appeared and stated that he was present in favor of Southwest Airlines having international service; and urged Council to vote in their favor. Council Members Brown, Sullivan, Hoang, Rodriguez, Gonzalez and Green absent.

Mr. Manny Mireles, 3633 N. Sam Houston Parkway East, Houston, Texas (832-928-9830) appeared and stated that he was president of AFA Council 64, the Flight Attendant Union at Intercontinental Airport and he had a petition with over 300 members and all members were worried about their jobs; that the new terminal was underutilized at Intercontinental Airport; and urged they vote no, there were plenty of gates for Southwest at Intercontinental. Council Members Brown, Adams, Sullivan, Hoang and Green absent.

Council Member Burks stated that he was looking for the truth and three weeks ago an executive from United Airlines came and answered him that there would be no layoffs, they would relocate employees, today same question came up and they were told there would be layoffs; that when he heard someone change their answers he began to have distrust; that jobs were important and they had to think economically. Council Members Brown, Davis, Adams, Sullivan, Hoang, Pennington, Laster and Green absent. (NO QUORUM PRESENT)

Mr. Kevin Wilson, homeless (832-291-5953) appeared and stated that over 20,000 were homeless in Houston as of a couple of years ago, it was now an epidemic; that there was a grant program in Galveston and if homeless you could get in an apartment the same day, etc., but you needed job training, etc., and homelessness was uncalled for; that Mr. George Pratt was familiar with that grant and he could be reached at 281-570-3190; and he would like to work with him and the city to write the grant and would like the city to send him to Rice University to learn about writing grants. Council Members Brown, Davis, Adams, Sullivan, Hoang, Pennington, Laster and Green absent. (NO QUORUM PRESENT)

Mayor Parker stated that there were about 10,000 homeless in Houston according to the last count; that Housing, Health and Veterans Affairs offices collaborated on trying to find housing and she would pass the information regarding Mr. Pratt to them; that she was afraid the city could not help him personally. Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster and Green absent. (NO QUORUM PRESENT)

Ms. Bridget Alexander McDaniel, P. O. Box 53993, Houston, Texas 77052 (713-987-3854) appeared and stated that she was homeless four years and six months and her situation came about because of the Metropolitan Transit Authority; that an employee sabotaged her car and

HPD did an excellent investigation, but she was still homeless and METRO still would not settle and bus drivers put ants in her tent. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Christie absent. (NO QUORUM PRESENT)

Mr. Esmael Tijerina, 2505 Broadway #66, Houston, Texas 77012 (713-493-3371) appeared and stated that he was present with a cry for help, he was being honest about his criminal conviction of about 30 years ago and hoped he and others such as him would be afforded help; that he was out of prison two and a half years but lost it because he was on a GPS monitor; that now he was released from them and there was a lot of work out there, but one could not make a living on \$24.00 a day from a labor force agency; that he went to an interview and met all qualifications, but his honesty lost him the job; that he only wanted to work and was asking to be pointed in the right direction; that he was present asking for help in getting his life back. Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

Mayor Parker stated that he articulated his situation very well; that the City of Houston was an equal opportunity employer and she would ask Citizens Assistance personnel who were present to speak with him; that she did not know if anything was available, but they could put him into the process; that also Council Member Green was with Houston Works and would be willing to work with him on the issue. Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

Council Member Gonzalez thanked Mr. Tijerina for telling his difficult story; that he commended him for having courage to speak out and many were in his same shoes; that he was very sympathetic, many times coming out of the system no one wanted to hire you or rent to you and the three year recidivism rate was very high with him being at two and a half years now; that he should stay in the course and not lose hope; that they would reach out to him and hopefully others listening could help him. Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

Council Member Burks stated that he should always tell the truth; that he knew he was tired and sometimes wanted to give up, but what he was doing now was better than where he had been; that he should keep the faith, he was talking on television to thousands right now; that God was here and he had a very moving statement; that he would be getting a better job. Mayor Parker, Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. Mayor Pro Tem Gonzales presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzales stated that Mr. Tijerina should visit with the Mayor's Citizens Assistance Office at this time; and thanked him for appearing. Mayor Parker, Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. Mayor Pro Tem Gonzales presiding. (NO QUORUM PRESENT)

Mr. Jay Blazek Crossley, 3015 Richmond, Houston, Texas 77098 (713-244-4746) appeared, presented Council Members information and stated that he was with Houston Tomorrow and representing the Houston Coalition for Complete Streets; that over 1,000 had now signed their petition and his information was on the upcoming event for Washington Avenue this weekend and they were already to help the city understand and implement projects. Mayor Parker, Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. Mayor Pro Tem Gonzales presiding. (NO QUORUM PRESENT)

Mr. Matt Wurth, 4823 Caris, Houston, Texas 77091 (832-758-5660) appeared and stated that he was a Bike Houston member and Houston had a huge cycling community; that the bike

ride to Austin had 13,000 riders this year, including Council Member Gonzalez's wife and that was the largest charity bike ride in the entire country; that he owned a bike shop in the Heights and they were experiencing double digit growth year after year with the fastest growing products being accessories such as lights, baskets, etc., things used for transportation and not just recreation; that streets needed to be planned for all road users; and urged the Public works Roadway Design Manual be changed to accommodate motorists, cyclists and pedestrians. Mayor Parker, Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green, Burks and Noriega absent. Mayor Pro Tem Gonzales presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that he did a good job on stating what was lacking on updating infrastructure; that he was a strong supporter of complete streets and believed as they rebuilt the city's infrastructure they got a chance for a "do over" and it would be a golden opportunity to incorporate this concept. Mayor Parker, Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. Mayor Pro Tem Gonzales presiding. (NO QUORUM PRESENT)

Council Member Pennington stated that he noticed in Council's information sheet from Mr. Gary Norman that Public Works did support the use of roadway design criteria considering needs of all classes of users and the design manual currently contained standards to accommodate the broad array of users and the department was working to add context for that design principal. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

Mr. Jose Sanchez, 1916 Norfolk, Houston, Texas 77098 (832-715-5975) appeared and stated that he was a campaign organizer with Houston Interfaith Justice Center and they met with many Council Members and their staff on work they were doing in Houston to fight wage theft and to improve working conditions for low wage workers; that he thanked Miss Adalinda Guajardo for coming to share their story and today he was present to share findings of their 2012 Wage Theft Report just released; that it was done in collaboration with the national employment law project as well as others and it took a deep look at wage theft. Mr. Sanchez discussed wage theft being a communitywide issue among low wage workers and families and negative affects and thousands of dollars lost to those struggling workers and the fact there were no consequences to such employers. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

Council Member Christie stated to Mr. Sanchez that he would ask a favor of him and that would be to follow-up with Miss Adalinda and see if her referral was effective; and Mr. Sanchez stated that he would do so and they had started referring some cases to HPD, but unfortunately many were before the September 1st enactment and did not include a lot of analysis since he was just starting to be implemented here. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

Ms. Sharon Russell, 15806 Maple Manor Drive, Houston, Texas 77095 (281-859-1496) had reserved time to speak but was not present when her name was called. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871)

appeared and stated that he was the official U. S. President; and continued expressing his personal concerns until his time expired. Council Members Brown, Davis, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

At 3:42 p. m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, May 9, 2012. Council Member Costello absent on personal business. Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez, Laster, Green and Noriega absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m., Wednesday, May 9, 2012, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, 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 and Stella Ortega, Agenda Office, present. Council Member Stephen C. Costello absent on personal 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 Parker called the meeting to order and stated that the first item on the agenda was a public hearing and stated that the presentation would be by Ms. Donna Capps and Mr. Tim Douglass. Council Members Brown, Adams, Sullivan and Noriega absent.

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

1. **PUBLIC HEARING** regarding the designation of a Tax Abatement Reinvestment Zone for **BVSW GARDEN OAKS, L.P. (BVSW GARDEN OAKS L.P. REINVESTMENT ZONE) - DISTRICT C - COHEN** – was called.

Mr. Tim Douglass, Deputy Director, Economic Development, stated that Carters Grove, an apartment complex at 3405 North Shepherd had its Occupancy Permit revoked by the City after over 200 citations on the property for numerous life safety violations in April 2007, that it had remained empty ever since, that this neighborhood eyesore had been in a state of disrepair and had proven to become a magnet for vagrants and other unlawful activity, that after a number of other owners tried to rehabilitate the property the current Dallas based owners pieced together the ownership and began plans to completely rehabilitate, renovate and modernize the property, that in June of last year they came to the administration seeking support and an incentive, that BVSW Garden Oaks L.P. had filed the required tax abatement application with the City of Houston, that they had meetings with the District Council Member, District C, and had numerous meetings with the nearest subdivision, the Garden Oaks Civic Association, that BVSW had plans to spend \$8 million on a complete renovation and reconstruction of 166 units and provide market based rental units in the area, that they had shifted away from three bedroom units to more one bedroom units to be more market responsive, that in conclusion the administration requested their support for a 50% abatement of ad valorem taxes on the increase in value created by the improvements for a period of ten years, that this was the statutorily required public hearing, that action would not be taken today. Council Members Adams, Sullivan and Noriega absent.

Council Member Laster asked if there was a location they could go to where they could get a list of the current and future abatements for different projects so they could get a scope of what that looked like in the budgetary process, that it was a specific question not necessarily related to the issue, and Mr. Douglass stated that there was a list, they were working on that for the hearing in Council Member Adams committee and would provide that to all of the Council Members again. Council Member Noriega absent.

Council Member Christi asked that how were they able to make sure that \$8 million was spent, and Mr. Douglass stated that when they brought forth the actual tax abatement for a vote they would see that the verbiage indicated that they were required, as part of the tax abatement, to spend that amount of money at the property, that absent their spending that amount of money the City was allowed to call back any of the tax abatement that they may have ever received, so they would audit that in future years, that they continually audit tax abatements and other incentives that they had given out. Council Member Noriega absent.

Mayor Parker asked if there were any other questions or comments from Council Members and stated that was a public hearing and asked the City Secretary if anyone had signed up to speak.

Ms. Russell stated that no one had reserved time to appear at the hearing, and Mayor Parker asked if anyone wished to speak on the issue and seeing no one recognized Council Member Cohen for a motion.

Council Member Cohen moved to close the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Costello absent on personal business. MOTION 2012-0347 ADOPTED.

Mayor Parker stated that they were ready for the consent agenda.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 2 through 45**

#### **ACCEPT WORK** - NUMBERS 3 through 5

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$347,049.30 and acceptance of work on contract with **JERDON ENTERPRISES, L.P.**, for West White Oak Bayou Trail Extension - Segments 3 and 5 2.34% under the original contract amount - **DISTRICTS A - BROWN and B - DAVIS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Members Cohen and Pennington absent. MOTION 2012-0348 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$762,708.60 and acceptance of work on contract with **RELIABLE SIGNAL AND LIGHTING SOLUTIONS, LLC** for Tidwell Road Fiber Optic Cable Deployment and Houston Emergency Center to TranStar Integration - 2.73% over the original contract amount **DISTRICTS A - BROWN; B - DAVIS; C - COHEN and H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Members Cohen and Pennington absent. MOTION 2012-0349 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,820,880.07 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.**, for Waterline Abandonment and Relocation - 0.45% under the original contract amount - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member

Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Members Cohen and Pennington absent. MOTION 2012-0350 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 12 through 45

12. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement and attendant aerial easement in Block 1, Riviera Addition; vacating and abandoning the easement to 3788 Richmond Partners, Ltd, owner, in consideration of its dedication to the City of a 12-foot-wide access easement, payment of \$2,800.00, and other consideration - Parcels SY11-053 and AY11-168 - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0413 ADOPTED.
17. ORDINANCE approving and authorizing second amendment to the contract between the City of Houston and **BAYLOR COLLEGE OF MEDICINE** for Professional Staffing Services for the Houston Fire Department Base Station – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0414 ADOPTED.
20. ORDINANCE appropriating \$200,000.00 out of Equipment Acquisition Fund for the Refurbishment of the Video Arraignment System and Peripheral Equipment for the Municipal Courts Department (“Refurbishment Project”); de-appropriating \$40,000.00 out of the sum previously appropriated from the Equipment Acquisition Fund for the Municipal Courts’ Conversion of Data Project approved under Ordinance No. 2011-0064; appropriating \$40,000.00 from the Equipment Acquisition Fund for the above Refurbishment Project - had been pulled from the Agenda by the Administration, and was not considered. Council Member Pennington absent.
26. ORDINANCE appropriating \$715,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HR GREEN, INC** for Binglewood Drainage and Paving (Sub-Project 1); providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0415 ADOPTED.
28. ORDINANCE appropriating \$52,900.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **AECOM TECHNICAL SERVICES, INC** for Yale Paving and Drainage from West Tidwell Road to West Parker Road (Approved by Ordinance No. 2006-0478, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0416 ADOPTED.
29. ORDINANCE appropriating \$62,019.00 out of Metro Projects Construction DDSRF as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **MICHAEL BAKER JR., INC** for Parker Road Bridge Widening over Hardy Toll Road (Approved by Ordinance No. 2011-0337); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction

DDSRF - **DISTRICTS B - DAVIS and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0417 ADOPTED.

30. ORDINANCE appropriating \$71,300.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC (Formerly CARTER & BURGESS, INC)** for Design of Brick Streets Restoration in the Freedman's Town Area (Approved by Ordinance No. 2001-0111, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0418 ADOPTED.
31. ORDINANCE appropriating \$70,636.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **HDR ENGINEERS, INC** for Unserved Areas - Magnolia Point Subdivision, Plantation Hills Subdivision, Strange's Camp Subdivision Lift Station And Force Main From Hidden Echo To Huffman Eastgate (Approved by Ordinance No. 2006-0154); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0419 ADOPTED.
36. ORDINANCE appropriating \$6,188,036.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-116) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0420 ADOPTED.
37. ORDINANCE appropriating \$3,810,697.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-123) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0421 ADOPTED.
38. ORDINANCE appropriating \$485,818.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-

- 68) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0422 ADOPTED.
39. ORDINANCE appropriating \$556,990.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PIPELINE VIDEO INSPECTION, LLC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-60) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0423 ADOPTED.
40. ORDINANCE appropriating \$3,267,275.00 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 (4235-59) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0424 ADOPTED.
41. ORDINANCE appropriating \$674,610.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-70) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0425 ADOPTED.
43. ORDINANCE appropriating \$889,869.23 out of General Improvement Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup; 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 contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0426 ADOPTED.
44. ORDINANCE consenting to the assignment by **TFI HOLDINGS, INC, a Delaware Corporation, to Heckmann Corporation, a Delaware Corporation** of 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 City of Houston, Texas Ordinance No. 2011-481 – was presented. All voting aye. Nays none.

Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0427 ADOPTED.

45. ORDINANCE granting to **MAGNA FLOW INTERNATIONAL, INC dba MAGNA FLOW ENVIRONMENTAL, 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 - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Pennington absent. ORDINANCE 2012-0428 PASSED FIRST READING IN FULL.

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

**ACCEPT WORK**

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$8,586,242.36 and acceptance of work on contract with **TEAL CONSTRUCTION COMPANY** for Construction Management At Risk Contract for Kendall Library Replacement and Community Center - 3.82% over the original Guaranteed Maximum Price and under the 5% contingency - **DISTRICTS A - BROWN and G – PENNINGTON** - was presented, moved by Council Member Gonzalez, seconded by Council Member Brown. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Pennington absent. MOTION 2012-0351 ADOPTED.

**PURCHASING AND TABULATION OF BIDS**

6. **DRIVECAM, INC** for 80 DriveCam Video Event Recorders, Renewal of Tier 4 Managed Services, DriveCam Managed Subscription Services and Online License from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Solid Waste Management Department - \$200,804.80 - General Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. Council Member Pennington absent.

After discussion by Council Members, a vote was called on Item No. 6. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Pennington absent. MOTION 2012-0352 ADOPTED.

**RESOLUTIONS AND ORDINANCES**

7. ORDINANCE appropriating \$4,282,515.00 out of Police Consolidated Construction Fund for leased premises buildout costs, approving Lease Agreement with the **STAR OF HOPE MISSION** as landlord for a Planned Sobering Center at 1811 Ruiz - **DISTRICT H – GONZALEZ** – was presented, and tagged by Council Member Brown.

After discussion by Council Members, Mayor Parker stated that Council Member Brown had tagged Item No. 7.

8. RESOLUTION authorizing the creation of **HOUSTON RECOVERY CENTER LGC**, a Local Government Corporation; approving the Certificate of Formation; approving the by-laws; appointing the initial Directors and Chair – was presented, and tagged by Council Member Brown.

9. ORDINANCE authorizing the issuance of one or more series of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2012 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; prescribing the terms and form thereof and authorizing the Finance Working Group to determine certain terms and conditions relating thereto; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of a Preliminary Official Statement and official notice of sale to be used in connection with the sale of the Notes; authorizing the preparation and distribution of an Official Statement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement; authorizing a Bond Counsel Agreement and a Special Tax Counsel and Special Disclosure Counsel Agreement; and making other findings and provisions relating to such notes and matters incident thereto; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. ORDINANCE 2012-0429 ADOPTED.
10. ORDINANCE approving a supplemental borrowing evidenced by City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2012A to provide for payment of current expenses of the City for a portion of the Fiscal Year beginning July 1, 2012 and ending June 30, 2013; providing for the payment of the principal of and interest on such Notes; authorizing the procedure for determining the terms and conditions of such Notes; authorizing the execution of a Note Purchase Agreement; approving Bond Counsel and Special Tax and Special Disclosure Counsel; making other findings and provisions related to such notes and matters incident thereto; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. ORDINANCE 2012-0430 ADOPTED.
11. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 2,770-square-foot portion of excess Wirt Road as public right-of-way; vacating and abandoning the property to Meysam Mosaheb owner, in consideration of his payment to the City of \$17,867.00 and other consideration - Parcel SY12-012 - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. ORDINANCE 2012-0431 ADOPTED.
13. ORDINANCE relating to the Retail Gas Rates of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Entex, and CenterPoint Energy Texas Gas within the City of Houston, Texas; suspending for forty-five days the effective date of new rates; maintaining current rates in effect – was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. ORDINANCE 2012-0432 ADOPTED.
14. ORDINANCE amending City of Houston Ordinance No. 2011-281 passed and approved on April 25, 2011, which approved and authorized the submission of the 2011 Annual Action Plan, including the application for the Emergency Solutions Grant Program, to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** - \$746,791.00 - Grant Fund – was presented.

After discussion by Council Members, a vote was called on Item No. 14. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0433 ADOPTED.

15. ORDINANCE approving and authorizing fourth and fifth amendments to the CDBG - Disaster Recovery Grant Contract, GLO Contract No. 09-6852-000-5275, formerly referred to as the Texas Department of Housing and Community Affairs Community Development

Program Contract No. 70090001, between the City of Houston and the **TEXAS GENERAL LAND OFFICE FOR HURRICANE IKE/DOLLY** funding under the Consolidated Security Disaster Assistance and Continuing Appropriations Act of 2009 Community Development Block Grant - Disaster Recovery - was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0434 ADOPTED.

16. ORDINANCE approving and authorizing the Chief of the Houston Fire Department to accept grant funds from the Federal Emergency Management Agency, for the assistance to Firefighters Grant Award Program; declaring the City's eligibility for such grant; appropriating \$219,300.00 out of the Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Houston Fire Department; authorizing the Chief of the Houston Fire Department 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 - \$877,200.00 - Grant Fund – was presented. Council Members Davis and Noriega absent.

After discussion by Council Members, a vote was called on Item No. 16. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0435 ADOPTED.

18. ORDINANCE approving and authorizing submission of an application for grant assistance to the **NATIONAL INSTITUTE OF JUSTICE** to fund the FY12 DNA Backlog Reduction Program; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department 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 - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0436 ADOPTED.
19. ORDINANCE approving and authorizing submission of an application for grant assistance to the **STATE OF TEXAS THROUGH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION** for the FY 2012 Coverdell Forensic Sciences Improvement Grant Program to fund the Toxicology Expansion Improvement Project; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department 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 - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0437 ADOPTED.
21. ORDINANCE approving and authorizing a Joint Funding Agreement between the City of Houston and the **UNITED STATES GEOLOGICAL SURVEY** for Water Resource Investigation and Monitoring; providing a maximum contract amount - \$1,153,750.00 - Enterprise Fund - was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0438 ADOPTED.
22. ORDINANCE appropriating \$1,763,087.00 out of Metro Projects Construction DDSRF for the Design and Construction of the West Greens Road (Segment A) Project; approving and authorizing an agreement between **HARRIS COUNTY** and the City of Houston; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT A - BROWN** - was presented. All

voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0439 ADOPTED.

23. ORDINANCE appropriating \$127,542.00 out of Reimbursement of Equipment / Projects Fund as an additional appropriation to contract between the City of Houston and **SOGETI USA, LLC**; amending Ordinance No. 2011-0070 to increase the maximum contract amount for an Enterprise Point of Sale System for the Public Works & Engineering Department – was presented. Council Members Davis and Noriega absent.

After discussion by Council Members, Council Member Pennington stated that he had asked for information and received an explanation from Mr. McEvoy about what the system did, but it did not explain why the amount was increased, and Mayor Parker stated that they would get him that information. Council Members Davis and Noriega absent.

Council Member Rodriguez stated that he would tag Item No. 23. Council Members Davis and Noriega absent.

24. ORDINANCE appropriating \$115,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **ROBERT REID CONSULTING ENGINEER, INC** for Local Drainage Project Negotiated Design Work Orders (Approved by Ordinance No. 2010-0320, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0440 ADOPTED.
25. ORDINANCE appropriating \$115,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **KAVI CONSULTING, INC** for Local Drainage Project Negotiated Design Work Orders (Approved by Ordinance No. 2011-0336); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0441 ADOPTED.
27. ORDINANCE appropriating \$1,380,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **R.G. MILLER ENGINEERS, INC** for Mitigation Program for Capital Improvement Projects; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis, Sullivan and Noriega absent. ORDINANCE 2012-0442 ADOPTED.
32. ORDINANCE appropriating \$1,640,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CDM SMITH, INC** for Northeast Water Purification Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis, Sullivan and Noriega absent. ORDINANCE 2012-0443 ADOPTED.

33. ORDINANCE awarding contract to **JERDON ENTERPRISE, L. P.** for Third Ward to Main Street Connectivity Project; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Federal Government - Grant Funded - \$1,390,952.06 - Grant Fund - **DISTRICT D - ADAMS** - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0444 ADOPTED.
34. ORDINANCE appropriating \$1,792,500.00 out of Miscellaneous Capital Projects/Acquisitions CP-Series E Fund, awarding contract to **TIKON GROUP, INC** for Streetscape Enhancements along Metro Light Rail Lines, Work Authorization, Southeast Corridor; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the\_Miscellaneous Capital Projects/Acquisitions CP- Series E Fund\_- **DISTRICTS D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0445 ADOPTED.
35. ORDINANCE appropriating \$2,311,000.00 out of Street & Traffic Control and Storm Drainage DDSRF Fund; awarding contract to **T CONSTRUCTION, LLC** for FY2012 Local Drainage Project Negotiated Construction Work Orders #2; setting a deadline for the bidders' 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF Fund - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0446 ADOPTED.
42. ORDINANCE appropriating \$8,000,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PEPPER-LAWSON WATERWORKS, LLC**, for East Water Purification Plant: Replacement of Filter Media at Plants 1, 2 and 3 and Rehabilitation of Pilot Plant; 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 E - SULLIVAN** - was presented. All voting aye. Nay none. Council Member Costello absent on personal business. Council Members Davis, Sullivan and Noriega absent. ORDINANCE 2012-0447 ADOPTED.

**MATTERS HELD** - NUMBER 46

46. ORDINANCE making a general appropriation of certain revenues of the City in support of annual budgets for Fiscal Year 2012; authorizing certain transfers; designating a cash reserve in the Fund Balance – **(This was Item 23 on Agenda of May 2, 2012, TAGGED BY COUNCIL MEMBER SULLIVAN)** - was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Members Davis and Noriega absent. ORDINANCE 2012-0448 ADOPTED.

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

Council Member Laster stated that he wanted to thank their colleagues, Council Members Costello and Noriega, for an exemplary job that they did yesterday in overseeing the hearings on issues of United and Southwest, that he wanted to thank them for their hard work and looked forward to having more important information come forward; that this Saturday they would be celebrating the 20th Annual Gulfton Festival and would invite all of his colleagues and the residents of the City of Houston to come and join them, that he wanted to thank all of the members of the community that had been working so hard to make the festival a successful one; that he wanted to say Happy Mothers Day to all of the mothers. Council Members Brown, Davis, Sullivan, Pennington, Rodriguez and Noriega absent.

Council Member Gonzalez stated that he wanted to remind the citizens that Wells Fargo would be hosting a two day lending event at the George R. Brown Convention Center on Friday and Saturday, that all perspective homebuyers were encouraged to attend and they did not need to be a Wells Fargo Customer, that he wanted to thank the Wells Fargo leadership team for making this investment in the City and would like to acknowledge Ms. Laura Jaramillo for all of her hard work on this program, as well as the Department of Housing and Community Development and the Mayor's Office of Communications; that this past Saturday he enjoyed spending the day with neighbors and friends as they celebrated Cinco de Mayo in their City, that he wanted to thank all who attended the LULAC Parade downtown, the Northline Commons celebration and the East End Street Festival, that he wanted to thank all who were part of these efforts; that on Saturday, May 19, 2012, the District H team would be partnering with Congressman Gene Green and the Solid Waste Department to host a E-Waste Event at HCC Northline, 8001 Fulton, 9:00 a.m. to 1:00 p.m., they would be accepting paint, used oil, rechargeable batteries, anti freeze and household electronics, all items that needed to be disposed of properly. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez and Bradford absent.

Council Member Noriega stated that she wanted to thank everyone who helped with yesterday's Transportation, Technology, Infrastructure and Budget and Fiscal Affairs joint meeting, that she wanted to thank the two Chief of Staff, Sherry Weesner and Sallie Alcorn, for their coordination and all of the staff members who helped make sure all the pieces were taken care of, that she wanted to thank all who were present; that there would be another meeting this evening to hear from the community at the Double Tree Hotel at the Airport, 15747 JFK Boulevard, 6:00 p.m. to 8:00 p.m., that there would be an additional meeting next week at the Hobby Marriott on the Gulf Freeway in District I, for more information they could call 832-393-3005, that tonight and next week they would be joint committee meetings just like yesterday. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez and Bradford absent.

Council Member Adams stated that the public hearings for Central City residents, around the Texas Medical Center, to discuss traffic mitigation devices in their neighborhood, would be at the Judson Robinson Jr. Community Center, 2020 Hermann Drive on May 9, 2012; that on Thursday, May 10, 2012, 5:00 p.m., the HISD Board would discuss the official name of the Lockhart Turner Elementary School, that both schools were closed and combined and a new building was scheduled to open in the Fall of 2012; that on Tuesday, May 15, 2012, at 10:00 a.m., there would be a Housing and Sustainable Growth Development Committee meeting; that she wanted to thank Dr. Rhea Lawson and her staff, as well as the District D staff, for organizing and putting together the meeting concerning Young Library on Monday night, that she wanted to thank TIRZ 7 for the funding part of the library, that she wanted to thank ACE TV or being present because it was going to be a documentary from the beginning until the day the first person walks in to view the library; that she wanted to thank Mayor Parker for the Budget

Priority meeting that they had last week, it was a well informed meeting; that today she wanted to give a shout out to the nurses in the Houston Independent School District, especially Mrs. Shantini Thompson, the wife of William Paul Thompson, that she wanted to say Happy Nurses Week to all of the school nurses; that she wanted to wish her Mom a Happy Mothers Day and all of the mothers in the City of Houston. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Rodriguez and Bradford absent.

Council Member Green stated that yesterday he attended the Almeda Plaza Civic Club meeting, which was held at Fire Station No. 47, that the fire station unveiled their new fire truck; that he wanted to thank Mia Wright, the Co-Pastor of Fountain of Praise Church, for leading them in prayer at Council yesterday; that this past Saturday District K sponsored a Property Tax Workshop at the Townwood Park Community Center, that he wanted to remind them that the deadline for protesting their Property Taxes would be May 31, 2012; that this past weekend he participated in the Dragon Boat Race, which consisted of members from the Mayor's, Controllor's and Council offices, that it was a great team building event; that Congressman Gene Green would hold his job fair on Monday, May 14, 2012, at the San Jacinto Community Center in San Jacinto Park, that Congressman Green did this twice a year and partnered with the Workforce Solution, Houston Works to do this event. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Noriega and Bradford absent.

Council Member Cohen stated that she wanted thank Council Member Noriega for the manner in which she conducted the meeting yesterday; that the Near Northwest Management District hosted it's Seventh Annual Community Job Fair, today, at the Advent Lutheran Church on Pinemont; that Saturday, directly after the Art Car Parade, the Washington Avenue Better Block Event would take place on the 2000 to 2100 Block of Washington Avenue, that it was a free event aimed at envisioning what Washington Avenue would be like with more pedestrian and bicycle amenities; that next week the Houston Police Department would observe National Police Week from Monday, May 14, 2012 through Friday, May 18, 2012, that the annual event allowed them to celebrate the contributions police officers made to the community and to pay homage to those who had lost their lives in the line of duty; that she received a note from the person who did the closed captioning, which they see as they sit at Council, that she did use it because as her colleagues knew she had a hearing deficit, and she was telling her that she was in a situation where she had a flat tire and was in a difficult situation and Jeff Ybarra, who worked for the City, was there and helped her out and said if Council Member Cohen had a chance to mention it she would be very appreciative, that she thought when they heard good things about people that they worked with they wanted to make sure they noted that, so thank you Mr. Ybarra. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Mayor Parker stated that she expected to be at the Art Car Parade, that she would be riding in the parade. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Christi stated that as to the schedule he agreed with Council Member Pennington that they needed to have some kind of double check on these overage contracts, everyone had an overage it seemed and then the few that had under he would like to give them a pat on the back, like Reliant Construction services, they were under half a percent, it was probably \$10,000, that he had heard every excuse on the books for overages on contracts and he hoped they had a way of double checking when they came back for overages. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Mayor Parker stated that one of the reasons that they put in the caption on the agenda whether they were over or under, within the contingency, and if they went over the contingency

they pointed that out as well, so that they were always informed where the contract was, that yes, each department was responsible, the managing department for that contract was responsible for authorizing any overage amounts and the reason they put a contingent amount on each contract was for unforeseen circumstances and they had to come in and document the unforeseen circumstances, that they pointed out to Council Members so that they could follow up as well if they had further questions. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Burks stated that he wanted to say Happy Mothers Day to all of the mothers in Houston, Texas and the City Council; that yesterday's committee meeting gave all sides a chance to present their case to the City Council, that when they make long-term policy they should do so knowing they were influencing the City for many decades to come; that expanding Hobby Airport was the right thing to do, that they had a growing population and a growing international facing economy; that more flight options were better for their City and making it easier to do business in Houston would result in an even stronger economy and even brighter future for their City. Council Members Davis, Hoang, Pennington, Rodriguez, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Sullivan stated that last week they had National Day of Prayer and started that out celebrating at Second Baptist Church Kingwood and was followed at noon at the steps of City Hall; that last Friday night he stopped by Fire Station No. 36, located at Hobby Airport, and had a station tour, visit and nice dinner and he wanted to thank the A Shift for allowing him to come in; that BOPA was held in Kingwood two Saturday's ago and 500 cars were served and the collection totaled about 28,000 pounds of waste, which did not go to the landfills and freed up space for future use; that on Monday they hosted a hurricane preparedness townhall meeting in Clear Lake and wanted to thank all who attended and participated; that they all received an email and memo that GSD had completed it's assessment of all City buildings and they passed a budget amendment that he had proposed, and the City Council approved it, that required that fire stations be assessed first and within six months, that of course that extended out because of the selection of the consultant, but he had asked GSD for a report on fire stations so that he could take a look at it because he had a keen interest and was not given the information, that he wondered if Mayor Parker could help him get that, he did not want to have to wait until all 600 buildings were given to them. Council Members Davis, Hoang, Pennington, Rodriguez, Laster, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Mayor Parker stated that all of the buildings had been assessed, and as was part of his budget amendment they did focus on fire stations first and that had formed the work they were doing on the CIP, that she had not received the final report yet, it was still in draft form, that she would tell him that they were internally discussing how best to share it with Council Members, it may be a situation where they invite them into GSD to review it, that since it concerned public safety facilities they were discussing whether it was appropriate to distribute it publicly, and Council Member Sullivan stated that would satisfy his need. Council Members Davis, Hoang, Pennington, Rodriguez, Laster, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Brown stated that on Friday, May 4, 2012, Gracewood, A Children at Heart Ministry and their partner, HomeAid Houston, a charity sponsored by the Greater Houston Builders Association, hosted her on a visit to their Elmview Campus in Spring Branch; that Gracewood was a transitional housing and family care program for single mothers and their children caught in a temporary crisis or critical situation, such as a divorce or unemployment, and as a result were at risk of homelessness; that the Fourth Annual Mission Incredible Gala, hosted by Charlie Hartland and his Angels, his 11 daughters, was on Sunday evening, May 6, 2012, that they raised over \$500,000,00, that this mission depended on private sector funds to support many programs, that the Mission of Yawe was a faith based shelter in Spring Branch

that empowered, enriched and restored the lives of homeless women and children and provided outreach services to low income families in their neighborhoods; that they would have a presentation by Aviation Director Mario Diaz and public testimony this evening from 6:00 p.m. to 8:00 p.m. at the Double Tree Hotel, JFK Boulevard, and one on Tuesday, May 15, 2012, 6:00 p.m. to 8:00 p.m. at the Marriott Houston South at the Airport; that today until 1:00 p.m. they would have an opportunity to swing by the Near Northeast District Job Fair at Advent Lutheran Church, 5820 Pinemont; that tomorrow, from 9:00 a.m. to 3:00 p.m. the Houston Airport Systems Office of Business Opportunities would have their Sixth Annual Runway to Business Opportunities Networking Fair at the Humble Civic Center; that she wanted to wish a Happy Mother's Day to all of the mothers. Council Members Davis, Hoang, Pennington, Rodriguez, Laster, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Sullivan stated that he failed to mention that this was Teacher Appreciation Week and he wanted to encourage everyone to take a minute and pat a teacher on the back. Council Members Davis, Hoang, Pennington, Rodriguez, Laster, Green, Noriega and Bradford absent. NO QUORUM PRESENT

Mayor Parker stated that she wanted to wish the Dynamo luck in their first home game in their new stadium; that there were a lot of things going on downtown this weekend with the Art Car Parade, the Dynamo kicking off their home season and the Wells Fargo event at the George R. Brown Convention Center, but be aware of the traffic when they come downtown. Council Members Davis, Hoang, Pennington, Rodriguez, Laster, Green, Noriega and Bradford absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 10:10 a.m. Council Member Costello absent on personal business. Council Members Davis, Hoang, Pennington, Rodriguez, Laster, Green, 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

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Anna Russell, City Secretary