

City Council Chamber, City Hall, Tuesday, July 31, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 31, 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, Stephen C. Costello, Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division and Ms. Marta Crinejo, Agenda Director present. Council Member Andrew C. Burks, Jr. absent on personal business.

At 1:51 p.m. Mayor Parker recognized Council Member Sullivan for the first presentation; and Council Member Sullivan invited those present for his presentation to the podium and stated that it was a pleasure to recognize Captain Gregory Fremin with HPD as a retired Marine who played an instrumental roll in HPD as he helped maintain law and order in Houston, further demonstrating empathy and compassion by going above and beyond the call of duty through voluntary efforts; that he was instrumental in organizing those participating in the Wounded Warrior Project whose mission was to honor and empower wounded warriors; and Mayor Parker presented Captain Fremin a Proclamation and proclaimed today as "Captain Gregory Fremin Day" in Houston, Texas. Council Members Brown, Adams, Pennington, Rodriguez, Laster absent.

Captain Fremin stated that he was honored to be a part of the organization; that military and first responders were dear to his heart; that this was really about them; and he appreciated everyone's support. Council Members Brown, Adams, Pennington, Rodriguez, Laster absent.

Council Members Noriega, Bradford and Gonzales thanked Captain Fremin for his service and assisting all those who needed assistance. Council Members Brown, Adams, Pennington, Rodriguez, Laster absent.

Council Member Green invited those present for his presentation to the podium and stated that he was pleased to recognize the Yes Prep Schools; that they were being recognized as a top charter management organization at the 2012 Charter Schools Conference; and introduced those who were present; and Mayor Parker presented the president of Yes Prep Schools Mr. Jason Burnall a Proclamation and proclaimed today as "Yes Prep Public Schools Day" in Houston, Texas. Council Members Adams, Sullivan, Pennington, Rodriguez, Laster absent.

Mr. Burnall stated that they were honored to be recognized and appreciated everyone's support. Council Members Adams, Sullivan, Pennington, Rodriguez, Laster absent.

Council Member Christie stated that he signed the Charter for their school as chairman of the State Board of Education and it was one of the most proud signatures he gave while in Austin. Council Members Adams, Sullivan, Pennington, Rodriguez, Laster absent.

Council Member Gonzalez invited those for his presentation to the podium; introduced all those present and stated that many have been victims of identity theft and it cost citizens and businesses billions of dollars each year; that Data Shredding Services of Texas has provided on site document shredding services free of charge to Houston residents as a preventative measure; and the key was to prevent being a victim in the first place and thanked them for their commitment to the city; and Mayor Parker presented a Proclamation to the group and proclaimed today as "Data Shredding Services of Texas Day" in Houston, Texas. Council Members Pennington and Rodriguez, absent.

Mr. Schafer Gabrel, CEO of Data Shredding Services, stated that they were excited to partner with the City of Houston; that identity theft was a fast growing and very expensive

criminal enterprises; and thanked all for the recognition and looked forward in continuing their efforts. Council Members Pennington and Rodriguez, absent.

Council Member Bradford stated that most ID theft was preventable and this went a long way in helping to dispose of materials needing to be disposed of properly; and thanked DSS for their services. Council Members Pennington and Rodriguez, absent.

At 2:11 p.m. Mayor Parker recognized Council Member Sullivan who led all in the prayer and pledge. Council Member Pennington absent.

At 2:00 p.m. the City Secretary called the roll. Council Member Burks absent on personal business. Council Member Pennington absent.

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

Council Member Gonzalez moved the rules be suspended for the purpose of hearing Arch Bishop Joseph A. Fiorenza at the top of the three minute speakers list, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Pennington absent. MOTION 2012-0604 ADOPTED.

Mayor Parker on a point of personal privilege wished Council Member Davis a happy birthday. Council Member Pennington absent.

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

Ms. Maria Lopez, 5605 Rampart #38, Houston, Texas 77081 (832-713-2710) had reserved time to speak but was not present when her name was called. Council Member Pennington absent.

Ms. Whitney Leday, 12415 Chalmette, Houston, Texas 77015 (281-455-8163) appeared, as others stood in support, and stated that she was a janitor and she and others cleaned great corporations, but lived in poverty; that this week actions would escalate and now five were arrested in a peaceful, civil disobedience; that activists all over the country were joining in their protest this week. Council Members Sullivan and Pennington absent.

Upon questions by Council Member Gonzalez, Ms. Leday stated that civil rights and labor activists from all over the country would be joining their Houston activists in protest supporting their efforts. Council Members Pennington and Noriega absent.

Ms. Maria Morones, 5311 Texas, Houston, Texas 77011 (832-208-7395) appeared, as others stood in support, and stated that she was a janitor and single parent of three teenagers; that they cleaned the biggest corporations in the world and lived in poverty; that this week they could decide the future of the city; that cleaning contractors, etc., indicated they want poverty wages standard in Houston. Council Members Sullivan and Noriega absent.

Ms. Sisy Segall Davis, 1201 McDuffie #178, Houston, Texas 77019 (713-299-2001) appeared and stated that on behalf of the Miller Theater Advisory Board she thanked all for approving their budget for 2012/2013 Hotel Occupancy Tax Funds; that \$275,000 came back to the city annually as reimbursement for cost of crew and rent, their private/public partnership was an extraordinary gift making arts accessible to all. Council Members Davis, Sullivan and Noriega absent.

Council Members Green, Adams, Cohen and Christie thanked Ms. Davis for all she and the Board did; and upon questions by Council Member Christie, Ms. Davis stated that the Miller Outdoor Theater gave back to the city between \$275 million and over 288 million in the last few years she noticed; and 482,000 people visited last year and they had three to four complaints. Council Members Sullivan and Noriega absent.

Ms. Laurette Canizares, 1401 Richmond #290, Houston, Texas 77006 (713-790-1083) appeared and stated that she was executive director of the Houston Museum District Association and also wanted to thank all for their support of the museums and arts community which translated into an economic impact of about \$150 million yearly. Council Members Sullivan and Noriega absent.

Council Member Pennington stated that the arts was a great place to be enjoyed and also a great place of employment; and thanked Ms. Canizares for what she did. Council Members Adams, Sullivan and Noriega absent.

Mayor Parker thanked Ms. Canizares for coming and stated that she and Council Member Costello today joined in a press conference with the Houston Arts Alliance and other organizations regarding the arts and overall economy; that a new study indicated there were more than 145,000 people in the region in creative economy jobs and \$9 billion a year. Council Members Adams, Sullivan and Noriega absent.

Mr. Chuck Davidson, 219 Eaglerock, Houston, Texas 77080 (713-460-3764) appeared and stated that he lived in Spring Branch, District A and present to express concerns in the area which was the smoke and innuendo coming out of and around the District A office; that he did not want to see negative impact actions on what they deserved; and urged all work together. Council Members Adams, Sullivan and Noriega absent.

Council Member Brown stated that Mr. Davidson was an active participant in the community, he was valued and they looked forward to continue working with him; that they tried helping constituents daily and valued support of colleagues in making sure the current Administration understood constituents of District A were her constituents as well. Council Members Adams, Sullivan and Noriega absent.

Arch Bishop Joseph A. Fiorenza, 1700 San Jacinto, Houston, Texas 77002 (713-659-5461) appeared, as others stood in support, and stated that he thanked the Mayor for asking contractors to return to the negotiation table and would ask all Council Members to be in solidarity with the janitors. Council Members Sullivan and Pennington absent.

Mayor Parker thanked Arch Bishop Fiorenza for appearing and stated that she was in sympathy with the striking janitors, but in addition to public conversations, there were a lot of private conversation going on with building owners and contracting companies and hopefully they could move toward a resolution. Council Members Sullivan and Pennington absent.

Council Members Gonzalez, Laster and Hoang thanked Arch Bishop Fiorenza for appearing and expressed their support; and upon questions by Council Member Gonzalez, Arch Bishop Fiorenza stated that he always encouraged the janitors to have peaceful and nonviolent demonstrations and supported their decision to strike; that he understood the need to sometimes go to civil disobedience though he did not recommend it, he understood it was sometimes necessary to call attention to a serious and unjust problem. Council Members Sullivan, Pennington and Noriega absent.

Mr. Andrew Patterson, 6207 Fondren Road, Houston, Texas 77036 (832-276-1712)

appeared and stated that one issue was a problem with maintenance; that he saw on the Fondren media where rebar was sticking up and chunks of concrete and maintenance had been out but did not address those issues; and proposed a phone number be set up where photos could be sent to the Mayor and decisions made on who should be doing the maintenance; and a sewer cap was crushed on Harwin. Council Members Sullivan, Pennington, Costello and Noriega absent.

Mayor Parker thanked Mr. Patterson for appearing and stated that the number to call to report things to was 311 and the complaint would get to the right place. Council Members Sullivan, Pennington, Costello and Noriega absent.

Council Members Laster, Green and Gonzales thanked Mr. Patterson for coming and expressing concerns for such issues; and urged he call and report problems so they could be corrected; and Council Member Gonzalez pointed out on tomorrow's Agenda Council had opportunity to vote to continue to update the 311 system with aps and photos would be able to be downloaded and he hoped it would be supported. Council Members Sullivan, Costello and Noriega absent.

Ms. Kechineyere Azaga, 2901 Fulton #547, Houston, Texas 77009 (713-230-0228) appeared and stated that she was present to make an appointment with Mayor Parker on a legal matter involving the City of Houston since 1997 which was in appeal court at this time. Council Members Adams, Sullivan, Costello and Noriega absent.

Mayor Parker stated that if she was involved with litigation with the city she could not meet with her, but she would need to meet with someone from the Legal Department; and Mr. Heilman who was present could speak with her. Council Members Sullivan, Costello and Noriega absent.

Council Member Hoang on a point of personal privilege stated that a group of Young Leaders of the Vietnamese Culture and Science Association were present and ask that they stand to be recognized. Council Members Sullivan, Costello and Noriega absent.

Mayor Parker invited a Scout present to stand and upon questions, stated that his name was Hunter Hackly and he was working on his communication merit badge at this time; and Mayor Parker thanked him for attending. Council Members Sullivan, Costello and Noriega absent.

Mr. Daniel Arp, 8273 Park Place Boulevard, Houston, Texas 77017 (281-220-7542) appeared and stated that Houston was recently declared a good place to live and land a job, but a noise was created because of leaders not standing up to residents and citizens who liked their cars, etc., as noisy as possible. Mr. Arp expressed concern on noise level and the fact that rape kits, a women's issue, was supported by Council, but ask why did they not speak out for men on false rape charges which raped men of their reputation by false accusation. Council Members Sullivan, Costello and Noriega absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (no phone) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Costello and Noriega absent.

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 Sullivan, Costello and Noriega absent.

Mr. David Thorne, 40 FM 1960 Road W. #261, Houston, Texas 77090 (832-286-5925)

appeared and stated that he was present asking why there had been no investigation into the \$168 million useless project write off, why was no one held accountable, etc., that it was also evident METRO was practicing taxation without representation as they cut service along local lines and perpetuated a system of unequal accessibility to the riding public; and reduction of service should bring reduction of taxes; that those at the Urban Mass Transit Union, Inc., would partner with political action groups to campaign and urge public to vote down the November referendum for the \$900 million federal grant. Council Members Sullivan, Costello and Noriega absent.

Mayor Parker stated that for public record METRO had no plans to have a bond election, they may have a referendum; and thanked Mr. Thorne for coming. Council Members Sullivan, Costello and Noriega absent.

Ms. Bridget Alexander McDaniel, 12006 Duane, Houston, Texas 77047 (713-987-3854) appeared and stated that she was a part of the homeless population for the last five years because of car theft; that METRO paid the money but she did not receive it; and METRO police were harassing her; and continued expressing her personal opinions until her time expired. Council Members Sullivan, Gonzalez, Costello and Noriega absent.

Ms. Anna Ashmore, 7815 Windswept Lane, Houston, Texas 77063 (713-953-9955) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Costello and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2800) appeared and stated that again he was requesting more time; that he was the U. S. President; and continued expressing his personal opinions until his time expired. Council Members Sullivan, Costello and Noriega absent.

Ms. Rita Mitchell, P. O. Box 77221, Houston, Texas 77221 (no phone) appeared and stated that she wanted all to know income events were needed because they could bring harmony. Council Members Sullivan, Costello and Noriega absent.

Mr. Cirilo Hernandez, 10550 Valley Forge #127, Houston, Texas 77042 (832-755-7013) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Costello and Noriega absent.

At 3:03 p. m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, August 1, 2012. Council Members Burks absent on personal business. Council Members Sullivan, Costello and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, August 1, 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, Stephen C. Costello, 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 Andrew C. Burks, Jr. absent on personal business.

At 8:21 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:07 a.m. Mayor Parker called the meeting to order and stated that the first item on the agenda was a public hearing to be presented by Ms. Nicole Smothers, Planning and Development Department.

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

1. **PUBLIC HEARING** on a proposal for the City of Houston to annex certain territory in the vicinity of the Commons of Lake Houston near Kingwood Drive on the east side of Lake Houston, in Harris County, Texas - **DISTRICT E – SULLIVAN** – was called. Council Members Davis and Noriega absent.

Ms. Smothers stated that the Planning Department received a petition from The Commons of Lake Houston requesting the general purpose annexation of approximately 148 acres into its development located immediately northeast of the city limits in the vicinity of Lake Houston, that the area to be annexed was owned entirely by the petitioner, the property was located entirely within Harris County, that annexation of approximately 148 acres of undeveloped land would be divided into 173 residential lots, that the annexation property would be developed as part of a single family residential community known as The Commons of Lake Houston, currently developing on property it owns immediately adjacent to the annexation property and within the city limits and within the boundaries of Harris County MUD No. 415, that there were no residents or qualified voters currently living in the area to be annexed however, the plan anticipated 173 homes would be constructed in the annexation area, that 37 of them would be waterfront homes at an estimated value of \$500,000 per home, that 136 of the homes would be non-waterfront homes at an estimated value of \$300,000 per home, that upon full build out (in approximately 2021) and with the homestead exemption, the total anticipated taxable value of the property proposed for annexation would be approximately \$55,840,000, that the annexation process was projected to take until October, that the first reading of the Annexation Ordinance was scheduled to go before Council for consideration about August 22, 2012.

Mayor Parker stated that no one had signed up for the public hearing and asked if there was anyone in the audience who wished to speak on the item, and there was no response. Council Members Davis and Noriega absent.

Council Member Sullivan stated that he wanted to thank Planning and Legal for their hard work on this and for briefing him in advance, and moved to close the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Burks absent on personal business. Council Members Davis and Noriega absent. MOTION 2012-0605 ADOPTED.

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 18**

**MISCELLANEOUS - NUMBER 2**

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8**:
  - Position One - **MS. ROBYN L. VANN**, appointment, for a term to expire 6/1/2013
  - Position Two - **MS. LAURA TEMPLET ROCHELLE**, appointment, for a term to expire 6/1/2013
  - Position Three - **MS. JENNIFER ROSENTHAL KRAMER**, appointment, for a term to expire 6/1/2013
  - Position Four - **MR. CRAIG R. ARTZE**, appointment, for a term to expire 6/1/2013
  - Position Five - **MS. KEIR MURRAY**, appointment, for a term to expire 6/1/2013
  - Position Six - **MR. DERRICK M. MITCHELL**, reappointment, for a term to expire 6/1/2015

- Position Seven - **MR. THELDON RUDOLPH BRANCH, III**, reappointment, for a term to expire 6/1/2015
- Position Eight - **MS. TIFFANY BINGHAM BRISCOE**, reappointment, for a term to expire 6/1/2015
- Position Nine - **MS. GAYLE M. JACKSON**, reappointment, for a term to expire 6/1/2015

- was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. MOTION 2012-0606 ADOPTED.

### **ACCEPT WORK** - NUMBER 3

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,342,554.10 and acceptance of work on contract with **SER CONTRACTING PARTNERS, LTD.** for On-Call Drainage Construction - 1.28% under the original contract amount - **DISTRICTS A - BROWN; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and J - LASTER** - was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. MOTION 2012-0607 ADOPTED.

### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 4 through 5A

4. **BEVCO COMPANY, INC** to Remove, Furnish and Install Sump Pumps and Associated Equipment at the Houston Airport System - \$248,000.00 - Enterprise Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. MOTION 2012-0608 ADOPTED.
5. ORDINANCE appropriating \$351,895.50 out of General Improvement Consolidated Construction Fund for City Hall Annex Parking Garage Repairs for the General Services Department - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0671 ADOPTED.
- 5a. **RESTOCON CORPORATION** for City Hall Annex Parking Garage Repairs for the General Services Department - \$319,905.00 and contingencies for a total amount not to exceed \$351,895.50 - was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. MOTION 2012-0609 ADOPTED.

### **ORDINANCES** - NUMBERS 6 through 14

6. ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System First Lien Revenue Refunding Bonds, Series 2012 in one or more Series or Subseries as may be further designated; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds including the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement and matters incident thereto; awarding the sale of the Bonds; authorizing the defeasance, final payment, and discharge of Certain Outstanding Combined Utility System Commercial Paper Notes; authorizing the execution and delivery

of an Escrow Agreement; authorizing the purchase of and subscription for Certain Escrowed Securities; authorizing Escrow Verification and Engagement of an Escrow Agent, authorizing a Co-Bond Counsel Agreement and a Special Disclosure Counsel Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement, and other related documents; making other provisions regarding such bonds; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0672 ADOPTED.

9. ORDINANCE awarding contract to **SECLICKFIX, INC** for Design, Development, and Maintenance of Smartphone Applications for the Administration & Regulatory Affairs Department's 311 Help & Information Center (Approved by Ordinance No. 2010-1007); providing a maximum contract amount - 3 Years with 2 one-year options - had been pulled from the Agenda by the Administration, and was not considered. Council Member Noriega absent.
10. ORDINANCE appropriating \$14,877.00 out of Equipment Acquisition Consolidated Fund for purchase of Capital Equipment for the Fleet Management Department - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0673 ADOPTED.
11. ORDINANCE appropriating \$15,000,000.00 out of Police Consolidated Construction Fund for Project Implementation for the Public Safety Radio System for the Information Technology Department - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0674 ADOPTED.
13. ORDINANCE awarding contract to **B K SERVICE** for Fuel Dispenser Repair and Automated Network Systems Maintenance Services for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,133,750.00 - Fleet Management Revolving Fund - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0675 ADOPTED.
14. ORDINANCE approving and authorizing first amendment to contract between the City and **NIVERCO BIOMEDICAL SERVICES (Formerly known as NIVERCO MEDICAL SERVICES)** for Lab Equipment Repair, Inspection and Preventive Maintenance for Various Departments - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0676 ADOPTED.

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

**ORDINANCES**

7. ORDINANCE appropriating \$12,000,000.00 out of Airports Improvement Fund and approving and authorizing three contracts for On-Call Professional Aviation Planning Consulting Services for the Houston Airport System between the City of Houston and **HNTB CORPORATION, LEIGHFISHER** and **RICONDO & ASSOCIATES, INC** (Project Nos. 688A, 688B and 688C); providing a maximum contract amount - 3 Years with two one-year options - \$500,000.00 Enterprise Fund - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Burks

absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0677 ADOPTED.

8. ORDINANCE approving and authorizing contract between the City of Houston and **SEARCH HOMELESS SERVICES**, providing up to \$133,883.00 in General Funds to assist in the administration and operation of the Engagement Services Program - was presented. Council Member Brown voting no, balance voting aye. Council Member Burks absent on personal business. Council Member Noriega absent. ORDINANCE 2012-0678 ADOPTED.
12. ORDINANCE approving and authorizing contract between the City of Houston and **PULITZER BOGARD & ASSOCIATES, LLC** for Consulting Services; establishing a maximum contract amount - 3 Years with two one-year options - \$300,000.00 - General Fund – was presented.

After discussion by Council Member Brown a vote was called on Item No. 12. All voting aye. Nays none. Council Member Burks absent on personal business. ORDINANCE 2012-0679 ADOPTED.

15. ORDINANCE appropriating \$143,246.00 out of Parks Consolidated Construction Fund, awarding construction contract to **SPECIALTY CONSTRUCTION** for Nieto Park Splash Pad; 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, construction management services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT H - GONZALEZ** - was presented. Council Member Brown voting no, balance voting aye. Council Member Burks absent on personal business. ORDINANCE 2012-0680 ADOPTED.
16. ORDINANCE amending Ordinance Number 2009-1300 which previously established a Municipal setting designation prohibiting the use of designated groundwater beneath two tracts of land commonly known as 13100 Memorial Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality **DISTRICT G - PENNINGTON** - was presented. Council Member Brown voting no, balance voting aye. Council Member Burks absent on personal business. ORDINANCE 2012-0681 ADOPTED.
17. ORDINANCE issuing a permit to **ARCO MIDCON LLC** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS E - SULLIVAN AND I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. ORDINANCE 2012-0682 ADOPTED.
18. ORDINANCE issuing a permit to **BP PIPELINES (NORTH AMERICA) INC** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICTS E - SULLIVAN AND I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Burks absent on personal business. ORDINANCE 2012-0683 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 19

**MISCELLANEOUS**

19. MOTION to set a date not less than seven days from August 1, 2012, to receive nominations for appointments from each Council Member for the **PUBLIC SAFETY ADVISORY COMMITTEE BOARD OF DIRECTORS**, for staggered terms from the date of appointment – was presented.

Council Member Gonzalez moved to set Wednesday, August 8, 2012, to receive nominations for appointments from each Council Member for the Public Safety Advisory Committee Board of Directors, seconded by Council Member Adams. All voting aye. Nays none. Council Member Burks absent on personal business. MOTION 2012-0610 ADOPTED.

**MATTERS HELD** - NUMBERS 20 and 21

20. ORDINANCE approving and authorizing contract between the City and **RETIREMENT HORIZONS INC** for Pension Actuarial Consulting Services; providing a maximum contract amount - 2 Years with one option year - \$395,000.00 - General Fund - **(This was Item 21 on Agenda of July 25, 2012, TAGGED BY COUNCIL MEMBERS BRADFORD, RODRIGUEZ and ADAMS)** – was presented.

After discussion by Council Members, a vote was called on Item No. 20. Council Member Brown voting no, balance voting aye. Council Member Burks absent on personal business. ORDINANCE 2012-0684 ADOPTED.

21. ORDINANCE authorizing the City of Houston to submit a request to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** to borrow up to \$1,800,000.00 of Section 108 Guaranteed Loan Funds and to allocate up to \$5,550,000.00 of EDI Grant Funds to partially finance the redevelopment of the building located at 806 Main Street, Houston, Texas **DISTRICT I - RODRIGUEZ** – **(This was Item 26 on Agenda of July 25, 2012, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented. Council Members Brown and Sullivan voting no, balance voting aye. Council Member Burks absent on personal business. ORDINANCE 2012-0685 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Brown announced the following events; at the Children’s Museum this Sunday was Target Free Sunday, there was free admission; that yesterday was election day for both political parties and she wanted to give her congratulations to all of the candidates who won; that she wanted to say Happy National Family Day to everyone. Council Members Davis, Adams, Pennington and Rodriguez absent.

Council Member Cohen stated that she wanted to congratulate everyone who was involved in the elections yesterday; that White Linen Night in the Heights was on Saturday, that the local art and local business community would be showcasing their talents; that the Rice Design Alliance was gathering people for an intense period of brainstorming and design, that this year’s competition would be held Saturday, August 4, 2012, that she would be a judge of that event; that her Deputy Chief of Staff was getting married this weekend, that Dave Bonham was marrying Carly Moyer on Saturday, that she wanted to wish them a happy and healthy married life together. Council Members Davis, Hoang, Pennington and Rodriguez absent.

Mayor Parker stated that in the vein of being non partisan or bi partisan she had to say that which ever gentlemen became the next senator he would have a very difficult time measuring up to Kay Bailey Hutchinson, that she would be sincerely missed across the State of Texas and Council Member Cohen stated that she would agree with that. Council Members Davis, Hoang, Pennington and Rodriguez absent.

Council Member Christi stated that he took a course at the Kennedy School of Government at Harvard on City, State and Executive Management, that he passed the course, that the City of Houston had a great national reputation so there were elected officials from all over the United States and five foreign countries, that he was proud to represent Houston, that Mayor Parker was in the Class of 2005 and there were people who still gave her accolades on her academic achievement; that he went to the JFK Library and he wrote a book on Profiles of Courage and they give out an award to recipients every year and in 2007 they gave it to Mayor Bill White. Council Members Davis, Adams, Sullivan, Hoang, Pennington and Rodriguez absent.

Mayor Parker stated that Mayor White's award for the City of Houston's response to Katrina and he really did a magnificent job, as did all of the citizens of Houston in welcoming all of those evacuees. Council Members Davis, Adams, Sullivan, Hoang, Pennington and Rodriguez absent.

Council Member Bradford stated that for all who were involved in the janitors protest, the weeks were growing into months and the call would be for all of those who were involved to maintain a professional behavior, abide by the law and respect and appreciate the janitor's right to protest, that he hoped that resolution would be garnered in the near future, but whether it did or did not come to a close in the near future he thought it was important that they all in a civilized society understood, respected and appreciated one's ability in this Country to partake in civil disobedience and lawful conduct and thought the officers involved would like to see an end to it to. Council Members Davis, Adams, Hoang, Pennington and Rodriguez absent.

Council Member Laster stated that last week he traveled to Cordova, Argentina on a personal and private trip and in anticipation of that trip he worked closely not only with the Mayor's office but the Office of Counsel General of the Republic of Argentina, Mr. Diadato in preparation of taking letters of welcome and introduction from the universities in Houston to the universities in Cordova, Argentina, which is the second largest city in that country and had a long history of educational opportunities; that he had the opportunity to meet with representatives of the City of Cordova, Dr. Raymond Mestri, and his office had a gift for Mayor Parker that Dr. Mestri had sent to let her know that he was hoping to travel to the United States later in the Fall and would love to come to Houston to learn more about how they used internet technology and communications technology on bringing their citizens into direct communications with the City and help them participate on a more direct basis, that he looked forward to serving as a conduit between those two visits. Council Members Davis, Adams, Hoang, Pennington, Rodriguez and Noriega absent.

Mayor Parker stated that they would be pleased to welcome the Mayor to Houston and give him every bit of information and all due courtesies. Council Members Davis, Adams, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Laster further stated that this week was officially Hip Hop for HIV Awareness Week at Sharpstown High School, from July 30 through August 2, 2012, that event provided free and confidential HIV/STD testing for thousands of youth and young people. Council Members Davis, Adams, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Costello stated that an article was in the Chronicle this morning about the Coalition for the Homeless and the reduction in their homeless population in the City of Houston, which was down 14% from last year, that he wanted to congratulate all of the nonprofit and faith based organizations that actively worked in that particular arena; that there was an editorial from the Coalition for the Homeless that there was going to be a Community Charrette the week of August 22, 2012, to further address the problem and what other avenues and

opportunities, that as a community collectively they needed to pursue to ultimately resolve the complete problem of the homeless and the chronically homeless, that he would urge his colleagues to take a look at what was in the paper and if they were interested in the homeless issue to attend that charrette. Council Members Adams, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Sullivan stated that last week they had the opening of the AAU Junior Olympics at Discovery Green; that the Southbelt/Ellington Chamber of Commerce was holding a uniform/clothing drive for elementary and intermediate students, from now to August 15, 2012; that yesterday he attended a brief ceremony that Office Depot Foundation held where they presented backpacks to schools and community organizations in Houston, that he wanted to note that nationwide they were donating over 400,000 back packs, that Office Depot had done this for a few years and they had benefited from it in the Houston area across all Council districts, that he wanted to publicly thank them; that last night was election night and he wanted to congratulate all of the winners and wanted to congratulate Kelly Waterman who worked in his office, he had been active in politics for a while and stepped forward and volunteered and ran for Precinct Chair and won; that today was Allie Smart, Agenda Director, one year anniversary of working in his office. Council Members Brown, Cohen, Adams, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Gonzalez stated that he wanted to commend Excargo Services, a hauling company that transported cargo from the Port of Houston to warehouses and rail facilities, they had recently made a commitment to upgrade their fleet and were encouraging drivers to participate in HGAC Financial Assistance Program, that over 50% of their trucks had switched over to more modern technology, which almost doubled fuel economy and drastically cuts emissions; that the Children's Museum of Houston was hosting free vaccinations for children under 18 years of age every Thursday from 5:00 p.m. to 7:00 p.m. starting August 2 through August 30, 2012, that this was possible to Texas Children's Hospital Super Kids Mobile Clinic, that to qualify parents only need to bring their child's immunization records, for more information call 713-522-1138; that he wanted to welcome Walter Dobbins and Shaunice Hawkins who were both high school students completing a special summer internship in the District H office, that he wanted to wish them continued success. Council Members Brown, Cohen, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Adams announced the following events: Thursday, August 2, 2012, Houston Community College Reception honoring Colonel Leonard "Len" Waterworth, Port of Houston Authority Executive Director, would be from 5:30 p.m. to 7:00 p.m. at 6815 Rustic; that tomorrow at the Kings Row Apartments she would honor their manager, Martha Garden, for her willingness to participate with outside resources to come into Kings Row to try to better the apartment complex and the families; that on Friday, August 3, 2012, she would join Commission El Franco Lee for the Annual Street Summer Olympic Games at Reliant; that on Saturday, 9:00 a.m. to 12:00 p.m. that Houston Area Urban League and the Blue Ridge Baptist Church was hosting their annual Back to School Fair in partnership with Worthing High School; that the International Union of Operating Engineers Local 450 Apprenticeship and Training Fund was conducting interviews September 15, 2012, that the deadline for accepting applications was August 31, 2012 at 8441 Gulf Freeway, Suite 302, Houston, Texas, for more information they could call her office at 832-393-3001; that she wanted to thank Mayor Parker for her initiative on the homeless and making sure that funding gets there, that in the paper today was one of the reasons why the funding the City provided and other federal funding they got for the Coalition for the Homeless and SEARCH was to help decrease the homeless population, that the paper said that the Houston homeless population had declined 14% from last year according to the official numbers, that she and Council Member Costello had started participating in the homeless count so they got the opportunity to see this on an annual basis and why it was so important, that today they had Agenda Item No. 8 to focus on some of the homeless issues

through SEARCH. Council Members Brown, Cohen, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Green stated that last Tuesday he attended the Braes Oaks Management District meeting and observed all of the great things they were doing in the Braes Oaks Community; that last Thursday he attended and co-facilitated the "Bridging the Divide", a Hiram Clarke Community effort whereby various stakeholders come together and they meet the last Thursday of each month to talk about different projects that were going on in the area; that yesterday he co-hosted a meeting with Public Works to address the upcoming neighborhood street reconstruction Project 451 for neighborhoods of Knollwood Village and Braeswood Place, that they met at Bethany United Methodist Church that he wanted to thank Public Works for co-hosting the event with him and providing valuable information; that on August 6, 2012, 6:30 p.m., they would have a Woodside Neighborhood Street Reconstruction Project 446 Meeting at the Linkwood Park Community Center, 3699 Norse, that Public Works would be co-hosting that event with him as well; that on Thursday he attended the India House and Raindrop Turkish House, the India House, 8888 West Bellfort was a non profit agency that was non religious, non regional and non political, that they involve the overall local community by promoting diversity and responding to community needs through it's various programs and services, that the Raindrop Turkish House, 9301 West Bellfort, was a education and charitable cultural organization founded by Turkish Americans in Houston in 2000, that they address the social needs, cultural needs and helps the Turkish Community integrate into the multi cultural society; that on Saturday he attended the ribbon cutting for the Smile for a Lifetime Foundation, that they had just come to Houston whereby local dentists provided free braces for deserving and low income youth, that they had to write an essay, that he wanted to congratulate Dr. Heather Brown who sponsored six students last Saturday and actually put the braces on this Saturday, that it was about a \$36,000 investment that she did for these kids to have braces, that he wanted to commend Dr. Heather Brown for all of the work she was doing in the community and the Smile for a Lifetime Foundation. Council Members Brown, Cohen, Adams, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 9:56 a.m. Council Member Burks absent on personal business. Council Members Brown, Cohen, Adams, Sullivan, Hoang, Pennington, Rodriguez and Noriega 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