

City Council Chamber, City Hall, Tuesday, September 11, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 11, 2012, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division and Ms. Marta Crinejo, Agenda Director present. Council Member Al Hoang out of the city on city business. Council Member Melissa Noriega absent on personal business.

At 1:41 p.m. Mayor Parker stated that they would now begin presentations; and she would ask the Mayor Pro Tem to step in; and Mayor Pro Tem Gonzalez stated that presentations would begin with Mayor Parker. Mayor Parker invited the representative for AT&T to the podium and stated that a serious problem among young people was texting while driving, it was as dangerous as drinking and driving and it was estimated nearly 80% of crashes and 65% near crashes involved some form of driver inattention causing deaths to millions and millions in damages; that AT&T launched a campaign raising public awareness on texting risks and she commended them for it; and presented a Proclamation to the representative for AT&T and proclaimed today as "Texting and Driving It Can Wait Day" in Houston, Texas.

A Spokesperson with AT&T stated that the most vulnerable were teens and college students thinking they were invulnerable and they appreciated the city helping get the message out; and thanked all for the recognition. Council Members Davis, Sullivan, Burks and Noriega absent.

Mayor Pro Tem Gonzalez, Council Members Cohen and Christie thanked all for getting the message out. Council Members Sullivan and Burks absent.

Council Member Green invited those present for his presentation to the podium and stated that when students were prepared for school they were boosted with self-confidence and enthusiasm; that all resources offered at this years City of Houston Back to School Fest from supplies to vaccinations helped all and he wanted to acknowledge all who allowed them to serve 25,000 students and parents with free supplies, immunizations, uniform and haircut vouchers, etc.; and Mayor Parker stated that on that day they served over 40,000 students and their family with an estimated 500 immunizations administered, etc.; that they were at capacity early and had to turn many away; and presented a Proclamation to each of the sponsors and proclaimed today as "2012 Back to School Fest Appreciation Day" in Houston, Texas. Council Members Sullivan and Rodriguez absent.

A Spokesperson stated that on behalf of all sponsors the Fest was a great opportunity to come together as a corporate community and allow their employees to get engaged and support the community; and they would look for other opportunities to meet the needs and reduce the number needing the services; and thanked all for the recognition. Council Members Sullivan and Rodriguez absent.

Council Member Laster thanked all for their work and commended all for their participation. Council Members Sullivan and Rodriguez absent.

Council Member Laster invited those with his presentation to the podium and stated that representatives of Robert Gordon University from Aberdeen, Scotland and also the Houston Baptist University were present and it was his pleasure to introduce the Houston Grampian Nursing Exchange Program; that it was a two week program which allowed students to learn about healthcare in their sister city's country; and Mayor Parker stated that she had visited

Aberdeen and knew this was one of Houston's stronger sister city relationships and was happy they were present today; and presented a Proclamation to the group and proclaimed it "Houston Grampian Nursing Exchange Program Day" in Houston, Texas. Council Members Adams and Sullivan absent.

A Spokesperson for the group stated that on behalf of the School of Nursing and HBU and the Houston Grampian Association they expressed sincere appreciation for their time; that they were excited about working with the University in Houston's Sister City and felt it helped support Houston's global vision and initiative; and thanked all for the recognition. Council Members Adams and Sullivan absent.

Council Member Pennington congratulated all participating in the event and stated that he knew nurses had more and more responsibility and an exchange of ideas would hopefully improve healthcare and their abilities. Council Members Adams and Sullivan absent.

At 2:08 p.m. Mayor Pro Tem Gonzalez called on Council Member Pennington who stated that he would mention today was 9/11, a day where thousands who perished eleven years ago were remembered and honored; that it changed the country and lives of all those involved; and introduced Father Michael Lambakis with the Greek Orthodox Cathedral who led all in the prayer and Council Member Pennington led all in the pledge. Council Members Adams and Sullivan absent.

At 2:14 p.m. the City Secretary called the roll. Council Member Hoang out of the city on city business. Council Members Sullivan and Pennington absent.

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

Mayor Parker stated that Council Members were notified there would be one item of business today and she would ask the City Attorney to give a brief explanation; that the item had already been passed, but the wording needed to be amended; and Mr. Feldman stated; that the amendment today was simply for shortening the language for Proposition I and it needed to be voted on today as printing of the ballots needed to begin tomorrow. Council Member Sullivan absent.

Mayor Parker called on the City Secretary to read the caption of the ordinance, which she read. Council Member Sullivan absent.

ORDINANCE

1. ORDINANCE amending Section 7 of Ordinance No. 2012-0694 to shorten certain ballot language in connection with a Special Election ordered by such Ordinance to be held on November 6, 2012, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition to update the City Charter – was presented.

Upon discussion of Agenda Item No. 1, Mr. Feldman answered questions relating to regulations or calling charter amendment elections and stated that the November election 2014 would be two days short of two years, there could be an election in May 2015; and that Proposition II was not just for language cleanup but to give those in Single Member Districts rights under the provisions and only if one of the provisos.

Mayor Parker called for a vote on the item. Council Member Brown voting no. Balance

voting aye. Council Member Hoang out of the city on city business. ORDINANCE 2012-777 ADOPTED.

At 2:29 p.m. the City Secretary began calling the public speakers.

Ms. Kellie Brett, 4009 Springmeadows, Houston, Texas 77080 (713-240-4478) appeared and stated that she was present regarding fluoride in the water; that fluoride was a drug and caused neurological issues, etc., and cost over a million dollars a year which could be better spent. Council Members Burks and Bradford absent.

Mr. Nick Cooper (did not wish to give address) (281-289-3569) appeared and stated that he believed fines imposed for serving food to the homeless caused a human rights crisis and some did not eat for days now; and Council had put off what thousands wanted to vote on. Council Members Burks and Bradford absent.

Mr. Mitchell Wang, 9889 Bellaire Blvd., Houston, Texas 77099 (713-818-4612) appeared and stated that he would ask to give his time to Ms. Kathy Cheng; and Mayor Parker called for a motion to reverse the order of the speakers. Council Members Burks and Bradford absent.

Council Member Laster moved the rules be suspended to allow Ms. Kathy Cheng to speak prior to Mr. Mitchell Wang, seconded by Council Member Costello. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Members Burks and Bradford absent. MOTION 2012-0668 ADOPTED.

Ms. Kathy Cheng, 5100 Westheimer #200, Houston, Texas 77056 (832-788-8840) appeared and stated that she was present on behalf of the board members as well as business owners of Downhome Plaza in Bellaire regarding a construction project which raised concerns of no temporary left turn lane during construction, however, they received news that this had been resolved to everyone's satisfaction and she was thanking all for the outcome. Council Members Gonzalez, Burks and Bradford absent.

Mr. Mitchell Wang indicated that he did not wish to speak. Council Members Gonzalez, Burks and Bradford absent.

Council Member Laster thanked all who worked on the matter and stated that it was always important to work with residents and business community and he was glad to know it was coming to fruition in a great way. Council Members Gonzalez, Burks and Bradford absent.

Mr. Jose Garza, 3327 N. Mason Drive, Katy, Texas 77449 (832-315-4510) appeared and stated that he was present as Monday he was pulled over by an officer who used profanity, arrested him and he spent the night in jail; that the next day the judge dismissed everything; that when making this appointment a sergeant with HPD demanded he tell him what he would be speaking about and he did not think that right either and would like to know how to file a formal complaint on the two officers. Council Members Laster and Burks absent.

Mayor Parker stated that filing a formal complaint would be the appropriate step, but she felt he misunderstood something; that when someone signed up to speak before Council someone did contact them in hopes of resolving the issue so it was not necessary for the citizen to take time to come down; that Sergeant Herndon was present and could assist him. Council Members Laster and Burks absent.

Council Member Noriega stated that if an officer was inappropriate she apologized, but there was a process as the Mayor stated and she too suggested he speak with Sergeant Herndon and he could contact her office if needed. Council Members Laster and Burks absent.

Mr./Coach R. J. "Bobby" Taylor, 2107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Laster and Burks absent.

Ms. Barbara Garvin, 1802 W. 14th, Houston, Texas 77008 (281-300-6043) had reserved time to speak but was not present when her name was called. Council Members Laster and Burks absent.

Ms. Patricia Mallard, 9726 Guest, Houston, Texas 77078 (713-631-7910) appeared and stated that Hurricane Ike was five years ago and caused much devastation; that many had to leave their homes because of damage and the slowness in having them fixed; that a few lived in senior homes and today she was told she could not get a roof and siding they needed to tear down the entire house. Council Members Pennington, Laster and Noriega absent.

Mayor Parker stated that she had a memorandum from the Housing Department on her case and clearly she was eligible but the problem was she did not have a clear title to her property; and Ms. Mallard stated that she did; and Mayor Parker stated that all she needed to do was see Mr. Ikenbaum who was present, it was a federal requirement. Council Members Pennington, Laster and Noriega absent.

Upon questions by Council Member Davis, Ms. Mallard stated that three seniors lost everything and she was trying to help them and needed assistance; and Council Member Davis stated that his office would try and help with the other three seniors. Council Members Pennington, Laster and Noriega absent.

Upon questions by Council Member Adams, Mayor Parker stated that her understanding was they went out to do an assessment and they would not put a roof and siding on if they thought the house was more damaged, it fell into one category or the other. Council Members Pennington, Laster and Noriega absent.

Ms. Barbara Garvin, 1802 W. 14th, Houston, Texas 77008 (281-300-6043) who was previously not present when her name was called was called again and appeared and stated that September was Ovarian Cancer Awareness Month and she was present to thank Mayor Parker for turning the teal lights on City Hall; and presented her with a picture of City Hall bathed in teal. Council Member Noriega absent.

Council Member Cohen stated that Ms. Garvin was a survivor and did great things in Houston to bring awareness to ovarian cancer; and thanked her for all she did. Council Member 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 Member Noriega absent.

Mr. Henry Brownlow, 2510 Trout, Houston, Texas 77093 (281-697-0487) appeared and stated that he had a complaint against HPD; that his car was towed and the officer was laughing; that the paper he had stated prison impound and no one was taken to jail and when he told the sergeant at the substation he was told that was crossed out and he wondered if they could do that. Council Member Noriega absent.

Mayor Parker stated that he clearly needed to visit with someone from the Police Department and be walked through this and see if he too needed to file a complaint; and asked someone in Citizens Assistance to work with him and make sure he was connected with Sergeant Herndon; and Mr. Brownlow stated that what made it bad was he had trouble with the

wrecker driver before, he told him he would tow one of his cars and described the situation; and Mayor Parker stated that he was in the right place and he should speak with Citizens Assistance and be connected to the right place. Council Members Sullivan and Noriega absent.

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (832-258-7511) appeared and stated that he was present regarding the Blue Ridge and Reed Wood Subdivisions; that with the Mayor's assistance they were able to get a number of sidewalks and some were still in the design stage; that Fairland Street he spoke about previously in Blue Ridge and he would like it fast tracked as it was already approved for sidewalks and needed by the students; and he wanted Council Members Christie and Burks to know when he helped someone's campaign he expected assistance at some time. Council Members Sullivan and Noriega absent.

Ms. Desiree Batiste, 1815 Granger, Houston, Texas 77020 (713-675-1711) appeared, presented information for Council Members and stated that she was present as a dead tree was on the city easement and caused damages to her garage and she was requesting the tree be cut and the garage repaired; and reviewed each picture by number. Council Members Sullivan, Rodriguez and Noriega absent.

Mayor Parker stated that Ms. Correa was present to speak with her and no one was disputing there was a dead tree or that it caused damages, but the question was whose tree it was; that an inspector with Parks and Recreation went out and determined it was not city but a utility easement and Legal may need to help sort it out, but Citizens Assistance and Ms. Correa were present to assist her. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Davis stated that his office had worked with her and Center Point was noted and he thought they would be getting in touch with her and see what assistance they could bring; that his office would stay on top of the matter. Council Members Sullivan, Rodriguez and Noriega absent.

Ms. Deborah Elaine Allen, P. O. Box 263252, Houston, Texas 77207-3252 (713-264-0127) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Rodriguez and Noriega absent.

Mr. Joseph Ballard, 6302 Rocky Nook Houston, Texas 77396 (281-850-0388) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Rodriguez and Noriega absent.

Mr. John Kleiber, 6115 Stuebner Airline, Houston, Texas 77091 (713-594-8300) appeared and stated that he was in Council Member Gonzalez district and present regarding scrap yard permitting as it related to their property, two properties on the northside of Houston; that one was a multi acre single family residence and the other a five acre mobile home park; and he described the situation of a scrap yard being permitted last summer adjacent to the properties when he found in the Code of Ordinance a scrap yard was prohibited within 300 feet of residential property. Council Members Sullivan and Noriega absent.

Upon questions by Council Member Gonzalez, Mr. Kleiber stated that he received information relating to the mobile home park from the Legal Department that it was not considered residential; and Council Member Gonzalez stated that his office was monitoring this for some time and ARA and Legal were looking into it and recently briefed his office; that there were still questions on the table and operations were still going on; that a meeting was scheduled with Mr. Newport from ARA to brief and represent the city, it was to be held Thursday; and Mayor Parker stated to Mr. Heilman to make sure someone from the Legal Department was present at the meeting; and Council Member Gonzalez stated that it seemed the initial measurement was incorrect; and Mayor Parker stated that Legal should go prepared

to address whether it was properly permitted in the first place and if not what the options would be. Council Member Sullivan absent.

Ms. Kechineyere Azaga, 2901 Fulton #547, Houston, Texas 77009 (713-230-0228) appeared and stated that the last time she was present Mr. Heilman spoke with her briefly, but he was not one of the attorneys tied to her case and she wondered if an appointment could be set. Council Members Sullivan and Gonzalez absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2800) appeared and stated that he won victory, this U. S. Presidential election defeating imposter; and continued expressing his personal opinions until his time expired. Council Members Sullivan and Gonzalez absent.

Mr. Micah Jackson, 1937 Dryden, Houston, Texas 77003 (713-937-8024) appeared and stated that he thanked all who defended freedom through great sacrifice; that HFP worked to educate and were firmly with the coalition defending freedom from the anti food sharing forces and they were happy to help advance the arguments of fluoride free Houston. Council Members Sullivan and Gonzalez absent.

At 3:12 p. m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, September 12, 2012. Council Member Hoang out of the city on city business. Council Members Sullivan and Gonzalez absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, September 12, 2012, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present. Council Member Al Hoang out of the city on city business. Council Member Noriega absent on personal business.

At 8:27 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 the Monthly Operations and Financial Report and recognized Mr. Chris Brown, Chief Deputy City Controller, and Mr. Kelly Dowe, Director of Finance.

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented.

Mr. Brown and Mr. Dowe reviewed the Monthly Operations and Finance Report, a copy of which is on file in the City Secretary's office for review.

Council Member Pennington stated that at some point they had to adjust their budget if they did not achieve the revenues that were projected to be received and asked if they had a plan for reviewing the situation to make a recommendation six or nine months from now on any adjustments that needed to be made, that there was a pretty substantial difference between the report of one office and the other, was there a process for resolving the differences. Council Member Adams absent.

Mayor Parker stated that obviously that the reason the presentation was made on a

monthly basis and they had the two sets of numbers, the Controllers Office and the Finance Department meet everyone month and have exactly this conversation, that depending on the size of the potential gap they back it from the end of the fiscal year and when the budget had to be certified, which was generally in the spring and kind of worked back, if the gap was x amount they knew that there were only certain ways that it could be closed, for example if it was big enough to have an impact on personnel they had to do it early enough in the year to be able to make those appropriate adjustments, so they did it monthly and they also looked at year end and counted back, that she knew they did it on a regular and routine basis and that was again why this report was originally created and presented to Council on a monthly basis. Council Member Adams absent.

Council Member Costello moved to accept the Monthly Operations and Financial Report, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0669 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 48

MISCELLANEOUS - NUMBERS 2 through 6

2. CONFIRMATION of the appointment of the following to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for two year terms that will end March 1, 2014:

Position 10 - **ANN COLLUM**
Position 12 - **CHARLES STAVA**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0670 ADOPTED.

3. CONFIRMATION of the appointment of the following to the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for the remainder of a two year term that will end December 31, 2013:

Position One - **DR. TAFFI TIPPIT**
Position Two - **DR. CHRIS SOUDERS**
Position Three - **KAPPY MUENZER**
Position Four - **NEIL SACKHEIM**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0671 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering to provide final approval of Speed Cushions in the Huntington Village Subdivision - **DISTRICT F - HOANG** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0672 ADOPTED.

PROPERTY - NUMBERS 10 through 14

10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Christopher Browne of EHRA, on behalf of Claude Anello, for abandonment and sale of two 15-foot-long prescriptive utility easements in the location of former La Grange Street and former Hickory Street, from the east right-of-way line of Bingle Road east 15 feet, in exchange for the conveyance to the City of a 25-foot-wide storm sewer easement centered over the 72-inch storm sewer line located in former Lumberdale Street, all located in the Rosslyn Addition, out of the James Bay Survey, Parcels SY12-073, SY12-074, SY12-075, LY12-016 and LY12-018 - **DISTRICT C - COHEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0673 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Levinson Alcoser Associates, LP., on behalf of Houston Armature Works, Inc., (James Woolley, President), for abandonment and sale of Texas Avenue, from Caylor Street east to its terminus, located in Young Mens Addition, out of the S. M. Williams Survey, A-87, Parcel SY12-053 - **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0674 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry, TBG, Inc, on behalf of Central Park West, L.P. (David W. Hightower, Executive Vice President), for abandonment and sale of Jordan Road, from Interstate 10 north to the southern right-of-way line of proposed Park Row Boulevard, in exchange for the conveyance to the City of: (1) a 40-foot-wide fee-owned parcel of land from the southern right-of-way line of proposed Park Row Boulevard south to the northern property line of the fee-owned City of Houston parcel of land and (2) two rights-of-way for the construction and widening of Jordan Road from the north right-of-way line of proposed Park Row Boulevard north to the northern property line of the applicant's property, all located in the Joel Wheaton Survey, A-80, Parcels SY13-007, SY13-016, AY13-072A, AY13-072B and CY13-002 - **DISTRICT A - BROWN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0675 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Brian Baca, on behalf of Celestina Garza and Yesenia Ramos, declining the acceptance of, rejecting, and refusing the dedication of Treadway Street, from DeBoll Street north to its terminus, located within the Elmwood Addition, Parcel SY12-098 - **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0676 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 16 and 17

16. **MOODY BROS., INC** for Emergency Repair of Chlorine Gas Lines for the Department of Public Works & Engineering - \$239,000.00 - Enterprise Fund - was presented, moved by

Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Adams absent. MOTION 2012-0677 ADOPTED.

ORDINANCES - NUMBERS 18 through 48

18. ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299; providing for the issuance of the City of Houston, Texas, Combined Utility System First Lien Revenue Bonds, Series 2012E, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing the defeasance, final payment, and discharge of Certain Combined Utility System Commercial Paper Notes; authorizing a Co-Bond Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0778 ADOPTED.
29. ORDINANCE awarding contract to **SIDDONS-MARTIN EMERGENCY GROUP, LLC** for Pierce/Oshkosh Fire Truck Repair Services for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$733,275.00 - Fleet Management Fund - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0779 ADOPTED.
31. ORDINANCE awarding contract to **KATHY HAGAN dba MUD INSTRUMENTS** for Water Meter Instrumentation Calibration & Repair Services for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$219,375.00 Enterprise Fund - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0780 ADOPTED.
34. ORDINANCE authorizing second amendment to Communication Equipment License between **HINES REIT 2800 POST OAK LP, Licensor**, and the City of Houston, Texas, Licensee, to allow for the continued operation of Communication Receivers and associated equipment at 2800 Post Oak Boulevard, Houston, Texas, in connection with the Public Safety Radio System \$155,480.40 - General Fund - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0781 ADOPTED.
37. ORDINANCE appropriating \$1,308,859.00 out of Solid Waste Consolidated Construction Fund, awarding construction contract to **TEAL CONSTRUCTION COMPANY** for 9003 N. Main Building C Renovation; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, Civic Art Program, IT Equipment Purchase, and contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0782 ADOPTED.

39. ORDINANCE approving and authorizing an agreement between the City of Houston and **HARRIS COUNTY TOLL ROAD AUTHORITY** for the Reconstruction of Quitman Grade Separation from Hardy Street to Stevens Street - **DISTRICTS B - DAVIS and H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0783 ADOPTED.
41. ORDINANCE consenting to the addition of 54.5980 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 57**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0784 ADOPTED.
42. ORDINANCE consenting to the addition of 19.27 acres of land to **KLEIN PUBLIC UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0785 ADOPTED.
43. ORDINANCE consenting to the addition of 22.1799 acres of land to **MEMORIAL HILLS UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0786 ADOPTED.
44. ORDINANCE approving and authorizing amendment to Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Wi-Max Radio System (Approved by Ordinance No. 2010-0059) - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0787 ADOPTED.
45. ORDINANCE appropriating \$819,752.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for services associated with the Design of Storm Sewer Improvements to Shepherd Drive: Buffalo Bayou to Westheimer (River Oaks) (Approved by Ordinance No. 2007-0596, as amended) - **DISTRICTS C - COHEN and G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0788 ADOPTED.
46. ORDINANCE appropriating \$500,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **GUNDA CORPORATION, L.L.C.** for Pre-Engineering of Street and Paving Improvements (Approved by Ordinance No. 2012-0229) - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0789 ADOPTED.
47. ORDINANCE appropriating \$500,000.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Pre-Engineering of Street and Paving Improvements (Approved by Ordinance No. 2012-0246) - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0790 ADOPTED.

48. ORDINANCE appropriating \$123,750.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **JONES AND CARTER, INC** for Beechnut Rehabilitation from Wilcrest to Kirkwood Road (Approved by Ordinance No. 2006-0152, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF **DISTRICTS F - HOANG and J - LASTER** - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0791 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

4. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2011 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2012 MTFP in map form - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0678 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of payment of FY 2013 Membership dues for the Water Research Foundation - \$255,378.15 Enterprise Fund - was presented, moved by Council Member Bradford, seconded by Council Member Costello, and tagged by Council Member Gonzalez.

PROPERTY

7. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of Court in connection with eminent domain proceeding styled City of Houston v. Hardwood Lumber Company, a Texas Corporation, et al., Cause No. 1010160; for acquisition of Parcel AY10-146; for the **MKT SPUR HIKE & BIKE TRAIL PROJECT - DISTRICT C - COHEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0679 ADOPTED.
8. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of Court in connection with eminent domain proceeding styled City of Houston v. Sanhedrin II, L.P., et al., Cause No. 1008877; for acquisition of Parcel LY11-011; for the **MITIGATION PROGRAM OF CAPITAL IMPROVEMENT PROJECTS - Parker Road Reconstruction/Greens Bayou and Halls Bayou and related tributaries - DISTRICT B - DAVIS** - was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0680 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Brian Hollingsworth, on behalf of Targa Downstream LLC, [Targa Resources (Norm L. Winter, Assistant Vice President), General Partner], for sale of a ±50-foot-wide subsurface pipeline easement within the East Water Purification Plant, within Tracts 4, 36B, 36C, 36D and 36H, out of

the Harris and Wilson Survey, A-31 and/or the Ezekial Thomas Survey, A-73, Parcel SY12-007 – was presented, moved by Council Member Laster, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0681 ADOPTED.

13. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY11-060, located at 1826 Parker Road, owned by Jose R. De La Rosa, for the **PARKER ROAD PAVING AND DRAINAGE PROJECT from Hardy Toll Road to US/59 Eastex Freeway** \$76,022.00 - **DISTRICT B - DAVIS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0682 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Leopoldo H. Mata, on behalf of Jose M. Ortega and Norma L. Ortega, declining the acceptance of, rejecting, and refusing the dedication of Softwind Lane, from Porto Rico Road south to its terminus, located within the Carverdale Section 7 Subdivision, out of the Alex Area Survey, A-99, Parcel SY12-095 **DISTRICT A - BROWN** – was presented, moved by Council Member Adams, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0683 ADOPTED.

PURCHASING AND TABULATION OF BIDS

17. APPROVE spending authority in an amount not to exceed \$1,787,400.00 for Rental of Various Types of Construction Equipment through the Master Intergovernmental Cooperative Purchasing Agreement with U. S. Communities for the Department of Public Works & Engineering, on award to **HERTZ EQUIPMENT RENTAL CORPORATION** - Enterprise and Dedicated Drainage & Street Renewal Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford.

Council Member Christi asked if this was a competitive bid, and had they chosen Hertz in the past for the rental agreement and were they pleased with their work.

Mayor Parker stated that this was through the Master Intergovernmental Cooperative Purchasing Agreement that was on the first paragraph of the RCA, which meant that they did not bid it, it was already a nationwide negotiated purchase price, that they had, as a policy, when they buy something of the State list or a nationwide list, they tried to find a local company that would match the bid under their Hire Houston, that she did not know whether it was done in this case, and Council Member Christi asked if the Intergovernmental Cooperative was a competition for volume in and of itself, and Mayor Parker stated yes.

A vote was called on Item No. 17. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0684 ADOPTED.

ORDINANCES

19. ORDINANCE appropriating \$343,761.22 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number

Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-one, City of Houston, Texas (Hardy/Near Northside Zone), and Reinvestment Zone Number Twenty-two, City of Houston Texas (Leland Woods Zone) for administrative expenses, payment of Project Costs, Payment to Houston Independent School District, and payments to certain redevelopment authorities as provided herein - was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0792 ADOPTED.

20. ORDINANCE authorizing the Mayor to accept funding in an amount not exceeding \$1,610,795.00 by executing an Other Transaction Agreement by and between the Department of Homeland Security Transportation Security Administration for the Design of Explosive Detection Upgrades at George Bush Intercontinental Airport/Houston - **DISTRICT B – DAVIS** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0793 ADOPTED.
21. ORDINANCE authorizing the Mayor to accept funding in an amount not exceeding \$250,000.00 by executing an Other Transaction Agreement by and between the Department of Homeland Security Transportation Security Administration for the Design of Explosive Detection Upgrades at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0794 ADOPTED.
22. ORDINANCE authorizing the sale of a 20-inch-wide pipeline easement across Ellington Airport and the Metro Central Water Plant Site to DCP Sand Hills Pipeline, LLC for a price of \$523,311.17; authorizing an easement conveyance - **DISTRICT E – SULLIVAN** – was presented, and tagged by Council Member Costello.
23. ORDINANCE approving and authorizing contract between the City of Houston and **CATHEDRAL HEALTH AND OUTREACH MINISTRIES**, in the amount of \$51,839.00 in Below Market Interest Rate Funds for the provision of Homeless Services in connection with the Texas Homeless Housing and Services Program - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0795 ADOPTED.
24. ORDINANCE approving and authorizing a first amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON**, providing up to

\$189,300.00 in additional Community Development Block Grant Funds for the continuing implementation, oversight and delivery of a Child Care Program – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0796 ADOPTED.

25. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON**, providing up to \$207,818.00 in additional Community Development Block Grant Funds for the implementation, oversight and delivery of a Juvenile Delinquency Prevention Program – was presented.

After discussion by Council Members, Mayor Parker stated that there was a fulltime educational coordinator in the City whose job it was to make sure they knew where all of these programs were and how they were doing, that if he was not effectively communicating with Council Members she needed to know that; that according to the RCA it was \$200,000 for the 1,400 youth for 12 months.

A vote was called on Item No. 25. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0797 ADOPTED.

26. ORDINANCE approving and authorizing amended and restated Hermann Park Concession Agreement between the City of Houston and the **BSL CORPORATION** for Operation and Management of the Hermann Park Golf Course - **DISTRICT D – ADAMS** – was presented.

After discussion by Council Members, Council Member Burks stated that he played golf and a few days ago lightning was going around and was nearby and he was waiting for the lightning horn to sound, they should have them on all golf courses and they did not have them on all City golf courses, that he had talked to Director Joe Turner, Parks Department, to make sure that all of the golf courses had horns to alert golfers of lightning in the area and to use Doppler Radar to locate and monitor it, that he had gotten a letter back from BSL at Hermann Park and they said they had ordered them.

After further discussion by Council Members, Mayor Parker stated that she appreciated Council Member Burks raising the issue of lightning warnings at golf courses and would make sure that Director Turner follows up appropriately.

A vote was called on Item No. 26. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0798 ADOPTED.

27. ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on: proposed amendments to the Strategic Partnership Agreements between the City of Houston and Cypress Forest Public Utility District and Harris County Municipal Utility District No. 468 and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris County; proposed Strategic Partnership Agreements between the City of Houston and Harris County Municipal Utility District No. 118, Fort Bend County Municipal Utility District No. 133 and Cornerstones Municipal Utility District and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed amendments to Strategic Partnership Agreements between the City of Houston and Harris County Municipal Utility District No. 221 and Harris County

Municipal Utility District No. 53 and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris County; Proposed Strategic Partnership Agreements between the City of Houston and Montgomery County Municipal Utility District No. 119, Harris County Municipal Utility District No. 239, Harris County Municipal Utility District No. 374, West Harris County Municipal Utility District No. 11, Northwest Harris County Municipal Utility District No. 24, Harris County Fresh Water Supply District No. 47 and Northwest Harris County Municipal Utility District No. 32, and West Harris County Municipal Utility District No. 2 and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris and Montgomery Counties; proposals for the City of Houston to impose the City of Houston's Sales and Use Tax in such territory; providing for the publication of notice of such hearings - **HEARING DATES - WEDNESDAY - 9:00 A.M. - OCTOBER 10 and 17, 2012** – was presented. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0799 ADOPTED.

28. ORDINANCE amending Ordinance No. 2009-592 (Passed on June 24, 2009) to increase the maximum contract amount for contract between the City of Houston and **T2 SYSTEMS, INC** for Parking Citation Management Information System for the Administration & Regulatory Affairs Department - \$378,712.51 - Special Revenue Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0800 ADOPTED.
30. ORDINANCE approving and authorizing an agreement between the City of Houston and **TEXAS FOREST SERVICE** for Training Courses for the Office of Emergency Management - \$80,980.00 Grant Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0801 ADOPTED.
32. ORDINANCE approving and authorizing Lease Agreement between **7100 NORTH LOOP EAST, INC., as Landlord**, and the City of Houston, Texas, as Tenant, for office and warehouse space located at 7100 North Loop East, Houston, Texas - **DISTRICT H – GONZALEZ** – was presented.

After discussion by Council Members, Council Member Sullivan moved to postpone discussion on Item No. 32 until the end of the agenda, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. MOTION 2012-0685 ADOPTED.

33. ORDINANCE approving and authorizing first amendment to Lease Agreement between **BEECHNUT SHOPPING CENTER, LP., A Texas Limited Partnership, as Landlord**, and the City of Houston, Texas, as Tenant, for approximately 6,300 square feet of leased space at 12660 Beechnut Street, Houston, Harris County, Texas - **DISTRICT F – HOANG** – was presented.

After discussion by Council Members, a vote was called on Item No. 33. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Member Rodriguez absent. ORDINANCE 2012-0802 ADOPTED.

35. ORDINANCE appropriating \$245,000.00 out of Woodlands Regional Participation Fund as an additional appropriation for the Professional Landscape Architectural Services Task Order Contract with **SWA GROUP** (Approved by Ordinance No. 2008-1015) - **DISTRICT E**

– **SULLIVAN** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0803 ADOPTED.

36. ORDINANCE appropriating \$700,484.00 out of Parks Consolidated Construction Fund, awarding construction contract to **HASSELL CONSTRUCTION COMPANY, INC** for Sylvan Rodriguez Park; 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 construction management, engineering testing services, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT E – SULLIVAN** – was presented.

After discussion by Council Member Sullivan, a vote was called on Item No. 36. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0804 ADOPTED.

38. ORDINANCE approving and authorizing an agreement between the City of Houston and **HARRIS COUNTY TOLL ROAD AUTHORITY** for the Reconstruction of Collingsworth Grade Separation from Hardy Street to Stevens Street - **DISTRICTS B - DAVIS and H - GONZALEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0805 ADOPTED.
40. ORDINANCE appropriating \$90,200.00 out of Metro Projects Construction DDSRF and approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Voluntary Utility Relocation Contributions Off-System Improvement Projects for Keegans Bayou Trail; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction Fund DDSRF **DISTRICTS F - HOANG and K - GREEN** – was presented. Council Member Brown voting no, balance voting aye. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0806 ADOPTED.

MATTERS HELD - NUMBER 49

49. ORDINANCE approving the change of control of **CEQUEL III COMMUNICATIONS I, LLC dba SUDDENLINK COMMUNICATIONS** that holds the right, privilege and franchise to own, operate and maintain a Cable Television System within the City of Houston, pursuant to City of Houston, Texas Ordinance No. 2003-621 - **DISTRICT E – SULLIVAN – (This was Item 19 on Agenda of August 29, 2012, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented.

After discussion by Council Member Sullivan, a vote was called on Item No. 49. All voting aye. Nays none. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. ORDINANCE 2012-0807 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Bradford stated that two years ago they lost Ms. Beulah Shepherd in the Acres Homes Community, that Ms. Shepherd did a lot to assist them with issues in Houston, Texas and literally across America, that there would be a community reception/fundraiser in honor of the late Beulah Shepherd tomorrow, that it was to support the Acres Homes Library,

that there was an effort to change the name of the library to the Beulah Shepherd Acres Homes Neighborhood Library to be held September 13, 2012 at the Acres Homes Multi Purpose Center. Council Member Rodriguez absent.

Mayor Parker stated that on Item No. 32 the City Attorney stated that he would need a little bit more time. Council Member Rodriguez absent.

32. ORDINANCE approving and authorizing Lease Agreement between **7100 NORTH LOOP EAST, INC., as Landlord**, and the City of Houston, Texas, as Tenant, for office and warehouse space located at 7100 North Loop East, Houston, Texas - **DISTRICT H – GONZALEZ** – was again before the City Council, and tagged by Council Member Bradford. Council Member Rodriguez absent.

Council Member Laster stated that his Administrative Services Director, Sharon Shanahan, took a nasty fall in early August that required the assistance of the Houston Fire Department EMS First Time Responders and he wanted to thank the Houston Fire Station Ambulance No. 51 and Squad No. 68, D Shift, for their prompt response and expert care of Ms. Shanahan, which was evidence of the kind of care that they gave to each of the citizens of the City, that he wanted to thank them all for their daily work. Council Member Rodriguez absent.

Council Member Costello stated that he had sent Mayor Parker's office a memo last Friday, September 7, 2012, in reference to a follow up to a Long Range Management Task Force recommendation, that it was also discussed briefly at their committee meeting on Monday, to allow them to continue the discussion on some of the recommendations that came out of the task force and he looked forward to working with Mayor Parker and Director Dowe in scheduling opportunities at their committee over the next few months to bring those issues up again and see what progress they were making on them; that he participated in the CF Stair Climb with some of the Mayor's staff members on Sunday, that it was a firefighter support of the Cystic Fibrosis Fund Raiser where they climbed up Williams Tower, that he got a better appreciation of how heavy and how much equipment a firefighter actually carried as they climbed stairs, that he did not have to carry a tank but had a helmet that was very heavy and the actual garments, that he wanted to thank all of the firefighters that participated, it was well attended by the firefighters as well. Council Members Brown and Rodriguez absent.

Mayor Parker stated that she wanted to thank Council Member Costello for doing that. Council Members Brown and Rodriguez absent.

Council Member Sullivan stated that last weekend he spent time riding with Houston Police Department Sergeant Brian Chebret, the DWI Task Force, and he continued to be amazed at the number of people who were drinking and driving and were truly impaired at night, that he wanted to thank HPD for what they did in keeping people safe; that last week HEB, in Houston and around the State, spent the day working at fire stations cooking breakfast for them, that it was called "Helping the Heroes Breakfast", that he met a number of people from HEB at Fire Station No. 6, that it was a great event and he wanted to thank HEB for coming out and participating and being good community partners; that last week they had the grand opening ceremonies for the new Kingwood Community Center; that a recently nominated member to the Public Safety Committee, Mr. Nick Crnkovic, his wife Jody recently passed away, that they were a great family and what they had done for the community in the Freeway Manor area; that the discussion of old documents and storage made him think about the effort at the County Clerk's Office where they were trying to archive all of the old original documents from the founding of Harris County, that there may be some institutional knowledge there, either at the State level or the County Clerk's Office to incorporate. Council Members Brown and Rodriguez absent.

Council Member Gonzalez stated that earlier in the week they experienced a major fire in

District H when an abandoned duplex caught fire on Washington Avenue near Sabine Street, that the fire spread to the Broken Spoke Café and while thankfully no injuries had been reported the damage was great and he shared his thoughts with those affected, that he wanted to acknowledge and thank the brave firefighters who quickly responded to the scene and were able to control the flames before even more damage occurred; that last week in the district another fire affected the home of Independence Heights Community Leader, Mr. John Branch, that unfortunately he did not have fire insurance at the time and suffered a great loss, that an account had been set up at Chase Bank under the Branch Fire Fund to aid the family, if they wanted to assist they could contact Mr. Branch directly at 832-880-0414, that these incidents reminded them of how important fire safety was and encouraged everyone to take steps to protect their life and property and make sure they had a working smoke detector in their home, an evacuation route and that they had a planned place to meet in case of an emergency; that as they remembered eleven years since 9-1-1 this week it was especially fitting to take time to appreciate the public safety employees in the City; that he wanted to thank Mayor Parker and his colleagues for supporting Item No. 23 on this week's agenda, that the Homeless and Service Program Fund would help women in transition after they had exited the criminal justice system, that the women enrolled in the program would receive seven months of aid, which included mentoring, life skills development, therapy, transition planning and resource management, that the Bridges Hope Program graduated 12 women in 2011 and expected another 13 graduations this year; that Fiestas Patrias would kickoff the weekend in downtown Houston and he and the District H team were looking forward to the celebration, that it would begin at Minute Maid Park at 9:00 a.m., that it would be a great family atmosphere and parade; that on Saturday, 9:00 a.m. to 2:00 p.m., they would be participating in the Team Evolution Youth Conference at the High School for Law Enforcement, that it was the second annual one. Council Members Brown and Rodriguez absent.

Mayor Parker stated that she appreciated Council Member Gonzalez raising the issue of fire safety, they were in the midst of an aggressive campaign on getting smoke detectors in people's houses, there was no excuse for not having a working smoke detector, they could get them free from the City of Houston and they could even have volunteers who could help with the installation for those who needed, and Council Member Gonzalez stated that was correct and citizens could go into any fire station and get one, that CenterPoint had been very helpful in those efforts as well, that he wanted to commend the Fire Department, CenterPoint and the City of Houston for those efforts, that they had definitely equipped a lot of homes and perhaps had prevented some fires out there, and Mayor Parker stated that it may be the death of the little square batteries that they were all used to in their smoke detectors, but now they came with sealed batteries and they lasted seven to ten years and were very easy and convenient. Council Members Brown and Rodriguez absent.

Council Member Adams stated that he wanted to commend Mathew Schaller for always doing a wonderful job whenever they had delegations in Houston from various parts of the Country, that she wanted to welcome the Beijing Municipal Delegation for joining them today; that she wanted to say a Happy Belated Birthday to William Paul Thomas; that within the last several days they had lost some leaders in the community, Ms. Dorothy Hughes Stevenson, President of the South Union Civic Club; Ms. Lee Ada Williams Robinson, who was born on August 23, 1908 and passed on August 24, 2012, that she and her husband were the first people to receive an SBA Loan in the City of Houston; that on Wednesday, September 5, 2012, the Greater Southeast Management District had their annual summit, "Together Achieving More", at the Czech Center Museum Houston, that she wanted to thank all who participated; that yesterday she had the opportunity to share in the 9-1-1 remembrance ceremony; that she wanted to thank the Parks Department and her colleagues for supporting Item No. 26; that Rebuilding Together Houston had their luncheon on Thursday, that they wanted to salute all of the volunteers; that last Thursday they had 10 local military veterans homes repaired, that she wanted to thank Rebuilding Together Houston for all they continued to do in the City of Houston.

Council Members Brown, Davis, Sullivan and Rodriguez absent.

Mayor Parker stated that Rebuilding Together nationwide was involved in a really interesting project at the two political conventions, they had a module home and assembled half of it in Tampa and half of it in Charlotte and then moved the half that was in Tampa to Charlotte, put the two together and they finished them out and it was given to a wounded warrior, that it was a great project. Council Members Brown, Davis, Sullivan and Rodriguez absent.

Council Member Pennington stated that he would like to hear from a spokesman, if they had one, from the Beijing group, and Mayor Parker stated that if he wanted to yield his time, and Council Member Pennington stated that he would be glad to do that. Council Members Brown, Davis, Sullivan and Rodriguez absent.

Mayor Parker asked if there was someone from the Beijing Group who wished to speak to the Council.

A translator with the Beijing Group interpreted for a spokesman with the group, and stated that it was a pleasure for them to be present and observe the City Council meeting, that they had 16 delegation members all coming from Beijing, that it was a Chamber of the Parliament and was called the Political Consultant Conference, that they heard earlier of the presentation of safety and the firefighting and fire prevention and were very interested, that they were going to stay in Houston for a few days, until next Monday, and were going to visit the Houston Housing Authority, 3-1-1 and the Water Conservation and Pollution Control on Park Boulevard, that on behalf of the Beijing Government they sincerely welcome them to come to Beijing, for those who have visited please come back and for those who had not been there they definitely wanted them to visit Beijing, that they wanted to thank them very much. Council Members Brown, Davis, Sullivan and Rodriguez absent.

Mayor Parker stated that she had visited several times and hoped to be able to return some day, that they appreciated the strong ties they had with the Peoples Republic of China and the many delegations they received where they could exchange information and also business opportunities. Council Members Brown, Davis, Sullivan and Rodriguez absent.

Council Member Green stated that on September 4, 2012 he facilitated a Public Safety Forum at Welch Middle School, in the Braes Oaks area, along with the Braes Oaks Super Neighborhood Council and the Braes Oaks Management District; that on Monday he attended the Ft. Bend/Houston Super Neighborhood meeting; that yesterday he attended the Willow Meadows Civic Club meeting, that on Sunday, September 30, 2012, the Willow Meadows would be sponsoring their Annual Fall Picnic from 1:00 p.m. to 5:00 p.m. at Willow Park; that on Friday, September 14, 2012, he and the Kingdom Builder Center, Entrepreneur Learning Center, would present a Small Business Economic Development Summit; that on Saturday he would be attending a rally at the Fountain of Praise Church, sponsored by the Church as well as State Senator Rodney Ellis, to address the Texas Voters ID Law, at 13950 Hillcroft Avenue; that on Saturday he would be attending the Quail Glen Homeowners Association Community Quarterly meeting at the Ft. Bend County Annex in Missouri City. Council Members Brown, Sullivan and Rodriguez absent.

Council Member Davis stated that today he would be having a meeting with the Municipal Courts, Department of Neighborhood and Solid Waste to coordinate efforts and see how they could work on illegal dumping, that he wanted to thank the departments for helping them come to some type of understanding and try to figure out if people were breaking the law. Council Members Brown, Sullivan and Rodriguez absent.

Mayor Parker stated that she wanted to thank Council Member Davis and was glad that he

had chosen to make this a personal issue and he was putting his own time and attention into it. Council Members Brown, Sullivan and Rodriguez absent.

Council Member Cohen stated that yesterday they heard from Barbara Garvin, the Ovarian Cancer survivor, that she wanted to remind people that September was National Ovarian Cancer Awareness Month, that it was the fifth leading cause of Cancer related deaths among women and more than 22,000 cases of Cancer would be diagnosed this year in the United States; that on Monday she toured the Rutherford B. Hayes Yates Museum in the Fourth Ward and Council Member Davis joined her, that it was an extraordinary experience and if they had never toured the museum they needed to, that she was grateful to Kathryn Roberts, who was a Board Member of the Museum and Dr. Harrington, Chairman of the Yates Museum; that on Sunday at sunset would begin the Jewish Holiday of Rosh Hashanah, which was in her faith the New Year, they had mild celebrations, but nothing like December 31, that ten days later was the Jewish Holiday of Yom Kippur, which was the Day of Atonement, that her offices would be closed on Monday, September 17, 2012 for Rosh Hashanah and September 25, 2012 for Yom Kippur; that she wanted to note and ask for a moment of silence to commemorate and acknowledge the horrible death of Ambassador Stevens in Libya and three other Americans who were killed yesterday in a horrendous attack on the Embassy. Council Members Brown, Sullivan, Gonzalez and Rodriguez absent.

Council Member Christi stated that he attended the Celebration of Life for Ernest McGowen; that the Silk Road Festival, the Turkish Annual Festival, would be on October 6, 2012, that they had invitations, that the Turkish Community had over 10,000 people in the City of Houston; that to their Chinese brothers and sisters, he was in Beijing in 1985, pre Yao Ming, but he was team doctor for the US Basketball Team, that this was truly an international City and they were getting the reputation of being the friendliest international City, that they welcomed all visitors. Council Members Brown, Sullivan and Rodriguez absent.

Council Member Burks stated that last month Houston Independent School District Superintendent Terry Greer announced the districts plan to invite HISD, as well as all law enforcement officers in the City of Houston to eat breakfast and lunch at local elementary schools in an effort to transcend the perceived boundaries between the law enforcement officers and civilians, showing children the humanity behind the uniform and creating an environment for positive change, that the program was called "Meals with Kids", that he would encourage HPD to get involved with this; that he wanted to ask his fellow Council Members and the Mayor to join him in remembering the lives lost 11 years ago in the horrific events of 9-1-1, that yesterday some of them were able to remember those who perished and they sent their prayers to the families and acknowledged all of the great men and women, the first responders, across the Nation for the heroism they displayed every day; that he agreed with Council Member Cohen about the horrible loss of the U.S. Ambassador Stevens in Libya, that they send their condolences to his family; that last Saturday he attended Reverend Nash's Community Prayer Breakfast; that the same day he attended the 2012 Blue Triangle Living Legends salute to Birdia Churchwell, his High School Biology Teacher at Jack Yates; that this Saturday was Houston Museum District Day, 18 Houston museums would offer free admission; that he wanted to offer congratulations to Tilman Fertitta for winning the 2012 Person of the Year Award for Amusement Parks Today for the Pleasure Pier in Galveston. Council Members Brown, Sullivan and Rodriguez absent.

Mayor Parker stated that several of them had referenced yesterday's 9-1-1 activities, that she wanted to remind Houstonians that they had their own 9-1-1 Memorial in Market Square Park and several of them joined her yesterday morning, that it was called Lauren's Garden, a beautiful fountain with a garden area around it, that Market Square Park had become a center for downtown living activities, but when the fountain was going and had a smoke effect within the fountain it was moving and very Zen and in the heart of the City was a great place to go and

have a quite moment, that she would encourage more Houstonians to discover it. Council Members Brown, Sullivan and Rodriguez absent.

Council Member Adams stated that she wanted to thank the Mayor's Citizens Assistance Office for their ongoing support for community and constituency advocacy; that she wanted to thank Public Works, Department of Neighborhoods and Rebuilding Together Houston for partnering with her office and holding various community meetings to give the community hands on about where they were moving with Rebuilding Houston, that there would be another meeting on Thursday, September 13, 2012, at 7:00 p.m. at San Jacinto College and a meeting on Monday, September 17, 2012 at 7:00 p.m. at Edgewood Park; that the TSU first home game was on Saturday at the BVAA Compass Stadium, they would be facing Jackson State, that she wanted to remind Mayor Parker to wear her maroon and grey because she was their guest speaker for Founders Day, and also Go Texans. Council Members Brown, Sullivan, Rodriguez and Burks absent.

Mayor Parker stated that she wanted to remind them that the Farmers Market was open again for the Fall season. Council Members Brown, Sullivan, Rodriguez and Burks absent.

There being no further business before Council, the City Council adjourned at 10:25 a.m. Council Member Hoang out of the city on city business. Council Member Noriega absent on personal business. Council Members Sullivan, Rodriguez and Burks absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary