

City Council Chamber, City Hall, Tuesday, November 6, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, November 6, 2012, Mayor Annise Parker presiding and with Council Members Helena Brown, Ellen R. Cohen, Mike Sullivan, Al Hoang, Oliver Pennington, 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; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office present. Council Members Jerry Davis, Wanda Adams, Edward Gonzalez, Andrew C. Burks, Jr. absent on personal business.

At 1:41 p.m. Mayor Parker stated that they would now begin presentations and called on Council Member Rodriguez who invited Mr. Bob Allen to the podium and stated that it was an honor to recognize outstanding Houstonians and Bob Allen was Sports Director with KTRK, Channel 13 for a number of years; that at the end of 2012 he would end his four decade tenure at Channel 13; and he was devoted to charities; and Mayor Parker presented Mr. Allen with a Proclamation and proclaimed today as "Bob Allen Day" in Houston, Texas. Council Members Sullivan, Hoang, Green and Christie absent.

Mr. Allen stated that he was blessed to work in the city he grew up in; that he saw highs and lows of Houston sports; and his last broadcast should be from New Orleans at the Super Bowl, February 3rd; and thanked all for the recognition. Council Members Sullivan and Hoang absent.

Vice Mayor Pro Tem Bradford, Council Members Pennington and Christie thanked Mr. Allen for his work and stated that they appreciated his services. Council Members Sullivan and Hoang absent.

Council Member Noriega invited those present with her presentation to the podium and stated that for many citizens their first or only experience with the services of the city was at the Municipal Courts; that today they were saluting their critical role in protecting the quality of life and deterring future criminal behavior; and Mayor Parker presented Judge Hartle a Proclamation and proclaimed the week of November 5 through November 9, 2012 as "Municipal Courts Week" in Houston, Texas. Council Members Sullivan, Pennington and Rodriguez absent.

Judge Hartle thanked all for the recognition of the Municipal Courts; and stated that those who worked their were hard working and cared about the reputation of the Courts. Council Members Sullivan and Rodriguez absent.

Vice Mayor Pro Tem Bradford, Council Members Green and Hoang thanked Judge Hartle for her leadership and all her team for the improvements in the Municipal Courts. Council Member Sullivan absent.

Council Member Noriega invited those present with her presentation to the podium and stated that the Center for Hearing and Speech was for children with hearing impairments, they enabled them to reach full potential by teaching them listening, speaking and literacy skills; that they were committed to children; and Mayor Parker thanked all for what they did for the children and presented the group a Proclamation and proclaimed today as "Center for Hearing and Speech Day" in Houston, Texas. Council Member Sullivan absent.

Ms. Bennett thanked all for their support and for the recognition and stated it was an incredible opportunity to be a part of the group. Council Member Sullivan absent.

Vice Mayor Pro Tem Bradford thanked all for what they did; and asked each to introduce

themselves. Council Member Sullivan absent.

Mayor Parker stated that Council Members may know that the Fire Department through a grant had available smoke and fire detectors that had a visual as well as audible signal free of charge to families who needed them; and they worked with the center to identify the families, but anyone could contact the Houston Fire Department if needed. Council Member Sullivan absent.

At 2:03 p.m. Mayor Parker called on Council Member Laster who led all in the invocation and pledge. Council Members Sullivan and Pennington absent.

At 2:05 p.m. the City Secretary called the roll. Council Members Davis, Adams, Gonzalez and Burks absent on personal business. Council Member Sullivan absent.

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

Council Member Noriega on a point of personal privilege recognized her husband and mother in law and stated that she sometimes talked about being an Army wife and the Coronal was in the house and she wanted to welcome them. Council Member Sullivan absent.

Council Member Pennington moved the rules be suspended for the purpose of hearing Ms. Ann Givens after Ms. Cyd Dillahunty, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Davis, Adams, Gonzalez and Burks absent on personal business. Council Member Sullivan absent. MOTION 2012-0773 ADOPTED.

At 2:06 p.m. the City Secretary began calling the public speakers.

Ms. Donna Freedman, 11930 Surrey Lane, Houston, Texas 77024 (713-461-1830) appeared, presented a map to all at the Council Table on detention ponds and spoke of concerns with flooding on the northeast corner of TIRZ 17 with small rains; and stated that they were promised six detention ponds and the one being planned with the city would not help. Council Member Sullivan absent.

Upon questions by Council Member Christie, Ms. Freedman stated that she could not understand why the county could not work with everyone to make this happen. Council Member Sullivan absent.

Upon questions by Council Member Bradford, Ms. Freedman stated that she held the Council 100% responsible for the TIRZ and the TIRZ budgets. Council Member Sullivan absent.

Council Member Brown thanked Ms. Freedman for coming today and ensured her she would be a spokesperson for constituents when needed with the TIRZ board as they made decisions. Council Member Sullivan absent.

Mr. Lan Bentsen, 448 Blalock, Houston, Texas 77024 (713-240-3086) appeared and stated that the City of Houston was announcing the kickoff of its Wellness Campaign and Mayor Parker was in support and directed the Human Resource Director Mr. Omar Reid to carry out the campaign among the City of Houston 20,000 employees and he was greatly appreciative to all his coconspirators in this health issue. Council Members Rodriguez and Noriega absent.

Council Member Christie stated that true prevention did not cost money and all should listen

to Mr. Bentsen; and Mayor Parker stated that the best prevention was movement, being active. Council Members Hoang, Rodriguez and Noriega absent.

Council Member Pennington thanked Mayor Parker for taking a lead and Mr. Reid , Mr. Bentsen, etc., weight loss was simple and they welcomed all participation. Council Member Noriega absent.

Mr. Craig Beskid, 2100 Baytown Blvd., Baytown, Texas 77450 (713-859-3590) appeared and stated that he was executive director of the East Harris County Manufacturers Association and was speaking on Agenda Item 7, the water ordinance; that (EHCMA) represented a majority of refining and petrochemical manufacturing industries throughout East Harris County and the Houston Ship Channel and were dedicated to promoting and protecting health, safety, security and environment and economic well being of their industry, employees and communities where they operated and a consistent high quality water supply was essential and commended the leadership of Mayor Parker and her administration for the foresight in developing an effective water ordinance. Council Member Noriega absent.

Mayor Parker thanked Mr. Beskid for coming and stated that having a good water conservation ordinance for draught times was important and they appreciated EHCMA and all stakeholders working with them. Council Member Noriega absent.

Upon questions by Council Member Sullivan, Mr. Beskid stated that they were working to understand the base load of water being provided and that would be the next area to concentrate on, where was the level established from which they began conservation measures and phases of the ordinance fitting in; and the ordinance was a great place to start; that they would like ECHMA to continue dialogue with Public Works in the implementation phase of the ordinance. Council Member Noriega absent.

Upon questions by Council Member Sullivan, Mayor Parker stated that having seen the draught ordinance was inadequate they needed something in place and there was a Conservation Taskforce Meeting now and ECHMA was an active member and there would be ongoing dialogue. Council Member Noriega absent.

Council Member Pennington congratulated Mr. Beskid for helping organize people along the Channel who were big water users; and in addition to rationing water they may look at new sources of water. Council Member Noriega absent.

Mr. Shawn Brannon, 24539 Avellino Court, Houston, Texas 77406 (281-687-3019) had reserved time to speak but was not present when his name was called. Council Members Rodriguez and Noriega absent.

Mr. Andrew Patterson, 6207 Fondren, Houston, Texas 77036 (832-276-1712) appeared and spoke on sewer openings being crushed by 18 wheelers and the need for better construction of them and the issue of mental illness especially with those who had disabilities and group home housing not being regulated; and urged all entities get together to discuss how best to implement those services. Council Members Hoang and Noriega absent.

Council Member Laster thanked Mr. Patterson for coming and sharing concerns; and upon questions, Mr. Patterson stated that 18 wheelers were running over sewer openings; and Council Member Laster stated that if he saw any in his district he would appreciate him taking pictures and contacting his office. Council Members Hoang and Noriega absent.

Mr. Joseph Omo Oumari, 3939 N. Freeway #210, Houston, Texas 77022 (832-696-9204) appeared and stated that the Houston Blue Print Plan was completed and spoke on evaluating

its success and accomplishments and dividing Downtown housing into low, moderate and well to do income areas. Council Member Noriega absent.

Mr. Jeffrey Hillard, 3030 Holly Hall, Houston, Texas 77054 (713-371-8445) had reserved time to speak but was not present when his name was called. Council Member Noriega absent.

Mr. John Cieslewicz, 1250 DuBarry Lane, Houston, Texas 77018 (713-906-1725) appeared and presented information from which he read regarding his concerns of Oak Forest, Section One's swales being blocked for drainage of storm water. Council Member Noriega absent.

Mr. Ward Larkin, 15327 Pebble Bend Drive, Houston, Texas 77068 (281-814-0308) appeared and stated that he was present regarding the HPD crime lab crisis; that the city settled with George Rodriguez last week and 80 cases were listed as needing further investigation and Preston Hughes was set to be executed in nine days and HPD did not keep their promise to investigate his issue. Council Members Sullivan and Noriega absent.

Upon questions by Mayor Parker, Mr. Larkin stated that Preston Hughes was the one to be executed. Council Members Sullivan and Noriega absent.

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Pennington and Noriega absent.

Ms. Jolene Armstrong, 1816 Matamoras, Houston, Texas 77023 (281-799-9056) appeared and presented information from which she read regarding concerns of maintenance, etc., of the ditch between houses on Matamoras, Santiago and Santa Rosa Streets for which they were threatened with issuance of Municipal Court citations if they did not maintain them, etc. when the city had maintained them for years. Council Members Sullivan, Pennington and Noriega absent.

Mayor Parker stated that several situations had come to her attention lately where some railroad and other entities had been maintaining right-of-way and now stopped and turned the responsibility to the abutting home owners and it was wrong; that she did not recall looking at this situation, but would send this through for the situation to be checked on; that the city required homeowners to maintain street right-of-way in front of homes and it was not their property, but the property in the back fenced off without access they would check on and follow-up with her. Council Members Sullivan, Pennington and Noriega absent.

Council Member Rodriguez thanked Mayor Parker for saying this would be looked into and thanked Ms. Armstrong for coming and stated that his office got involved four years ago with this and they cleaned out ditches, but since then different entities went out and he guessed it was determined it was not in the city inventory, but if they had maintained it he felt they should continue or find reasonable solutions; and Mayor Parker was looking into it. Council Members Sullivan, Pennington and Noriega absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Pennington and Noriega absent.

Mr. Gary Mosley, 615 E. 5th Street, Houston, Texas 77007 (281-748-7538) appeared and stated that he was present regarding misleading information being presented from the Planning Department; that a development was to take a portion of his property for establishing a right-of-way and the tactic was tried before; and continued discussing meetings held and discussions of his land not to be given as right-of-way, etc., and his belief the developer needed three

variances and changes would cause safety hazards. Council Members Sullivan, Pennington, Rodriguez and Noriega absent.

Council Member Bradford stated that Council Members had a letter from the Director of the Planning Department indicating the project at hand was the applicant had revised the plat and withdrawn all variances making the plat a consent item; and upon questions, Mr. Mosley indicated variances needed were for pavement width, right-of-way and two points of access; that his land had been placed as right-of-way and the Planning Director asked they remove it, but after nine years it was placed back and now he was being told they needed no variances; and no one bought any land from him and he had been out of the loop as far as any meetings; and Council Member Bradford stated that he would try and dig further into this as he was suspect if private property was to be used with no correspondence to him; and Mayor Parker stated that there was a public right-of-way there; that she went out and viewed it herself and the current proposal before the Planning Commission was to use existing public right-of-way and they could not take his land for right-of-way without compensation and they would not be taking his land as this was a private project, not a city project; and if he had legal documents which said otherwise he was welcome to share it with the Planning Department and Ms. Suzy Hartgrove was present. Council Members Sullivan, Rodriguez 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, Rodriguez and Noriega absent.

Mr. Derrick Broze, 1222 Heights Boulevard, Houston, Texas 77008 (713-909-0382) appeared, presented a DVD based on the book "The Fluoride Deception"; thanked Council Members Christie and Brown for supporting their efforts of cleaning the city's water of hydrofluosilicic acid and named cities removing fluoride from their water; and urged Houston lead the way in removal of fluoride. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Mayor Parker stated that she wanted to be clear about his statement, there may be a petition drive going on in Portland, but in September they became the latest city to add fluoride to its water. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Mr. Andrew Moore, 3202 McKean, Houston, Texas 77080 (713-464-8135) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Ms. Lois Myers, 9701 Westview, Houston, Texas 77055 (713-775-2443) appeared, presented information and urged Council not pass the TIRZ 17 budget, Agenda Item 42, and stated that her home of 34 years flooded because of building of the TIRZ and with a 20 minute rain was at emergency level flooding; that the two drainage projects would waste \$40 million and cause more flooding. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Ms. Virginia Gregory, 9806 Westview Drive, Houston, Texas 77055 (713-465-5814) appeared, presented information and stated that she was present again because of the problems with the TIRZ 17 budget, Agenda Item 42; that her email from Mr. Alan Potok with Harris County Flood Control she presented which showed he also had issues. Council Members Sullivan, Rodriguez, Laster and Noriega absent.

Council Member Pennington stated that he would like Ms. Gregory to complete her statement; and Ms. Gregory completed reading the email received from Mr. Potok which included the TIRZ 17 consultant going to his office several times on issues with some proposed projects for future roadways and detention basin, etc. Council Members Sullivan, Rodriguez,

Laster and Noriega absent.

Mr. Ed Browne, 41 Rollingwood, Houston, Texas 77080 (713-365-9616) appeared and stated that at the last TIRZ meeting Ms. Givens allowed LAN (Lockwood, Andrews and Newnam, Inc.) to talk about projects currently in the budget, however, four projects in the budget were not discussed and added up to about \$6 million and all water would go down the W151 Channel; that they did not necessarily think the budget should be stopped, but they did request those pieces of the budget be put on hold or have them removed; and ditch W151 was of issue to Harris County as Mr. Potok said last year HCFC had a budget of zero and now had \$200,000.00 for \$20 billion worth of projects. Council Members Sullivan, Hoang, Rodriguez, Laster and Noriega absent. (NO QUORUM PRESENT)

Upon questions by Council Member Christie, Mr. Browne stated that the best thing to do would be to put detention around the neighborhoods and they were told there were not places, but there was; that at the corner of Gessner and I-10 a new high rise would be going in and the parking lot going in could have underground detention and the Spring Branch Bus Barn was right there on Witty Road where it needed to be and underground detention could go under that parking lot as well as under the grounds of Crosspoint Church, etc. Council Members Sullivan, Hoang, Rodriguez, Laster and Noriega absent. (NO QUORUM PRESENT)

Council Member Bradford stated that Mr. Browne's comments seemed relevant; and upon questions, Mr. Browne stated that new board members were very receptive to them and he was encouraged by two of them speaking before Council and one in particular had strong reservations about the budget; that he, himself, did not want to hold up the budget only particular projects. Council Members Sullivan, Hoang, Rodriguez, Laster and Noriega absent. (NO QUORUM PRESENT)

Ms. Cyd Dillahunty, 1120 Springrock Lane, Houston, Texas 77055 (713-464-8120) appeared and stated that she lived east of Bunkerhill and their neighborhood was hard hit by the April '09 flood and since had water well into their yards; that she believed the money should be well spent with maximum benefit realized; that millions were to be spent on a detention pond which would not help the adjacent neighborhood without the city also mounting projects in the neighborhood to provide conveyance to ditch W140; and urged the Mayor, Council and TIRZ 17 board to constantly review current information and tweak that budget and projects. Council Members Sullivan, Hoang, Rodriguez, Laster and Noriega absent. (NO QUORUM PRESENT)

Upon questions by Mayor Parker, Ms. Dillahunty stated that she recognized they needed to keep the big picture, but she was focused on all projects and all needed to make sure the money was well spent and that project closest to her neighborhood would not benefit any of them; and Mayor Parker stated that happened on a regular basis with drainage, you did a project in one area which would mitigate another area. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Upon questions by Council Member Pennington, Ms. Dillahunty agreed that it would take a city storm sewer project to drain into ditch 140 and then into the detention pond. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Council Member Cohen stated that her concerns focused on what Council Member Bradford had said, she was trying to figure out whether it was the TIRZ Board's responsibility to try and work this out and she was inclined to say that board should look at these issues; and upon questions, Ms. Dillahunty stated that she did not serve on the board and they did speak, but there was no dialogue back and forth; that Ms. Givens, the new chair, had indicated a willingness to sit and talk with the board, LAN and Harris County; and they were present as Council had to approve their budget and it was taxpayer dollars and they wanted to make sure it

was well spent. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Ms. Ann Givens, 1813 Wycliffe, Houston, Texas 77043 (713-465-1744) appeared and stated that at their October 30 Board Meeting she announced during TIRZ Meetings that she asked the engineer specifically if a question was presented she would like him to address an answer to that question in the meeting when possible, but they did have to follow the Open Meetings Act; that regarding the budget she spoke previously to Council and asked they approve it, the concern heard were on hold without money to move forward. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Mayor Parker stated that she would like Ms. Givens to wrap-up her remarks; and Ms. Givens stated that a serious error she heard was that all three board members did not approve the budget; that one had reviewed the budget and was on board with it and he was an engineer; that five board members were in favor of approval and one had spoken with Council Member Pennington and she would ask he clarify what was said; and Council Member Pennington stated that he spoke with Mr. Rickel and they had a comprehensive discussion and he said he had no problem with the four projects they were going with, but he would like to reserve judgment on the other items on the budget with further discussion; and Ms. Givens stated that Mr. Rickel had arranged a private meeting with Mr. Ortega of LAN to discuss all projects; and a speaker asked they have an informal meeting where the public could come and she asked they canvass neighbors for questions and then present them to TIRZ 17 then she would present them to LAN and they would review them for an informal meeting in early January with the public present to address all concerns. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Mayor Parker stated that they did appreciate she was the new chair and the complaints had been coming for years, they were not new; and upon questions, Ms. Givens stated that as time evolved and decisions were made they could go back to Council for a new budget and take projects on or off. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Council Member Brown stated that she was going to bring this up as a guideline, the budget was not a mandate and as the new board studied it then it could be adjusted and accommodated to move things forward. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Upon questions by Council Member Christie, Ms. Givens stated that she would not know if what he asked would solve the flooding problem and would need to ask engineers; and Council Member Christie stated that he would like her to ask in the open forum, if they had the \$26 million and the Frostwood project was \$10 million and then they took the I-10 and Gessner underground detention and the Witty Road and budgeted those two would it solve the problem; and Mayor Parker stated that their job was not to please people in the room, but to provide flood relief and infrastructure for the entire region. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Council Member Costello stated that as a follow-up to Council Member Brown his suggestion to residents issues would be what they did on Council, they approved project by project the design and award and maybe the board should not proceed with every project, but take one at a time and then have open discussion about the one particular project; and Ms. Givens stated that was a good idea; and Mayor Parker stated that it was an excellent suggestion, but the budget would have to be approved by Council to allow them to proceed that way. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2800) had reserved time to speak but was not present when his name was called. Council Members

Sullivan, Hoang, Rodriguez and Noriega absent.

Mayor Parker urged all who had not voted as yet to go and vote. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

At 3:20 p. m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, November 7, 2012. Council Members Davis, Adams, Gonzalez and Burks absent on personal business. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, November 7, 2012, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Al Hoang, 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 Ms. Stella Ortega, Agenda Office, present. Council Member Mike Sullivan absent on personal business.

At 8:28 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 Council Member Sullivan apparently was not going to be present this morning, that they needed to officially designate him "Landslide Sullivan", that he was not in a runoff, this was not a runoff situation, it was plurality, that she did not know if they had published the totals, but they needed to congratulate their colleague for his race. Council Member Adams absent.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 41A**

#### **MISCELLANEOUS** - NUMBERS 1 and 2

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION OF THE CITY OF HOUSTON**, for terms to expire March 1, 2014:
  - Position Two - **DEBRA BLACKLOCK-SLOAN**, reappointment
  - Position Four - **EDIE ARCHER**, appointment
  - Position Six - **ROMULO TIM CISNEROS**, reappointment
  - Position Eight - **ROB D. HELLYER**, reappointment

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. MOTION 2012-0774 ADOPTED.
2. RECOMMENDATION from Fire Chief to authorize the Fire Chief to execute the Texas Forest Service Helping Hands Program Donor Form to donate decommissioned surplus firefighting equipment, supplies or other materials to the Texas Forest Service - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. MOTION 2012-0775 ADOPTED.

Mayor Parker stated that they just named new and returning members to the Houston Archeological and Historical Commission and thought that two of the members were present in the audience and asked that they both come forward to the podium, Ms. Edie Archer and Mr. Rob Hellyer, and Mayor Parker and Members of Council congratulated Ms. Archer and Mr.

Hellyer and stated that they appreciated their service on the commission and thanked them for their service to the City of Houston. Council Member Adams absent.

**PROPERTY** - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc., on behalf of 57 Off Memorial Apartments, L.P. (J. Frederick Welling, General Partner), for abandonment and sale of a 15-foot-wide storm sewer and utility easement, from Venice Street to the south property line of Lot 28, located within Block 30, Rice Military Addition, out of the John Rinerman Survey, Parcel SY12-110 - **DISTRICT C - COHEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. MOTION 2012-0776 ADOPTED.

**ORDINANCES** - NUMBERS 8 through 27

8. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public street right-of-way of Jordan Road, from Interstate 10 north to the southern right-of-way line of proposed Park Row Boulevard; vacating and abandoning the right-of-way to Central Park West, L.P., and Harris County Flood Control District, owners, in consideration of Central Park West, L.P.'s conveyance to the City of Houston, Texas, of 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 a fee-owned City of Houston parcel, two right-of-way easements for the construction and widening of Jordan Road from the north right-of-way line of proposed Park Row Boulevard north to Central Park West, L.P.'s northern property line, payment to the City of \$33,745.00, and other consideration, Parcels SY13-007, SY13-016, AY13-072A, AY13-072B and CY13-002 - **DISTRICT A - BROWN** - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0940 ADOPTED.
9. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public street right-of-way of Wilkinson Street, from West Dallas Street north to its terminus, and West Lamar Avenue, from Wilkinson Street west 203 feet, in the American General Center Section One Addition, Harris County, Texas; vacating and abandoning the right-of-way to American General Life Insurance Company and Knickerbocker Corporation, abutting owners, in consideration of their payment to the City of \$721,752.00 and other consideration, Parcels SY12-076A, SY12-076B and SY12-094 - **DISTRICT C - COHEN** - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0941 ADOPTED.
14. ORDINANCE approving and authorizing third amendment to the contract between the City of Houston and **BAYLOR COLLEGE OF MEDICINE** for Professional Staffing Services for the Houston Fire Department Base Station - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0942 ADOPTED.
15. ORDINANCE appropriating \$859,360.00 out of Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Houston Fire Department - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0943 ADOPTED.

19. ORDINANCE amending Ordinance No. 2011-0142 (Passed by City Council February 23, 2011), as amended, to increase the maximum contract amount for contract with **SET ENVIRONMENTAL, INC** for Handling and Disposal of Hazardous Materials for Various Departments - \$2,299,660.00 - General, Enterprise, Fleet Management and Other Funds - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0944 ADOPTED.
20. ORDINANCE consenting to the addition of 24.042 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25**, of Fort Bend County, Texas for inclusion in its district - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0945 ADOPTED.
21. ORDINANCE consenting to the addition of 42.42 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 419**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0946 ADOPTED.
22. ORDINANCE approving and authorizing second amendment to Lease Agreement between **BEECHNUT SHOPPING CENTER, LP.**, a Texas Limited Partnership, as landlord, and the City of Houston, Texas, as tenant, for the leased space at 12660 Beechnut Street, Houston, Harris County, Texas - **DISTRICT F - HOANG** - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0947 ADOPTED.
24. ORDINANCE amending Ordinance No. 2012-0365 to correct a clerical error in the Outline Agreement Number for the construction contract for Kingwood Lift Station No. 21 Renewal and Replacement relating to the Engineering and Testing Services Contract - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0948 ADOPTED.
26. ORDINANCE appropriating \$4,089,173.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PORTLAND UTILITIES CONSTRUCTION COMPANY, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contact documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0949 ADOPTED.
27. ORDINANCE appropriating \$3,049,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **MCKINNEY CONSTRUCTION COMPANY, INC** for Water Line Replacement in Beamer Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contact documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. Council Member Adams absent. ORDINANCE 2012-0950 ADOPTED.

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

**MISCELLANEOUS**

3. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for Annual Consolidated Water Quality Fee for FY13 - \$1,413,410.89 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Member Sullivan absent on personal business. MOTION 2012-0777 ADOPTED.

**PURCHASING AND TABULATION OF BIDS**

5. **AIRGAS SOUTHWEST, INC** for Gases (Industrial, Medical and Specialty) for Various Departments - 3 Years with two one-year options - \$1,646,495.42 - General, Enterprise, Fleet Management and Other Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Sullivan absent on personal business. MOTION 2012-0778 ADOPTED.
6. APPROVE spending authority to purchase Hardware and Fasteners from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments, awarded to **FASTENAL COMPANY** - \$326,400.00 - General, Enterprise and Other Funds - 16 months with 3 one-year options – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Sullivan absent on personal business. MOTION 2012-0779 ADOPTED.

**ORDINANCES**

7. ORDINANCE **AMENDING CHAPTER 47, ARTICLE VII OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to water shortages; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing penalties therefor; providing for severability – was presented, and tagged by Council Members Pennington, Burks and Hoang.
10. ORDINANCE amending City of Houston Ordinance Nos. 2010-372 passed May 12, 2010, 2011-281 passed April 25, 2011, and 2012-353 passed April 25, 2012, as amended, which approved and authorized the submission of the 2010 Consolidated Plan, and the 2011 and 2012 Annual Action Plans, respectively, to the United States Department of Housing and Urban Development, including grant applications for the Community Development Block Grant Program, among others \$10,000,000.00 - Grant Fund – was presented.

Council Member Green stated that on Item Numbers 10, 11 and 12 he had been in contact with the Housing Department and these were particular projects within District K, that he had been in contact with them and they had not been able to give them information with regard to what these projects were, however they were looking into it and would get back with him, so for Item Numbers 10, 11 and 12 he would tag them for a week to give them an opportunity to get the information to him.

Mayor Parker stated that Item No. 10 had been tagged by Council Member Green.

11. ORDINANCE approving and authorizing substantial amendment to the Neighborhood Stabilization Program (“NSP3”) grant application, authorized pursuant to City of Houston Ordinance No. 2011-134, to reallocate funds among various activities - \$1,000,000.00 - Grant Fund – was presented, and tagged by Council Members Green and Adams. (Note: Council Member Adams released her tag later in the meeting.)
12. ORDINANCE approving and authorizing substantial amendment to the Neighborhood Stabilization Program (“NSP1”) grant application authorized pursuant to City of Houston Ordinance No. 2008-1051, as amended, to reallocate \$1,510,900 in NSP1 Funds to a new “demolition” activity - **DISTRICTS A - BROWN; B - DAVIS; D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K - GREEN** – was presented, and tagged by Council Members Green and Adams. (Note: Council Member Adams released her tag later in the meeting.)
13. ORDINANCE amending Ordinance No. 2012-506 to approve and authorize the reconstruction of two additional single family homes by **ALTURA HOMES DFW, LP** and to provide an additional \$204,026.90 of Community Development Block Grant (Disaster Recovery) Funds for the additional homes - **DISTRICTS D - ADAMS and H - GONZALEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Sullivan absent on personal business. ORDINANCE 2013-0951 ADOPTED.
16. ORDINANCE authorizing the implementation of vehicle registration holds by the Municipal Courts Department for outstanding warrants for failure to pay a fine for traffic moving violations (“Scofflaw Services”); approving and authorizing an Interlocal Agreement between the City and the **TEXAS DEPARTMENT OF MOTOR VEHICLES** for Scofflaw Services; providing a maximum contract amount - 5 Years - \$102,331.00 - General Fund – was presented, and tagged by Council Member Bradford.
17. ORDINANCE amending Ordinance No. 2009-0071 (Passed on February 4, 2009) to increase the maximum contract amount for contract between the City of Houston and **SOUTHWESTERN BELL TELEPHONE COMPANY d/b/a AT&T TEXAS** for Tariff Services for the Houston Information Technology Services - \$3,800,000.00 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0952 ADOPTED.
18. ORDINANCE approving and authorizing first amendment to the contract between the City of Houston and **LIBERTY TIRE RECYCLING, LLC** for Used and Scrap Tires Disposal Services for the Solid Waste Management Department (Approved by Ordinance No. 2008-0043) – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0953 ADOPTED.
23. ORDINANCE appropriating \$3,783,845.00 out of Parks Consolidated Construction Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for Moody Park Community Center; 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 materials testing services, Civic Art Program 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 Sullivan absent on personal business. ORDINANCE 2013-0954 ADOPTED.
25. ORDINANCE appropriating \$297,000.00 out of Metro Projects Construction DDSRF, awarding contract to **PERSONAL CARE, INC dba DEWALT CONSTRUCTION COMPANY** for Work Order Clearing and Grubbing; 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 CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0955 ADOPTED.

28. ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **CYPRESS FOREST PUBLIC UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0956 ADOPTED.
- 28A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CYPRESS FOREST PUBLIC UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within Cypress Forest Public Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0957 ADOPTED.
29. ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 53** – was presented.

Council Member Gonzalez moved to consider Item Numbers 29 through 41 together, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Sullivan absent on personal business. MOTION 2012-0780 ADOPTED.

A vote was called on Item No. 29. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0958 ADOPTED.

- 29A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 53** and certain area located in the vicinity of Harris County Municipal Utility District No. 53, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of Harris County Municipal Utility District No. 53; imposing the Sales and Use Tax of the City of Houston in the area within Harris County Municipal Utility District No. 53 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0959 ADOPTED.
30. ORDINANCE approving and authorizing the second amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 221** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0960 ADOPTED.
- 30A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 221** and certain area located in the vicinity of Harris County Municipal Utility District No. 221 in Harris County, Texas; containing findings and other provisions relating to the foregoing subject;

adopting a Regulatory Plan for certain areas in the vicinity of Harris County Municipal Utility District No. 221; imposing the Sales and Use Tax of the City of Houston in the area within Harris County Municipal Utility District No. 221 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0961 ADOPTED.

31. ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 468** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0962 ADOPTED.
- 31A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 468**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within Harris County Municipal Utility District No. 468 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0963 ADOPTED.
32. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 133** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0964 ADOPTED.
- 32A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 133**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 133 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0965 ADOPTED.
33. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 47** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0966 ADOPTED.
- 33A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 47** and certain area located in the vicinity of Harris County Fresh Water Supply District No. 47, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of Harris County Fresh Water Supply District No. 47; imposing the Sales and Use Tax of the City of Houston in the area within Harris County Fresh Water Supply District No. 47 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0967 ADOPTED.

34. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 118** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0968 ADOPTED.
- 34A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 118**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the Sales and Use Tax of the City of Houston in the area within Harris County Municipal Utility District No. 118 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0969 ADOPTED.
35. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 239** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0970 ADOPTED.
- 35A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 239** and certain area located in the vicinity of Harris County Municipal Utility District No. 239, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of Harris County Municipal Utility District No. 239; imposing the Sales and Use Tax of the City of Houston in the area within Harris County Municipal Utility District No. 239 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0971 ADOPTED.
36. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 374** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0972 ADOPTED.
- 36A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 374** and certain area located in the vicinity of Harris County Municipal Utility District No. 374 in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of Harris County Municipal Utility District No. 374; imposing the Sales and Use Tax of the City of Houston in the area within Harris County Municipal Utility District No. 374 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0973 ADOPTED.
37. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 119** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0974 ADOPTED.

- 37A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 119** and certain area located in the vicinity of Montgomery County Municipal Utility District No. 119 in Montgomery County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of Montgomery County Municipal Utility District No. 119; imposing the Sales and Use Tax of the City of Houston in the area within Montgomery County Municipal Utility District No. 119 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0975 ADOPTED.
38. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0976 ADOPTED.
- 38A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24** and certain area located in the vicinity of Northwest Harris County Municipal Utility District No. 24, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of Northwest Harris County Municipal Utility District No. 24; imposing the Sales and Use Tax of the City of Houston in the area within Northwest Harris County Municipal Utility District No. 24 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0977 ADOPTED.
39. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 32** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0978 ADOPTED.
- 39A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 32** and certain area located in the vicinity of Northwest Harris County Municipal Utility District No. 32 in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of Northwest Harris County Municipal Utility District No. 32; imposing the Sales and Use Tax of the City of Houston in the area within Northwest Harris County Municipal Utility District No. 32 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0979 ADOPTED.
40. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 2** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0980 ADOPTED.

- 40A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 2** and certain area located in the vicinity of West Harris County Municipal Utility District No. 2, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of West Harris County Municipal Utility District No. 2; imposing the Sales and Use Tax of the City of Houston in the area within West Harris County Municipal Utility District No. 2 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0981 ADOPTED.
41. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11** – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0982 ADOPTED.
- 41A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11** and certain area located in the vicinity of West Harris County Municipal Utility District No. 11, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for certain areas in the vicinity of West Harris County Municipal Utility District No. 11; imposing the Sales and Use Tax of the City of Houston in the area within West Harris County Municipal Utility District No. 11 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0983 ADOPTED.

**MATTERS HELD** - NUMBERS 42 through 46

42. ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL CITY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS (MEMORIAL CITY ZONE)**; approving the Fiscal Year 2013 Operating Budget for the Authority and the Fiscal Years 2013-2017 Capital Improvements Budget for the Zone - **DISTRICTS A - BROWN and G – PENNINGTON – (This was Item 19 on Agenda of October 24, 2012, POSTPONED BY MOTION #2012-761)** – was presented.

After discussion by Council Members Christie, Pennington and Brown, Council Member Christi stated that he was going to vote to approve the budget, but exhort the new Chairman of TIRZ 17 to organize, before year end, some type of reasonable solution to the detention problem and a vote was called on Item No. 42. All voting aye. Nays none. Council Member Sullivan absent on personal business. ORDINANCE 2013-0984 ADOPTED.

43. ORDINANCE terminating the cable television franchise granted to **TVMAX HOUSTON, L.P.** by City of Houston, Texas Ordinance No. 2005-582, as amended by Ordinance No. 2010-559 – **(This was Item 1A on Agenda of October 31, 2012, POSTPONED BY MOTION #2012-763)** – was presented.

Mayor Parker stated that this was the subject of the public hearing last week and she would ask Mr. David Feldman, City Attorney, to briefly update them on his conversations with TVMAX.

Mr. Feldman stated that he sent a memo to Council through Marta yesterday explaining what happened when he sat down with the attorney for TVMAX to try to discuss resolution and he advised that they could not reach resolution, however yesterday, candidly as some prompting from Council Member Pennington, in an effort to see what kind of water they could get out of a stone, he renewed discussions with the attorney for TVMAX in an effort to resolve both the collection lawsuit and the issue of the franchise at the same time and get some money for the City upfront and have a payout plan all reduced to the form of an agreed judgment that would also provide that in the event that TVMAX defaulted in any payment under the judgment that the franchise would be automatically terminated, so this gave them an opportunity to resolve both the amount in controversy that was owed by TVMAX and to get a stream of money coming from TVMAX, that he would need a week to do that and had asked Council Member Pennington if he would move for a week's delay in order to enable him to do that so they could come back to Council with the agreed judgment, that in his view it was in the best interest to the City to do that because they would resolve the litigation and then make the termination of the franchise automatic upon any failure to pay a monthly payment when due.

Mayor Parker stated that she wanted to thank Council Member Pennington for engaging in this issue.

Council Member Pennington moved to postpone Item No. 43 for one week, seconded by Council Member Gonzalez.

After discussion by Council Members a vote was called on the motion by Council Member Pennington to delay Item No 43 for one week. All voting aye. Nays none. Council Member Sullivan absent on personal business. MOTION 2012-0781 ADOPTED.

44. ORDINANCE amending Ordinance No. 2011-0043 to increase the maximum contract amount for contract between the City of Houston and **CROWN PACIFIC, INC (Formerly Crown Relocations)** for Moving and Storage of Household Goods for the Housing and Community Development Department; approving and authorizing first amendment to the contract \$200,000.00 - CDBG Fund – **(This was Item 17 on Agenda of October 31, 2012, TAGGED BY COUNCIL MEMBERS ADAMS and BURKS)** – was presented.

After discussion, Council Member Adams stated that she had asked for updated information for the MWBE participation and who they used, that they found out that the prime did not communicate with the sub on the contract and she had not received any answers or information, and moved to postpone Item No. 44 for one week, seconded by Council Member Gonzalez. Council Member Noriega absent.

After further discussion by Council Members, Council Member Gonzalez stated he understood that the contract that was in place would be expiring at some point and it was his understanding that in order for them to finish the DR1 Hurricane Funding they would have to move on this quickly and wondered if the administration could explain any deadline issues because they needed to have people moved out of their current homes to be able to facilitate them moving into another home, that he wanted to see what potential impacts it would have on those residents.

Mayor Parker stated that the Housing Department was usually very responsive, they had been working with Council Members on specific questions about this item, that he was correct that the longer they delayed, the longer people whose houses were seriously damaged in the previous storm were waiting, and Council Member Gonzalez stated that it was his understanding that they were not extending the contract they were just adding additional funding to it to be able to complete the work that was pending and once this contract expired it

seemed like they would be able to move forward either with another vendor or just start from scratch with someone else.

After further discussion by Council Members, Mayor Parker stated that if Council Members had the RCA with them the contract was actually awarded January 2011 for a one year term with a one year option, that they may have been doing business with the City of Houston, but this particular contract was more recent.

After further discussion by Council Members, Council Member Adams stated that she would withdraw her motion to postpone Item No. 44.

After further discussion by Council Members, Mayor Parker stated that it was an up or down vote on the item before them right now, the administration was not opposed to a week to sort things out, if Council Members wanted to do that, that there was information given to Council yesterday afternoon, if they would check their inboxes, that she wanted to make sure that the Council Members recognized the administration did respond to questions yesterday.

After further discussion by Council Members, Council Member Cohen moved to postpone Item No. 44 for one week, seconded by Council Member Gonzalez.

After further discussion by Council Members, Council Member Noriega stated that she was not exactly sure what the procedure was but she would like to request her colleague, Council Member Cohen, if she would be willing to withdraw her motion so that the Chair of the committee could put her motion back on the table, the original motion was to delay this a week, the Chair of the committee made that motion, she withdrew it, that she thought a week's delay was appropriate, that she thought this felt like "respect" and thought the Chair of the committee had the right to bring that motion forward in this situation.

Council Member Cohen stated that she would withdraw her motion to delay Item No. 44.

After further discussion by Council Members, Council Member Adams moved to postpone Item No. 44 for one week, seconded by Council Member Noriega, and a roll call vote was called.

ROLL CALL VOTE:

Mayor Parker voting aye	Council Member Rodriguez voting aye
Council Member Brown voting no	Council Member Laster voting no
Council Member Davis voting no	Council Member Green voting no
Council Member Cohen voting aye	Council Member Costello voting aye
Council Member Adams voting aye	Council Member Burks voting no
Council Member Sullivan absent on personal business.	Council Member Noriega voting aye
Council Member Hoang voting aye	Council Member Bradford voting no
Council Member Pennington voting aye	Council Member Christi voting no
Council Member Gonzalez voting yes	MOTION 2012-0782 ADOPTED.

45. ORDINANCE approving and authorizing first amendment to an agreement between the City of Houston and the **DRESSER, INC** for Blower Replacement Parts and Repair Services for the Department of Public Works & Engineering (Ordinance 2007-1212) – **(This was Item 18 on Agenda of October 31, 2012, TAGGED BY COUNCIL MEMBERS DAVIS and HOANG)** – was presented.

Council Member Gonzalez moved to refer Item no. 45 back to the administration, seconded by Council Member Pennington.

After discussion by Council Members, a vote was called on Council Member Gonzalez's motion to refer Item No. 45 back to the administration. All voting aye. Nays none. Council Member Sullivan absent on personal business. MOTION 2012-0783 ADOPTED.

46. ORDINANCE appropriating \$419,164.00 out of Parks Consolidated Construction Fund; awarding construction contract to **CARRERA CONSTRUCTION, INC** for Dow Park Basketball Court and Pavilion Restorations at various locations; 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, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICTS D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K - GREEN** - (This was Item 20 on Agenda of October 31, 2012, TAGGED BY COUNCIL MEMBER BROWN) - was presented. Council Member Brown voting no, balance voting aye. Council Member Sullivan absent on personal business. ORDINANCE 2012-0985 ADOPTED.

Council Member Adams stated that she would like to release her tags on Item Numbers 11 and 12, and Mayor Parker stated that Council Member Green had tagged them as well so they would remain tagged.

Mayor Parker stated that she wanted to remind Council Members that they would need to canvass the vote, that on November 19, 2012, there would be a short meeting and would need a quorum of Council Members, that 11/19/2012 was the last day to do it but was the earliest day that the County stated they would be ready to do it, so they must meet to canvass the vote on that day, that it was the Monday of the break week, that she would apologize in advance, that it was being driven by the County's schedule; that they had some paraphernalia in front of them having to do with Citizenship Week, that she hoped that they would take an opportunity to take part in some of the activities of Citizenship Week and that they had enjoyed the art exhibit that was in the hallway between the City Hall Annex and City Hall.

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

Council Member Hoang stated that he wanted to congratulate all citizens who went and voted, and wanted to congratulate all of the candidates who won their races last night, in particular those who represented the southwest Houston communities; that he wanted to commend HPD and the Westside officers for a job well done, that last week they arrested three suspects believed responsible for committing at least 9 robberies in a 9 day period, that the suspects targeted victims as they were using ATMs in bank parking lots in Districts F and G; that he wanted to recognize the Public Works Street and Drainage Division for a job well done, that their office called on them often for information and assistance for their constituents, that Street and Drainage were always responsible and quick to help, that they were grateful to Deputy Director Eric Dargan and his entire team for all they did. Council Members Brown, Adams, Rodriguez, Laster, Green, Burks and Noriega absent.

Council Member Pennington stated that he wanted to congratulate Council Member Sullivan's successor Mr. Martin, that he had met him and was an experienced public official, that he was sure that he would make a great contribution and represent his district in the City well; that they were going to join the Houston Wellness Initiative that Mr. Vincent was sponsoring in the City, particularly in the Medical Center, that he knew that Mr. Vincent, Mr. Omar Reid and Mayor Parker had some discussions and believed it would help their employees reach their goals, that he looked forward to participating. Council Members Brown, Adams, Rodriguez, Laster, Green, Burks and Noriega absent.

Council Member Davis stated that he wanted to acknowledge a group in the audience from Nimitz High School and asked that they stand and be recognized, that Mr. Courtney Williams was their instructor and had taken his group out on several occasions; that he wanted to acknowledge that the constituents of District B had a great time last night, that President Barak Obama was back in office, that he wanted to make sure that they as a people would begin to extend their hand out across the isle to work hard to move forward, that he did not care who was in office but they had to work together in order to achieve the quality of life they all deserved. Council Members Brown, Adams, Hoang, Rodriguez, Laster, Green, Burks and Noriega absent. NO QUORUM PRESENT

Council Member Cohen stated that she too wanted to comment on the election by saying that it was phenomenal that so many people came out and voted; and announced events that she had attended or would attend in her district. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Laster, Green, Burks and Noriega absent. NO QUORUM PRESENT

Council Member Christi stated that it was a wonderful election to watch, two strong candidates vying for the presidency and a great turnout; and announced events that he had attended or would attend; and stated that he would be going to a luncheon at noon to honor High School Athletes, Scholar Athlete of the Year in Houston and surrounding areas, that this athlete was also crowned Homecoming King at Memorial High School, and his name was Patrick Christie, and Mayor Parker had asked that Council Member Christi congratulate him. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Laster, Green, Burks and Noriega absent. NO QUORUM PRESENT

Council Member Gonzalez announced events that he attended or would attend in his district; and stated that the District H would be kicking off their Second Annual Troop Supply Drive on Friday, November 9, 2012 and it would run through November 30, 2012, that they would be collecting small goods, letters and cards for their active military members overseas. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Laster, Green, Burks and Noriega absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 10:44 a.m. Council Member Sullivan absent on personal business. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Laster, Green, Burks 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