

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

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 11, 2012, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Al Hoang, 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.; Ms. Lynette K. Fons, First Assistant City Attorney, Litigation, Legal Department; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office present. Council Member Wanda Adams and Mike Sullivan absent on personal business. Council Member Melissa Noriega out of the city on personal business.

At 1:46 p.m. Mayor Parker called the meeting of the City Council to order and stated that they would begin with presentations and proclamations and called on Council Member Gonzalez. Council Members Brown, Davis, Rodriguez, Costello and Burks absent. NO QUORUM PRESENT.

Council Member Gonzalez stated that he would ask Ms. Debbie Harwell and others to please join him at the podium, that he was doing this presentation on behalf of Council Member Noriega, that they were here to celebrate Houston History Magazine in their tenth year of publication, and Mayor Parker presented a proclamation that proclaimed December 11, 2012, as "Houston History Magazine Day in the City of Houston", that she wanted to thank them for the work that they did. Council Members Brown, Davis Adams, Sullivan, Rodriguez, Costello and Burks absent. NO QUORUM PRESENT.

Ms. Harwell stated that she wanted to thank Mayor Parker and Council Member Gonzalez, the other Council Members and Council Member Noriega who could not be present today, that they appreciated what steadfast supporters they had all been at the University of Houston and of Houston history, and thanked them for the proclamation. Council Members Brown, Davis Adams, Sullivan, Rodriguez and Burks absent. NO QUORUM PRESENT.

At 1:54 p.m. Mayor Parker called on Council Member Gonzalez for the invocation and pledge of allegiance. Council Members Brown, Rodriguez and Burks absent.

At 1:56 p.m. the City Secretary called the roll. Council Members Adams and Sullivan absent on personal business. Council Member Noriega out of the city on personal business. Council Members Brown, Rodriguez and Burks absent.

Council Members Gonzalez and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Brown, Rodriguez and Burks absent. MOTION ADOPTED.

Council Member Cohen moved the rules be suspended for the purpose of moving Mr. Tom Dornbusch to the top of the 2 minute agenda speakers list, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Brown and Burks absent. MOTION 2012-0834 ADOPTED.

At 2:00 p.m. the City Secretary began calling the public speakers. Council Members Brown and Burks absent.

Mr. Tom Dornbush, 6110 Tyne St., Houston, Texas 77007 (713-869-1185) appeared and stated that he was President elect of the Washington Avenue Coalition Super Neighborhood No. 22 Council and a long time resident of Woodcrest and had some material to pass out to the Council Members, that he would ask that they approve the Parking Benefits District Ordinance

and assure that the pilot program had sufficient time to prove it's effectiveness for the betterment of the urban community, that he wanted to thank the stakeholders, who they were going to hear from today speaking in favor of the Parking Benefits District. Council Members Brown and Burks absent.

Ms. Larissa Lindsay, 1816 Kane, Houston, Texas 77007 (713-540-0551) appeared and stated that she lived in the Old Sixth Ward, where they currently had Residential Permit Parking, that she strongly supported the Washington Avenue Parking Benefits District, that since the implementation of permit parking in her neighborhood there had been fewer instances of nightclub visitors urinating in front yards, gun shots, breaking bottles in the streets, screaming fights, blocked streets, along with other things that were not discussed in polite company, that were going on late evenings until 5 a.m., that their end of Washington Avenue was quite at the moment but they did have a restaurant under construction and once they were open they may have some parking issues to deal with again, that this was new and change was hard and yes she realized there were risks, but it was a start and with what she thought had excellent potential based on what she had already learned in her neighborhood. Council Members Brown and Burks absent.

Mr. Max Gonzalez, 2206 Kane, Houston, Texas 77007 (832-274-5504) had reserved time to speak, but was not present when his name was called. Council Members Brown and Burks absent.

Mr. Roland Laurenzo, 3003 Ferndale, Houston, Texas 77098 (713-397-2285) appeared and stated that he was the owner of two restaurants and a small market on Washington Avenue he believed that the proposed Washington Parking Benefit District would be a very good thing, that it would serve to improve the vitality of the important corridor and the surrounding neighborhoods, that his family operated two Mexican Restaurants and an Italian Steakhouse on Washington Avenue so they would be very much affected by this, that he wanted to thank them for listening and for their service to the City. Council Members Brown and Burks absent.

Mayor Parker and Council Members Cohen, Costello and Gonzalez stated that they wanted to commend Mr. Laurenzo for investing in the Washington area and for his interest in the issue. Council Members Brown and Burks absent.

Ms. Erin Dyer, 1520 Oliver St., Houston, Texas 77007 (832-553-5930) appeared and stated that she was present representing Lovett Homes and Lovett Commercial, that she had been closely following the evolution of the Washington Corridor for the past ten years, that Frank Liu was principal of Lovett and a unique perspective on Washington Avenue in that he owned both residential and commercial properties along the corridor, that in the last five years Lovett had built over 200 homes along Washington and planned to continue to invest in the residential development along the area, that they also owned 7 acres at the corner of Washington and Silver, which included two unique older buildings, which they had made efforts to preserve, that they would eventually like to develop it into a high density, mixed use, commercial development combining old and new, that Lovett's goal was to see continued high quality commercial and residential development along the corridor that enhances the quality of life within the neighborhood surrounding it, that was why Mr. Liu, and all of the Members of the Washington Avenue Developers Association, WADA, last night, unanimously voted in favor of the Parking Benefit District, that this was a great opportunity for Washington to be a premier, pedestrian friendly boulevard in the City, where Houstonians would be proud to bring their out of town guests. Council Members Brown, Hoang and Burks absent.

Mr. Carl Detering, 3028 Washington Ave., Houston, Texas 77007 (713-863-4710) appeared and stated that his family had owned land along the Washington Avenue Corridor for over 100 years, that he owned and operated a building materials company, The Detering Company,

along Washington Avenue, east of Studemont, that he was present to express support for the proposal to create a Parking Benefit District in the Washington Avenue Corridor; that some Washington Avenue businesses provide no more parking spaces than the minimum required by City ordinance and some charged their patrons to park in the space provided, that many did not provide employee parking and because parking on City streets was free employees and patrons searched for free street parking in area neighborhoods, that this phenomenon had created hardships for residents and small businesses alike; that he was present to endorse the proposed Washington Avenue Parking Benefit District because his primary interest was that Washington Avenue continue to develop in a sustainable way. Council Members Brown, Hoang and Burks absent.

Council Member Cohen stated that she had a letter from Mr. Ock, the Hanover Company, and read that he was an active developer of residential and mixed use urban projects in Houston he wanted to express his support for creating Parking Benefit Districts in high density urban mixed use areas such as Washington Avenue and Rice Village, that the meters would help deter all day parkers that might not necessarily be paying customers of restaurants and retailers, thereby freeing up more parking spaces for paying customers, and essentially that was what Mr. Detering was saying and Mr. Detering stated yes. Council Members Brown, Davis and Hoang absent.

Ms. Mary Jane Buschlen (did not wish to make her address or phone number public) appeared and stated that she represented the Cottage Grove Neighborhood on the Washington Avenue Memorial Park Super Neighborhood 22, that the Super Neighborhood 22 had been seeking relief from hardships caused by the parking shortage along Washington Avenue since the Spring of 2009, when a group of stake holders came to the City Council and asked Mayor White to establish a task force aimed at addressing issues that arose from the areas explosive growth, that about a month alter Council Member Noriega hosted a townhall meeting at which participants addressed issues arising from the growing number of night clubs without sufficient parking, that in 2009 and 2011, Super Neighborhood 22 held candidate forums for City Council races at which these issues were presented in words and pictures and the candidates were asked what they would do to address them if elected, that every candidate agreed to support a community consensus should one develop, that thanks to Council Member Cohen's leadership a community consensus had formed around the proposed Parking Benefit District, that on behalf of Super Neighborhood 22 she would ask that they reward and encourage the effort that had yielded this consensus by approving the proposed Parking Benefit District. Council Members Brown, Davis, Hoang, Pennington and Christi absent.

Ms. Marlene Bitá-McCourt, 3913 Barnes St., Houston, Texas 77007 (832-405-0299) appeared and stated that she was a resident of Magnolia Grove and also the President of the Civic Club, that she was present in favor of the Parking Benefit District from a residents point of view, that as she talked to residents as well as business owners they saw it as a matter of safety and convenience, that safety in that they would no longer have drunk people parking in front of their houses, that convenience, she would not have to look for a place to park if she wanted to come home and then go back out to a job site, that with the money they could improve Washington Avenue and the safety would be crossing the streets, that business owners were for it as well. Council Members Brown, Davis, Hoang, Pennington and Rodriguez absent.

Mr. Steven Rodriguez, 2316 Center St., Houston, Texas 77007 (832-294-8959) appeared and stated that he was present on behalf of the Kung Fu Saloon, off of Washington Avenue, as well as being a resident of Washington Avenue, that he was definitely for the proposed Parking Benefit District, that the popularity of Washington Avenue establishments had created a shortage of parking, which caused employees and customers to search for parking on neighborhood streets, which were often too narrow for cars to park safely, that they were hopeful that the revenue from the parking meters could be used to help pay for badly needed security in

the area such as theirs, as well as other places on Washington Avenue, that every week they paid for off duty officers at their bar, they were the only bar that did this and did it in conjunction with the neighbors. Council Members Brown, Davis, Hoang, Pennington and Rodriguez absent.

Mr. Josh Flowers, 4218 Washington, Houston, Texas 77007 (512-557-0681) appeared and stated that he was a new bar owner on Washington Corridor, Little Jay's Bar, that they had been opened for two months and the growing sentiment and statements that he got from his customers was that parking was the largest issue, that he had leased a separate parking lot in order to have free parking for his customers, that he believed that the Parking Benefit District would benefit all of the businesses along the street as a whole. Council Members Brown, Davis, Hoang, Pennington, Rodriguez and Green absent.

Ms. Phyllis Moss, 2520 Wichita, Houston, Texas 77004 (713-775-2959) appeared and stated that she was a resident of the Third Ward, specifically the MacGregor Super Neighborhood and lived in Riverside Terrace on the corner of Wichita and Live Oak, that a club recently opened in the neighborhood around the corner from her home on Southmore, that the parking from the club was creating a huge issue for her and her neighbors, that they submitted an application that had been approved for restrictive residential parking, which would come up on Wednesday for a vote, and they were asking for the Council Members support. Council Members Brown, Davis, Hoang, Pennington, Rodriguez and Green absent.

Mr. Oscar Lara, 6610 Avenue E., No. 3, Houston, Texas 77011 (713-505-6247) appeared and stated through an interpreter that he was a member of the Faith and Justice Workers Center, and even through he had been affected by wage theft he was not present to speak about his personal history, that the City Council had heard many stories as his, that he was present to speak about solutions to wage theft that affected so many people in Houston, that during the year they had brought various suggestions to the City Council, that the City had not taken any action to help their families, that they were tired of speaking about their stories, that even through they had been victims of wage theft they had taken the initiative to educate their community and they were asking the City Council to do the same and change the conversation, they wanted to talk about solutions. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Mr. Antonio Renobato, 9957 South Court, Houston, Texas 77099 (832-287-4259) appeared and stated through an interpreter that he was also a member of the Faith and Justice Workers Center and was present to support his fellow workers and those who could not be present today. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Ms. Carmen Galan, 322 Sunnyside, Houston, Texas 77091 (832-259-4158) appeared and stated through an interpreter that she was also affected and was a member of the Faith and Justice Workers Center, that she had been affected three times with wage theft from different people, that the money that was stolen from them they had worked for and they needed the money to pay for their utilities, that they wanted there to be a law or an ordinance because there were so many of them affected by wage theft, please help them. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Mayor Parker asked if Ms. Galan had reported the theft to the police, and Ms. Galvan stated that the people who employed her asked her what could she do, and Mayor Parker stated that it was theft, wage theft, that it was possible to take action if she reported it to the police, that many instances of wage theft had to do with day labor and the workers whose wages were stolen did not know the names or how to contact the people who stole from them, but if they new the names, where they lived or where the business was they could work with her to prosecute. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent.

NO QUORUM PRESENT

Ms. Galan stated that through an interpreter they did go to work and were asked to fill out a paper for which they paid \$172, that happened six months ago, that she had to pay for an interpreter, and Mayor Parker stated that she did not have to pay a translator to have a conversation with a police officer, that she would ask that Ms. Galan follow up with them so that they could see what could happen in her particular instance. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Mayor Parker asked that Citizens Assistance work with Ms. Galan, that she knew that Sergeant Herndon was present. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Council Member Christi asked if this inequity went through the Police Department, they did not need a new ordinance did they, and Mayor Parker stated that she believed the public speakers were making multiple requests, one, if there was any vendor that actually did business with the City that did not pay their employees the City certainly had recourse and they could prevent them from doing business with the City in the future, but for the private employer who may offer work to one of the speakers present there was a State Wage Theft Law and they could assist in prosecution, but as she stated, the difficulty was often that the worker did not know how to track down the individual or company that cheated them, but if they did they would work with them to prosecute, and Council Member Christi asked if it was actual wage theft was there a way to reduce the \$172 to a very reasonable amount, and Mayor Parker stated that she was not sure what that amount was for, and Ms. Bolanos stated that she believed it was the court fee that Ms. Galan had to pay to file a claim against the contractor. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Mayor Parker stated that may very well be that it was a court fee, but wage theft was theft, that one of the things that she had discussed with Council Member Gonzalez, because the issue seemed to be rising more frequently, was that the Chief was assigning an individual in the Police Department to be the point of contact for wage theft issues so that things they could not address would not get dropped. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Council Member Gonzalez stated that one of the challenges that he thought existed was that there was different areas of law, some of them fell within civil law, if there was a contractual kind of disagreement, there could be a criminal aspect to it where HPD would be the point of contract, and there could be some translation issues some time, so finding a point of contact could be very helpful, and also making sure that in their contracts it was clear what the process was if there was a claim of wages not being paid. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, Green and Bradford absent. NO QUORUM PRESENT

Mr. Jose Sanchez, 3915 Chenevert, Houston, Texas 77004 (832-715-5975) appeared and stated that he was with the Houston Workers Center, that over the past year they had met with many of their staff and shared many reports and stories about the affect of wage theft in Houston and also brought various Houston workers and their families to speak to the City Council about their experiences, like they did today, that they wanted to thank all of them who had lent their ears to their issue and had asked questions, provided feedback and showed their support, but most of them who had taken concrete action to help Houston working families, that they also wanted to thank Mayor Pro Tem Gonzalez who had shown leadership and had been a great resource in this issue, that they looked forward to working with them in the upcoming year for concrete action to insure that the value of the work was upheld; that they did work directly with HPD and it was actually under their Theft of Services, they did take wage theft claims,

however they had conversations with the District Attorney where they had been told directly that they would not be prosecuting any of these claims, so that would definitely be a conversation that they would love to follow up with the Mayor and Council Members. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, and Bradford absent.

Mayor Parker stated that the District Attorney, unfortunately, did not work for her. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, and Bradford absent.

Council Member Gonzalez stated that he wanted to thank Mayor Parker because she had listened, that it had been a slow process and bureaucracy sometimes moved slow, that it was a complex issue because they had different entities, that to him it was fundamental, if somebody worked they should get paid and thought that was something that they needed to make sure was taken care of, at least within their purview and at least creating a process so that everybody knew who the point of contact was, that the City Legal Department was very competent, they were looking at this issues and the information provided. Council Members Brown, Davis, Hoang, Pennington, Rodriguez, and Bradford absent.

Mr. Max Gonzalez, 2206 Kane, Houston, Texas 77007 (832-274-5504) appeared and stated that he was both a resident and business of the Historic Sixth Ward on Washington Avenue, that was present to vocalize his support for the Parking Benefit District for Washington Avenue, that he believed that the Parking Benefit District would help further proper development on Washington Avenue and create a real opportunity for the community to thrive, that he would like to challenge the City of Houston to look at all of their neighborhoods in a unique perspective where they could meet the needs of those communities. Council Members Davis, Hoang, Pennington, Rodriguez, and Bradford absent.

Mr. Steven Williams, no address, no phone, had signed up to speak, but was not present when his name was called. Council Members Davis, Hoang, Pennington, Rodriguez, and Bradford absent.

Ms. Synthia Hall, 1515 Sidnor St., Houston, Texas 77020 (832-886-7771) had signed up to speak, but was not present when her name was called. Council Members Davis, Hoang, Pennington, Rodriguez, and Bradford absent.

Mr. Barry Rosette, 3618 Lindenfield, Katy, Texas 77449 (832-483-3231) appeared and stated that he was present on behalf of his wife and son, they were involved in a motor vehicle accident on August 25, 2012 at about 8:15 a.m., that his wife called him in a panic and told him she had just been struck by a truck and knocked into a ditch, that the police was dispatched to the location to investigate the accident, that he rushed to the location also and found a mess in the middle of Highway 6, just south of Briarforest, that after he arrived another lady arrived screaming that was her vehicle and later in the investigation the police began to clear the roadway and asked that the vehicles go to a second location where they would give them the information of all of the parties involved in the accident, that it was later determined that the accident was a hit and run, or FSGI, and the party that arrived after he arrived and claiming that their vehicle was at that scene never went to the second location, when they called later to ask for information about all of the parties involved in the accident they were told to wait for an accident report to be released and to get that information from the report, that he waited the 10 days to get that information and they found out the accident report was incomplete and that he would have to get it from some other means, that they filed all their information with the insurance companies and they were not able to get all of the information, that he began to call the hit and run division to get more information and he was told that it had not been assigned to a investigator and he continued to call since October 25, 2012 and was not given any information or who it had been assigned to, that when he scheduled the meeting with City Council was when the movement began to happen and still today he did not have the

information on anybody or the owner of the vehicle, other than the information that was in the report that appeared to be unreliable about the accident, that it had led to additional expenses for them and still today their expenses had been led to a collection against them. Council Members Hoang, Pennington, Rodriguez, Costello and Bradford absent.

Council Member Christi asked if Mr. Rosette had a picture of the other car or license plate number, and Mr. Rosette stated that he had pictures in his phone and the license plate that was on the vehicle, that the offense report that went along with the accident report was unreliable, that he discovered that the wrecker that was carrying the vehicle that caused the accident left the scene first and they were unable to get complete information from that vehicle or the parties involved. Council Members Hoang, Pennington, Rodriguez, Costello and Bradford absent.

Mayor Parker stated that she had a note from the Police Department, the case was assigned to Officer McClean, HPD Hit and Run Division, and there were no witnesses to the identity of the driver responsible for the accident and that was the challenge, that Sergeant Herndon, HPD, was present and could follow up with Mr. Rosette to make sure he got a complete answer, that she would assume that if he had information on the car and that car was towed from an accident scene by a City of Houston licenses wrecker that they could in fact determine whose car that was and who was driving it and there might be more of an investigation to be done, so if he would allow Sergeant Herndon to visit with him and she would ask that he follow up with her as well. Council Members Hoang, Pennington, Rodriguez, Costello and Bradford absent.

Upon questions by Council Member Green, Mr. Rosette stated that when they were asked to leave the street by the police officer on the scene they complied with the request and went to the second location, that the issue was that the party that claimed ownership of the vehicle was at the scene, his wife noticed that a part of that party or group, who she believed could possibly be the driver, due to his injuries and dishevelment from the accident, that the name of that person or the owner the vehicle was unreliable from the police report because they were not at the second scene. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Mayor Parker stated that she thought the issue was that they did not know which individual was actually driving the car. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Ms. Cecile Roeger, 6509A Almeda Rd., Houston, Texas 77021 (713-440-3714) appeared and stated that she was a Dominican Sister, they were partners or supporters of the Faith and Justice Workers Center and she was present today because she was concerned about workers rights and safety on the job, that it was of great concern that the City had no system in place to insure that employers doing business with the City engage in sound business practices, that many violations occurred every week by Houston employers connected with the City through permits and licenses, that as Jose mentioned many of the Council Members had met with members of the workers center and they appreciated their support and interest in changing the way workers were treated and she urged them to develop and put in place a system that held unscrupulous employers accountable for violations and helped responsible businesses grow. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Mayor Parker stated that they did have the ability to impose sanctions and to prevent people from doing business with the City of Houston who were direct contractors, that she had plenty of authority to do what she needed to do, in her view, for any City contractor who did not pay their workers, that someone who worked in the City of Houston was not considered a City contractor, they put the two issues together, they were separate issues and provided different challenges, that she gathered that they would like the City to pass an ordinance that would prohibit anyone who was not charged with wage theft but convicted of wage theft from getting

City permits or licenses, and Ms. Roeger stated yes. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Council Member Cohen stated that Ms. Roeger had done miraculous things for the community to make it a better world, that she wanted to thank her for her passion. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Ms. Karen Easteling, 607 Thornton Rd., No. 105, Houston, Texas 77018 (832-790-9050) had reserved time to speak, but was not present when her name was called. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Ms. Tomaro Bell, 3248 Charleston, Houston, Texas 77021 (713-825-8449) had reserved time to speak but was not present when her name was called. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

Ms. Lauren Barrash, 155 Silver St., Houston, Texas 77007 (713-863-9283) had reserved time to speak but was not present when her name was called. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373, appeared and stated that he needed to correct the City Secretary for chopping up his case address repeatedly; that he was the U. S. President and declared martial law upon the City, County and Texas State government system; and continued expressing his personal opinions until his time expired. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

At 3:03 p. m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, December 12, 2012. Council Members Adams and Sullivan absent on personal business. Council Member Noriega out of the city on personal business. Council Members Hoang, Pennington, Rodriguez and Bradford absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, December 12, 2012, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Andrew C. Burks, Jr., 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 Stephen C. Costello absent on personal business. Council Member Melissa Noriega out of the city on personal business.

At 8:17 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:09 a.m. Mayor Parker called the meeting to order and stated that the first item on the agenda was a public hearing. Council Members Davis, Adams, Rodriguez, Burks and Bradford absent.

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

1. **PUBLIC HEARING** regarding the designation of **REINVESTMENT ZONE NUMBER TWENTY-FOUR, CITY OF HOUSTON, TEXAS ("GREATER HOUSTON ZONE") - DISTRICTS D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K - GREEN** – was called. Council Members Davis, Adams, Rodriguez, Burks and Bradford absent.

The City Secretary stated that Mr. Ralph De Leon would make remarks concerning the hearing. Council Members Davis, Adams, Rodriguez, Burks and Bradford absent.

Mr. De Leon stated that in accordance with Section 311.003 of the Texas Tax Code before a municipality could adopt a ordinance creating a reinvestment zone the municipality must hold a public hearing, that the hearing today was regarding the designation of Tax Reinvestment Zone No. 24, The Greater Houston Zone, being an area of approximately 7,109 acres the proposed reinvestment zone was located in a non contiguous geographical area of the City consisting of two sectors, northern and southern sectors, that consisting of 206 acres the northern sector could generally be described as the eastern portion of a central business district currently not already covered by an existing TIRZ; and consisting of 6,902 acres the southern sector could generally be described as the area extending from Old Spanish Trail on the north, Almeda Genoa on the south, Main Street on the west and State Highway 288 on the east, that conditions within the proposed boundaries of the zone could be described as large tracts of underdeveloped and vacant land, that existing public infrastructure could be characterized as a lack of adequate roads, sidewalks, storm sewers, waste water and water systems, that an executive summary describing previous Council actions related to the creation of the Greater Houston Zone and a preliminary reinvestment zone financing plan had been provided to each Council office, that goals and objectives identified in the proposed plan included provisions for the design and construction of public utility systems, major and minor road ways and streets, development of cultural and public facility improvements and homeless housing programs, that the proposed term of the zone was projected to be 30 years, that the City of Houston would participate at 5% of it's tax rate and Harris County would participate at 65% of it's tax rate, that conservative growth estimates projected the zone would generate approximately \$265 million in increment revenue over the 30 year period; that in closing City staff would later today bring forward a recommendation for Council to approve the designation of Reinvestment Zone No. 24. Council Members Davis, Adams, Rodriguez and Burks absent.

Mayor Parker requested the City Secretary to call the public speakers. Council Members Adams, Rodriguez and Burks absent.

Mr. Kirk Farris, 1654 Bonny Brea, Houston, Texas 77006 (832-859-8187) had reserved time to speak, but was not present when his name was called. Council Members Adams, Rodriguez and Burks absent.

Ms. 1403 Nance, Houston, Texas 77006 (713-857-3296) had reserved time to speak, but was not present when her name was called. Council Members Adams, Rodriguez and Burks absent.

Mr. Michael Morton, 1206 Nance, Houston, Texas 77002 (713-459-2665) appeared and stated that he was a native Houstonian, an architect, a small business owner and the proud owner of a historic building in the downtown warehouse district, that he was present to request that the City Council help the Warehouse District to become part of a TIRZ, that as others today would say they should be included in an economic simulation jurisdiction along with the adjacent areas included in TIRZs 3, 21, 23 and possibly 24, that given the same opportunities as their neighbors they could improve their area and remove the blighted conditions that currently exist, that he and others in the area would like to further develop their properties and have the benefit of being within a TIRZ, that they could look at "Exhibit A" that was passed out to the Council Members, along with Mr. Howe's memo, and they could see the area that he was talking about, the Warehouse District, bounded on the north by I-10 and the south by Buffalo Bayou, that it was an overlooked area. Council Members Adams, Rodriguez and Burks absent.

Mayor Parker asked if he was aware that they were creating the TIRZ on behalf of the

County, that the City was not participating and asked if he had conversations with the County about being included in their TIRZ, and Mr. Morton stated that no he had not, that he wanted to thank her for asking because he wanted to be clear, that he was not asking that they be included in part of TIRZ 24, he was asking that they be adopted by TIRZ 3, and Mayor Parker asked some future TIRZ, not the TIRZ they were considering today, and Mr. Morton stated that was right. Council Members Adams, Hoang and Burks absent.

Council Member Gonzalez stated that there were other adjacent TIRZs in the area that perhaps would be a better fit and more appropriate for what Mr. Morton was trying to accomplish and he certainly would be supportive of that, working with any other Council Member that may have some oversight over that particular TIRZ, that he had spoken to Mr. Icken, the Chief Development Officer, and he was aware of the situation and looking to see what could be done with an adjacent TIRZ. Council Members Adams and Burks absent.

Mr. Andy Lear, 710 McKee, Houston, Texas 77002 (713-953-9100) appeared and stated that they were also in the area that seemed to be the forgotten zone, but were in downtown Houston, that they also spoke with the City, after they had signed up to speak at the public session, and they recommended that they look at perhaps joining TIRZ 3, or one of the other TIRZs, that he was the managing partner of an investment group that owned 12.8 acres of property on Buffalo Bayou, at the northeast corner of I-10 and US 59, that the property was the largest contiguous privately owned tract in downtown Houston, that downtown had always been defined as the area between Highways 45, to the west, 59 to the east and I-10 to the north, that this was also the boundary of the Houston Downtown Management District, but they were properties apart; that they were asking to amend the TIRZ boundary to include the Warehouse District properties in downtown Houston so that the boundaries of the northern part of downtown corresponded to the Downtown Management District boundaries; that the other issue was that they were interested in expanding the Downtown Living Initiative, Chapter 38 Program, that they were trying to encourage the development of downtown properties, that it made little sense to provide \$15,000 subsidies to the properties on the south side of Buffalo Bayou and not provide the same to properties north of Buffalo Bayou, that both sides of the bayou were in the Downtown District and both sides paid taxes to the Downtown Management District, that they had been approached by a high end multi family builder who said they would consider their tract for development assuming they were in the 380 Program, that Council Member Rodriguez had been very supportive of their efforts for inclusion of the properties in the Warehouse District and hoped and trusted that the other Council Members considered offering the same support.

Council Member Gonzalez stated that Mr. Lear made some great points and they would continue to work closely with him and others in the area to really enhance the area and foster more economic development and job creation, that they would work to set up a meeting with the decision makers to make it happen.

Council Member Rodriguez stated that he wanted to be helpful as well on this initiative, that he thought it was a great 380 agreement that they had and would like to see it utilized over the area because it was ripe for development, that he would be happy to assist Council Member Gonzalez in any way they could and Mr. Lear's developers as well. Council Member Burks absent.

Mayor Parker stated that as long as every one was clear that this was not the purpose of today's TIRZ. Council Member Burks absent.

Council Member Christi stated that Mr. Lear, in his presentation, made an insinuation that some of that residential incentive, the \$15,000, was it a disincentive north of the bayou, and Mr. Lear stated that it was a disincentive because they did not have it, otherwise this was a very large incentive to build multi family residential housing, and they were part of the Downtown

Management District and they basically represented 150 acres of whatever was north of downtown and were on the eastern side of it, but for some reason the 380 Program never jumped the bayou to take in their area, which for them did not seem to be correct. Council Members Pennington and Burks absent..

Mr. Milton Howe, 908 Wood St., Houston, Texas 77002 (713-857-1554) appeared and stated that he owned the Houston Studios building on the northside of Buffalo Bayou, on Wood Street, that he was part of the Warehouse District and was present merely to reinforce what had already been said, that he sent out a memo that they were anxious for the Warehouse District to become part of a TIRZ, that they had been advised that they really wanted to be part of TIRZ 3, so they would like to see that happen as soon as they could and also to gain access to the 380 Program.

Mayor Parker asked if there were any other speakers on the issue, and hearing none requested a motion to close the public hearing.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0835 ADOPTED.

- 1a. ORDINANCE designating a noncontiguous geographic area within the City of Houston located in (1) Downtown Houston in an area generally described as the eastern portion of the Houston Central Business District, and (2) an area around the Reliant Stadium generally bounded by Old Spanish Trail, Almeda Genoa Road, Main Street and State Highway 288, as Reinvestment Zone Number Twenty-Four, City of Houston, Texas, for tax increment financing purposes pursuant to Chapter 311 of the Texas Tax Code; creating a Board of Directors for such Zone – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1048 ADOPTED.

Mayor Parker stated that they had created TIRZ 24, that there were representatives of the County present in the audience, that she appreciated working closely with them once again to a mutual benefit.

Mayor Parker stated that they now had the presentation of the Monthly Operations and Financial Report and recognized Mr. Ronald Green, City Controller, and Mr. Kelly Dowe, Director of Finance.

**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. Green and Mr. Dowe reviewed the Monthly Operations and Financial Report, a copy of which is in the City Secretary's office for review. Council Member Davis absent.

Upon questions by Council Members Burks and Bradford, Mr. Dowe stated that as to Receipt Ambulance Revenues theirs were actually increased on going collections above what they projected for the budget, that they were actually, at this point, above budget, they had budgeted \$45.3 million and now they were at \$46.8 million, and Mr. Green stated that he believed that theirs was based on the first four months of trends, they would probably adjust those numbers as the year went on, but for right now they wanted to remain a little more conservative at this point, based on what actually had come in, that they would follow up with

Council Member Burks and get him that information; and Mr. Dowe stated that the Controller was right at budget, they just felt comfortable with the collection efforts they had instituted thus far and they were a little closer, they dealt with them day to day and he understood the Controller's position in wanting to wait and see a little bit more time, that just with the four months under their belt they felt comfortable going ahead and raising the total year collections at this point, that it was a combination of collection on current services, passed services rendered, getting back into past due collections and with rate charges the higher recoveries from Medicare and Medicaid that they were getting on an ongoing basis, that there was a portion of that was on time based on collections of past due revenue; that it was the City's policy not to deny anyone transport based on ability to pay or any other reason so they absolutely had transports, but he did not think it would be affected by the fee they were charging Medicare, Medicaid and private insurance, and Council Member Bradford asked if in the patients that actually paid did they see a decrease in the number of people who were paying because of the additional cost, and Mr. Dowe stated that they could get that information for him. Council Member Davis absent.

Council Member Bradford moved to accept the Monthly Operations and Financial Report, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Davis absent. MOTION 2012-0836 ADOPTED.

Controller Green stated that Mayor Parker was wearing a nice jersey, and Mayor Parker stated "go Dynamo", that it was a Galaxy Jersey sent to her by the Mayor of LA, that they had a little wager going and the Galaxy won.

Council Member Rodriguez moved to suspend the rules to consider Item Numbers 31 and 31a out of order at this time, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Davis absent. MOTION 2012-0837 ADOPTED.

31. ORDINANCE relating to the development of a new convention center hotel (the "Hotel") to be located on Walker Street within 1,000 feet of the George R. Brown Convention Center; designating the hotel as a Qualified Hotel Project pursuant to Chapter 2303 of the Texas Government Code; approving the amended and restated Certificate of Formation of Houston First Corporation ("HFC"); establishing an Economic Development Program (the "Program") to provide incentives for development of the hotel; authorizing and approving an agreement between the City of Houston and **HFC** for administration of the program; authorizing and approving the following agreements between the City and **HOUSTON CONVENTION CENTER HOTEL, LLC ("Owner")**: (1) Qualified Hotel Project Tax Rebate Agreement, (2) Rebate Economic Development Agreement, and (3) Ad Valorem Tax Economic Development Agreement; authorizing and approving a Skybridge Agreement among the City, HFC and Owner; authorizing and approving a Release of Lien - **DISTRICT I – RODRIGUEZ** – was presented. Council Member Sullivan voting no, balance voting aye. Council Members absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1049 ADOPTED.

31a. ORDINANCE **AMENDING SECTION 4620 OF THE CITY OF HOUSTON SIGN CODE (CHAPTER 46 OF THE CITY OF HOUSTON BUILDING CODE)** to create a new Convention District – was presented. All voting aye. Nays none. Council Members absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1050 ADOPTED.

Council Members Rodriguez, Pennington, Davis, Gonzalez and Christi congratulated Houston First and their staff for all of their work; and Council Member Christi asked if they

foresaw any controversy with what was put on their wall signs.

Mayor Parker stated that it was very tightly controlled, it was designed to allow the new Convention Center Hotel to have the very same signage possibilities that the existing Convention Center Hotel had, that it was not applicable to the larger downtown community and it was designed to allow parity between the two hotels.

Mayor Parker stated that there were a number of folks present from Houston First and asked that the Houston First Board stand and be recognized; and that Mr. Mixner, the developer, was present and they understood he had built a first class product in many other places, but this was his hometown and they expected a little extra, that he had actually indicated that so they were looking forward to working with him.

Council Member Rodriguez stated that he also wanted to recognize Mr. Andy Icken and his team, who had done a lot of due diligence on the project, that he wanted to thank everyone and appreciated their working with his office and the City to put on this added jewel.

Council Member Green moved to suspend the rules to consider Item No. 12 out of order at this time, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0838 ADOPTED.

12. RESOLUTION approving and adopting a revised Investment Policy for the City of Houston, Texas - was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Rodriguez absent. RESOLUTION 2012-0044 ADOPTED.

Mayor Parker stated that they just adopted a revised investment policy for the City of Houston, that she knew the Controller was waiting on that; that they would now move to the consent agenda. Council Member Rodriguez absent.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 2 through 64**

#### **MISCELLANEOUS** - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MARVIN J. HAMILTON** to the **INDEPENDENT POLICE OVERSIGHT BOARD**, and to serve as Chair, for a term to expire May 1, 2013 – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Rodriguez absent. MOTION 2012-0839 ADOPTED.
3. RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of a residential parking permit areas in the Super Neighborhoods of Neartown-Montrose and MacGregor - **DISTRICTS C - COHEN and D - ADAMS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Rodriguez absent. MOTION 2012-0840 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 11

11. **CHEMRITE, INCORPORATED** for Chlorinated Chemicals for Various Departments - 3 Years with two one-year options - \$814,527.95 - General and Enterprise Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Rodriguez absent. MOTION 2012-0841 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 13 through 64

13. ORDINANCE relating to the rescheduling or postponement of certain city council meetings – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1051 ADOPTED.
14. ORDINANCE approving and authorizing Public Improvement Agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS, KELLINGTON INVESTMENTS LIMITED, BILTMORE LIMITED, CET LIMITED** and **KECH I LIMITED** related to construction of certain public improvements and the acquisition and development of a Public Safety Site - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1052 ADOPTED.
37. ORDINANCE appropriating \$1,338,415.48 out of Equipment Acquisition Consolidated Fund for the Enterprise Management Agreement between the City of Houston and **DELL FINANCIAL SERVICES, LLC** for Microsoft Software and License Maintenance Services for the fleet of City Desktops (Approved by Ordinance No. 2012-621) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1053 ADOPTED.
41. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** for Private Switch ALL Services for the Houston Airport System; providing a maximum contract amount - \$60,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1054 ADOPTED.
45. ORDINANCE approving and authorizing contract between the City and **SIRSI CORPORATION d/b/a SIRSIDYNIX** for an Integrated Library System and Discovery Services for the Houston Public Library; providing a maximum contract amount - 5 Years with 3 one-year options \$1,500,000.00 - H.A.L.A.N. Fund – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1055 ADOPTED.
46. ORDINANCE approving and authorizing Development Agreement between the City and **PACIFIC INDIO PROPERTIES LLC** in the vicinity of Spring Creek West of Highway 59, within and near the proposed Montgomery County Municipal Utility District No. 118 - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1056 ADOPTED.

49. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **SHARPSTOWN SUBDIVISION, SECTION 5** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT J - LASTER** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1057 ADOPTED.
50. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **THORNWOOD SUBDIVISION, SECTIONS 1, 1 REPLAT AND 4 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1058 ADOPTED.
51. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **THORNWOOD SUBDIVISION, SECTIONS 2 & 3** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1059 ADOPTED.
53. ORDINANCE de-appropriating \$28,258.00 out of General Improvement Consolidated Construction Fund (Approved by Ordinance No. 2012-0316); re-appropriating \$28,258.00 out of General Improvement Consolidated Construction Fund; and appropriating \$134,648.27 as an additional appropriation out of Solid Waste Consolidated Construction Fund; and approving and authorizing amendment to contract between the City of Houston and **AIA GENERAL CONTRACTORS, INC** for the Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup (Approved by Ordinance No. 2012-0426) - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1060 ADOPTED.
57. ORDINANCE appropriating \$52,000.00 out of Water & Sewer System Consolidated Construction Fund and \$78,000.00 out of Street & Traffic Control and Storm and Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **IDS ENGINEERING GROUP (f/k/a PATE ENGINEERS)** (Approved by Ordinance No. 2011-0508) for Southpark and Southcrest Drainage and Paving Improvements; providing funding for CIP Salary Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and the Street & Traffic Control and Storm and Drainage DDSRF - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1061 ADOPTED.
58. ORDINANCE appropriating \$1,997,500.00 out of Metro Projects Construction DDSRF, awarding contract to **IU-FEI SAFE SIDEWALK JV** for Safe Sidewalk Program Work Authorization Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF – was presented. All voting aye.

Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1062 ADOPTED.

59. ORDINANCE appropriating \$2,756,600.00 out of Water & Sewer System Consolidated Construction Fund and \$4,100,000.00 out of Water & Sewer Contributed Capitol Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for Sims Bayou Widening Wastewater Utility Relocations: New Lift Station and Associated Piping; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and Water & Sewer Contributed Capitol Fund - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1063 ADOPTED.
60. ORDINANCE appropriating \$3,978,942.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REPIPE CONSTRUCTION, LLC**, for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4258-55) – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1064 ADOPTED.
61. ORDINANCE No. 2012-1019, passed second reading December 5, 2012  
ORDINANCE granting to **SEWER AND STORM MAINTENANCE, L.L.C., A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1019 ADOPTED THIRD AND FINAL READING IN FULL.
62. ORDINANCE No. 2012-1008, passed second reading December 5, 2012  
ORDINANCE granting to **RDA JUNK, LLC, A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1008 ADOPTED THIRD AND FINAL READING IN FULL.
63. ORDINANCE No. 2012-1009, passed second reading December 5, 2012  
ORDINANCE granting to **SORTO'S TRUCKING, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on

personal business. ORDINANCE 2012-1009 ADOPTED THIRD AND FINAL READING IN FULL.

64. ORDINANCE No. 2012-1010, passed second reading December 5, 2012  
ORDINANCE granting to **S & S PORTABLE SERVICES INC dba CAIN RENTALS, A Delaware Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1010 ADOPTED THIRD AND FINAL READING IN FULL.

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

**MISCELLANEOUS**

4. RECOMMENDATION from Director Convention & Entertainment Facilities Department and Houston First Corporation for approval of the Houston First Corporation's Calendar Year 2013 Budget – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0842 ADOPTED.

**ACCEPT WORK**

5. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$1,830,471.37 and acceptance of work on contract with **TJ&T ENTERPRISES, INC** for Airfield Pavement and Roadway Repairs at George Bush Intercontinental Airport/Houston, William P. Hobby and Ellington Airport; Project 460A - 3.08% over the original contract amount and under the 5% contingency - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0843 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,392,363.11 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, LTD.**, for American Recovery and Reinvestment Act - Local Rehabilitation Projects STP 2010 (675) ES, etc. - 0.002% over the original contract amount and under the 5% contingency - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ and J – LASTER** – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington, and tagged by Council Member Davis.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,824,082.24 and acceptance of work on contract with **TEXAS REEXCAVATION, L.C.** for Wastewater Collection System Rehabilitation and Renewal 2.0% over the original contract amount and under the 5% contingency (4235-48) – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0844 ADOPTED.

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,889,172.50 and acceptance of work on contract with **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Riverwood Estates & John Alber Areas 0.04% under the original contract amount - **DISTRICT B – DAVIS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford, and tagged by Council Member Davis.

### **PROPERTY**

9. RECOMMENDATION from Director Department of Public Works & Engineering disclaiming, releasing and relinquishing the City's right, title, interest, claim and demand in and to a portion of Rhea Street, from its terminus south ±259 feet, out of the G. P. Barnett Survey, Abstract 1062, Parcel SY12-081 - **DISTRICT E - SULLIVAN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0845 ADOPTED.

### **PURCHASING AND TABULATION OF BIDS**

10. **HLK AUTO GROUP, INC d/b/a MEADOR DODGE CHRYSLER JEEP RAM** for Utility Vehicles from the State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$251,398.00 - Auto Dealers Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams.

Council Member Christi stated that they went through the numbers and it was better long term to purchase than to lease, and Mayor Parker stated yes.

A vote was called on Item No. 10. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0846 ADOPTED.

### **RESOLUTIONS AND ORDINANCES**

Council Member Gonzalez moved to suspend the rules to consider Item Numbers 15 through 30 together.

After discussion by Council Members, a vote was called on Council Member Gonzalez's motion to consider Item Numbers 15 through 30 together. Council Members Brown and Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. MOTION 2012-0847 ADOPTED.

15. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **320 Branard Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C – COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1065
16. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1305 South Boulevard** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and

the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1066

17. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1635 South Boulevard** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1067
18. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1816 North Boulevard** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1068
19. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1137 Arlington Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1069
20. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **916 Arlington Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1070
21. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **517 Columbia Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1071
22. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **515 Sul Ross** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1072

23. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **242 West 16th Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - COHEN** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1073
24. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3412 Piping Rock Lane** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1074
25. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2521 Stanmore Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1075
26. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3015 Del Monte Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1076
27. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2411 River Oaks Boulevard** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1077
28. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3660 Chevy Chase Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1078
29. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3405 Piping Rock Lane** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** – was presented. Council Member Sullivan voting no, balance voting aye.

Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1079

30. ORDINANCE providing for an ad valorem tax exemption on the significant historic structure located at **101 Crawford Street and 100 Jackson Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1080.
32. ORDINANCE amending Ordinance Numbers 2007-1119, 2007-1288, 2008-0019, 2008-0602 and 2010-1046, as amended, to increase the maximum contract amounts; approving and authorizing third amendments to various contracts for HIV/STD Services related to Social Marketing, Health Education/Risk Reduction, Counseling, Testing and Referral Services, and School-Based Program between the City and the following contractors: (1) **AIDS FOUNDATION HOUSTON, INC**, (2) **BEE BUSY LEARNING ACADEMY, INC**, (3) **CAREER & RECOVERY RESOURCES, INC**, (4) **HOUSTON AREA COMMUNITY SERVICES, INC**, (5) **LEGACY COMMUNITY HEALTH SERVICES, INC**, (6) **MONTROSE COUNSELING CENTER, INC**, (7) **POSITIVE EFFORTS, INC**, (8) **ST. HOPE FOUNDATION, INC**, (9) **UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON**, and (10) **YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON**; approving and authorizing third amendments to various contracts for implementation of routine, HIV Screening Services between the City and the following contractors: (1) **LEGACY COMMUNITY HEALTH SERVICES, INC**, (2) **UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON**, and (3) **HARRIS COUNTY HOSPITAL DISTRICT (HARRIS HEALTH SYSTEM)**; and approving and authorizing first amendment to contract with **HARRIS COUNTY HOSPITAL DISTRICT (HARRIS HEALTH SYSTEM)** for Health Education/Risk Reduction Services - 1 Year - \$5,278,396.63 - Grant Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1081.
33. ORDINANCE amending Ordinance No. 2008-0602, as amended, to increase the maximum contract amount; approving and authorizing third amendment to contract between the City and **MEMORIAL-HERMANN HEALTHCARE SYSTEM** for Implementation of Routine HIV Screening Services - \$369,958.75 - Grant Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1082.
34. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON**, providing up to \$153,000.00 in additional Community Development Block Grant Funds for the continuing implementation, oversight and delivery of a Child Care Program - Grant Fund – was presented.

Council Member Christi asked how did someone evaluate and say that a person was at risk for being homeless, and Mayor Parker stated that there were federal standards that they followed, these were federal grant dollars and there were generally recognized standards of at risk for homelessness, that they would be able to provide those to him.

Council Member Gonzalez stated that the original contract had been previously extended for an additional five months, that this only provided the necessary funding to accommodate that, that this would serve 182 clients.

Mayor Parker stated that she would have the Housing Department come and visit with him about the background on the federal program.

A vote was called on Item No. 34. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1083.

35. ORDINANCE approving and authorizing contract between the City of Houston and **THE REINVESTMENT FUND** for Consulting Services, including a Market Value Analysis of the City that will help facilitate neighborhood redevelopment and revitalization, in an amount not to exceed \$106,050.00 - Grant Fund - **DISTRICTS A - BROWN; B - DAVIS; D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K - GREEN** – was presented.

After discussion by Council Members Davis, Pennington, Brown and Gonzalez, Mayor Parker stated that they were working in a lot of areas to generate metrics that they had never had before, they had done a lot of their work without real data and this would help them in this area to move forward; that if they went to the first paragraph, the last sentence, NSP Funds were eligible for rehabilitation, new construction, demolition and other activities. Council Member Rodriguez absent.

A vote was called on Item No. 35. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1084.

36. ORDINANCE approving and authorizing reconstruction of sixteen single family homes and providing \$999,213.00 of Community Development Block Grant Funds and \$394,377.00 of Community Development Block Grant (Disaster Recovery) Funds for the reconstruction projects; approving and authorizing a Master Contractor Agreement and Reconstruction Agreements between the City and **TRZ BUILDERS, LLC** for fifteen of the reconstruction projects and a Master Contractor Agreement and a Reconstruction Agreement between the City and **COLONY BUILDERS, INC** for one of the reconstruction projects; authorizing the Director of the Housing and Community Development Department, pursuant to the guidelines, to select replacement properties and to approve plans and budgets for each property to be reconstructed - **DISTRICTS B - DAVIS; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** – was presented.

Upon questions by Council Member Adams, Mayor Parker stated that she could have the department come and visit with her, but she would suggest that if she had questions she should schedule it to her committee for the Housing Department to come and more completely explain the program, that to the issue of whether the house meets the needs of the resident, she would fault the department if they allowed that to happen, however, she would also point out that she had been a strong proponent, as she believed Council Member Adams had in the past, of the idea of visitability and to build public housing for future aging in place and there had been strong resistance to that, that she thought they ought to build it as if they were building for those with limited mobility and wheelchairs. Council Member Rodriguez absent.

After further discussion by Council Members Davis, Burks and Adams, a vote was called on Item No. 36. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Rodriguez absent. ORDINANCE 2012-1085.

38. ORDINANCE approving and authorizing contract between the City of Houston and **DLA PIPER LLP (US)** for Legal Services related to regulatory compliance in the context of Medicare, Medicaid and/or other federally funded health care billing; establishing a maximum contract amount \$250,000.00 - General Fund – was presented. Council Member Rodriguez absent.

Council Member Brown stated that the argument given to not privatize EMS Services was that they were saving money for the City and yet they had to increase the ambulance transport fee to \$1,000 and added a \$13 per mile mileage fee, that they were struggling with collections, and now they were going to be spending \$250,000 on legal matters, that they really needed to study this matter closely. Council Member Rodriguez absent.

A vote was called on Item No. 36. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Rodriguez absent. ORDINANCE 2012-1086.

39. ORDINANCE approving and authorizing agreement for Professional Legal Services between the City of Houston and **ZUCKERT SCOUTT & RASENBERGER, LLP** for Specialized Aviation Legal Services for the benefit of the Houston Airport System; providing a maximum contract amount \$4,450,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
40. ORDINANCE approving and authorizing agreement for Professional Legal Services between the City of Houston and **KAPLAN KIRSCH & ROCKWELL, LLP** for Specialized Aviation Legal Services for the benefit of the Houston Airport System; providing a maximum contract amount \$1,400,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
42. ORDINANCE appropriating \$1,786,436.00 out of Houston Airport Improvement Fund and awarding construction contract to **AXIOM CONSTRUCTION COMPANY, LLC** for Terminal A Restroom Renovations at George Bush Intercontinental Airport/Houston (Project 637); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B – DAVIS** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Rodriguez absent. ORDINANCE 2012-1087.
43. ORDINANCE approving and authorizing contract between the City of Houston and **INTERVISTAS CONSULTING LLC** for Professional Aviation Consulting Services for the Houston Airport System; providing a maximum contract amount - \$1,875,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
44. ORDINANCE appropriating \$2,182,000.00 out of HAS Consolidated 2001 NONAMT Construction Fund and \$16,748,000.00 out of Airports Improvement Fund as an additional appropriation for Construction Phase Services for the Design Building Agreement between the City of Houston and **MICA CORPORATION** (Approved by Ordinance No. 2012-472) for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport/Houston (Project No. 684); providing funding for engineering testing services and

for contingencies; providing funding for the Civic Art Program - **DISTRICT B - DAVIS** – was presented, and tagged by Council Member Sullivan.

47. ORDINANCE consenting to the addition of land to **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4 (also known as the ENERGY CORRIDOR MANAGEMENT DISTRICT)**, for inclusion in its district - **DISTRICTS A - BROWN; G - PENNINGTON and F - HOANG** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1088.
- 47a. ORDINANCE approving and authorizing an Economic Development Agreement between the City of Houston, Texas, and the **ENERGY CORRIDOR MANAGEMENT DISTRICT** for the construction of certain Public Works and Improvements; approving and authorizing the issuance of bonds by the Energy Corridor Management District in accordance with the requirements of Section 3814.106(A)(1), Texas Special Districts Local Laws Code, and the provisions of the Economic Development Agreement - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1089.
- 47b. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4** for the Park Row Extension and Utility Service; amending Ordinance 2008-742 by de-appropriating \$3,485,501.00 out of appropriation made by Ordinance 2008-742 and re-appropriating \$3,485,501.00 out of Water & Sewer System Consolidated Construction Fund - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1090.
48. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **FONDREN SOUTHWEST NORTHFIELD SUBDIVISION, SECTIONS 1 & 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1091.
52. ORDINANCE approving and authorizing Purchase Agreement between **HOUSTON LIGHTHOUSE FOUNDATION, INC**, Purchaser, and the City of Houston, Texas, Seller, for the sale of a tract of land, 1.66 acres, more or less, located at 820 Marston Drive (Parcels SY11-048 and SY13-011) for \$2,250,000.00 plus In-Kind Services valued at \$250,000.00; approving the Special Warranty Deed – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1092.
54. ORDINANCE appropriating \$9,625,080.00 out of Metro Projects Construction DDSRF as an additional appropriation to Construction Management At Risk Contract between the City of Houston and **PEPPER-LAWSON CONSTRUCTION, LP** for Traffic and Transportation Maintenance Facility Replacement (Approved by Ordinance No. 2011-0553); providing funding for engineering testing services, asbestos abatement services, additional design services, salary recovery and contingencies relating to design and construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Costello

absent on personal business. Council Member Noriega out of the city on personal business. Council Member Sullivan absent. ORDINANCE 2012-1093.

55. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 64.75 acres commonly known as 5425 Polk Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Sullivan absent. ORDINANCE 2012-1093.
56. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 4.504 acres commonly known as 1216 Houston Avenue and 1300 Dart Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT H - GONZALEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1093.

**MATTERS HELD** - NUMBERS 65 and 66

65. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SPRINT SOLUTIONS, INC** for Next Generation Wireless Devices and Services for the Houston Information Technology Services (Approved by Ordinance No. 2011-0627) – **(This was Item 42 on Agenda of November 28, 2012, POSTPONED BY MOTION #2012-819)** – was presented. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. ORDINANCE 2012-1093.
66. ORDINANCE **AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to create a Parking Benefit District within the Washington Avenue Corridor as a Pilot Program - **DISTRICT C – COHEN** – **(This was Item 17 on Agenda of December 5, 2012, TAGGED BY COUNCIL MEMBERS PENNINGTON and SULLIVAN)** – was presented.

After discussion by Council Members, Mayor Parker stated that she wanted to thank Council Member Cohen for all of her hard work; that as related to the agenda and backup material being released on line, the agenda backup was not a forum for positive and negative comments, they were items in support of the agenda; that there was already a website for the district; that when people used the phrase “pilot” it sounded like they were going to set a template and use that template throughout the City, that the goal was to find solutions to the particular conditions that existed on the ground, that as she had mentioned previously in the Chamber, Council Member Cohen was lucky to have a number of these areas with a lot of night life and close proximity of restaurants and bars and residences, that this solution was not the solution that would apply in those other areas, that she would encourage district Council Members to get with their constituents and see if there was a particular combination of tools that existed or tools that they could create that would work in those other districts.

Council Member Burks stated that there was a lady yesterday who spoke about problems in the Third Ward area, and Mayor Parker stated that they passed the Residential Permit Parking item on the agenda today, that they had the Residential Parking tool, that what was unique in the Washington Avenue Corridor was that they were using a number of different tools in combination and rebating revenue back. Council Member Christi absent.

A vote was called on Item No. 66. Council Members Brown and Sullivan voting no, balance voting aye. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Member Christi absent. ORDINANCE 2012-1094.

Mayor Parker stated that the solution on Washington Avenue did not appear magically overnight, that it was going to take a little bit of time to put the meters in place and get the permit parking in place, that once all of that was in place and were ready to activate it they would come back to Council and start the clock so they would know when the 18 month period would commence because there was a transition time. Council Member Christi absent.

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

Council Member Brown announced events she attended or would be attending. Council Members Hoang, Pennington, Laster and Green absent.

Council Member Cohen stated that she wanted to thank Council Members Gonzalez and Noriega for starting out the whole process of the Washington Avenue Parking Benefit issue, that she wanted to thank Don Pagel, ARA, Maria Irshad, ARA and Chris Newport, ARA, who were all spectacular, that they had at least 21 meetings and thought they were at all of them, that she wanted to thank everyone who came out to speak, whether they were for it or not, that one of her concerns was that the word "compromise" was used in a negative way during the process, that in doing some research and came across a quote from President Reagan which she read, that she wanted to thank everyone involved. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Gonzalez, Laster and Green absent. NO QUORUM PRESENT

Council Member Christi announced events he attended or would be attending. Council Members Brown, Davis, Sullivan, Hoang, Pennington, Gonzalez, Laster, Green and Bradford absent. NO QUORUM PRESENT

Council Member Burks announced events he attended or would be attending; and stated that Southwest Airlines had applied to fly into Baltimore Reagan Airport. Council Members Brown, Sullivan, Hoang, Pennington, Gonzalez, Laster, Green and Bradford absent. NO QUORUM PRESENT

Council Member Rodriguez stated that he wanted to thank his colleagues and the Mayor for their support of the new 1,000 room Convention Center Hotel, that he failed to mention that this would also allow the City to compete for top tier conventions and to really bring some revenue to the City; that he wanted to congratulate Council Member Cohen for shepherding through a very neat ordinance; that it had been a great year for District I, the Dynamo Stadium and the Hobby Airport expansion, that it was great for the City. Council Members Brown, Sullivan, Hoang, Pennington, Laster, Green and Bradford absent. NO QUORUM PRESENT

Council Member Gonzalez stated that she wanted to congratulate Houston Business Owner who earned a preservation Houston Good Brick Award for the restoration of Fire Station No. 6 along Washington Avenue, that it was now home to Axiom, a successful branding, design and marketing communications agency, that he also wanted to congratulate District H constituents Louisa Meacham & John Faraguna for their Good Brick Award in honor of the restoration of their historic home in Woodlands Heights, that the awards had been given since 1979 to recognize local contributions to the preservation, restoration and enhancements of Houston's architectural and cultural heritage; that during public session yesterday they recognized Houston History Magazine for their contributions of chronicling the local history over the last ten years; that they were in the midst of Hanukah and he wanted to wish all of the

Jewish people a pleasant and prosperous Festival of Lights, that during this holiday season it was great to see the many faiths come together to celebrate one another in their diverse City; that La Virgen de Guadalupe Festivity was one of the most important dates on the Mexican Calendar, that throughout the world hundreds of thousands believers gave their thanks to the Virgen de Gudalupe, a celebrated icon of the Virgin Mary, that there was a recent story where many communities were embracing the Lady of Guadalupe, for example the Vietnamese Community and others; and Council Member Gonzalez announced events he attended or would be attending. Council Members Brown, Sullivan, Hoang, Pennington, Laster, Green and Bradford absent. NO QUORUM PRESENT

Council Member Adams announced events she attended or would be attending; and stated that she was proud of her staff, that they were getting ready to culminate another wonderful year, that throughout the year they hosted various days of caring where they provided food for the less fortunate and the under privileged and this year they did 14, they had partnered with the Houston Food Bank and given out 448,000 pounds of foods this year, that she wanted to thank Valerie Atara for the 14 days of giving; that she wanted to thank Mayor Parker because this year she had initiatives to house the homeless and the veterans, that they did 100 homes for veterans and now she had raised the bar to do 1,000 homes for the homeless, that in looking in ways that they could coordinate the program it was her understanding that there would be a Homeless Coordinator hired for the City of Houston; that her staff member, Risha Batey, received her award for participating in the METRO PC Dallas Half Marathon to benefit the Scottish Rights Hospital for Children, that it was a 13.1 mile course. Council Members Brown, Sullivan, Hoang, Pennington, Laster, Green and Bradford absent. NO QUORUM PRESENT

Council Member Davis stated that he knew a lot of times he would say they needed help and he wanted to thank the administration for helping the district, that Item Numbers 35 and 36 were positive; and announced events he attended or would be attending; that the Mighty Lamar Redskins, who were 14 – 0 this year, this weekend were heading to Austin to play O'Connor in the Division 1 Regional Playoffs, that they were representing the City of Houston, that if they won the semi-final game they would be heading to state, that he wanted to thank Coach Tom Nolen and Coach Jerry Martinez. Council Members Brown, Sullivan, Hoang, Pennington, Laster, Green, Burks and Bradford absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 10:49 a.m. Council Member Costello absent on personal business. Council Member Noriega out of the city on personal business. Council Members Brown, Sullivan, Hoang, Pennington, Laster, Green, Burks and Bradford absent. NO QUORUM PRESENT

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary