

City Council Chamber, City Hall, Tuesday, May 7, 2013

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 7, 2013, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Melissa Noriega and Jack Christie, D. C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office, present. Council Member Stephen C. Costello absent on personal business. Council Member Andrew C. Burks, Jr. absent due to being ill. Council Member C. O. "Brad" Bradford absent.

At 1:44 p.m. Mayor Parker called the meeting to order and stated they had three presentations and recognized Council Member Noriega for the first presentation. Council Members Davis, Cohen, Adams, Pennington, Rodriguez and Green absent.

Council Member Noriega invited members of the Youth Police Advisory Council, YPAC, to the podium and presented them with a proclamation and Mayor Parker stated that she wanted to reference the fact that they had a number of activities available to youth in the City of Houston and with the City of Houston, from the Youth Police Advisory Council, the Youth City Council and their Youth Volunteer Corp, that she would encourage people who may be watching this to get their teenagers engaged and connect them to the City of Houston, they were excited that YPAC was still active and engaged, and therefore, she, Annise Parker, Mayor of the City of Houston, hereby proclaimed May 18, 2013 as Youth Police Advisory Council Day in Houston, Texas, that she wanted to thank them for being involved. Council Members Davis, Cohen, Adams, Rodriguez and Green absent.

Chief C. A. McClelland stated that he wanted to commend former Chief Bradford for implementing this program, it had been very helpful and was a two way communication, he thought he learned more from their youth than they learned from him, they tackled a variety of challenges, issues from their youth today and had open dialog and open communications on a quarterly basis and wanted to commend them for their commitment of showing up at 9:00 a.m. on Saturday morning with him, they were very dedicated and they go back to their individual schools with their peers, that they were going to be future leaders. Council Members Davis, Cohen, Adams, Rodriguez and Green absent.

Kaitlan, a senior, stated that she had been part of YPAC for two years and she really enjoyed YPAC, it had opened her eyes to a lot of different opportunities, she had met a lot of different people and had made her realize all of the issues they had and was glad she could be a part of it to make Houston a better place. Council Members Davis, Cohen, Adams, Rodriguez and Green absent.

Council Member Martin stated that Kaitlan was a senior at Kingwood High School and she would be a soccer player at Texas Wesleyan, so they may have a professional soccer player in their midst. Council Members Davis, Cohen, Adams, Rodriguez and Green absent.

Mayor Pro Tem Gonzalez recognized Council Member Adams for the next presentation. Council Members Davis, Cohen, Adams, Rodriguez and Green absent.

Council Member Adams stated that she wanted to honor the women in her district who really had sown seeds in her life of good advice and invited the matriarchs of District D to join her at the podium and presented flower bouquets to them; and thanked the mothers on City Council for being leaders in the community and thanked them for all they had done and presented flower bouquets to Council Members Cohen, Noriega and Mayor Parker; and presented flower bouquets to the mothers on her Council staff. Council Members Davis,

Rodriguez and Green absent.

Council Members Noriega, Pennington and Cohen congratulated Council Member Adams for the contributions she made and thought it was a wonderful gesture. Council Members Martinez and Rodriguez absent.

Mayor Parker invited the school nurses present to join her at the podium and stated that they were going to be celebrating National School Nurse Day, that when they went to school they knew who the school nurse was and the school nurse knew who they were, and unfortunately schools were bigger all of the time, rules and regulations had gotten stricter about interventions by school nurses and then school districts had begun to cut back on their presence of school nurses, that it was important to honor National School Nurse Day, that behind her were a number of members of the Texas School Nurses Organization, and stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed May 8, 2013 as National School Nurses Day in Houston, Texas and thanked them for what they did. Council Members Martinez and Rodriguez absent.

Ms. Gwen Johnson, Houston ISD, stated that being a member of the organization she knew the hard work that everybody put in to keeping children in school, even though they saw lots of children during the school day the real purpose was to keep children in school and through that increased their academic success. Council Member Rodriguez absent.

Council Members Davis, Noriega, Green and Pennington congratulated the Texas School Nurse Organization and thanked them for all they did and for their service to the City of Houston. Council Member Rodriguez absent.

At 2:09 p.m. Mayor Pro Tem Gonzalez recognized Council Member Hoang for the innovation and Pledge of Allegiance. Council Members Adams and Rodriguez absent.

At 2:10 Mayor Parker requested the City Secretary to call the roll. Council Member Costello absent on personal business. Council Member Burks absent due to being ill. Council Member Bradford absent. Council Member Adams absent.

Council Members Gonzalez and Hoang moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Burks absent due to being ill. Council Member Bradford absent. Council Member Adams absent. MOTION ADOPTED.

At 2:11 Mayor Parker requested the City Secretary to call the public speakers. Council Member Rodriguez absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of hearing from Mr. Jay Crosley and Ms. Marla Turner after Mr. Tom McCasland, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Costello absent on personal business. Council Member Burks absent due to being ill. Council Member Bradford absent. Council Members Adams and Noriega absent. MOTION 2013-0296 ADOPTED.

Ms. Diedria Joseph, 10777 NW Frwy., Ste. 150, Houston 77092 (713-956-8677) appeared and stated that she served as Vice Chair for WBEA, Women's Business Enterprise Alliance and also Chaired the Women's Business Enterprise Alliance Government Affairs Committee, and asked everyone from WBEA to stand and be recognized; that she wanted to thank the City Council for their efforts on Item No. 13 and to ask for their continued support. Council Members Adams and Noriega absent.

Upon questions by Council Members Hoang, Green and Cohen, Ms. Joseph stated that they were present asking for the City Councils support and that they include women and individuals who supported those industries in specific. Council Member Noriega absent.

Ms. Susan Repka, 134 Vintage Park Blvd., Ste. A-171, Houston, Texas 77070 (713-807-9977) appeared and stated that she was the Executive Director of the Woman Contractor's Association and was present to thank City Council and Mayor Parker for the hard work on the Disparity Study and to the Office of Business Opportunities, that they wanted to support the recommendations and asked that City Council do as well.

Ms. Kathryn Baumeister, 3402 Memorial Crest Blvd., Houston, Texas 77007 (713-320-2298) appeared and stated that she was the Chair of Bike Houston, that it was the City's local non profit cycling advocacy group, they were a 100% volunteer group dedicated to making Houston a better place for all type of cyclists, they educated the public about the rights and responsibilities of bicyclists and promoted public awareness of the personal and community benefits of cycling, that they would urge them to approve the Save Passing Ordinance, that it would allow Houston to join 13 other cities across the State in protecting cyclists and other vulnerable road users and encourage safer behavior and more due care by motorists. Council Members Rodriguez absent.

Mayor Parker stated that Mayor Pro Tem Gonzalez had been a champion of this since it first came up. Council Member Rodriguez absent.

Upon discussion and questions by Council Member Gonzalez and Pennington, Ms. Baumeister stated that 13 other cities had already adopted the Safe Passing Ordinance, that as they may know it failed on a Statewide basis when it reached Governor Perry's desk, but cities such as Austin, Beaumont, New Braunfels and San Antonio, were all cities that had already passed the identical language in the Safe Passing Ordinance, they were protecting cyclists in their cities; that the primary mission of Bike Houston was safety and education, they had a safety rules card that they passed out to more than 2,000 people that participated in the Moonlight Ramble, which was held every October, it was their main fund raiser.

Mr. Jeff Nielsen, 4001 Sherwood Ln., Houston, Texas 77092 (713-349-9434) appeared and stated that he was the Executive Director for the Houston Contractor's Association, that HCA represented the prime contractors for the civil construction industry in the greater Houston region, that HCA had been intimately involved in all aspects of determining the changes to Chapter 15, they worked with the Mayor's review board to make suggestions on how to improve the program as a whole, and finally with the Office of Business Opportunities to review the final version they had before them today, that he was not present to oppose changes to Chapter 15, in fact he was present to support them.

Mayor Parker stated that the Office of Business Opportunity had an outstanding Advisory Committee that had been part of the process.

After discussion and questions by Council Members Laster, Pennington and Green, Mr. Nielsen stated that creating the Office of Business Opportunity had made the working relationship between the contractor and the City much more amicable, there was a much better working relationship between primes, subs and the City and they were moving in the direction that the City was looking for, that yes he thought that the available contracting pool among the minority and disadvantaged was improving, that they believed the changes to Chapter 15 would make it move even farther in that direction.

Council Member Adams moved that the rules be suspend for the purpose of extending time for questions of Mr. Jeff Nielsen, seconded by Council Member Hoang. All voting aye. Nays

none. Council Member Costello absent on personal business. Council Member Burks absent due to being ill. Council Member Bradford absent. MOTION 2013-0297 ADOPTED

Upon questions by Council Member Adams, Mr. Nielsen stated that regarding the changes brought forth by OBO, they were good with everything, they believed they could work within the confines of that, that for the body of HCA they thought they could work within the regulations.

Ms. Lianne Lami, 12709 Pine Dr., Cypress, Texas 77429 (713-575-2400) appeared and stated that she was present to continue along the same lines of HCA and the WBBA to say they were in the support of the proposed changes from the Office of Business Opportunity, that was in supporting that the City Council vote in favor to move forward with Chapter 15, and inclusive in that vote would be that women would be added back into the construction goals.

Mayor Parker stated that one of the reasons they were back was because when women were removed from the program it dropped 50%, so absent the program it was clear that prime contractors were not seeking out women contractors that they had done business with just months before, it had a direct and measurable impact, and Ms. Lami stated that her business, Botche Engineering, was one of those companies that from 2009 they had a contract that carried forward into 2010, they switched from a WBE to an SBE in order to be included, and the percentage of use on those two City construction contracts was limited by more than 50%.

Mayor Parker further stated that on individual contracts there was flexibility in the program, these were goals, they were not requirements and there had to be language that was clear that these were goals, but she thought it was significant that in addition to the goals that were set for each particular contract there was an overall goal for the City in contracting and they were going from 14% to 34%, so while individual contracts may vary they had set a very aggressive overall contracting goal and it was important to remember that they could not get to hung up on one contract, they had to remember the big picture, and Ms. Lami stated that she agreed completely and thought the 34% was going to be advantageous to all the minority women and small businesses, that she wanted to indicate that she was in support of Chapter 15 moving forward, but would ask that each of them recognize the responsibility for monitoring and compliance on a contract by contract basis and would request that there be transparency and sufficient public notice of what the proposed contract goals would be, and giving women, in particular, ample time to respond, to be part of a goal that may not yet be established on a future contract opportunity. Council Member Pennington absent.

Council Member Green stated that appreciated all of the hard work Ms. Lami had done on behalf of the women, that he agreed that implementation was going to be very important, that he wanted to thank Mayor Parker and the Office of Business Opportunities with regard to the transparency with regard to new tools that they now had in place, before they did not have a utilization report, which would come out quarterly, that the departments would have to, at the beginning of the fiscal year, provide a breakdown of how they were going to make their MWBE goals at the beginning of the year so they could chart that to see where they were going. Council Member Pennington absent.

Mr. Tom McCasland, 8933 Interchange Dr., Houston, Texas 77054 (713-444-4151) appeared and stated that he was a frequent pedestrian, public transit rider and bicyclist, that was also the proud father of an HISD student who bicycled 6 miles to and from school every day, that as an advocate for several type of vulnerable road users he had worked extensively on the City's Parks by You Initiative, drafted the City's successful Tiger Four Grant and spent three months advocating full time and pro bono for the Utility Line Hike and Bike Trails Bill that the State Legislature recently passed and just yesterday sent to the Governor's office, that in addition to these important initiatives the ordinance they were considering today was a key step in insuring that pedestrian, public transit riders and bicyclists, among others, were protected

whenever they must walk or ride on a City street, that Mr. Robin Stallings, President of Bike Texas, had sent to them a letter of support signed by 10 non-profit groups who represented tens of thousands Houstonians, that in closing he wanted to speak on behalf of the vulnerable road users who were not present today, far to often the discussion about safe passing had focused mistakenly on the stereotype of folks in spandex and on thousand dollar bicycles, that as CEO of the Harris County Housing Authority he respectfully requested that they remember that vulnerable road users also included the extremely low income working families, who were forced to walk or bicycle on the Houston streets because of their economic circumstances. Council Member Brown absent.

Council Member Noriega thanked Mr. McCasland for reminding folks that for many riders it was not a recreation. Council Member Brown absent.

Council Member Gonzalez thanked Mr. McCasland for the perspective that he brought to the table on this issue, that he wanted to thank him for being a part of the discussion and the Mayor's office for listening. Council Member Brown absent.

Council Member Cohen stated that she was actively involved in this when she was in the Legislature and it passed the Legislature and the Senate and was vetoed by the Governor, so her hope was that her colleagues were on the table and see the benefit of this. Council Members Brown and Cohen absent.

Mr. Jay Crossley, 3015 Richmond, Ste. 201, Houston, Texas 77098 (713-244-4746) appeared and stated that he worked for Houston Tomorrow, an independent non profit dedicated to improving the quality of life for all of the people in the Houston region, that he wanted to thank Mayor Parker and the Council Members for their attention to the safety of all users of their streets, that the 33 organizations of the Houston Coalition for Complete Streets enthusiastically supported the proposed ordinance. Council Members Brown and Noriega absent.

Mayor Parker stated that they had to make sure once they passed it that there was some education and enforcement. Council Members Brown and Noriega absent.

Ms. Marla Turner, 2323 S. Shepherd, Ste. 1100, Houston, Texas 77019 (832-325-2261) appeared and stated that she was with AARP and they would like to commend Mayor Parker and the City Council for their efforts in helping to make streets safe for all, they had been involved in safe street ordinances in many cities in Texas and were pleased that Houston would hopefully become the City in which all vulnerable road users would also be protected. Council Member Brown absent.

Council Member Gonzalez thanked Ms. Turner for her support of Complete Streets, they did receive a letter today address to Mayor Parker and his colleagues on Council with 10 groups in support of the ordinance and was glad to see that AARP was listed on it as one of the supporters. Council Member Brown absent.

Dr. Alkebu Motapa, 5022 Crosby, Houston, Texas 77021 (713-741-5150) had reserved time to speak, but was not present when his name was called. Council Member Brown absent.

Ms. Karen Banda, 10213 Rumar Ln., Houston, Texas 77029 (832-341-4197) appeared, presented a video and read from a prepared statement regarding abolishing Carcinogenic Toxins in their neighborhood of Manchester. Council Member Brown absent.

After discussion by Council Members Christi and Adams, Council Member Adams asked that the teachers and students present to stand and be recognized. Council Members Brown

and Pennington absent.

Mr. Luis Canales, 10111 Fleming Dr., Houston, Texas 77013 (832-512-8962) appeared and read from a prepared statement regarding abolishing Carcinogenic Toxins in their neighborhood of Manchester. Council Members Brown and Pennington absent.

Mayor Parker thanked Mr. Canales for his presentation, they had youth volunteer groups who worked on a variety of issues, if they were in fact interested in tackling this she would be happy to ask her Chief Services Officer to meet with them to see if they could put together a working group to address some of these issues. Council Members Brown and Pennington absent.

Council Member Rodriguez stated that he appreciated their activism and being vocal about the need for them to protect their environment, that he and his staff took this issue seriously and worked with a lot of industry to make some changes in the area, that it was a citywide problem and not just a District I Manchester problem, that they needed their help to stay engaged with the City Council, but also with the State, which regulated a lot of these industries and they were very slow sometimes to work and enforce and to be more proactive, if they could work with them to also let the TCEQ know and work with the EPA it would certainly help the City of Houston. Council Members Brown and Pennington absent.

Council Member Christie stated that as Mayor Parker stated they should follow up, get on a task force, they had just honored the Youth Advisors to the Police Chief and they belonged on there, they understood the problem. Mayor Parker, Council Members Brown, Hoang and Pennington absent. Mayor Pro Tem Gonzalez presiding.

Ms. Paola Ramon, 10429 Muscatine St., Houston, Texas 77029 (832-542-7977) appeared and read from a prepared statement regarding abolishing Carcinogenic Toxins in their neighborhood of Manchester. Mayor Parker, Council Members Brown, Cohen, Adams and Pennington absent. Mayor Pro Tem Gonzalez presiding.

Council Member Christi stated that in the national news in the past few weeks they asked why were there more allergies, they did not understand that it was environmental, chemicals in their environment, in their food, that was why kids had more allergies, the solution was not pills to cover it up, the solution was to clean up the air and the food. Council Members Brown, Adams, Pennington and Rodriguez absent.

Ms. Sabrina Olvera, 660 Maxey Rd. Trlr. No. 17, Houston, Texas 77013 (832-695-9504) appeared and read from a prepared statement regarding abolishing Carcinogenic Toxins in their neighborhood of Manchester. Council Members Brown, Adams, Pennington and Rodriguez absent.

Council Member Christi stated that their teachers had done a great job with them and they needed to thank them, that superficial awareness, they had to teach the citizens, the City Council and the Legislature to where they did not have a superficial awareness. Council Members Brown, Adams, Pennington and Rodriguez absent.

Ms. Helaine Espinoza, 10701 Muscatine St., Houston, Texas 77029 (713-678-8311) appeared and read from a prepared statement regarding abolishing Carcinogenic Toxins in their neighborhood of Manchester. Council Members Brown, Adams, Pennington and Rodriguez absent.

Mayor Parker stated that they did not do air quality enforcement in the Manchester area, they only did it in lead areas, which was the reverse, they could go to the City's website and see

a map that showed where their monitoring equipment was placed around the City and they would find that the majority of the air monitoring sites were on the eastside of the City of Houston, and they did take that information to the enforcement agencies, which were largely through the State of Texas, that unfortunately one of the challenges for the City of Houston was that a lot of the major polluters were outside of their borders, that she wanted to thank them for making their presentation. Council Members Brown, Adams, Pennington and Rodriguez absent.

Council Member Christi stated that they be the residents inspiration, do not let them lose hope. Council Members Brown, Adams, Pennington and Rodriguez absent.

Council Member Green stated that he thought as a City they did struggle with regard for equity in the form of resource allocation, in the form of beautification and he appreciated the issue of air quality. Council Members Brown, Adams, Pennington and Rodriguez absent.

Ms. Romelia Sanchez, 1268 Dove St., Houston, Texas 77015 (832-410-2035) appeared and read from a prepared statement regarding abolishing Carcinogenic Toxins in their neighborhood of Manchester. Council Members Brown, Adams, Pennington and Rodriguez absent.

Mayor Parker stated that before they left today she would ask Ms. Kathy Barton, present in the audience, who was with the City of Houston Health Department, that they may be interested in the City's website, to see where the air quality sites were located and what they tested, what they monitored, what information was shared with the State of Texas, they also had a mobile unit that could go to specific sites if they had targeted concerns, that she hoped that they would follow up on the conversations because they were all interested in the air quality issue, there were some challenges in enforcement and they would particularly like to raise the temperature on the State of Texas, which actually had most of the enforcement ability; that for those who were interested in finding out a daily air pollution forecast for their area there was a number on the City's website, 713-640-4358, where that kind of information could be available to folks in the neighborhood. Council Members Brown, Davis, Adams, Pennington and Rodriguez absent.

Council Members Christie, Gonzalez, Hoang and Noriega congratulated the Furr High School students for their presentations, and Council Member Noriega recognized the students and all of the administration from Furr High School. Council Members Brown, Adams, Martin, Pennington and Rodriguez absent.

Mr. Robert Reyna, 15534 Zabolio, No. 264, Webster, Texas 77598 (832-580-6733) had reserved time to appear, but was not present when his name was called. Council Members Brown, Adams, Martin, Pennington and Rodriguez absent.

Mr. Louis M. Limones, 5811 Dwyer, Humble, Texas 77396 (713-401-4398) had reserved time to appear, but was not present when his name was called. Council Members Brown, Adams, Martin, Pennington and Rodriguez absent.

Mr. /Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (FA34511) had reserved time to appear, but was not present when his name was called. Council Members Brown, Adams, Martin, Pennington and Rodriguez absent.

Mr. William Beal, No address (No phone) had reserved time to appear, but was not present when his name was called. Council Members Brown, Adams, Martin, Pennington and Rodriguez absent.

Ms. Bridgette Murray, 1403 Laurentide, Houston, Texas 77029 (713-553-1907) appeared,

presented information, and stated that she was President of the Pleasantville Area Super Neighborhood Council 57, that she was present to request a very needed street repair in the 1700 to 2400 Block of Turning Basin in District B near the Ship Channel, that she handed out information for all Council Members of pictures and a timeline that they had put together, that in addition to 3-1-1 documentation of the problem they did share with Public Works several pictures of the conditions of Turning Basin, that they described the issue as a dangerous road defect needing immediate attention. Mayor Parker, Council Members Brown, Adams, Martin, Hoang, Pennington, Rodriguez and Noriega absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Council Member Davis thanked Ms. Murray for providing the history, that he wanted to know why this street did not pop up on Rebuild Houston, that he would do more research and see if Public Works could put this forward as a street that they needed to get money for, that he did not want to wait for years, that he wanted to put this street, Turning Basin, as a request for the street to be worked on. Mayor Parker, Council Members Brown, Adams, Martin, Hoang, Pennington, Rodriguez and Noriega absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Joe Jennings, 9100 SW Frwy., Ste 241, Houston, Texas 77074 (832-643 -5160) appeared, presented information, and stated that he was with La Rouche PAC, that before them was a draft resolution which recently passed unanimously in the Legislature of the State of Maine and stood in similar form before the Legislatures of 17 other States and had been voted up in South Dakota, Indiana and Alabama, that it called upon the US Congress to promptly pass House Bill 129, which restored the 1933 Glass-Steagall Law, which for 66 years separate commercial banks, where families and small businesses kept their savings from the Global Speculative Casino which they knew as the markets, that La Rouche PAC was asking the City Council of Houston to consider and pass such a resolution. Mayor Parker, Council Members Brown, Adams, Martin, Hoang, Pennington, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Upon questions by Council Members Laster and Christie, Mr. Jennings stated that the bill gave banks or institutions one year to decide or get out, no bail outs, no government support, no nothing. Mayor Parker, Council Members Brown, Adams, Martin, Hoang, Pennington, Rodriguez and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Marsha Lister, 515 Wildwind Ln., Houston, Texas 77013 (832-860-0986) appeared and stated that she was present to talk about the pavement between Flagship and Industrial, known as the Turning Basin, that some forty plus years ago that exit/entrance was created because Pleasantville was surrounding by train tracks, that a mother of 10 lost her life because emergency medical was unable to get in to provide medical assistance to her, that the City opened it up and it was now a main artery for their community, but because of the traffic and trucking the pavement was in deplorable conditions, that as stated earlier she would like to know if Rebuild Houston could revisit to see if they could be put on a priority. Mayor Parker, Council Members Brown, Adams, Martin, Hoang, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

After discussion by Council Members Davis, Christi, Noriega and Gonzalez, Council Member Davis stated that he would be working hard getting the information back to Public Works to reevaluate this street, that they were going to work on this to see what they could do, and Mayor Pro Tem Gonzalez stated that he thought these streets should be looked at differently when they were commercial corridors, where non stop, high duty, commercial trucks that pass every day. Mayor Parker, Council Members Brown, Adams, Martin, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. Jon Dryden, 4118 Garrott, Houston, Texas 77006 (281-685-3003) appeared and stated that he was present on non government assisted affordable housing, the principal and most common source of housing was family, followed by roommates, marriage and low multiples of single family dwellings and duplexes, triplexes and four plexes, the question was how could the City encourage non government assisted affordable housing, when did it become commercial, that he had a four plex that he bought on the GI Bill, it used to be that five units and above was commercial and now three and above was commercial, two and under was residential. Mayor Parker, Council Members Brown, Adams, Martin, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Council Member Gonzalez stated that he would refer Mr. Dryden to the Mayor's Citizens Assistance Office so they could get through the problem and direct him to the right section. Mayor Parker, Council Members Brown, Adams, Martin, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Ms. Rocky C. Jackson, 5604 Los Angeles, Houston, Texas 77026 (281-513-0966) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Martin, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Martin, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he had received from the high court confirmation of his position as US President, and continued to voice his personal opinions until his time expired. Mayor Parker, Council Members Brown, Adams, Martin, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

At 3:57 p.m. Mayor Pro Tem Gonzalez stated the City Council was recessed until 9:00 a.m., Wednesday, May 8, 2013. Council Member Costello absent on personal business. Council Member Burks absent due to being ill. Council Member Bradford absent. Mayor Parker, Council Members Brown, Adams, Martin, Pennington, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

The Houston City Council reconvened at 9:00 a.m., Wednesday, May 8, 2013, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present.

At 8:25 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 as Council Members knew they were hosting the Off Shore Technology Conference, as they did every year at this time, and they had visitors from all over, that they had a Sister City and a Fellow World Energy City Partnership in Aberdeen and they had two members of the Aberdeen Shire Council present in the Chamber today, Counselor Jim Gifford and Rodney Matheson, Industry Sector Manager. Council Members Davis and Adams absent.

Mayor Parker requested the City Secretary to proceed with the consent agenda. Council Members Davis and Adams absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 50

MISCELLANEOUS - NUMBER 1

1. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **PLANNING COMMISSION**:

Position Five - **MARK A. KILKENNY**, for a term to expire 03/31/2015
Position Six - **FERNANDO L. BRAVE**, for a term to expire 03/31/2014
Position Ten - **KENNETH J. BOHAN**, for a term to expire 03/31/2015
Position Twelve - **ALGENITA SCOTT DAVIS SEGARS**, for a term to expire 03/31/2015
Position Thirteen - **EILEEN SUBINSKY**, for a term to expire 03/31/2014
Position Fourteen - **BRANDON DUDLEY**, for a term to expire 03/31/2015

- was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Davis and Adams absent. MOTION 2013-0298 ADOPTED.

Mayor Parker stated that they had confirmed the reappointment of a number of individuals to the Planning Commission, two of them were present and invited Mr. Ken Bohan and Mr. Mark Kilkenny to the podium and stated that they appreciated their service on the Planning Commission, that the Planning Commission was one of those that it was an honor and privilege, but also a heck of a lot of work and relatively thankless work, but she wanted to make sure that they knew that they appreciated their service. Council Members Davis and Adams absent.

Mr. Kilkenny stated that they were pleased with the Chapter 42 modifications, that they were going to have a little bit more work to do in the next several years with the changes and new things from the neighborhoods, so they were excited as a group to be able to help. Council Member Adams absent.

Council Members Pennington and Laster thanked Mr. Bohan and Mr. Kilkenny for agreeing to serve and for their leadership for the City.

ACCEPT WORK – NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$269,173.30 and acceptance of work on contract with **MAR-CON SERVICES, LLC** for Replacement of Timber Bridge at Shawnee Street across HCFCD #106-03-00 - 0.38% under the original contract amount - **DISTRICT E – MARTIN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0299 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 and 10

9. **RSG AVIATION, INC** for Bell 412 Series Twin-Engine Helicopter Component Overhaul/Exchange and Repair Services for the Houston Police Department - 3 Years - \$330,014.62 - General and Grant Funds – was presented, moved by Council Member

Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0300 ADOPTED.

10. **DRIVECAM, INC** for Tier 3 Management Services and DriveCam Online Subscription Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Solid Waste Management Department - \$143,136.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0301 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 50

12. RESOLUTION designating the **BUTLER BROTHERS BUILDING** located at 1002 Washington Avenue within the City of Houston as a landmark and protected landmark - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. RESOLUTION 2013-0020 ADOPTED.
18. ORDINANCE approving Foreign Trade Zone Agreement for the payment of Ad Valorem Taxes between the City of Houston and **MITSUBISHI CATERPILLAR FORKLIFT AMERICA, INC, a DELAWARE CORPORATION**; authorizing the Mayor to execute a Letter of Non-opposition to the establishment of a Foreign Trade Special Purpose Subzone - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0405 ADOPTED.
19. ORDINANCE approving Foreign Trade Zone Agreement for the payment of Ad Valorem Taxes between the City of Houston and **TOSHIBA INTERNATIONAL CORPORATION, a CALIFORNIA CORPORATION**; authorizing the Mayor to execute a Letter of Non-opposition to the establishment of a Foreign Trade Special Purpose Subzone - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0406 ADOPTED.
22. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **GCR, INC** for Professional Information Technology Consulting Services for the Houston Airport System; providing a maximum contract amount - **DISTRICTS B - DAVIS; E - MARTIN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2013-0407 ADOPTED.
23. ORDINANCE approving and authorizing fourth amendment to contract between the City of Houston and **BAYLOR COLLEGE OF MEDICINE** for Professional Staffing Services for the Houston Fire Department Base Station – was presented. All voting aye. Nays none. ORDINANCE 2013-0408 ADOPTED.
24. ORDINANCE approving and authorizing a Master Service Agreement between the City of Houston and **CYRUSONE LLC** for Co-Location Services at a Consolidated Tier III Data Center Facility; providing a maximum contract amount - 5 Years - \$2,327,846.00 - Central Service Chargeback Fund – was presented. All voting aye. Nays none. ORDINANCE 2013-0409 ADOPTED.
25. ORDINANCE awarding contract to **AMERICAN CADASTRE, LLC d/b/a AMCAD** for Software Maintenance and Support Services for the Vital Statistics Imaging and Retrieval Information System for the Department of Health and Human Services; providing a

maximum contract amount 2 Years - \$115,000.00 - Health Special Fund – was presented. All voting aye. Nays none. ORDINANCE 2013-0410 ADOPTED.

31. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to certain improved single-family residential properties within the **ALMEDA PLAZA SUBDIVISION, SECTIONS 1 & 2**, north of Almeda Plaza Drive and Section 4 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. ORDINANCE 2013-0411 ADOPTED.
32. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to certain improved single-family residential properties within the **ALMEDA PLAZA SUBDIVISION, SECTIONS 1 and 2**, south of Almeda Plaza Drive and Section 3 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. ORDINANCE 2013-0412 ADOPTED.
33. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential properties within the **BRAEBURN VALLEY SUBDIVISION, SECTIONS 3-7** 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. ORDINANCE 2013-0413 ADOPTED.
34. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to certain improved single-family residential properties within the **OAK FOREST SUBDIVISION, SECTION 17, BLOCKS 1-20** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0414 ADOPTED.
35. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to certain improved single-family residential properties within the **OAK FOREST SUBDIVISION, SECTION 17, BLOCKS 21-24** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0415 ADOPTED.
36. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to certain improved single-family residential properties within the **OAK FOREST SUBDIVISION, SECTION 17, BLOCKS 30-36** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0416 ADOPTED.
38. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential properties within the **UNIVERSITY OAKS SUBDIVISION and FORTY-THREE NINETY SEVEN NORTH MACGREGOR SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2013-0417 ADOPTED.

40. ORDINANCE consenting to the addition of 13.710 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2013-0418 ADOPTED.
41. ORDINANCE consenting to the addition of 262.89 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 501**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2013-0419 ADOPTED.
42. ORDINANCE consenting to the addition of 45.49 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2013-0420 ADOPTED.
43. ORDINANCE approving and authorizing first amendment and appropriating \$287,500.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **CONSTRUCTION AND MANAGEMENT PROFESSIONALS, LLC d/b/a PKV ENGINEERING** for services associated with the East Water Purification Plant: Forebay Condition Assessment at Plant 3, Forebay Berm Thickness Assessment at Plant 1, Plant 2 and Landfill Access Road Improvements (Approved by Ordinance No. 2011-0719); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0421 ADOPTED.
46. ORDINANCE appropriating \$5,655,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BRH-GARVER CONSTRUCTION, L.P.**, for Amy Ridge and Hiram Clarke Lift Station Diversion; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0422 ADOPTED.
47. ORDINANCE appropriating \$2,637,200.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **COLLINS & COLLINS** for Water Line Replacement in Garden Villas West Area; 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, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2013-0423 ADOPTED.
48. ORDINANCE appropriating \$2,726,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Sagemont Park Area 2; 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, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2013-0424 ADOPTED.

49. ORDINANCE appropriating \$3,270,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **DCE CONSTRUCTION INC** for Water Line Replacement in Windsor Village Area; 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, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. ORDINANCE 2013-0425 ADOPTED.
50. ORDINANCE appropriating \$2,324,335.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Water Distribution System Rehabilitation and Renewal II; 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 (WA11140) – was presented. All voting aye. Nays none. ORDINANCE 2013-0426 ADOPTED.

Mayor Parker acknowledged members of the Planning Commission that they reappointed and understood that Ms. Algenita Scott Davis Segars was present and thanked her for her service on the Planning Commission and for what she did with Habitat for Humanity as well.

Ms. Segars thanked Mayor Parker for her support and confidence in her and for her commitment to affordable housing.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$539,134.45 and acceptance of work on contract with **HALLMARK CAPITAL GROUP, LLC dba HALLMARK-FARRELL ROOFING COMPANY** for Sunnyside Multi-Service Center Roof 15.03% over the original contract amount and under the approved 18.5% contingency **DISTRICT D – ADAMS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. MOTION 2013-0302 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$433,827.03 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation - 5.32% under the original contract amount - (4277-43) - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; F - HOANG; G - PENNINGTON; H - GONZALEZ; I - RODRIGUEZ; J - LASTER and K - GREEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0303 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,714,707.64 and acceptance of work on contract with **SPRINT SAND AND CLAY, LLC** for Bretshire Detention Basin Project HCFCD

Project ID #P518-04-00-E003 0.01% under the original contract amount - **DISTRICT B - DAVIS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0304 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,940,661.92 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, LTD.**, for City Wide Overlay / Rehabilitation Project Package #17 (Work Order Contract) - 3.11% over the original contract amount and under 5% contingency amount - **DISTRICTS B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN; G - PENNINGTON and I - RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0305 ADOPTED.

PROPERTY

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Michael E. McMahan, Levinson Alcoser Associates, L.P., on behalf of Tanglewood Court Associates, LP (Tanglewood Court Associates GP, LLC. [Alan Hassenfly, President], General Partner), for abandonment and sale of a 10-foot-wide prescriptive water line easement, a 10-foot-wide by 32-foot-wide water line easement, and two 10-foot-wide fire hydrant easements, all located within the Three Fountains Square Subdivision, Replat of Block F, out of the Robert Vince Survey, Abstract 77, and/or the Charles Sage Survey, Abstract 697, Parcels SY13-053A, SY13-053B, SY13-053C and SY13-053D - **DISTRICT G - PENNINGTON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0306 ADOPTED.

PURCHASING AND TABULATION OF BIDS

8. ORDINANCE appropriating \$2,315,066.20 out of Equipment Acquisition Consolidated Fund for purchase of Patrol Vehicles for the Houston Police Department – was presented. All voting aye. Nays none. ORDINANCE 2013-0427 ADOPTED.
- 8a. **PHILPOTT MOTORS LTD. d/b/a PHILPOTT FORD** - \$978,470.20, **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** - \$3,362,227.00 and **PHILPOTT MOTORS LTD, d/b/a PHILPOTT FORD** - \$61,937.30 for Patrol Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative (BuyBoard) for the Houston Police Department \$1,892,576.00 and \$194,992.30 - General and Grant Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0307 ADOPTED.
11. **J. TYLER SERVICES, INC** - \$112,162.52, **CONTRACT RESOURCE GROUP, LLC** - \$58,968.18 and **JIMENEZ CONTRACT SERVICES, LLC** - \$32,300.80 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State Cooperative Purchasing Program for Various Departments - General, Enterprise and Other Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford, and tagged by Council Member Davis. Council Member Noriega absent.

RESOLUTIONS AND ORDINANCES

13. **ORDINANCE AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to City contracting, including but not limited to the adoption of a city-wide goal for the City's Minority, Women, And Small Business Enterprise Program relating to construction contracts let by the City; containing a repealer; containing a savings clause; making various findings and provisions relating to the foregoing subject – was presented.

After discussion by Council Members Pennington, Rodriguez, Adams, Hoang, Burks, Gonzalez, Noriega, Bradford, Davis, Martin and Green, Mayor Parker stated that ordinance had remedies for contractors who did not make the good faith effort, up to and including debarment, but that was a process that ultimately ended with City Council, the other mechanism that they had was that they could reject, as a body, those contracts coming from contractors they did not believe made good faith efforts; that in cases of projects being funded by individual entities themselves they must meet the City requirements because they specified it in their agreements and not because they would have to otherwise, that their ordinance applied to work for the City of Houston, not for what was in essence a private sector project.

A vote was called on Item No. 13. All voting aye. Nays none. ORDINANCE 2013-0428 ADOPTED.

Mayor Parker stated Item No. 13 passed unanimously and thanked Council Members and the Office of Business Opportunity, that Ms. Wright did an excellent job and thanked the various contracting organizations that were present in the Chamber observing them today, that not everybody got all they wanted, but everybody got sufficient information to move this forward, that they had a very aggressive goal and now they had to meet it.

14. **ORDINANCE AMENDING ARTICLE II, CHAPTER 45, OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the protection of vulnerable road users; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented.

After discussion by Council Members Adams, Cohen, Bradford, Gonzalez, Pennington and Noriega, Mayor Parker stated that this applied to motorized bicycles and smaller scooters, it did not apply to motorcycles above a certain size and weight, and recognized Mr. Feldman for further comment.

Mr. Feldman stated they followed definitions of the transportation code, if it was above 250 ccs it was a motorcycle, and that was not a vulnerable road user, anything under 250 ccs would be, and Mayor Parker stated since Council Members were mentioning bicycle riders who violated rules of the road, in 2011 they issued 788 tickets to bicycle riders, in 2012 they issued 688 to bicycle riders and they had issued more than 100 so far this year, she did not have an exact update, but they did, when it was observed by a police officer, ticket them.

A vote was called on Item No. 14. All voting aye. Nays none. ORDINANCE 2013-0429 ADOPTED.

15. **ORDINANCE** authorizing the issuance of one or more series of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2013 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014; prescribing the terms and form thereof and authorizing the Finance Working Group to determine certain terms and conditions relating thereto; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of a Preliminary Official Statement and official notice of sale to be used in

connection with the sale of the Notes; authorizing the preparation and distribution of an Official Statement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement; authorizing a Bond Counsel Agreement and a Special Tax Counsel and Special Disclosure Counsel Agreement; and making other findings and provisions relating to such notes and matters incident thereto; and declaring an emergency - was presented. All voting aye. Nays none. ORDINANCE 2013-0430 ADOPTED.

16. ORDINANCE approving a Supplemental Borrowing evidenced by City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2013A to provide for payment of current expenses of the City for a portion of the Fiscal Year beginning July 1, 2013 and ending June 30, 2014; providing for the payment of the principal of and interest on such Notes; authorizing the procedure for determining the terms and conditions of such Notes; authorizing the execution of a Note Purchase Agreement; approving Bond Counsel and Special Tax and Special Disclosure Counsel; making other findings and provisions related to such Notes and matters incident thereto; and declaring an emergency - was presented. All voting aye. Nays none. ORDINANCE 2013-0431 ADOPTED.
17. ORDINANCE amending Exhibits "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2012-851), to amend the Master Classification Ordinance to add one new job classification; changing the pay grade of one job classification; to add thirteen Judge of Municipal Court positions; and deleting one job classification; providing a repealer; providing for severability - was presented. All voting aye. Nays none. ORDINANCE 2013-0432 ADOPTED.
20. ORDINANCE approving and authorizing contract between the City of Houston and the **GREATER EAST END MANAGEMENT DISTRICT** for the provision and acceptance of Local Funds for the design and construction of projects funded by the US DOT Transportation Investment Generating Economic Recovery (TIGER) Grant (Approved by Ordinance No. 2011-912) - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** - was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0433 ADOPTED.
21. ORDINANCE authorizing an additional allocation for Interim Operations and Capital Funding of a Recovery/Sobering Facility pursuant to Interlocal Agreement between the City of Houston and the **HOUSTON RECOVERY CENTER LGC**, Approved by Ordinance No. 2013-0069 - \$363,178.57 General Fund - was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0434 ADOPTED.
26. ORDINANCE amending Ordinance No. 2010-684 (Passed on August 25, 2010) to increase the maximum contract amount for contract between the City of Houston and **RUSH TRUCK CENTERS OF TEXAS, L.P. dba RUSH TRUCK CENTER, HOUSTON** for Peterbilt Truck Repair Services for the Public Works & Engineering Department - \$156,243.75 - Fleet Management Fund – was presented, and tagged by Council Member Davis.
27. ORDINANCE de-appropriating \$44,475.00 out of Police Consolidated Construction Fund for a Construction Contract (Approved by Ordinance No. 2011-1131); and appropriating \$44,475.00 out of Police Consolidated Construction Fund for purchase order for Fuel Island Replacement at HPD Westside Command Station - **DISTRICT F - HOANG** - was presented. All voting aye. Nays none. ORDINANCE 2013-0435 ADOPTED.
28. ORDINANCE issuing a permit to **TERRY OIL & GAS COMPANY, L.P., dba CLOVER PRODUCTION COMPANY**, to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the

conditions and provisions under which the permit is issued - **DISTRICT E - MARTIN** - was presented. All voting aye. Nays none. ORDINANCE 2013-0436 ADOPTED.

29. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for Professional Civic Art and Conservation Administration Services on behalf of the Houston Airport System; providing a maximum contract amount - **DISTRICTS B - DAVIS; E - MARTIN and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2013-0437 ADOPTED.
30. ORDINANCE approving and authorizing an agreement for Legal Services between the City of Houston and **BECK REDDEN LLP** for representation of the City in connection with the litigation against Visa and MasterCard, their affiliates and defendants identified in Interchange Class Action styled No. 05-MD-1720-JG-JO; in re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation – was presented, and tagged by Council Member Green.
37. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential properties within the **SCENIC WOODS PLAZA SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT B - DAVIS** - was presented. All voting aye. Nays none. ORDINANCE 2013-0438 ADOPTED.
39. ORDINANCE consenting to the addition of 10.069 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. ORDINANCE 2013-0439 ADOPTED.
44. ORDINANCE appropriating \$1,745,000.00 out of Street & Traffic Control and Storm Drainage DDSRF; awarding contract to **P2MG, LLC** for FY2013 Local Drainage Project Construction Work Orders #2; 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - was presented. All voting aye. Nays none. ORDINANCE 2013-0440 ADOPTED.
45. ORDINANCE appropriating \$4,039,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Repair / Rehabilitation of WCID #47 Wastewater Treatment Plant Blowers and Blower Building; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – MARTIN** – was presented, and tagged by Council Member Davis.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

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

Council Member Burks stated that May was Older Americans Month, and would call on the City Council to insure City was doing as much as possible to improve the quality of life for older Houstonians. Council Members Brown, Hoang, Pennington and Noriega absent.

Council Member Martin stated that on May 2, 2013 NASA announced the shuttle and the 747 carrier, a new \$12 million complex that would include the legendary airplane and the full size space shuttle model, that it was posed to become Texas newest landmark tribute, a to America's Space Shuttle Program, that he wanted to thank Mayor Parker for her involvement in that process, she did not hesitate when they brought her the opportunity to help them move it along. Council Members Brown, Hoang, Pennington and Noriega absent.

Mayor Parker stated that she looked forward to when they could finally see the finished product. Council Members Brown, Hoang, Pennington and Noriega absent.

Council Member Laster stated that he wanted to welcome their guests from Aberdeen and welcomed Lord Provost George Adams to Houston, that Houston Baptist University, in District J, and Robert Gordon University had a Nursing Exchange Program, they were just about to send their goodwill ambassadors to Aberdeen and were looking forward to Aberdeen sending their goodwill ambassadors back; and announced events he attended or would be attending. Council Members Brown, Hoang and Pennington absent.

Mayor Parker stated that she had the opportunity to travel to Aberdeen and understood it was a beautiful silver city in the summer and a beautiful gray city in the snow, when she was there, that she was very well received when she reciprocated the trip. Council Members Brown, Hoang and Pennington absent.

Council Member Costello stated that he wanted to highlight something that was in the Chronicle about the Homeless Registry, that it was the first part of a plan to end homelessness, that he had the opportunity to participate with one of the groups on Monday morning. Council Members Brown, Davis, Hoang and Pennington absent.

Mayor Parker stated that she started her day out yesterday the same way and believed Council Member Adams did the same as well, that she appreciated their being out and observing for themselves. Council Members Brown, Davis, Hoang and Pennington absent.

Council Member Gonzalez wished a belated Happy Birthday to Council Member Rodriguez and his Chief of Staff, Jerry Perashini, an early Happy Birthday; that he wanted to thank his colleagues for their votes to pass their Vulnerable Road User Ordinance and thanks to Mayor Parker for her leadership on this issue, and acknowledge the many partners that worked with the City to craft the best possible ordinance; and announced events he attended or would be attending. Council Members Brown, Davis, Martin, Hoang and Pennington absent.

Mayor Parker thanked Council Member Gonzalez for being the first person to bring the issue of vulnerable road users to her attention and pushing her to assign some personnel to look at the ordinance. Council Members Brown, Davis, Martin, Hoang and Pennington absent.

Council Member Noriega stated that they talked earlier today about the business opportunities group and about woman owned businesses and about capacity building and when would they know they were done with that, that she was not sure they would ever get done with that, that giving people contracts and business opportunities, building a workforce that was diverse were both about being mindful, she thought people were just clueless, they ended up hiring someone they knew, worked with or were friends with, that she thought it took a little bit of mindfulness and courage to go with someone they did not know or were not familiar with their work, but they were going to check it out, that she thought they should all pay attention to that, both in how they awarded contracts and how they chose their workforce, that part of the reason they had business opportunity groups, was that there had been in the past mechanisms that were not completely appropriate to pass through subcontracting, they did not want to do that,

they generally wanted to build the capacity of this community and to do that they all had to collaborate together, so she would encourage the department heads, the purchasing group, folks that hired in this system to be mindful. Council Members Brown, Davis, Martin, Hoang and Pennington absent.

Council Member Adams thanked Council Member Costello and stated that one of the things Mayor Parker committed to last year was to make sure they came up with programming to end homelessness; and announced events she attended or would be attending; that Ms. Doris Ellis, owner of the Houston Sun, her son Lionel Robinson passed away; that one of the programs that Mayor Parker highlighted was Lift Off Houston, lifting businesses were thinking about becoming a business and they wanted to learn how to write a business plan in partnership with the Houston Library, that if they were chosen among the top three candidates there was money involved; that she wanted to wish all mothers in the City of Houston a Happy Mothers Day. Council Members Brown, Davis, Martin, Hoang, Pennington, Costello and Noriega absent.

Mayor Parker thanked Council Member Adams for referencing Lift Off Houston, everyone who participated was a winner whether or not they got the money prize because they came out of it, because of the technical assistance, with a strong business plan. Council Members Brown, Davis, Martin, Hoang, Pennington, Costello and Noriega absent.

Council Member Green announced events he attended or would be attending; and wished all mothers in the City of Houston a Happy Mothers Day. Council Members Brown, Davis, Martin, Hoang, Pennington, Gonzalez and Costello absent.

Council Member Christi announced events he attended or would be attending. Council Members Brown, Davis, Martin, Hoang, Pennington, Gonzalez and Costello absent.

There being no further business before Council, the City Council adjourned at 10:22 a.m. Council Members Brown, Davis, Martin, Hoang, Pennington, Gonzalez and Costello absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary