

City Council Chamber, City Hall, Wednesday, May 29, 2013

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, May 29, 2013, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office present. Council Member Edward Gonzalez out of the city on city business.

At 8:23 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:12 a.m. Mayor Parker called the meeting to order and recognized Council Member Green for the innovation and pledge of allegiance. Council Members Adams and Laster

Council Member Green invited Reverend Theodore L. Deaver, New Hope Baptist Church, Missouri City, Texas, for the innovation, and Council Member Green led all in the pledge. Council Member Adams absent.

At 9:14 Mayor Parker requested the City Secretary to call the roll. Council Member Gonzalez out of the city on city business.

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

Mayor Parker requested the City Secretary to call the first item on the agenda.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 63

MISCELLANEOUS - NUMBERS 1 and 2

1. REQUEST from Mayor for confirmation of the appointment of **MARTHA LEWIS STEIN** to Position One of the **PLANNING COMMISSION**, for a term to expire March 31, 2015 – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Gonzalez out of the city on city business. MOTION 2013-0326 ADOPTED.
2. RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of residential parking permit areas in the Super Neighborhoods of Afton Oaks/River Oaks, Greater Third Ward-Montrose and MacGregor - **DISTRICTS C - COHEN and D - ADAMS** – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Gonzalez out of the city on city business. MOTION 2013-0327 ADOPTED.

Mayor Parker stated that they had just confirmed the appointment of Ms. Marty Stein to the Planning Commission and invited Ms. Stein to the podium, and stated that she appreciated Ms. Stein willingness to serve and was glad to have her on the Planning Commission, that she had tried to put people on the Planning Commission who were right down the middle and could

see all sides of an argument, that she tried to put people in the middle who had a good grasp of what was going on in the City, that no one who had served on the Planning Commission knew as much about how the City worked or the needs across the City so she was glad that Ms. Stein was willing to lend her expertise.

Ms. Stein stated that it was a great honor to be appointed and confirmed and looked forward to it.

Council Members Hoang, Rodriguez, Pennington, Noriega, Adams, Cohen, Burks and Laster congratulated Ms. Stein on her appointment to the Planning Commission and thanked her for her service to the City of Houston.

ACCEPT WORK - NUMBERS 3 through 12

3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$629,830.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Relocation of Historic Houses and Train - 4.87% over the original contract amount and under the 5% contingency - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0328 ADOPTED.
4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$323,577.00 and acceptance of work on contract with **PROGRESSIVE COMMERCIAL AQUATICS, INC** for Swimming Pool Upgrades - 16.60% over the original contract amount and under the approved 25% contingency - **DISTRICTS B - DAVIS; C - COHEN; H - GONZALEZ; I - PENNINGTON and K - GREEN** – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0329 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$313,992.24 and acceptance of work on contract with **DCE CONSTRUCTION, INC** for Safe Sidewalk Project - 20.24% under the original contract amount - **DISTRICTS E - MARTIN and H - GONZALEZ** – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0330 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$671,319.86 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Quail Glen Lift Station Renewal - 3.68% under the original contract amount - **DISTRICT K - GREEN** – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0331 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,759,556.13 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Kashmere Garden Area - 0.55% under the original contract amount - **DISTRICT B - DAVIS** – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All

voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0332 ADOPTED.

PROPERTY - NUMBER 13

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Scott Greer, Brooks & Sparks, Inc., on behalf of Pasadena Independent School District, (Steve Rice, Director of Facilities and Construction), declining the acceptance of, rejecting, and refusing the dedication of an unnamed platted street (commonly known as Tousineau Street or Windmill Lakes Boulevard), from Tavenor Street to the south property line of Tract 7, Block 10, in exchange for conveyance to the City of right-of-way for a cul-de-sac at the north end of the remaining section of Tousineau Street, South Houston Gardens Subdivision, Section 8, out of the John Robinson Survey, A-680, Parcels SY12-036 and AY12-089A and B - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Bradford, seconded by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0333 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 17A

14. ORDINANCE appropriating \$174,577.00 out of Public Library Consolidated Construction Fund for Emergency HVAC Repair Services for the General Services Department – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. ORDINANCE 2013-0476 ADOPTED.
- 14a. **JOHNSON CONTROLS, INC** for Emergency HVAC Repair Services for the General Services Department - **DISTRICTS C - COHEN; I - RODRIGUEZ and K - GREEN** – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0334 ADOPTED.
15. **RAPISCAN SYSTEMS, INC** for X-Ray Screening System Maintenance Agreement from the General Services Administration Schedule 84 Contract through the Cooperative Purchasing Program for the General Services Department - 37 Months - \$213,792.00 - General Fund – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0335 ADOPTED.
16. ORDINANCE appropriating \$437,850.00 out of Police Consolidated Construction Fund to Relocate Emergency Back-Up Generators for the Houston Police Department – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. ORDINANCE 2013-0477 ADOPTED.
- 16a. **TIMES CONSTRUCTION, INC** to Relocate Emergency Back-Up Generators for the Houston Police Department - \$920,000.00 and contingencies for a total amount not to exceed \$1,104,000.00 - Police Consolidated Construction and GSD-In-House Renovation Revolving Funds – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0336 ADOPTED.

17. ORDINANCE appropriating \$186,085.00 out of Equipment Acquisition Consolidated Fund for the purchase of Intermediate 4-Door Sedans for the Police Department – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. ORDINANCE 2013-0478 ADOPTED.
- 17a. **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY FORD** for Intermediate 4-Door Sedans through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC) for the Police Department – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Noriega absent. MOTION 2013-0337 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 20 through 63

20. RESOLUTION of the City Council prescribing the date, time, and location of a public hearing on the City Budgets for the time period July 1, 2013 through June 30, 2014; authorizing notice of such public hearing and making other provisions related to the subject - **HEARING DATE - TUESDAY - 1:30 P.M. - JUNE 11, 2013** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. RESOLUTION 2013-0027 ADOPTED.
26. RESOLUTION adopting a revised Drought Contingency Plan – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. RESOLUTION 2013-0028 ADOPTED.
27. ORDINANCE **AMENDING SECTION 26-157 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to exemption from payment of parking meters for law enforcement vehicles – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0479 ADOPTED.
28. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 14-foot-wide alley in the Cascara Addition, Harris County, Texas; vacating and abandoning the alley to the Houston Independent School District, owner, in consideration of owner's conveyance to the City of a 16-foot-wide alley in another location, construction of the alley to City standards, payment to the City of \$4,340.00, and other consideration - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0480 ADOPTED.
29. ORDINANCE establishing the name of a private street as **WATERWALL DRIVE (PVT)**, located between Hidalgo Street and West Alabama Street - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0481 ADOPTED.
32. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for the Gulfton Community Youth Development Program for continued operation of the Campo Del Sol Summer Day Camp at Burnett Bayland Park - \$34,000.00 - Grant Fund - **DISTRICT J - LASTER** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0482 ADOPTED.
37. ORDINANCE awarding contract to **SYNAGRO OF TEXAS - CDR, INC** for On-Site Water Treatment, Sludge Dewatering and Disposal Services for the Public Works & Engineering

Department; providing a maximum contract amount - 3 Years with two one-year options \$3,111,280.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0483 ADOPTED.

38. ORDINANCE approving and authorizing fourth amendment to contract between the City and **DATABANK IMX, LLC (Formerly IMAGEMAX, INC)** for Document Scanning and Retrieval Services for the Controller's Office – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0484 ADOPTED.
39. ORDINANCE appropriating \$788,621.65 out of Equipment Acquisition Consolidated Fund for the Purchase of Police Emergency Vehicle Equipment for the Houston Police Department – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0485 ADOPTED.
40. ORDINANCE consenting to the addition of 67.1518 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 185**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0486 ADOPTED.
41. ORDINANCE consenting to the addition of 54.25 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0487 ADOPTED.
50. ORDINANCE approving and authorizing Funding Agreement between the City of Houston and **UNION PACIFIC RAILROAD** for the Belt Junction Grade Crossing Safety Improvements within the boundaries of the City of Houston - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0488 ADOPTED.
51. ORDINANCE appropriating \$1,474,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CP&Y, INC** for Lift Stations Renewal and Replacement; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - COHEN; D - ADAMS; G - PENNINGTON and K - GREEN** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0489 ADOPTED.
52. ORDINANCE approving and authorizing first amendment and appropriating \$525,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **KALLURI GROUP, INC** for Engineering Services associated with Plant 1 & 2 Intertie Switchgear and Motor Control Center Replacement at East Water Purification Plant (Approved by Ordinance No. 2012-0022); providing funding for CIP Cost Recovery relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0490 ADOPTED.
53. ORDINANCE appropriating \$1,042,031.00 out of Water & Sewer System Consolidated Construction Fund, awarding contact to **NERIE CONSTRUCTION** for Wastewater

Collection System Rehabilitation and Renewal; 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 (4235-64) – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0491 ADOPTED.

54. ORDINANCE appropriating \$4,312,448.00 out of Water & Sewer System Consolidated Construction Fund, awarding contact to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Busting Methods; 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 (4257-136) – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0492 ADOPTED.
59. ORDINANCE appropriating \$4,015,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Sagemont Park Area 1; 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. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0493 ADOPTED.
60. ORDINANCE appropriating \$3,427,200.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Shepherd Forest 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 C - COHEN** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0494 ADOPTED.
61. ORDINANCE appropriating \$5,014,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for proposed 42-inch Water Line along Bellaire Boulevard from Bellaire Braes Pump Station to South Kirkwood Road; 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 F - HOANG** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0495 ADOPTED.
63. ORDINANCE No. 2013-453, passed first reading on May 15, 2013

ORDINANCE granting to **TRC WASTE SERVICE 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 - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0453 PASSED SECOND READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$216,416.00 and acceptance of work on contract with **PROGRESSIVE COMMERCIAL AQUATICS, INC** for Swimming Pool Improvements - Chairlifts - 0.43% over the original contract amount and under the 5% contingency - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN; F - HOANG; H - GONZALEZ; I - PENNINGTON; J - LASTER and K - GREEN** – was presented, moved by Council Member Bradford, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. MOTION 2013-0338 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,203,632.73 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.**, for Sabo Road Paving from Kingspoint Road to Fuqua Street and Kingspoint Road from Sabo Road to Kleckley Drive - 3.42% under the original contract amount - **DISTRICT D - ADAMS** – was presented, moved by Council Member Pennington, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. MOTION 2013-0339 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,297,333.10 and acceptance of work on contract with **SLACK AND CO, CONTRACTING, INC** for North Eldridge Parkway Widening from Memorial Drive to I-10 7.44% under the original contract amount - **DISTRICT G - PENNINGTON** – was presented, moved by Council Member Adams, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. MOTION 2013-0340 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,225,230.46 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.30% over the original contract amount and under the 5% contingency amount (4257-102) - **DISTRICTS B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN and H - GONZALEZ** – was presented, moved by Council Member Bradford, seconded by Council Member Hoang, and tagged by Council Member Davis.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,559,776.94 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 3.31% over the original contract amount and under the 5%

contingency amount (4257-101) - **DISTRICTS C - COHEN; D - ADAMS; E - MARTIN; F - HOANG; G - PENNINGTON and J - LASTER** – was presented, moved by Council Member Adams, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. MOTION 2013-0341 ADOPTED.

PURCHASING AND TABULATION OF BIDS

18. **FLINT TRADING, INC** for Thermoplastic Pavement Marking Pre-Form Materials for the Department of Public Works & Engineering - 3 Years with two one-year options - \$1,442,066.95 Dedicated Drainage & Street Renewal Fund – was presented, moved by Council Member Bradford, seconded by Council Member Hoang, and tagged by Council Member Green.
19. **HEWLETT-PACKARD COMPANY** for Computers and Hardware Equipment through the Texas Department of Information Resources for the Houston Public Library - \$518,476.20 - General Fund – was presented, moved by Council Member Pennington, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. MOTION 2013-0342 ADOPTED.

RESOLUTIONS AND ORDINANCES

21. RESOLUTION designating the **BALDWIN-RIDDELL HOUSE located at 3963 Del Monte Drive** within the City of Houston as a historic landmark - **DISTRICT G – PENNINGTON** – was presented.

Council Member Martin stated that as a point of reference, they were giving tax credits to homes with market values of \$4.2 million, \$2.8 million, \$1.3 million, \$1.5 million and \$2.8 million.

Mayor Parker stated that technically they were not giving any tax credits, they were giving a designation and they must apply for tax credits and indicate that they had spent half the appraised value of their property.

A vote was called on Item No. 21. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. RESOLUTION 2013-0029 ADOPTED.

22. RESOLUTION designating the **LUCIAN AND KATE CARROLL HOUSE located at 3247 Inwood Drive** within the City of Houston as a historic landmark - **DISTRICT G – PENNINGTON** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. RESOLUTION 2013-0030 ADOPTED.
23. RESOLUTION designating the **COOPER-BLAND HOUSE located at 3262 Ella Lee Lane** within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. RESOLUTION 2013-0031 ADOPTED.
24. RESOLUTION designating the **WILLIAM B. FERGUSON HOUSE located at 3003 Chevy Chase Drive** within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. RESOLUTION 2013-0032 ADOPTED.
25. RESOLUTION designating the **HERBERT A. and ELIZABETH KIPP HOUSE located at 2455 Pine Valley Drive** within the City of Houston as a historic landmark - **DISTRICT**

G - PENNINGTON - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. RESOLUTION 2013-0033 ADOPTED.

30. ORDINANCE approving and authorizing the submission of an application to the Department of State Health Services for Immunization and Vaccines for Children Services for the City of Houston's Immunization Program; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented, and tagged by Council Member Brown.
31. ORDINANCE approving and authorizing an agreement for Professional Services between the City and **HARMONY HOUSE, INC** for a facility to house TB patients under medical supervision; providing a maximum contract amount - 1 Year with four successive renewals - \$1,000,000.00 General Fund – was presented, and tagged by Council Member Brown.
33. ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and **HOUSTON BIKE SHARE** to extend the contract for five years (Contract No. 74862) – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0496 ADOPTED.
34. ORDINANCE appropriating \$53,377,021.03 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Six, City of Houston, Texas (Eastside Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), and Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), for affordable housing, administrative expenses, payment of project costs, payments to Houston Independent School District, Aldine Independent School District, Houston Housing Finance Corporation, and certain redevelopment authorities as provided herein – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0497 ADOPTED.
35. ORDINANCE appropriating \$68,905,211.98 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Six, City of Houston, Texas (Eastside Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City

of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), Reinvestment Zone Number Twenty-Two, City of Houston Texas (Leland Woods Zone), and Reinvestment Zone Number Twenty-Three, City of Houston Texas (Harrisburg Zone), for payment of affordable housing costs, payment of administrative expenses, payment of project costs, payment to Houston Housing Finance Corporation, and payments to certain redevelopment authorities as provided herein – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0498 ADOPTED.

36. ORDINANCE approving and authorizing contract between the City and **AIS INTERNATIONAL, LTD, d/b/a BTLIMS TECHNOLOGIES** for agreement for Laboratory Information Management System for Environmental Health Testing; providing a maximum contract amount - 3 years with 2 one-year options - \$152,136.48 - General and Grant Funds – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0499 ADOPTED.

Mayor Parker stated that they had reached 9:30 a.m. and would suspend consideration of the agenda and move to the public session.

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 Burks moved that the rules be suspended for the purpose of hearing Mr. Elmer Stephens out of order, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. MOTION 2013-0343 ADOPTED.

Ms. Clemenstine Johnson, 8306 Flintridge, Houston, Texas 77028 (713-306-2263) appeared and stated that she lived in the Settegast/Lakewood Houston area and was present to ask for assistance to better their community, she wanted a boys and girls social club for the single working parents in their area, that she lost her child because she had to work and her child was at home alone and the most people around him were negative, she wanted a boys and girls club started in their area where they would positive things for them, activities to participate in, that the single parents, after they paid their bills, they did not have the resources to take their kids to different places to participate in various activities, that a lot of their children were being lost because they did not realize who they were socializing with and by the time they realized it it was too late and their future was gone, that a lot of them realized they had felonies and felt they had no hope and nothing but a jail cell, that she felt if they could get a program started they needed ten hours a day, seven days a week, they did not need just two or three hours a day, they needed people who cared and wanted to work with them. Council Members Adams, Rodriguez and Noriega absent.

Council Member Davis asked Ms. Johnson if she had an opportunity to participate in the Y.M.C.A., and Ms. Johnson stated that he was talking about one or two hours, and they needed them to have a work program, and Council Member Davis stated that they were working with the Department of Neighborhoods and the Housing Department, along with keep Houston Beautiful and they would try to put those dollars back into the community, that they had to take baby steps and then move forward, that she had his attention and he would be working hard for her and the community of Settegast; and Council Member Bradford stated that they were in the process now of having their budget workshop discussions, that he was going to offer summer job program opportunities and additional funds for after school programs, and Council Member Burks agreed with his colleague that they would work on the budget for after school programs and summer programs. Council Members Adams, Rodriguez and Laster absent.

Council Member Burks moved that the rules be suspended for the purpose of extending time for questions of Ms. Clemestine Johnson, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Members Adams, Rodriguez and Laster absent. MOTION 2013-0344 ADOPTED.

Council Member Green stated that in their district they were trying crime prevention strategies and trying to have activities for their youth, that yesterday in the Braes Oaks area they went to trial to try to keep certain gangs out of their area, that about 10 years ago the City had 10,000 kids in some sort of jobs where they were working at the parks and libraries and it gave them valuable experience and an opportunity to work. Council Members Adams, Pennington, Rodriguez, Laster and Burks absent.

Mr. Elmer Stephens, 12000 Almeda, Houston, Texas 77045 (281-898-0745) appeared and stated that he was one of the owners of Wild Cat Golf Club, located at Almeda and Airport Boulevard, for those who were not familiar they were on approximately 500 acres of a Brownfield site that they worked closely under Mayor Lee Brown's administration with Mr. Don Moses to take a landfill site and turn it into a golf course for the City, that he was present to talk about the Drainage Impact Fee and the process and the things he had been through, in 2011 they went through the proper guidelines with their engineers to protest the drainage fee that was imposed on their property, they used the guidelines for calculating impervious surface adjustments that were approved in 2011 by Mr. Dan Krueger and Mr. Carl Smith, their engineers took extensive plans when the golf course was built, they worked with Harris County Flood Control, and initially it was determined that they would pay an impact fee, they worked closely with their engineers and with the County before construction had started, that a Brownfield site was heavily regulated by the Federal and State government because of the character of the land and the landfill, that through that process they were told if they complied with the engineering of the golf course and did some extra things, which they did, they put approximately 11 lakes and ponds in the golf course, they had extensive mapping and drainage studies and it was determined through the whole process, which he could go into a long lengthy discussion, but they were self-contained, they drained the course and it was designed to run into all of their drainage lakes, so when they applied with the City, to try to get this resolution they started back in 2011 with their engineers, which they engaged to take the original plans that were approved by Harris County Flood Control in 1999, and they worked with the engineering department to provide calculations, additional information, he spent about \$25,000 and it was determined, not once, but five times through verbal, emails and face to face meetings, that their fee would be zero, that he was understanding that it was a new program, but this had been going on for two years. Council Members Davis, Rodriguez and Laster absent.

Mayor Parker stated she was sorry with what he had to go through, she was familiar with the Wild Cat Golf Course, that Mr. Gary Norman, Public Works Department, was present and would ask that he sit down with him and figure this out, that first of all, there was very little impervious surface at Wild Cat Golf Course and if he had engineering designs that showed that he did not have runoff, and she would suspect he would since it was a former landfill, she did not know what went wrong but they needed to fix it. Council Members Davis, Rodriguez and Laster absent.

After discussion Council Member Burks moved that the rules be suspended for the purpose of extending time for questions of Mr. Elmer Stephens, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Members Rodriguez, Laster and Noriega absent. MOTION 2013-0345 ADOPTED.

Upon questions by Council Member Burks, Mr. Stephens stated that the concrete plant had closed down, or they were not using it at this point, but going further south, along the boundaries of the golf course, towards Almeda, there was a residential community that was on the other side of the ditch that was adjacent from their golf course, that in the last go around they determined again with their engineers and meetings, that he had a meeting on May 14, 2013, and now they wanted them to do another study on their cart paths.

After further discussion by Council Members Christi and Green, Council Member Green moved that the rules be suspended for the purpose of extending time for questions of Mr. Elmer Stephens, seconded by Council Member Burks. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Mayor Parker, Council Members Brown, Rodriguez, Laster and Noriega absent. Vice Mayor Pro Tem Bradford presiding. MOTION 2013-0346 ADOPTED.

After further discussion and questions by Council Members Green, Martin and Davis, Council Member Martin stated that in this year's budget they had a number of dollars dedicated to a process improvement plan and he would love to see the very first dollar of a process improvement plan go towards Public Works, because it could be a very interesting finding, and asked Mr. Stephens to let him know the outcome, and second, what did they tell him about cart paths as it related to drainage and impervious surfaces, and Mr. Stephens stated that they had very little conversations, this came up in the meeting of May 14, 2013, that before that their fee was supposed to be zero and then they came up with the impervious cart path and the methodology and criteria that were set forth in the regulations that came out in September 2011, were nebulous, and from an engineering standpoint there were different interpretations, that the City engineers had agreed several times and then this thing with the cart paths came up two weeks ago, when he thought they were getting approval again, that he did not know what the criteria of evaluation was; that he was not aware of any other golf courses that were in the same situation that he was in. Adams and Noriega absent.

Council Member Burks moved that the rules be suspended for the purpose of extending time for questions of Mr. Elmer Stephens, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Members Adams and Noriega absent. MOTION 2013-0347 ADOPTED.

After further discussion and questions by Council Members Bradford and Costello, Mayor Parker stated that under their ordinance, if it was entirely self-contained it was exempt from drainage fees, that the Royal Oaks subdivision out in far west Houston was entirely exempt from drainage fees because it was a completely self-contained drainage system; that only the portions of a golf course that had impervious cover would be subject to the drainage fee

anyway, cart paths and so forth, the rest of it was exempt because it was grass, but just because it was a golf course did not mean that it was necessarily all self-contained in terms of the drainage system, that because it was a unique set of circumstances, it was built on a landfill and constructed to be self-contained, she was surprised that he had to go through this process, that as she stated in the beginning she would like for him to visit with Mr. Gary Norman, Public Works, and had asked Ms. Chan, who was sitting in the back monitoring, to birddog this, that she wanted to know what happened and why he was still going through this. Council Members Adams and Noriega absent.

Ms. Karen Kristopher, 1415 S. Voss, No. 110, Houston, Texas 77057 (832-489-2715) had reserved time to speak, but was not present when her name was called.

Reverend James C. Jackson, 5107 Kashmere, Houston, Texas 77026 (832-433-0181) appeared and stated that he would like to get Council Member Davis card before he left; that he was present to speak for the residents on his street, that he lived in Kashmere Gardens, that there was an empty vacant lot between his house and his neighbors house and it had been a source of irritation for a long time, that until the lot was sold the neighbors contributed to a yard man to keep the lot cut because it was an irritation and was difficult to get the City to come out and cut the lot, that as of February or March 2013 they brought in dump trucks from a construction site and loaded debris from a construction site onto the property, that the debris and all of the things they put there was at least 4 feet high, it was a flood zone, that the people on the other side of him the flood district had bought that property and were going to widen the bayou. Council Members Cohen, Martin and Hoang absent.

Mayor Parker asked Reverend Jackson when was the dirt dumped there, and Reverend Jackson stated that it was either the latter part of February or early part of March, and Mayor Parker asked if knew if it was dumped by the owner of the property, and Reverend Jackson stated that he did not know who gave those trucks permission to come in, but they eventually found a police officer to stop the trucks from coming in, he would not allow any more trucks to come in, that someone from the Department of Neighborhoods came in and red tagged the property, and Mayor Parker stated that they needed to figure out how to get it out, and Reverend Jackson stated that the Flood Control District did not own the property. Council Members Cohen and Hoang absent.

Council Member Davis stated that they had been working with the Department of Neighborhoods and they had issued citations and sent out notification to the owner of the property, that there were steps the City had to take due to State Law, but they were working on it right now, and Reverend Jackson stated that he had talked with Mr. Eichman and Mr. Norman from Public Works had said he was going to send someone out to red tag it because they had moved the tags off, that it would be his department and not Mr. Eichman's department, who was responsible for cutting the lot. Council Members Cohen and Hoang absent.

Mayor Parker stated that she knew Council Member Davis would continue to work on this, as would her office, that Mr. Landon Taylor, Department of Neighborhoods, was present and they would work with the Public Works Department and Council Member Davis office to see how fast they could get that removed, that once it was on private property they had to go through certain steps, that he did the right thing by contacting the police when they were first dumping, and Revered Jackson asked if those departments would please keep them abreast as to what was going on, and Mayor Parker stated that they would do their best. Council Members Cohen, Hoang and Rodriguez absent.

Ms. Bridgett Vauhngns, 11647 White Water Trail, Houston, Texas 77013 (713-831-5089) had reserved time to speak, but was not present when her name was called. Council Members Cohen, Hoang and Rodriguez absent.

Mr. Julian Barnes, 16610 Torry View Terrace, Houston, Texas 77095 (281-325-5796) appeared and stated that he was present on behalf of a few franchise owners, that he had a lawsuit against a franchise, he owned several businesses that were still in existence, he sold those businesses, that he partnered with the franchises with an agreement that if it did not work out he would be able to sell his portion of the business, that he did that after three months, that he had roughly invested about \$80,000 worth of his own money and after the business was sold they pocketed the money, that he got a lawyer and filed a lawsuit and there was an open case against the franchise, that recently he was contacted by a gentleman who also had a lawsuit pending and he notified him that there were about 15 other complainers in the City of Houston who had the same lawsuit against this particular franchise. Council Members Davis and Hoang absent.

Mayor Parker stated that Mr. Barnes was in the wrong place, she was sympathetic and was sure all of Council was about his situation, he was engaged in a lawsuit, which was appropriate, if he believed there was an intent to defraud him from the beginning he needed to be visiting with the District Attorney's office and would suggest that he get together with his fellow franchises and contract the District Attorney and proceed in that direction as well. Council Members Davis and Hoang absent.

Council Member Burks asked if the franchise had a name, and Mr. Barnes stated that it was The Fish Place. Council Members Davis and Hoang absent.

Ms. Marcella Mitchell, 10522 Town Square, Sugarland, Texas 77498 (281-565-2778) appeared and stated that she was present to address the towing of her vehicle on Sunday, May 19, 2013 at 1200 Baker Street, directly adjacent to 701 North San Jacinto, authorized by the Harris County Sheriffs Department, that she had been informed that it was a Harris County problem, that in the City and County there were not enough Handicap Parking available for the disabled and it was a disadvantage, that she had difficulties walking, standing and sitting and due to a failed back surgery she was disabled, that under the American Disability Act the lack of not having a reasonable amount of parking violated the law and it left her in a position to park closer, that she arrived as early as possible to the 1200 block of Baker Street where disabled parking was not available, that she looked for parking close by and not in a tow zone, that she parked behind two vehicles on 1200 Baker on the right side and it indicated parking permitted 7:00 a.m. to 6:00 p.m., that she did not see a parking meter to pay, that she had a disabled tag in front of her mirror and was a disabled veteran with license plates, that to come out after a visit and see your vehicle towed and see the tow truck driver with the vehicle in the air was helpless, that it was awful, that all of her belongings were in her vehicle. Council Members Davis and Hoang absent.

Mayor Parker stated that the City met all ADA requirements for public spaces, and asked if she was parked on a City street or in a private lot, and Ms. Mitchell stated that she tried to park directly in front of 1200 Baker, she thought there were about five spaces there, but they were not available, and Mayor Parker stated that she was trying to determine whether she was towed from a City street, or towed from a space that was essentially on private property, and Ms. Mitchell stated that it was on street parking, that she had a handicap hangtag and disabled veteran plates, and Mayor Parker stated that as she knew if Harris County towed her they did not have any authority over Harris County Sheriffs Deputies, they were a separate law enforcement entity, the question was whether it was a legal tow, and if she would sit down with

the folks from Citizens Assistance they would work through that. Council Members Davis and Hoang absent.

Council Member Adams stated that she would ask Ms. Mitchell to meet with Mr. Christopher Newport, ARA, they had already taken the lead on situations like hers. Council Members Davis, Hoang and Rodriguez absent.

Mr. Jonas Richardson, 9002 Sterlingshire, No. 170, Houston, Texas 77078 (832-494-6941) had reserved time to speak, but was not present when her name was called. Council Members Davis, Hoang and Rodriguez absent.

Ms. Mary Wheeler, 3334 Dragonwick, Houston, Texas 77045 (713-434-0258) appeared and stated that she had come to Council in April to address a situation that she had with the backup sewer, that the City said the contractors were liable and she still had mold in her home and was still having the problem and was sick because of that, that the contractors knew it was in their hands and acted like they were not liable for what was going on and sending people to do construction in their neighborhood, they had no tags saying they were with the City, that they came and dug in the community and she was asking the City what kind of people were they sending. Council Members Davis, Hoang, Pennington and Rodriguez absent.

Mayor Parker asked if the incident happened in February and Ms. Mitchell stated February 2012, and Mayor Parker stated that it was her understanding that there had been no City work for at least a year prior to the incident, that Ms. Mitchell had stated that she thought a City contractor did something that caused the sewer to backup into her house, and what Public Works told her was that it was at least a year before that the construction work went on in her neighborhood, and Ms. Mitchell asked then who was digging, and Mayor Parker asked if there was contract work being done outside of her house immediately prior to the incident, and Ms. Mitchell stated yes, 2011 to 2012, and then they came back out, Mayor Parker asked Mr. Norman, Public Works, to sit with Ms. Mitchell, that the note she had said that they had completed all the work a year prior to the incident, that the City came out and checked the lines, they were all clear, that the backup was actually on Ms. Mitchell's property, that if in fact that was the case there was not anything that the City could legally do to remedy the situation, that she would ask Mr. Norman to sit with her and get the facts as to whether someone was out there. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Council Member Green stated that they had been doing some research with regard to where they were with this, that he thought a lot of the frustration with Ms. Wheeler was with the contractors and the liability aspects of it, and Mayor Parker asked if the contractor did work in some time approximate to when this incident occurred, and Council Member Green stated that his understanding was yes, that they began in 2011 but did not complete until 2012.

Mayor Parker stated that that they should know whether there were contractors out there and they would get to the bottom of that. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Mr. Donnell Wheeler, 3334 Dragonwick, Houston, Texas 77045 (713-434-0258) appeared and stated that he had returned today and was going to make his real concerns direct, the City of Houston was his home of record, that there was serious corruption, that he knew the three contractors, Huff and Mitchell, PM Construction and Inland Rehabilitation, were still lying and still doing work for the City of Houston, that he understood that the Mayor inherited this, that there were two things he was still trying to research, was the Mayor nurturing it or if she was grossly naïve, that who else was part of this were the City Council Members of the south east side of Houston, the north side of Houston, the Public Works Department, Mr. Gary Norman,

the Legal Department, Mr. Harlan Heilman, Mr. Michael Whitlock, City Inspectors that signed off on this job, and Mr. Norman did not even know the City inspectors who signed off on this job, that neither companies were claiming the physical services, so that was how they were legally standing behind the no liability, that he had sought out the Texas Department of Insurance, who had ended their investigation because it went against their very public policy to try to hold unknown companies to standards of liability, that the mysterious object he had with him was the sewer cap that the Spanish construction workers left when the ground collapsed in the back of his mother's home, that they flagged a City worker in 2011 for relief, that the City inspector literally told him they could not touch it because there were private companies doing the job, that he came in the back yard and saw literally the whole entire block worth of feces in his mother's backyard, the neighbors backyard and the yards next door, that he immediately called his supervisor who directed him to go and find whoever was a part of Apache Contractors, who was doing a wonderful job elsewhere. Council Members Davis, Hoang, Rodriguez and Noriega absent.

After discussion by Council Members Burks and Adams, Council Member Adams stated that whenever she gave a commitment of her staff to go help someone literally she gave them permission to call people who enjoyed donating their services, so she took offense as a Council Member to know when they tried to stand up for their constituents that they were talked bad about, that if Mr. Wheeler had accepted what they had for them his mom's bedroom probably would have been redone by now by private donations. Council Members Rodriguez and Noriega absent.

Mr. Ron Rau, 4146, 4146 Hensley Circle, El Dorado Hills, CA 95762 (916-668-6002) appeared and stated that his corporation, Shasta Holiday, Inc., was one of the owners of a project known as East Sunnyside Apartments, that he knew there was no agenda item before them today dealing with the Hurricane Ike Recovery Funds that were going to be granted shortly, but theirs was one of the projects that was under consideration and he wanted to put a face to the application so they would see who was before them, their efforts started about two years ago with a run down, boarded up and fenced up facility that was a magnet for crime in the area, they began their process by going to the neighbors and talking to the people, one on one, to find out what their concerns were and what they wanted done with that property in their neighborhood, they expanded that into the churches in the area and the businesses in the area, and as a result of this they morphed further into the East Sunnyside Civic Club, which was a civic leader in the area, they met with them on several occasions and were able to have a vote and support from that group for their project, along with the support of the local churches in their neighborhoods, the letters of support were in their file, they also made some very definite changes, the majority of the ownership of the project had now transferred into two Houston based non-profit organizations, China Town Community Development Corporation and the Houston Area Urban League, that they thought they were putting together the very strongest membership team they could for this project, that they were also able to enter into a long term contract with the Houston Area Urban League for support services for the project, they reached out further into the neighborhood and formed a Neighborhood Advisory Board that would meet regularly, that their object was not just to provide low income housing, they wanted to go the extra mile. Council Members Rodriguez and Noriega absent.

Mayor Parker stated that all of the steps that Mr. Rau had described she hoped that there were other entities that wanted to do low income housing projects across the City could learn from the stake holder meetings and the way they had gone about gathering support, she wished everybody did, of course the project still had to compete for the limited pool of money the City had and that was the other aspect of this. Council Members Rodriguez and Noriega absent.

Council Member Adams stated that she wanted to thank Mr. Rau and all of his team for all they had done in following the process and meeting with her, that she knew there had not been a final decision made and knew the deadline was for June 14, 2013 for the public decision, but she knew he was taking something in the neighborhood that could be turned into something wonderful, she had already communicated to the administration of how they could possibly move forward and would meet with Director Rackleff to see how they move forward. Council Members Brown, Rodriguez and Noriega absent.

Council Member Adams moved that the rules be suspended for the purpose of hearing from Mr. Denis Wan before Mr. Judson Robinson III, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown and Rodriguez absent. MOTION 2013-0348 ADOPTED.

Mr. Denis Wan, 11205 Bellaire Blvd., Houston, Texas 77072 (832-475-0296) appeared and stated that he was present to speak for CCDC, China Town Community Development Corporation and their President, Mr. Dan Nip, who was the manager for the Jarmese Housing Project, that Mr. Nip formed the CCDC in 1991, that their scope of work had changed to cover the entire greater Houston in four areas, one, that the CCDC develop many low income housing for seniors by using Federal and City funding, second, petitioned and created the East Downtown Management District and TIRZ 15, which had worked with the Dynamo to build the only professional soccer stadium in the City, that third, in the year 2000 CCDC worked with the City of Houston in the First Time Home Buyer Subsidized Assistance Program, recruited and closed over 150 new homes for low income families, that fourth, a neighborhood revitalization planning and development, that in the South Sunnyside area the CCDC answered two requests from Saint Agnes Baptist Missionary Church, they repositioned their hundred plus acre asset and created a solution plan to take over a half built and unfinished dome church facility, they worked with the bond trustee to entrust CCDC as the contractor, guaranteed to complete this beautiful church construction as planned on time and on budget, that CCDC bought in the famous KIPP Charter School and engaged developers to complete two new low income housing projects, the third one was now in progress, that this Sunnyside Neighborhood had changed from a run down half completed landscape into a soothing new community with one of the best charter schools and some award winning housing, that CCDC by applying it's community redevelopment expertise welcomed the challenge and were committed to develop this affordable housing project with their team to improve environment in the South Sunnyside Neighborhood. Council Members Brown, Martin and Rodriguez absent.

Mr. Judson Robinson III, 1301 Texas, Houston, Texas 77002 (713-393-8700) appeared and stated that he had the experience to work in a few different fields, and coming into the non-profit sector he had learned there were a lot of great entities out there that when partnered with the right other partners, and in this case they had a developer that had a tremendous track record, as they had just heard, they could now blend these services to make sure that when they were not only developing housing, but were also providing the kind of services that would complement the residents without it having to be the government's responsibility, they wanted to make sure that people got a chance for work and experience the type of things that people typically experienced in a normal and natural environment and the Urban League would bring many of those services, that they were hopeful that this project would be one that was viewed as unique and different, where they had the private sector working with the non private sector where they had the experiment taking place, that should bring a really good result for those participants in the program, they were going to provide quality housing and would have quality programs to assist people to make sure they were on a path to success, they just did not know the great other side benefits that would take place as a result of this project going forward, but they needed the Council to also view the spirit of what they were trying to do as something that was in the right direction, that hoped they would see this as an opportunity to maybe set the

pace for how future projects to come might be the way to go, they were hopeful that they would be supportive of this program; that it was great to be back at City Hall. Council Members Brown, Martin and Rodriguez absent.

Mayor Parker stated that it was always great to see former Council Member Robinson and they all appreciated the good work he did with the Urban League. Council Members Brown, Martin and Rodriguez absent

Council Members Green, Noriega and Adams thanked Mr. Robinson for all he did for the City of Houston. Council Members Brown, Cohen, Martin, Rodriguez and Laster absent.

Ms. Melissa Aldrich, 3739 Drummond, Houston, Texas 77025 (713-248-2642) appeared and stated that she had lived for over 30 years in a neighborhood called Braeswood Place, just northwest of Reliant Stadium, east of Bellaire and south of Southside Place and West U, that it had been a great place to live but unfortunately a couple of years ago they started experiencing problems with invasive coyotes, that had a lot of pet deaths and started noticing that people were encountering the coyotes, that Houston used to have a mechanism in place to control invasive coyotes and it was removed, they thought, around five years ago when federal funding was cut, that another City like Austin had stepped up to the plate and helped to pay for a full time Wildlife Predator Specialist, they actually had two in place now, that Houston just simply did not have a mechanism to handle this, that over the period of two years they did a lot of research and raised donations within their neighborhood to pay for Texas Wildlife Services, who were the experts, to come and remove the coyotes that they had a problem with, there were three that were captured within 3 days, they were proposing that the City of Houston and the County perhaps with some of the other small City entities within the Country, collectively fund a Wildlife Predator Specialist who could go to the different neighborhood groups and educate them, as well as remove the ones that were a problem, that she had a handout that had pictures of their neighborhood coyote who was no longer with them thanks to the Texas Wildlife Services, that they may ask why they could not just call on Texas Wildlife Services on an as needed basis, and the reason was that they did not have enough personnel, that she would plead with them to begin a process of cooperating with the County and other cities to put a mechanism in place. Council Members Adams, Martin, Rodriguez, Laster and Christie absent.

Mayor Parker stated that previously they used federal funds, the State underfunded that agency and everything rolled down hill. Council Members Adams, Martin, Rodriguez and Laster absent.

Mr. Ferdinand Duriseau, 16315 Coby Run Ct., Missouri City, Texas 77489 (832-579-8477) had reserved time to speak, but was not present when his name was called. Council Members Adams, Martin, Rodriguez and Laster absent.

Ms. Jolene Armstrong, 1816 Matamoras, Houston, Texas 77023 (281-799-9056) appeared and stated that she was present to bring to their attention an incident of abusive power, bullying and intimidation by an HPD Officer while she was driving to work, that last week she was hired to play viola in the orchestra of the Dancing Under the Stars Production in Miller Outdoor Theater, on Saturday, May 25, 2013, she was driving her normal route to the theater, when she reached the point where she passed the Museum of Natural History and turned left on Hermann Park Drive the street was blocked off, she did not know which other streets might be blocked off and did not want to be late for work so she stopped to ask a police officer for directions, she showed him the parking pass that all cast members were given and asked which way she needed to go in order to get to the theater, he told her to go in the direction of traffic, because the street was blocked off and cars were not moving it was not clear to her which direction was the direction of traffic, she drove closer to where he was standing and asked him

again which direction she needed to go, she did not want to get stuck going the wrong direction and not making it in time for the show, that he refused to give her directions and starting handcuffing her and arresting her, calling the District Attorney and multiple tickets, he even threatened to charge her with trying to run over him with her car, that her window was down and he reached into her car and grabbed her arm, she calmly told him to get his hands off of her, at that point he became even more out of control and angry and reached into her car, unlocked the door and threatened to drag her out of the car, that she believed there may have been police cars parked in front of her and there may be a video of this whole episode if they were equipped with cameras, that finally this officer could not come up with any other threats and people were stopping to watch what was going on, so he screamed at her to give him my driver's license and told her to pull over in front of the Museum of Natural Science, she parked her car where he said, got out of the car, and started video tapping him with the camera on her phone, at this point he wrote her a ticket, finally after a very harrowing and very unnecessary ordeal she could leave, she was still confused about which direction to drive, but eventually made it to the theater, since this ordeal she was absolutely terrified of police officers, that she had difficulty eating and sleeping and was in a constant state of nervousness, that she was afraid of retaliation by this police officer and his buddies, after all he knew where she lived, that nevertheless as a means of protecting herself and others, she knew that this would go into public record and if anything happened to her it should be obvious who should be at fault, that she found it absolutely terrifying that this man had a badge and was allowed to carry a gun, how could they help protect her and keep this kind of abuse from happening to anyone else. Council Members Adams and Rodriguez absent.

Mayor Parker stated that she sorry that Ms. Armstrong had a negative encounter with a Houston Police Officer and she would apologize for that, that her best recourse was to file a formal complaint against the officer through the Houston Police Department, that there was a sergeant present who could assist her with that, that she realized she may have brought this incident to a public place for attention, but it did not appear on an officers record unless there was a formal written complaint filed and it went through their investigatory process inside the department, that she would encourage her to do that, that she saw that Ms. Armstrong was given a ticket for driving left of the yellow line, and failure to obey lawful orders of a police officer to backup, and stated that she would encourage her to follow the formal process. Council Members Adams and Rodriguez absent.

Mr. Mustafa Tameez, 10850 Richmond, Houston, Texas 77042 (713-247-9600) had reserved time to speak, but was not present when his name was called. Council Members Adams and Rodriguez absent.

Mr. Sammie Jones, 3325 Airport, Houston, Texas 77051 (713-733-9820) had reserved time to speak, but was not present when his name was called. Council Members Adams and Rodriguez absent.

Mr. Derrick Green, 3332 Dragonwick, Houston, Texas 77045 (713-433-3329) had reserved time to speak, but was not present when his name was called. Council Members Adams and Rodriguez absent.

Mr. Steven Williams, No Address, No Phone, had reserved time to speak, but was not present when his name was called. Council Members Adams and Rodriguez absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the President Joseph Charles of the U.S., that he was present to file charges of police brutality; and continued expressing his personal opinions until his time expired. Council Members Adams and Rodriguez absent.

Mr. Don Cook, 7954 Glenheath, Houston, Texas 77061 (713-705-5594) appeared and stated that he was present to inquire the legal justification last Friday, May 24, 2013, at Rothko Chapel, for the Houston Police Department shutting down an event by the entertainer Kanye West, that he saw it in the newspaper and was passing out a copy of that and also a copy of the coverage by the Guardian in London, there had been a number of articles and media outlets around the world about this, and there had not been, as far as he knew, any justification for it, although he was sure there was one, and he wanted to ask the Mayor and City Council what it was. Council Members Adams and Rodriguez absent.

Mayor Parker stated that just for the edification of the public the Rothko Chapel was private property and if they wanted to stage an event on private property they had to get permission from the property owners. Council Members Adams and Rodriguez absent.

At 11:13 a.m. Mayor Parker stated that they would proceed with the agenda. Council Members Adams and Rodriguez absent.

42. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 10.520 acres commonly known as 801 Gillette Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C – COHEN** – was presented. Council Member Brown voting no, balance voting aye. Council Member Gonzalez out of the city on city business. Council Members Adams and Rodriguez absent. ORDINANCE 2013-0500 ADOPTED.
43. ORDINANCE appropriating \$1,000,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing payments for land acquisition costs, condemnations, appraisal fees, title services, relocation expenses and other services for various water projects; finding a public necessity for such projects and for the design and construction of transmission and distribution lines to convey treated water from surface water facilities - was presented, and tagged by Council Member Green. Council Member Rodriguez absent.
44. ORDINANCE issuing a permit to **GENESIS NATURAL GAS PIPELINE, L.P.**, 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. Council Member Rodriguez absent.

Council Member Noriega stated that her comments were for Item Numbers 44 through 48, they had made progress with the City processes for pipeline easements and for permitting, now they were coming in for all pipelines, they were geo coded and put into a database and that information was shared so that emergency responders had access to that information in case of an emergency, nonetheless they still needed to make some improvements, they continued to work with Mr. Mark Loethen, PWE, and Mr. Carl Matejka, Emergency Management, to revise their review system so that at the time of permitting they access potential impacts to City of Houston critical equipment if there were to be an incident, figuring out what was in them and how dangerous they were, what kind of pressure they were under, what kind of facilities they threatened, they needed to do this so they could plan and prepare, minimize losses and be able to protect citizens if there was a pipeline emergency of some kind.

A vote was called on Item No. 44. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0501 ADOPTED.

45. ORDINANCE issuing a permit to **KINDER MORGAN LIQUID TERMINALS LLC** to operate, maintain, improve, repair and replace nine existing pipelines 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. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0502 ADOPTED.
46. ORDINANCE issuing a permit to **PHILLIPS 66 PIPELINE, LLC** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0503 ADOPTED.
47. ORDINANCE issuing a permit to **TOLEDO GAS GATHERING, LLC** to operate, maintain, improve, repair and replace two existing pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICTS E - MARTIN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0504 ADOPTED.
48. ORDINANCE issuing a permit to **WILLIAMS PURITY PIPELINES, LLC** to operate, maintain, improve, repair and replace two existing pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICTS D - ADAMS; E - MARTIN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0505 ADOPTED.
49. ORDINANCE approving and authorizing Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Rehabilitation or Replacement of Hollister Road at Proetzel's Branch - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0506 ADOPTED.
55. ORDINANCE appropriating \$7,171,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contact to **INDUSTRIAL TX CORP.** for Pump and Lift Station Renewal and Replacement; 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 - **DISTRICTS A - BROWN; B - DAVIS; and E - MARTIN** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0507 ADOPTED.
56. ORDINANCE appropriating \$2,210,800.00 out of Water & Sewer System Consolidated Construction Fund, awarding contact to **HUFF & MITCHELL, INC** for Neighborhood Sewer System Improvements; 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 - **DISTRICTS B - DAVIS; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** – was

presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0508 ADOPTED.

57. ORDINANCE appropriating \$2,186,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **DCE CONSTRUCTION, INC** for Water Line Replacement in Farrington Place 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 and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - DAVIS and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0509 ADOPTED.
58. ORDINANCE appropriating \$2,958,400.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Aldine Westfield 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 - **DISTRICTS B - DAVIS and H – GONZALEZ** – was presented, and tagged in Council Member Davis.
62. ORDINANCE appropriating \$4,445,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SER CONSTRUCTION PARTNERS, LLC.** for proposed 42-inch Discharge Water Line from Katy Addicks Repump Station to Church Lane; 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 - **DISTRICTS A - BROWN and K - GREEN** – was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0510 ADOPTED.

MATTERS HELD - NUMBER 64

64. ORDINANCE approving the closings to vehicular traffic of At-Grade Street Railroad Crossings at Bell Street, Pease Street, Sherman Street, and Brady Street at the Union Pacific Railroad Company's Crossings related to the East End I Quiet Zone requirements - **DISTRICT I - RODRIGUEZ – (This was Item 40 on Agenda of May 15, 2013, TAGGED BY COUNCIL MEMBER NORIEGA)** – was presented.

After discussion by Council Member Noriega, a vote was called on Item No. 64. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Brown absent. ORDINANCE 2013-0511 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Laster stated that he wanted to welcome to the District J staff Mr. John Flores as the Agenda and Policy Director for District J; that even though his niece would probably never see this he would like to congratulate Elizabeth Ann Laster on her graduation this Saturday from high school at Saint Dominic Savio in Austin, Texas. Council Member Brown

absent.

Council Member Noriega stated that this week started their budget deliberations and they were going through and meeting with each department and looking at what their priorities and suggestions were and all she would like to say was that budgets were moral documents and what they chose to fund and not to fund was what really they were about, that the people of this City were their first priority and their responsibility was to make the very best decisions about what they could about their priorities and policies, that she would remind the City that this was something that mattered and they cared deeply about it. Council Member Brown absent.

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

Council Member Green announced events he attended or would be attending; and stated that with regard to Pay Day Lending, game rooms and boarding houses and a lot of the issues that were not addressed within the Legislative session, he thought it would probably be good if the Legislative Affairs Committee got back together and talked about what happened and what did not happen and if there was a way that they as a Council could move forward some sort of ordinances or things they could do locally, that he would like to have the opportunity to review and looked forward to working with the administration. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

Mayor Parker stated that the reason they posted, after presenting to Council, their proposal as a starting point baseline ordinance was to make sure that everybody understood that if the State did not act, and they should have acted, it was a shame that they did not, that they would take it up, that frankly the month of June was largely consumed with the budget, but immediately after that a lot of the things that were in the pipeline would start moving, and she looked forward to working on Pay Day Lending particularly. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

Mayor Parker stated that she wanted to remind everybody that was watching that swimming pools were open in the City and they needed to go out there and use those public swimming pools. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

Council Member Davis announced events he attended or would be attending; and stated that he did not know how hard it would be, and they started it in his office, but he would be willing to take the reins on possibly getting lawn services brought back to the City so they could begin to hire some high school students, some type of cash flowing into the community. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

Mayor Parker stated that they had Summer Job Programs in the past and they had always been through the use of Federal Funds, that she was not aware that they had ever funded them locally, but it was a productive discussion. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

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

Mayor Parker stated that she wanted to note that Ms. Ashley McGinnis would be graduating from Spring ISD Wunche High School, and believed that was Ms. Barbara Guzman's granddaughter, so yea for her and congratulations, that she knew Ms. Guzman would be there watching Ashley graduate. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

Council Member Bradford stated that after hearing of Pay Day Lending, Eight Liner Machines and plastic bags and other things, he wanted to remind them that Texas was Texas, and growing because Texas had gotten a lot of things right, no State income tax, friendly business environment, less regulations than many other States, let them be careful and not drive businesses out of Houston into Harris County and other parts of the great State of Texas. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

Council Member Adams stated that he wanted to congratulate Council Member Martin, who was a graduating parent as well this weekend. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

There being no further business before Council, the City Council adjourned at 11:40 a.m. Council Member Gonzalez out of the city on city business. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary