

City Council Chamber, City Hall, Tuesday, July 30, 2013

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

At 1:50 p.m. Mayor Parker called the meeting to order and stated they would begin with Council presentations and called on Council Member Noriega for the first presentation. Council Members Davis, Adams, Rodriguez, Green, Burks and Christi absent.

Council Member Noriega stated that it was her pleasure to recognize the Certified Public Manager Program, CPM, both in the City of Houston and across the State of Texas, that joining them today were Dr. Howard Balanoff and wife, Mary, Director for the William P. Hobby Center for Public Service at Texas State University, Dr. Don Moore, with wife Louann, CPM Coordinator for Sam Houston State University, who taught the CPM Program at the EB Cape Center, Ms. Renée Cross, CPM Director at the University of Houston, Ms. Maggie Manzano, CPM Advisor and Coordinator at the University of Houston and Ms. Delores Chambers, Administrative Aid for former Lieutenant Governor William P. Hobby and invited them to join her at the podium; that two of her staff, Ms. Toya Ramirez and Ms. Sheri Weesner, had been through the program and was very proud of both of them, that the program allowed public and non profit sector professionals to improve their workplace performances and encouraged the best practice standards that made CPM a designation nationally recognized and viable as an alternative for government employees to obtain the education offered in a Masters of Public Administration Degree, that they invited the City employees, and individuals from the non profit sector as well, who had earned the CPM designation to join them in the audience and asked that they stand and be recognized, that they thank all of them for wanting to better themselves and congratulate them on their accomplishment of becoming Certified Public Managers and Mayor Parker stated that therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed today as Certified Public Manager Day in Houston, Texas, and stated that she would add her congratulations and thanks to those of Council Member Noriega's staff and all those who had been through the program. Council Members Davis, Green and Christi absent.

Mayor Pro Tem Gonzalez and Council Member Pennington congratulated the CPMs for having the courage and dedication to improve themselves, that they were grateful for their leadership and service. Council Members Davis and Green absent.

Mayor Pro Tem Gonzalez stated that Mayor Parker would be accepting an award from the American Public Works Association on behalf of the Public Works Department. Council Members Brown, Davis and Green absent.

Mayor Parker stated that she wanted to invite Public Works Director Dan Krueger and his team to the podium.

Ms. Elizabeth Treadway, President of the American Public Works Association, stated that today she was present to make a presentation on behalf of the association to recognize the accreditation of the Public Works and Engineering Department, that the accreditation process for APWA started almost 20 years ago, there were only 84 agencies in the United States and Canada who currently held that accreditation, Houston was the 84th and also the largest Public

Works and Engineering Department that they were recognizing, that it truly was a recognition of outstanding commitment to continuous improvement, in fact the standards that the agency had to be reviewed through was the seventh edition of their professional standards, so they continuously change and advance those standards and the agency must change and advance as well, that the recognition stood for four years and they would be back in 2017 to make the presentation again, that one of the things she would like them to know about their own agency was that there were 445 standards they met full compliance on, 35 of which they had been honored to being really model principles and they would share those with other agencies throughout North America, they should absolutely be proud of the men and women who were represented today by the leadership of their organization, but also to realize that the commitment came as a partnership of community, elected officials and professionals, that this did not get achieved by a single effort, nor did it get achieved in a moment, so it was years of experience and years of professionalism that had brought their agency to this recognition, and was pleased to present a courageous plaque to the Mayor on behalf of the American Public Works Association. Council Member Green absent.

Mayor Parker stated that she was happy to accept it on behalf of the City, but it was going to the Public Works Department, and the person to receive it should be the head of the Public Works Department, and offered the plaque to Mr. Dan Krueger and asked that he say a few words about the process. Council Member Green absent.

Mr. Dan Krueger, Director, Public Works and Engineering Department, stated that they actually had their plaque hanging in the lobby of 611 Walker and this one was hers; and stated that it was all about serving Houstonians better and it was their honor and privilege, in the Public Works and Engineering Department to serve Houstonians with their basic infrastructure systems each and every day, and there was a committed team of almost 4,000 public servants that did that each and every day and he was appreciative of their efforts and the leadership of the ladies and gentlemen behind him in leading that team and would also like to distinctly express appreciation today for their departmental accreditation coordinators, Ms. Karen Leback and Mr. John Brown and all of the division accreditation coordinators that were present in the Council Chamber today, that this was about continuously seeking improvement, the association structure, through the accreditation process had been extremely valuable to them in accessing themselves, seeking and accomplishing improvement and it was very much their commitment to work with the associations program to achieve improvement each and every day. Council Member Green absent.

Mayor Pro Tem Gonzalez and Council Members Noriega and Pennington congratulated the Department of Public Works and Engineering for doing an outstanding job and thanked Ms. Treadway and the American Public Works Association for evaluating their City and the Department of Public Works . Council Members Davis and Green absent.

Mayor Parker stated that they would hang the plaque in a place of honor at City Hall, that she appreciated the effort on the part of the Public Works Department to achieve the accreditation. Council Members Davis and Green absent.

Mayor Parker stated that the final presentation today was a presentation by the community, and asked the representatives from India House to come forward, Mr. Durga Agrawal, Trustee, Mr. Brij Agarwal, Executive Board Member, Mr. Jugal Malani, President, Mr. Jiten Agarwal, Executive Board Member, and Mr. Devinder Mahajan and Mr. Ashutosh Garg, from Arya Samaj, that she would ask that they describe the presentation.

Mr. Malani stated that they all were shocked by the tragedy in which the four gallant firefighters sacrificed their lives to save the lives of other fellow citizens from the fire, there could not be a greater sacrifice by a human being other than laying down his life to save the life of

others, while being aware of the risk to his own life, that no amount of words could be enough to describe the valor, the bravery and service of these heroes, that life lost could not come back, but with some help, in whatever form, this could bring their families some comfort and feeling that they were not alone in their hour of grief, that he, on behalf of the Indo American Community, India House, Nation, India Cultural Center and Arya Samaj, would like to take the opportunity to very humbly present a check of \$58,000 to the firefighters fund and requested that Mayor Parker accept the same.

Mayor Parker stated that on behalf of the City of Houston and the firefighters they lost and their families she was most proud to accept the check, that she knew the Indo American Community reached out to her in the immediate aftermath of the event, they gathered in prayer and also through a spontaneous outpouring collected funds to benefit the families of their fallen firefighters and she was truly grateful for their efforts, they once again showed what a beautiful and caring City they lived in the City of Houston, and thanked them.

Mr. Malani stated that India House was contributing \$35,000, Arya Samaj, \$5,000 and the India Cultural Center was contributing \$2,600.

Mayor Pro Tem Gonzalez stated that Chief Garrison, Houston Fire Department, was not able to be present today due to being out of town, but they were joined in his absence by Captain Lozano, representing the Houston Fire Department.

Mr. Durga stated that they appreciated the City of Houston, who donated a half a million dollars for India House five years ago and because of the support from the City of Houston they were where they were at India House, that he wanted to commend their forward thinking.

Mayor Pro Tem Gonzalez, Council Members Pennington, Rodriguez, Hoang, Green and Adams thanked India House and the Indo American Community for their contribution, sensitivity and generosity to the firefighters, and for what they had done for the community.

Mayor Parker stated that she had a certificate of appreciation on behalf of the City to thank them for this gift, and would also ask everyone to continue to hold the firefighters in their prayers, Captain Dowling in particular, who was still hospitalized and had a long long way to go and this gift would help all of the families of the firefighters who were injured in the fire.

At 2:14 p.m. Mayor Pro Tem Gonzalez recognized Council Member Rodriguez for the invocation and pledge of allegiance.

The City Secretary called the roll. Council Members Cohen and Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Costello absent on city business.

Council Members Gonzalez and Pennington moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Cohen and Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Costello absent on city business. MOTION ADOPTED.

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 Members Davis, Gonzalez, Green and Noriega absent.

Mr. David Milich, 1333 West Loop South, Houston, Texas 77027 (713-296-4872) appeared and stated that he was the Chief Executive Officer for United Health Care, based in Houston, and had the responsibility for the southern half of Texas, that he was present on

behalf of 1,200 local Houston employees, and 10,000 employees across the State of Texas to say thank you for what was approaching a nearly 20 year relationship with the City and their providing dental benefits to the employees and their families, that he was proud to say they provided dental benefits to nearly 20,000 employees, retirees and their families, and everyday their team woke up to try to help people live healthier lives, that was their mission and what they tired to do day in and day out through a variety of programs that they offered, not only through dental plans, but also through medical plans that they had and essentially provided those services to nearly one million Houstonians. Council Members Davis, Gonzalez, Green and Noriega absent.

Council Member Christi stated that he liked one line, and wished that all insurance companies would be able to say, "we car about our patients and we want them healthy", that he was a provider for United Health Care and they focused on the patient and asked how the patient was doing, they would never lose, and Mr. Milich stated that was their intent. Council Members Davis, Gonzalez, Green and Noriega absent.

Mr. Dick Tyson, 33075 Mustang Road, No. 2210, Alvin, Texas 77511 (832-340-3668) appeared and presented a handout about the Metro rail accident on July 22, 2013, and stated that he lived in Alvin, that the handout was why he was present, it was for the life of the young Rice student and to celebrate her short life, and for family and friends and those involved, that Houston was a proud City and could be proud of the people at that event, the police did their job and handled it very well, the firefighters came with their usual skill and equipment and it was handled as well as it could be, the tragedy of something like that was for everyone, that he had walked across that same intersection before and it was very difficult to ride a bicycle over the railroad tracks and they just had to be extremely careful, and in this case it was tragic, that he hoped that they could remember, that he wished he could have walked across with her and did not think that would have happened, that they just had to go forward. Council Members Davis, Green and Noriega absent.

Mayor Parker stated that she wanted to thank Mr. Tyson for taking the time to come down and remember Ms. Guan, that it was a very sad incident and knew that those who responded to the incident, police and firefighters, it was tough for them to be there, knew they appreciated Mr. Tyson's compliments on their professionalism, that Metro was still engaged in an investigation of the incident, they all hoped they could find out exactly what happened in order to try to prevent this happening to somebody else, that she wanted to thank him for taking the time to come down. Council Members Davis, Green and Noriega absent.

Ms. Christine Wysong, 1206 California Street, Houston, Texas 77006 (817-228-3238) had reserved time to speak, but was not present when her name was called. Council Members Davis, Green and Noriega absent.

Mr. /Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (FA34511) had reserved time to speak, but was not present when his name was called. Council Members Davis, Green and Noriega absent.

Ms. Joy Boone, 5318 Crawford, Houston, Texas 77004 (713-459-4669) appeared and presented a handout and stated that she lived and worked in the museum district for the last 45 years, that they had a neighborhood association who had petitioned the City to put in a No Yard Parking Ordinance, that she had not seen any violations of that, except one yard, the organization was organized by a bunch of people who were new in the neighborhood and a lot of developers, but the law was not followed, they had not posted their signs, they came down after the protest, they had not been posted since then, and by law, she understood, it had to be posted until the City Council made their vote, and to her knowledge they had not done it, that she would ask them that they decline their application or at least send it back, it was a very big

hardship on their poor neighborhood, it was just north of Hermann Park and south of Highway 59, in the handout was a map showing the civic club boundaries and the area they were targeting, it was a very old neighborhood, 90 plus years and transitioning from a poor neighborhood to a more wealthy neighborhood, via the townhouses, that in their neighborhood there were many of them who had lived there for many years and the diversity had always been a live and let live neighborhood. Council Members Davis, Green and Noriega absent.

Mayor Parker stated that another member of her civic association had been to Council and raised the issue of whether or of the requirements of the ordinance were properly followed and she had held up bringing the item to Council as they went back through to determine whether all of the rules had been met, that the issue that had been raised was whether the signs were properly up and documented and whether they stayed for the duration, that the ordinance predated her at Council, she did not write the ordinance, but if she read through the ordinance there were a number of different steps that had to be taken, the signs were the first step but the key element of the ordinance was that every household in the proposed "No Parking in Yards" District had to receive formal notice from the Planning Department, they did not leave it to the civic association to make that notification, they did not depend on four signs on the four corners of the neighborhood, they depended on the notice to Council Members, that she believed that the due diligence period had resulted in a recommendation that they go forward with the proposed ordinance, she would be sharing all of the facts gathered with City Council, but she wanted her to be aware that the key element was had every property owner been given the notice and opportunity to protest, that it was the vote of Council that actually created the "No Parking in Yards" District and it was up to each Council Member to decide if the ponderance of support was for the ordinance or against the ordinance, so all of that information would be presented to Council. Council Members Davis, Green and Noriega absent.

Council Member Burks asked Ms. Boone how she was paying her property taxes, and Ms. Boone stated with her social security, that HCAD in their neighborhood flip flopped the land and house values, probably 8 or 9 years ago, which meant they were teardowns in that neighborhood, and that was how everything was being pushed, as a teardown, as such the taxes had gone up, that she worked to pay the taxes and this was another tax. Council Members Davis, Green and Noriega absent.

Council Member Adams stated that when talking to Ms. Boone and other residents of the Museum District area it was more of a communication of whether or not this particular ordinance fit the community at this time, that she thought the City and Planning Department had done their due diligence in following the rules with the Legal Department because the sign was removed by someone, but they did ask them to put the sign back up, but she thought the issue was that they put meters in the area as well and now there was overflow parking going on some of the A line streets, a few residents felt if this was an overflow they did not want this to affect their neighborhood because there was limited parking already in the museum area, that she was still communicating with the Planning Department, but right now they had to move the way it was and hopefully they would look at how this would affect Ms. Boone neighborhood versus how it would not, but just by hearing the other constituents they thought it was going to affect it. Council Members Davis, Green and Noriega absent.

Mayor Parker stated that what was going to happen was they would present all of the evidence to Council and it would be up to Council Members to determine how to move forward. Council Members Davis, Green and Noriega absent.

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77018 (832-453-1900) had reserved time to speak, but was not present when his name was called. Council Members Davis, Green and Noriega absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that they had been challenged by him on the grounds of his constitution, of the United States of America, that he was also the official President of the U.S. and voiced his personal opinions until his time expired. Council Members Davis, Green and Noriega absent.

At 2:45 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, July 31, 2013. Council Members Cohen and Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Costello absent on city business. Council Members Davis, Green and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, July 31, 2013, with Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, 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; and Ms. Marta Crinejo, Agenda Director, present. Council Member Dave Martin absent on personal business. Council Member Mike Laster out of the city on personal business.

At 8:30 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:13 a.m. Mayor Parker stated that this was the meeting where they had the Monthly Financial and Operations Report and had a public hearing scheduled, and recognized Council Member Gonzalez for a procedural motion. Council Members Davis, Hoang and Noriega absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of considering Item No. 2, the Monthly Operations and Financial Report and Quarterly Investment Report, Item Numbers 12 and 1 out of order, seconded by Council Member Costello. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Noriega absent. MOTION 2013-0517 ADOPTED.

Mayor Parker stated that would allow them to make their appointments, an item having to do with Buffalo Bayou Partnership disposed of before they had the longer conversations around the TIRZ. Council Member Noriega absent.

2. REQUEST from Mayor for confirmation of the appointment of **PAMELA J. GARDNER**, to Position Three of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for a term to expire August 31, 2014 – was presented, moved by Council Member Gonzalez, seconded by Council Member Christi. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Noriega absent. MOTION 2013-0518 ADOPTED.

Mayor Parker stated that they just appointed a new member to the Harris County Sports Authority Board of Directors and invited Ms. Pam Gardner to the podium, and stated that many of them knew Ms. Gardner as the former President of the Houston Astros, that she brought a wealth of experience to the Sports Authority Board, that they were very happy that she had chosen to offer her time and she wanted to thank Chairman Freedman, who was in the audience, for the work he did.

Council Members Rodriguez, Cohen, Pennington and Burks congratulated Ms. Gardner for her appointment to the Harris County Sports Authority Board of Directors and thanked her for her service to the City of Houston. Council Member Noriega absent.

Ms. Gardner stated that she would offer that everyone have patience with the new Astros team as they moved, that she had worked with three owners and it took a little bit, but they would get there. Council Member Noriega absent.

Mayor Parker thanked Ms. Gardner for her willingness to serve and Ms. Gardner stated that it was an honor and a privilege. Council Member Noriega absent.

Mayor Parker invited Mr. Ronald Green, City Controller and Mr. Kelley Dowe, Director, Finance Department, to present the Monthly Financial and Operations Report. Council Member Noriega absent.

**9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY**

including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

Mr. Green and Mr. Dowe reviewed the Monthly Operations and Financial Report, and Mr. Green reviewed the Quarterly Investment Report and the SWAP Report, a copy of which is on file in the City Secretary's office for review. Council Members Hoang and Noriega absent.

Upon questions by Council Member Burks, Mr. Dowe stated that he believed they had consistently categorized their ambulance fee billings as having issues, that all along, he thought, they had said that they had been working with the vendor to try to sort through those issues and that they were not satisfied where they were at with ACS, that he would disagree with the characterization that they had never said anything or that they had said it was improving and were happy with where it was at, that this would be the first month that the impact actually showed up, in June 2013, they had issues, they tried to cure them with the vendor, they had hoped they could restart billing before the end of the fiscal year, unfortunately that did not work, so June 2013 was the month that revenue shortfall showed up, that was why it was in this report. Council Members Adams, Hoang and Noriega absent.

Council Member Costello moved to accept the Monthly Operations and Financial Report and the Quarterly Investment Report, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams, Hoang and Noriega absent. MOTION 2013-0519 ADOPTED.

Mayor Parker thanked Mr. Green and Mr. Dowe for the report, and stated that she trusted that the CAFR was proceeding well, and Mr. Green stated that the CAFR was proceeding quite well and would be out timely once again for the fourth year in a row. Council Members Adams, Hoang and Noriega.

Mayor Parker recognized Council Member Burks for a point of privilege. Council Members Adams, Hoang and Noriega.

Council Member Burks stated that the Texas League of Young Voters were present in the audience, and extended a warm welcome to the group and asked that they stand and be recognized, that they were present to observe the Council meeting, they worked to increase voter registration and election turnout among young people, and stated they would be visiting

with him for a few hours today. Council Members Adams and Noriega.

12. ORDINANCE approving and authorizing a naming rights agreement between **SILVER EAGLE DISTRIBUTORS, L.P., BUFFALO BAYOU PARTNERSHIP** and City of Houston for funding construction of improvements in Eleanor Tinsley Park – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. ORDINANCE 2013-0675 ADOPTED.

Mayor Parker invited Mr. Neu to the podium and stated they appreciated the work he was doing with Buffalo Bayou Partnership on Buffalo Bayou and particularly as they constructed Eleanor Tinsley Park and put in the Neu Pavilion and the Bud Light Amphitheater Bowl in there, that he had been a wonderful supporter of activities in Houston and frankly between the Neu Center that was going in to help them reclaim some of the history of the region and the pavilion, that they very seldom named things for living people in Houston, that it was a rare event, but they appreciated his generosity to the citizens of Houston.

Mr. Neu stated that he was glad they were naming a bowl while he was still alive, that as he was approached about creating the bowl, a permanent facility, he was reminded back in the late 1980s when they created the first citywide July 4th, every year they had to go back in and put electricity and other services, it became quite an expensive endeavor and they talked about creating some sense of a permanent pavilion and staging and that was what really caught his attention because now there would be a permanent infrastructure and it would take the Eleanor Tinsley Park, which was a real jewel for the City to begin with, and it would make it a permanent facility for the people and the citizens, they were very happy to have been part of this since the late 1980s and now making it permanent.

Mayor Parker stated that she was pleased, she knew Silver Eagle had a great record of safety, their vehicles, but she appreciated that he had signed on to their “No Texting While Driving Campaign”, they were going to proudly feature him on their website.

Council Members Costello, Rodriguez, Pennington, Cohen, Noriega and Davis thanked Mr. Neu for his generosity to the City of Houston and for advocating for Houston’s history, and Mayor Parker thanked Mr. Neu for all he did for their community.

Mayor Parker stated that they would move to the public hearing and invited Mr. Steve Kirkland, Legal Department, and Mr. Ralph De Leon, Mayor’s Office, to the podium to make the presentation.

## **HEARINGS**

1. **PUBLIC HEARING** regarding the creation of **REINVESTMENT ZONE NUMBER TWENTY-FIVE, CITY OF HOUSTON, TEXAS (HIRAM CLARKE/FORT BEND HOUSTON ZONE) - DISTRICT K – GREEN** – was called.

Mr. De Leon stated that in accordance with Section 311.003 of the Texas Tax Code, before the City could adopt an ordinance creating a reinvestment zone it must hold a public hearing, the hearing today was regarding the designation of Tax Increment Reinvestment Zone Number Twenty-Five, (Hiram Clarke/Fort Bend-Houston Zone), this was an area of approximately 5,633 acres located within a contiguous area of the City of Houston with 1,442 acres located in Fort Bend County and 4,194 acres located in Harris County, the proposed zone was generally bounded by South Main Street on the north, McCard Road on the south, and Interstate 288 on the east, in a district of the City commonly referred to as the Fondren Gardens Greater Hiram Clarke and Fort Bend-Houston area, that conditions within the proposed boundaries of the zone could be described as large tracts of under developed and vacant tracts



of land, that existing public infrastructure was characterized by lack of adequate roads, sidewalks, storm sewer, waste water and water systems, that an executive summary related to the designation of the Hiram Clarke/Fort Bend-Houston zone had been provided to each Council office, that goals and objectives of the proposed zone included provisions for the design and construction of public utility systems, roadways and streets, parks and recreational facilities, storm water management systems, cultural and public facility improvements and economic development, the proposed term of the zone would be 30 years, the City of Houston would participate at 100% of it's tax rate for the first 10 years of the zone, 90% of it's tax rate for the second 10 years of the zone and 80% of it's tax rate for the last 10 years of the term of the zone, considerate growth rates estimated projects, the zone would generate approximately \$63 million in increment revenue over the 30 year period, and in closing City staff would later bring forward a recommendation for Council to approve the designation of the Reinvestment Zone Number 25. Council Members Davis, Cohen and Rodriguez absent.

Mayor Parker asked if any other taxing entities participating in the zone, and Mr. De Leon stated that at this time they did not have confirmation. Council Members Davis, Cohen and Rodriguez absent.

Council Member Christi stated that he understood all of the infrastructure improvements and such, and asked Mr. De Leon to tell him two or three ideas on economic development, in the TIRZ what were they looking at, what were their goals in economic development. Council Members Davis, Cohen and Rodriguez absent.

Mr. De Leon stated that he did not have an answer for that right now. Council Members Davis, Cohen and Rodriguez absent.

Council Member Adams congratulated Council Member Green for his vision for economic development in District K and supported TIRZ Number 25. Council Members Davis and Rodriguez absent.

Council Member Green thanked Mayor Parker for working with them on this particular TIRZ, it was a long time coming; that in regard to what they were looking for, essentially this area had been neglected with regard to infrastructure improvement, street drainage, and things of that nature, and their objective was to make sure they had the dollars to work on this infrastructure projects so they could foster economic development, they felt if they had this TIRZ in place that they would have an opportunity to bring the much needed commercial and residential development to the area, they felt they had an opportunity to incentivize some commercial developers in the area to come, there were no quality grocery stores and were seeing a lot of their tax dollars going to Brazoria County and Pearland, because there were no substantial commercial development in the area, they had the Five Corners Management District in the area who had done great with making sure that crime was down, they had cameras all over and were doing a fantastic job in regard to getting the business community development, as well as beautification projects that were going on, they felt the TIRZ would only compliment that; that when they looked at allocation of resources and TIRZ dollars, actually District K received zero in TIRZ dollars from around the City, this was an opportunity for essentially to have dollars come into their area that were generated in their area and with local control and local individuals in the area who knew best what the needs were. Council Members Davis and Rodriguez absent.

Council Member Costello congratulated Council Member Green, and stated that the first day he walked into his office he showed him a map and was impressed that it only took Council Member Green two years to get it accomplished because that was a grandiose plan; and had one question for Mr. De Leon, he was looking at the financial numbers of the district and noticed that the Capital Improvement Plan was estimating about \$140 million, however the revenue to

the district was only \$60 million and asked where was the balance going to come from over the life of the TIRZ. Council Members Davis and Pennington absent.

Mr. De Leon stated there were two components to the answer, one was that they use a conservative estimate, a 95% collection rate and a 5% growth rate, which was an organic growth rate, what often happened in a TIRZ was a catalyst project would occur, they would have an inorganic jump in the real property value and then it would stabilize, so each time it happened they would get basically an unknown, but realized, increase in the tax base, so it was hard to track that on a graph, so they included provisions for that; and the second, there were discussions that potentially Fort Bend County might participate in the zone, they did not have confirmation of that at this time, if the particular revenue schedules he was looking at only showed the City's component of contribution to the increment fund, if the County were to come in they would see additional funds from the County tax base, and Council Member Costello stated there was also a possibility that the City's CIP might come in and do some of these capital improvements anyway, in Rebuild Houston, and Mr. De Leon stated in theory, and Council Member Costello stated that would bridge the gap. Council Members Davis and Pennington absent.

Council Member Burks stated that he was shocked to find out that in District K there were some areas that did not have the proper infrastructure in place, such as waste water and other items, and this would eliminate that, that as far as economic development he felt this was good, that he looked forward to seeing a balance, whereas monies did begin to stay in the communities. Council Members Davis, Pennington and Gonzalez absent.

Council Member Green stated that with regard to Fort Bend County's participation, they anticipated their signing on board, it was not official because there was nothing for them to vote on, but after speaking with the Commissioner they anticipated that Fort Bend County would also be paying into this particular fund. Council Members Pennington and Gonzalez absent.

Mayor Parker stated they had people who had signed up in advance to speak on this issue and asked Ms. Russell to call the speakers list. Council Members Pennington, Gonzalez and Burks absent.

Mr. Christopher Harvey, 303 Texas Parkway, No. 13, Missouri City, Texas 77489 (832-586-5335) appeared and stated that he was Communications Director for Fort Bend County Commissioner Grady Prestige, Precinct 2, that he was present to convey Commissioner Prestige's support for a TIRZ in the Fort Bend/Houston area, that the creation of the TIRZ would be a beneficial tool to help galvanize economic development in the Fort Bend area, track new investments, have new employment opportunities, as well as a better quality of life for the community involved, that Commissioner Prestige was cognizant of the fact that Mayor Parker was a community visionary and a strong supporter of business development, the Fort Bend/Houston area had a great working relationship with Council Member Green and always supported his advocacy to further assist the Fort Bend/Houston area with economic development initiatives, that this area met the criteria that was set by the City's Economic Development Office to be designated a reinvestment zone and they believed that the Fort Bend/Houston area had great potential to turn into a vibrant, flourishing community, so on behalf of the Fort Bend Commissioner Grady Prestige and the constituents of the Fort Bend/Houston area they wanted to urge the Houston City Council to vote in favor of TIRZ Number 25. Council Members Pennington, Gonzalez and Burks absent.

Mr. Theodore Andrews, 4019 Regency Dr., Houston, Texas 77045 (281-660-6400) appeared and stated that he was a resident of the Hiram Clarke Community, that he as in support of the Hiram Clarke/Fort Bend Houston zone, that he had lived in the community for over 25 years and had participated in the civic club groups and associations and knew his

neighbors, that some of the things they wanted in their community were better streets, better drainage without flooding, better and accessible sidewalks, they believed that all of these amenities would attract more businesses to their area, they also wanted improvements in their thoroughfares and they wanted enhanced parks, that their parks, schools and churches represented all of Houston's citizens, they believed that the creation of the zone would benefit by providing gateways between their neighborhoods and the adjacent new developments and enhance the sense of civic pride in their communities and encourage the sound growth in the areas, they believed the growth had been limited over a period of time and that their area had a over abundance of deteriorating structures, the zone proposed met the requirements of the Texas Tax Code and would come before the City Council for consideration, and on behalf of himself and other members of the community they ask that they support the zone when it came before them for Council action. Mayor Parker and Council Members Pennington, Hoang and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Members Green and Adams thanked Mr. Andrews for the work that he did with the civic clubs, and thanked the residents in the audience for coming and showing their support. Mayor Parker and Council Members Pennington and Burks absent. Mayor Pro Tem Gonzalez presiding.

Ms. Vivian Harris, 13906 Regg Dr., Houston, Texas 77045 (713-433-4597) appeared and stated that she was present to solicit their support for TIRZ Number Twenty-Five, once the TIRZ became a reality things would change for Hiram Clarke, that the TIRZ will help them become the community they once were, and it could also become better than it was in the past, that she was asking the Mayor and Council Members to support the TIRZ, that District K had been grossly neglected over the years and how they had a chance to take a negative situation and change it into a positive, that they had been denied many resources because of how their community was perceived, they sat right in the middle where they got nothing, that if the City could not help them and provide the needy resources to please provide the conduit to put in place and have in position to do what they had to do, they were blessed to have a Council Member who did more in deed than he did in words. Council Members Pennington, Gonzalez and Rodriguez absent.

Mayor Parker stated that obviously she was supporting the TIRZ, which was why it was on the agenda today, that she was not going to post it until they got confirmation from Fort Bend, that was the challenge, if they could not get it by Friday she could not post it for next week, but they would do it as quickly as they could, there were a lot of moving parts still. Council Members Pennington, Gonzalez and Rodriguez absent.

Council Member Christi stated when he first went on the Council he mentioned to Council Member Green that his most enjoyable screening for the office were the ladies from Hiram Clarke, they were straight shooters and did not ask for selfish things and he liked the honest requests, they were just quality of life requests, that he would be highly supportive of this. Council Members Pennington, Gonzalez, Rodriguez and Costello absent.

Council Member Green stated that Council Member Christi was right, that he went through those screenings as well, that they appreciated all of the work that the community had done with regard to the TIRZ and looked forward to moving the project forward. Council Members Pennington, Gonzalez, Rodriguez and Costello absent.

Ms. Linda Scurlock, 4747 Knotty Oaks Trail, Houston, Texas 77045 (713-433-5737) appeared and stated that she was the President of the South Houston Concerned Citizens Coalition, they were an alliance of 22 civic clubs and homeowners associations in the Hiram Clarke area, they worked to improve the community through the promotion of urban design and beautification, crime reduction and public safety, economic development, improved education and recreation and better housing, as they could see from their mission statement they

promoted all of the goals of the tax increment reinvestment zone, their organization had developed a great working relationship with Council Member Green and wholeheartedly supported the advocacy to further assist the Hiram Clarke Community with an economic development initiative, thus a tax increment reinvestment zone would be beneficial to spur economic development in their under served community, that because of it's close proximity to major thoroughfares and destinations as the Texas Medical Center, downtown, Hobby Airport and Reliant Stadium, the Hiram Clarke area would be an ideal place for development, that because of an over abundance of land they felt that the Hiram Clarke Community met the criteria set by the City Economic Development Office and would like to see some development of land, that she had lived in the community for 36 years, and when she moved there there were five grocery stores, now there were only two, they had one drugstore, they had a lot of residential, in the last 10 years they had about 20 new subdivisions, but there was nothing for the people there, that the money went to Pearland, they were within three to four miles from Pearland and everybody went down to Pearland, so Harris County and Houston were losing because the tax dollars were going to Pearland, if they could get economic development they could keep people in Houston, that she would ask the Council and Mayor to support the TIRZ. Council Members Adams, Pennington and Rodriguez absent.

Council Members Green, Burks and Bradford thanked Ms. Scurlock for all she did for her community. Council Members Rodriguez and Noriega absent.

Mayor Parker asked if there was anyone else who wished to address the issue and seeing none requested a motion to close the public hearing. Council Members Rodriguez and Noriega absent.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Burks. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0520 ADOPTED.

Mayor Parker stated that they would return to the consent agenda. Council Members Rodriguez and Noriega absent.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 2 through 47**

#### **MISCELLANEOUS** - NUMBER 3

3. RECOMMENDATION from Director Department Public Works & Engineering to accept the July 2013 Semiannual Report of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$11,166,468.26 to the Combined Utilities System Operating Fund for Revenue Bond Debt Service as recommended in the Report – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0521 ADOPTED.

#### **ACCEPT WORK** - NUMBERS 4 and 5

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,458,290.50 and acceptance of work on contract

with **C. F. MCDONALD ELECTRIC, INC** for Upper Brays Wastewater Treatment Plant Electrical Improvements - 10.23% under the original contract amount - **DISTRICT F - HOANG** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0522 ADOPTED.

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,475,878.50 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Water Pumping Station Upgrades - 7.82% under the original contract amount - **DISTRICTS A - BROWN; B - DAVIS; F - HOANG; G - PENNINGTON and K - GREEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0523 ADOPTED.

#### **PROPERTY** - NUMBERS 6

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jason Baezner, Llewelyn-Davis Shani, on behalf of Houston Community College, for abandonment and sale of Rosalie Street, from Main Street to Travis Street, located within the Fair Ground First Addition, out of the Obedience Smith Survey, A-676, Parcel SY13-065 - **DISTRICT C - COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0524 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 10

7. **DELL MARKETING, LP** for purchase of a Microsoft License Agreement through the Texas Department of Information Resources for the Houston Airport System - \$1,278,661.26 Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0525 ADOPTED.
8. **COMFORT SYSTEM USA (SOUTH CENTRAL), INC** to furnish and install Heating Ventilation and Air Conditioning Systems and Associated Equipment at Fire Station No. 29 for the General Services Department on behalf of the Houston Fire Department - \$74,944.00 and contingencies for a total amount not to exceed \$82,438.40 - Fire Consolidated Construction Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0526 ADOPTED.
9. **eCIVIS, INC** for purchase of a Software Master Subscription and Service Agreement for the eCIVIS Grants Network System for Various Departments - 5 years - \$175,000.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on

personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0527 ADOPTED.

10. APPROVE spending authority for purchase of Automotive Tools and Equipment from the State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program, from **SNAP-ON INDUSTRIAL a Division of IDSC Holdings LLC** - 3 years with two one-year options - \$1,219,800.00 - General, Fleet Management and Enterprise Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Rodriguez and Noriega absent. MOTION 2013-0528 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES** - NUMBERS 11 through 47

11. RESOLUTION supporting the proposal by **ENTERGY TEXAS, INC and ITC HOLDING CORP.** regarding the change of ownership and control of transmission business, transfer of certification rights, and related relief upon the guarantee of enumerated conditions in Public Utility Commission Docket No. 41223 - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. RESOLUTION 2013-0038 ADOPTED.
16. ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **MENTAL HEALTH MENTAL RETARDATION AUTHORITY OF HARRIS COUNTY FOR HOME AND COMMUNITY BASED MENTAL HEALTH SERVICES;** establishing a maximum contact amount - 1 year with four one-year renewals - \$929,000.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0676 ADOPTED.
19. ORDINANCE approving and authorizing lease agreement between the City of Houston and **ELLINGTON PARTNERS, L.P.**, for certain premises at Ellington Airport; terminating Lease Agreement No. 52752, as amended, by and between the City of Houston and Ellington Partners, L.P. - Revenue - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0677 ADOPTED.
22. ORDINANCE approving and authorizing first amendment to the lease agreement between **ADMIRAL LINEN SERVICE, INC** as landlord, and the City of Houston, as tenant - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0678 ADOPTED.
25. ORDINANCE awarding contract to **COASTAL PUMP SERVICES, INC** for Submersible Pump Repair Services for the Public Works and Engineering Department; providing a maximum contract amount - 3 years with two one-year options to extend - \$5,190,461.62 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business.

business. Council Members Adams and Noriega absent. ORDINANCE 2013-0679 ADOPTED.

26. ORDINANCE awarding contract to **SMITH PUMP COMPANY, INC** for Submersible Pump Repair Services for the Public Works and Engineering Department; providing a maximum contract amount - 3 years with two one-year options to extend - \$4,950,391.75 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0680 ADOPTED.
27. ORDINANCE appropriating \$400,000.00 out of the Fire Consolidated Construction Fund as an additional appropriation to **TIMES CONSTRUCTION, INC** for concrete repair services for Various Departments (approved by Ordinance No. 2012-0515) – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0681 ADOPTED.
29. ORDINANCE appropriating \$667,631.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; 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 contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-79) – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0682 ADOPTED.
30. ORDINANCE awarding contract to **NERIE CONSTRUCTION, LLC** for Waterline Wrap Repairs; 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 and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - \$1,079,738.00 Enterprise Fund – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0683 ADOPTED.
31. ORDINANCE awarding contract to **ISI CONTRACTING, INC.** for Concrete and Asphalt Restoration 3; setting a deadline for 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 and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - 2 years with one one-year option to renew - \$2,642,113.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0684 ADOPTED.
32. ORDINANCE granting to **NATION WASTE, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business.

Council Members Adams and Noriega absent. ORDINANCE 2013-0685 PASSED FIRST READING IN FULL.

33. ORDINANCE granting to **CD SERVICES LLC DBA GENERAL SITE SERVICES, 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 - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0686 PASSED FIRST READING IN FULL.
34. ORDINANCE granting to **DARLING INTERNATIONAL, INC., A Delaware Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0687 PASSED FIRST READING IN FULL.
35. ORDINANCE granting to **YC DISPOSAL, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0688 PASSED FIRST READING IN FULL.
36. ORDINANCE granting to **BCS RESOURCE, 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 - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0689 PASSED FIRST READING IN FULL.
37. ORDINANCE granting to **PERFORMANCE CONTRACTING, INC, A Kansas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0690 PASSED FIRST READING IN FULL.
38. ORDINANCE granting to **OIL PATCH TRANSPORTATION, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on



personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0691 PASSED FIRST READING IN FULL.

39. ORDINANCE granting to **GERARDO BERMUDA DBA GREASE RECYCLERS CO-OP GREASE TRAP & SEPTIC, A Texas Sole Proprietorship**, 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 - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0692 PASSED FIRST READING IN FULL.
40. ORDINANCE granting to **ARC ABATEMENT, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0693 PASSED FIRST READING IN FULL.
41. ORDINANCE granting to **JIANQI AN DBA GREENLAND WASTE COLLECTION, A Texas Sole Proprietorship**, 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 **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0694 PASSED FIRST READING IN FULL.
42. ORDINANCE granting to **ECO WASTE AND RECYCLING, 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 **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0695 PASSED FIRST READING IN FULL.
43. ORDINANCE granting to **HILARIA DUARTE DBA EAGLE PRENTICE, A Texas Sole Proprietorship**, 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 **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0696 PASSED FIRST READING IN FULL.
44. ORDINANCE granting to **EXPRESS DUMPSTER INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent

on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0697 PASSED FIRST READING IN FULL.

45. ORDINANCE granting to **OMAR PATRICIA ENTERPRISES, INC. DBA O.P. ENTERPRISE WASTE SERVICES, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0698 PASSED FIRST READING IN FULL.
46. ORDINANCE granting to **TEXAS PRIDE SEPTIC, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0699 PASSED FIRST READING IN FULL.
47. ORDINANCE granting to **G.I. ENVIRONMENTAL VACUUM SERVICE, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING** – was presented. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0700 PASSED FIRST READING IN FULL.

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

13. ORDINANCE approving and authorizing contract between the City of Houston and **SEARCH HOMELESS SERVICES**, providing up to \$133,883.00 in General Funds to assist in the Administration and Operation of the Engagement Services Program – was presented. Council Member Brown voting no, balance voting aye. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0701 ADOPTED
14. ORDINANCE approving and authorizing first amendment to loan agreement between the City of Houston and **HOLLY VIEW APARTMENTS, LLC** for Holly View Apartments, an Affordable Rental Housing Community located in the vicinity of 5555 Holly View Drive, Houston, Texas - **DISTRICT B - DAVIS** – was presented. Council Member Brown voting no, balance voting aye. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Adams and Noriega absent. ORDINANCE 2013-0702 ADOPTED
15. ORDINANCE approving and authorizing the reconstruction of Six Single Family Homes and providing \$691,350.00 of Community Development Block Grant (Disaster Recovery) Funds and \$138,490.00 out of TIRZ Affordable Housing Fund for the Six Reconstruction

Projects; approving and authorizing a Master Contractor Agreement and Reconstruction Agreements between the City and **MAYBERRY HOMES, INC** for the Six Reconstruction Projects; authorizing the Director of the Housing and Community Development Department to select, pursuant to applicable guidelines, replacement properties and to approve plans and budgets for each property to be reconstructed - **DISTRICTS B - DAVIS; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nay none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Noriega absent. ORDINANCE 2013-0703 ADOPTED

17. ORDINANCE approving and authorizing the submission of an application to **THE UNIVERSITY OF CALIFORNIA, LOS ANGELES** for a grant for the implementation of evidence and practice based strategies to increase healthy eating and physical activity; 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 \$449,596.00 - Grant Fund – was presented. Council Member Noriega absent.

After discussion by Council Members Gonzalez and Christi a vote was called on Item No. 17. Council Member Brown voting no, balance voting aye. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Green and Noriega absent. ORDINANCE 2013-070704 ADOPTED

18. ORDINANCE approving and authorizing lease agreement between the City of Houston and **UNITED AIRLINES, INC** for employee parking areas at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - DAVIS** – was presented. All voting aye. Nay none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Green and Noriega absent. ORDINANCE 2013-0705 ADOPTED
20. ORDINANCE approving and authorizing Amendment No. 5 to an Air Show Agreement between the City of Houston and **COMMEMORATIVE AIR FORCE, INC** for Conducting Annual Air Shows at Ellington Airport - Revenue - **DISTRICT E – MARTIN** – was presented, and tagged by Council Member Christi. Council Members Green and Noriega absent.
21. ORDINANCE appropriating \$4,500,000.00 out of Airports Improvement Fund as an additional appropriation to three On-Call Professional Aviation Planning Consulting Services contracts between the City of Houston **HNTB CORPORATION, LEIGHFISHER, INC AND RICONDO & ASSOCIATES, INC** (Project Nos. 688A, 688B and 688C); amending Ordinance No. 2012-677 to increase the maximum contract amount - **DISTRICTS B - DAVIS; E - MARTIN and I – RODRIGUEZ** – was presented, and tagged by Council Member Burks. Council Member Green absent.

Council Member Burks stated that he would release his tag for discussion by Council Member Adams. Council Member Green absent.

Council Member Adams stated that she had concerns over past performances, not just MWBE, but those that were non DBE firms as well, especially some of the firms that had been listed and been doing business with some of the prime contractors since 2008, that she wanted answers, not just from OBO or the Airport, but she wanted to hear from the companies as well, that currently there was a contract on the table for \$4.5 million and she thought the companies needed to supply them with some written responses on why they were not using some of the

firms, that she did not think they should continue to use companies who were not meeting their goals, that she did not know if she wanted to tag or sent it back, but would support the tag by Council Member Burks.

Mayor Parker stated that she would encourage Council Member Adams to tag the item, that a tag actually meant that she had questions, this was the first she had heard those questions from Council Member Adams and would appreciate the opportunity to answer those questions, and Council Member Adams stated that she had communicated with OBO and they communicated with the Airport and that was how she was able to get the list, that she included Mayor Parker, but sometimes she let the directors handle and do what they were supposed to do, and they provided all of the documentation, and that she would tag Item No. 21.

Council Member Bradford asked if there was a requirement that the department directors take advantage of the utilization schedules that the transition team that looked at this issue when Mayor Parker first came into office.

Mayor Parker stated that the broader answer was that there were different requirements on aviation projects than there were for other types of projects, they had to meet federal requirements and to her knowledge all of these contractors had met every federal requirement; did they have to adhere to the recommendations that her transition task force recommended, of course not, that was an advisory document that came to her, although she would point out that well over 90% of the recommendations made by her task force had been implemented over the last few years and ultimately these were goal based targets, the companies had the opportunity to change their subs after the initial award, they had the opportunity to add or subtract, although it was OBOs responsibility to track and make sure they were making a good faith effort to meet their original commitment; that she would remind them that what was being referred to was a previous contractual relationship that began before they made the changes to their MWBE Program, that these were also on-call contracts, so it depended on what broke in order for the call to be made. Council Member Cohen absent.

Mayor Parker stated that Item No. 21 had been tagged by Council Members Burks and Adams. Council Member Cohen absent.

23. ORDINANCE approving and authorizing contract between the City and **DIGITECH COMPUTER, INC** for EMS Billing and Collection Fee Services - 4 years with four one-year renewal options – was presented, and tagged by Council Members Bradford and Rodriguez. Council Member Cohen absent.

24. ORDINANCE awarding contract to **DPN USA, LLC d/b/a HEALTHFAIR** for Employee Biometric Screening Services for the Human Resources Department; providing a maximum contract amount 3 years with two one-year options - \$2,129,000.00 - Health Benefit Fund – was presented. Council Member Cohen absent.

After discussion by Council Members Adams and Christi, a vote was called on Item no. 24. All voting aye. Nay none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Noriega absent.  
ORDINANCE 2013-0706 ADOPTED

28. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 0.148 acre commonly known as 2500 Shakespeare Road, 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

Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Noriega absent. ORDINANCE 2013-0707 ADOPTED

**NON CONSENT AGENDA** - NUMBER 48

**MISCELLANEOUS**

48. RECEIVE nominations for appointments to Positions A, D, G, J, At-Large 2 and At-Large 5 of the **PUBLIC SAFETY ADVISORY COMMITTEE**, for a three-year staggered term ending July 1, 2016 – was presented. Council Member Noriega absent.

Council Member Brown stated that she would like to nominate Ms. Judi Carlsson for Position A of the Public Safety Advisory Committee, that her resume had been distributed. Council Member Noriega absent.

Council Member Adams stated that she would like to re-nominate Reverend Manson B. Johnson for Position D of the Public Safety Advisory Committee. Council Members Gonzalez and Noriega absent.

Council Member Pennington stated that he would like to re-nominate Mr. Frank G. Jones for Position G of the Public Safety Advisory Committee, that his resume had been distributed. Council Members Gonzalez and Noriega absent.

Council Member Green stated that he would like to re-nominate Mr. Samuel Burton for Position J of the Public Safety Advisory Committee, on behalf of Council Member Laster, that his resume had been distributed. Council Member Noriega absent.

Council Member Burks stated that he would like to re-nominate Ms. Vivian R. King for Position At-Large 2 of the Public Safety Advisory Committee, that her resume had been distributed. Council Member Noriega absent.

Council Member Christi stated that he would like to nominate Ms. Erica Contreras for Position At-Large 5 of the Public Safety Advisory Committee, that her resume was attached. Council Member Noriega absent.

Mayor Parker stated that these were nominations for 8 three year staggered terms ending July 1, 2016 and asked if there were any other nominations, hearing none requested a motion to close the nominations. Council Member Noriega absent.

Council Member Gonzalez moved to close nominations for Position A, D, G, J, At-Large 2 and At-Large 5 of the Public Safety Advisory Committee, seconded by Council Member Adams. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Member Noriega absent. MOTION 2013-0529 ADOPTED.

**MATTERS HELD** - NUMBER 49

49. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,929,891.83 and acceptance of work on contract with **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD** for US 290 Program IH-610 Interchange Crossing at 72-inch Water line along 12th Street - 12.11% under the original contract amount - **DISTRICT A - BROWN – (This was Item 11 on Agenda of July 24, 2013, TAGGED BY COUNCIL MEMBER GREEN)** – was presented, moved by Council

Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. MOTION 2013-0530 ADOPTED.

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

Council Member Green announced events he attended or would be attending; and stated that he attended the memorial services for the late Ms. Jean Hines Caldwell, mother of Pastor Kirby John Caldwell, Senior Pastor, Windsor Village United Methodist Church, that he wanted to extend condolences to Pastor Caldwell and his family on the loss of his family; that City Council heard from community leaders to advocate on the proposed Hiram Clarke/Fort Bend TIRZ, that hopefully City Council would have the opportunity to vote on this matter and their office was asking that they have the support of all of his colleagues. Council Members Brown, Davis, Hoang, Pennington and Burks absent.

Council Member Cohen stated that she wanted to wish Council Member Davis a Happy Birthday; and announced events she attended or would be attending; that she wanted to congratulate the Oak Forest Neighborhood Library, which recently earned the prestigious AIA ALA Library Award from the American Institute of Architects and the American Library Association, that the award only honored 6 libraries across the world every two years. Council Members Brown, Hoang, Pennington and Rodriguez absent.

Council Member Christi stated that he had a good international week, the Russians on Sunday, South Korean and Peru on Wednesday and the American Jewish Committee on an Israel update, that the Protocol Office did a wonderful job in welcoming these counties. Council Members Brown, Hoang, Pennington and Rodriguez absent.

Mayor Parker stated that she wanted to thank Council Member Christi for his willingness to volunteer to be part of the greeting committee for these inbound delegations, that certainly she would be happy to add other Council Members to the mix, but he did a great job representing the City. Council Members Brown, Adams, Hoang, Pennington and Rodriguez absent.

Council Member Burks announced events he attended or would be attending; and stated that Ms. Jean Hines Caldwell was the head of the Project Wide Horizons in the early 1960s and that was an organization that gave young people an opportunity to work doing summer jobs, especially in the City of Houston, the Parks and Recreation Department and Arboretum and Botanical Gardens, that she would be truly missed. Council Members Brown, Hoang, Pennington and Rodriguez absent.

Council Member Bradford announced events he attended or would be attending. Council Members Brown, Hoang, Pennington and Rodriguez absent.

Council Member Gonzalez announced events he attended or would be attending; and stated that he wanted to wish Council Member Davis a Happy Birthday; that he wanted to thank Zack Barth from his office, today was his last day and he was heading back to UT Austin, that he did a great job as an intern team member. Council Members Brown, Hoang, Pennington and Rodriguez absent.

Council Member Adams announced events he attended or would be attending; and stated that she wanted to highlight the life of Ms. Jean Hines Caldwell, that she was a great educator, there was a school named for her located in District K, that Ms. Caldwell wrote her own obituary before she passed away and included a dance and wanted everybody to close out with a dance, so they all joined together, the whole congregation, and danced and celebrated, and to all the

family members a great home going for such a lovely lady; and stated that she wanted to wish a Happy Birthday to Ms. Mabel Smith, who turned 100 years old and Ms. Delores Griffin who celebrated her 80th birthday; that she wanted to wish Council Member Davis a Happy Birthday; that she wanted to thank Mayor Parker for her leadership on human trafficking and having an advisory committee who were working very hard with the federal government, and now in partnership with Sheriff Garcia she believed there would be some hard coming down on the pimps in Houston. Council Members Brown, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Davis announced events he attended or would be attending; and stated that last week they had some issues from constituents in the district, as everyone saw they had an attack of stray dogs, a lady, 52 years old was attacked by dogs at the bus stop, that he wanted to thank ARA for jumping on that, that they believed they had over 800,000 stray animals throughout the City, that it was an unfortunate event that had taken place, that with ARA, Department of Neighborhood and the Mayor's help they were asking to do a focus effort on specific areas that had huge calls into 3-1-1 and wanted to see if they could spend one or two weeks in specific areas, to inform and educate, as well as punitive sanctions, he thought they had to go hand in hand, sometimes people felt if they did not see anyone or if there was lack of presence that no one was worried about it, but they were and he understood that they had issues with "no kill", but if he had to err, he was going to err on the side of the human life, that the lady was sent to the hospital and it was a tragic situation, that she survived and was getting better, that he understood what they faced through out the City and he loved pets, but at certain points and time they were no longer pets, they became animals, and when in packs they showed no respect to human life, that he wanted to thank ARA for working with him, they had been on rides in different neighborhoods and every time they had been out educating and informing they also had to collect dogs, they were in parks and in the summertime kids were playing and some dogs were carrying diseases, that he invited anyone from the "no kill" area to come to his district and if they wanted to help him capture and house and take away they could do that, but he gets the phone calls, and he was concerned about his children and the elderly adults that walk the tracks and parks, and he knew that Mayor Parker and everyone here was concerned about that, so he wanted to thank her for her effort; and stated that he wanted to thank Public Works, they had an incident, one of the constituents bottled their water and it was an orange or gold color, that he thought they might have had 8 water line replacements in District B in the past 18 months and Public Works was going to see what they could do to move this particular project up and he wanted to thank them for their efforts as well; that his birthday party was on Saturday night at the Alley Cat and everyone was welcome. Council Members Brown, Hoang, Pennington, Rodriguez and Noriega absent

Mayor Parker stated that she was glad he raised the issue of stray dogs, it was a complicated problem, that there were no kill advocates out there, and some animals were vicious and had to be put down and that was just the reality of it, but she was struck by the fact that this pack had been living under a property, that people who owned that business knew those dogs were there, the City did not know they were there, that people had to call in and they had to push the spaying and neutering message out into the community, they had been looking for an area to pilot exactly what he was talking about, going in intensely, that Council Member Gonzalez volunteered and they started two weeks ago with door to door information, one on one conversations, they brought the SNAP van back so they could do spaying and neutering on sight, they were going to stay in that area and see if they could try different techniques to drive the number of un-neutered and spayed animals down, but also drive the number of stray animals down and take those messages out to the other communities, that Council Member Davis actually had the area with the highest number of stray dog complaints and Council Member Gonzalez had the second highest area; that the other issue he raised on the water, she wanted everybody to know that the neighborhood was already on the scheduled CIP for water line replacement, that Public Works did not want to go out and have to replace or repair week

after week, the goal was to do a complete replacement and it was scheduled, that they were cast iron lines put in in the 1950s, so yes they were aware. Council Members Brown, Hoang, Pennington, Rodriguez and Noriega absent

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

There being no further business before Council, the City Council adjourned at 11:02 a.m. Council Member Martin absent on personal business. Council Member Laster out of the city on personal business. Council Members Brown, Hoang, Pennington, Rodriguez and Noriega absent

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary