

City Council Chamber, City Hall, Tuesday, August 13, 2013

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 13, 2013, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney, Mr. Harlan Heilman, Legal Department, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present. Council Member Oliver Pennington absent on personal business.

At 1:47 p.m. Mayor Parker called the meeting to order and recognized Council Member Noriega for the first Council presentation. Council Members Davis, Adams, Martin, Hoang, Rodriguez, Green, Burks and Bradford absent. NO QUORUM PRESENT

Council Member Noriega stated that she wanted to recognize the North Houston Association as they celebrated 31 years as an association and invited Ms. Paula Lenz, Executive Director, Ms. Ann Cates, Director of Membership, Ms. Melissa Robey, Events Manager, Ms. Marty Stein, Board Member for the association and Mr. Jerry Lawry, President, Greenspoint District and presented a proclamation to the North Houston Association, and stated that whereas the City of Houston appreciated the North Houston Association for its contributions and commitment to regional economic development and advocacy work for improvements to the quality of life for residents and businesses, and Mayor Parker stated that therefore she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed today as North Houston Association Day in Houston, Texas. Council Members Davis, Adams, Hoang, Rodriguez, Green and Bradford absent.

Ms. Lenz stated that on behalf of their staff and Board of Directors they thanked them for this honor bestowed on the North Houston Association today, that in the words of their Chairman of the Board, Mr. Alex Sutton, President of the Woodlands Development Company, they had addressed important issues, such as mobility, education workforce training, the environment and quality of life that had a profound and lasting effect on the economic development of their business and community, that they were proud to be a part of Houston and remained dedicated to their mission. Council Members Davis, Adams, Hoang, Rodriguez, Green and Bradford absent.

Council Member Costello stated that they did a great job and appreciated the association. Council Members Davis, Adams, Hoang, Rodriguez, Green and Bradford absent.

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

Council Member Christi invited Superintendent of HISD, Dr. Terry Grier, Mr. Ryan Leach, Pasadena ISD, Ms. Joyce Eddings Assistant superintendents, Alief ISD and Ms. Carleen Johnson, Coordinator of Health Services, Alief ISD, to the podium and stated that they had an excellent proclamation for the schools, that when they looked at children and saw some of them not focusing on their work sometimes it was their nutrition or hearing, but sometimes it was their eyesight, if they could not see what was on the board how could they learn, that the program, See to Succeed, provided free vision exams, corrective eyewear to school children, 6 to 18 years old, in the Houston area schools and charter schools, in partnership with these schools children were bussed to a clinic location, received free exams provided by optometrists from the See to Succeed Collaborative, they had seen over 11,000 students and supplied over 10,000 pairs of glasses for those in need, and would give each school district a proclamation. Council Members Adams, Rodriguez and Bradford absent.

Mayor Parker stated they did a lot of things with the school districts that operated in the City of Houston and for a project this large there were two ways to do it, they could gather their supplies and volunteers and go school to school, or they could bring the kids to a central location and set up a very efficient operation, but in order to do that each school district had to work with the City, they had to plan with the kids on their day, plan transportation and take into account their own lesson plans and how many instructional days they had, but the reason that the school districts worked so closely with the City and stepped up was that they understood that if the children in those classrooms could not see, they could not succeed, so this was one of those really great partnerships that continued to grow and thought it appropriate to pause now, in their third year, and saw it was working well and growing rapidly, they saw a continued strong future of working together and could not do it without the extreme cooperation of the school districts and they wanted to thank them, therefore she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed today as See to Succeed School Partnership Day in Houston, Texas. Council Members Adams, Rodriguez and Bradford absent.

Mayor Parker stated that she was going to hand out the proclamations to the three school districts that were represented today, but would ask Mr. Stephen Williams, Director, Health and Human Services, for the City of Houston, to come up because this was his baby and was growing rapidly. Council Members Adams, Rodriguez and Bradford absent.

Mr. Williams stated that this was one baby that he was especially proud of because they started out by seeing only 200 children in what they called a pilot three years ago, but the partnerships that they had developed, not only with the three school districts, but with Wal-Mart, Berkley Eye Clinic, San Jacinto and University of Houston, they were able to expand their capacity to see 300 children a day, that now their challenges were not how they were going to plan the logistics for those 400 kids, but do more intensive outreach to the families that had challenges so they could get those in, that he was grateful for the three school districts because these were the districts where the superintendents actually stepped up, name a key person within their administration and were able to work through a number of challenges so that they could see the children. Council Members Adams, Rodriguez and Bradford absent.

Dr. Greir stated that he wanted to thank the City of Houston for what they did for the City, that it was a marvelous program, Mr. Williams was a wonderful leader and Mayor Parker had been a fantastic supporter and they were very honored to be a part of a partnership like this, and thanked them for supporting programs that helped all of their children. Council Members Adams, Rodriguez and Bradford absent.

Ms. Eddings thanked the Mayor and City Council and stated that this meant so much to Alief and the students, they saw the correlation between the students when they were without the glasses and once they had glasses, they were very proud when they received them and they saw the positive impact of this program more than they would ever know and they wanted to thank them for it happening and for it's expansion. Council Members Adams, Rodriguez and Bradford absent.

Mr. Leech stated that on behalf of Pasadena ISD they wanted to thank them again for the partnership, so many of their students faced so many challenges before they even hit the school doors and sight, being able to see the blackboard, should not be one of them and this helped solve this problem, on behalf of the Board of Trustees for Pasadena ISD and their superintendent he wanted to thank them for the support of this program. Council Members Adams, Rodriguez and Bradford absent.

Mayor Parker, Council Members Noriega, Hoang, Adams and Martin thanked Director Williams and the school districts and congratulated them for their great partnerships and for all

they were doing to help the students. Council Members Rodriguez absent.

Mayor Parker stated that she started wearing eye glasses in middle school and could remember how few choices there were back then, that one of the fine things about this program was that kids got to choose and these were first quality glasses and the frames were donated through other partnerships, that for a child to wear those glasses they had to like those glasses and own them, so that was an important aspect of this. Council Member Rodriguez absent.

Mayor Pro Tem Gonzalez recognized Mayor Parker for the next presentation. Council Member Rodriguez absent.

Mayor Parker invited the representatives of the Jefferson Awards and the Youth Service Challenge to come forward, particularly Mr. Robert Sakowitz to the podium and stated that she hoped Council Members were familiar with the Jefferson Awards, that they had a commitment in Houston to community service, they were a generous engaged City where many Houstonians contributed through a range of volunteer activities in neighborhoods, through churches and in fact directly through the City of Houston, the Jefferson Awards were an opportunity to recognize outstanding public service and she was very honored to ask Mr. Sakowitz to come forward and introduce more broadly the Jefferson Awards and then to be a part of presenting the Jefferson Awards to some fine Houston Volunteers. Council Member Rodriguez absent.

Mr. Sakowitz thanked the City Council for allowing them to do this today, especially the honorable Mayor Parker who had been at the forefront of their Mayor's program, starting with the Council of Mayor's sessions and now there were over 200 Mayors around the Country, Mayor Parker being prime among those who kicked off the program for the Jefferson Awards, who were probably the oldest and most respected National organization in the Country to recognize, encourage and to celebrate public service, and invited Mr. David Thompson, Reed Smith Law Firm, to join them in giving out the awards. Council Member Adams absent.

Mr. Thompson stated that the five awards being presented represented the best of Houston, there were three groups and two individuals, each one had uniquely impacted their community, first, Be An Angel, who served thousands of special needs children throughout Texas, primarily in the greater Houston, Fort Worth and Dallas areas, providing specialized programs, services and equipment, that 30 Junior ROTC students from Jefferson Davis High played a key role in last year's Christmas Program with their help wrapping gifts at the George R. Brown Convention Center. Council Member Adams absent.

Mr. Thompson further stated that second, Say Why International, Houston, who since July 2012, had been offering it's youth volunteers the opportunity to impact their community and initiate positive change, that Say Why Local Events were aimed at addressing various concerns in their community including homelessness, refugee assistance, hunger and improving the environment, that this year over 110 youth volunteers would have committed their time serving local organizations, including the Houston Food Bank, Texas Childrens Hospital, Star of Hope Mission and the Houston Zoo. Council Member Adams absent.

Mr. Thompson further stated that the third group, Gateway Academy, for the past two years students from Gateway Academy had volunteered at BARC Animal Shelter and Adoption at Houston, what began as a field trip to BARC had become a long term commitment to the shelter, they tackled cage cleaning, litter box building, sweeping, mopping, toy making and cat socialization projects to assure when new adopters entered the building they would find happy cats to adopt, the students had also held donation drives to support the shelter and participated in various community adoption events held by BARC. Council Member Adams absent.

Mr. Thompson further stated that now the individual contributors, Ms. Kate Taylor, who was

a National Honor Society Member and a Senior at Westside High School, since 2010 had been a volunteer at the Beacon Day Center, a homeless day center located in the center of downtown Houston, she had helped with meal preparation for the homeless, helped wash and fold their clothes and had done it with a smile, that to date Ms. Taylor had volunteered over 220 hours serving their homeless neighbors, that for the past two years Ms. Taylor had taken it upon herself to take pictures of the clients during the month of December so they could send them to family and friends over the holidays. Council Member Adams absent.

Mr. Thompson stated that last but not least, Mr. George Randt, Houston Arboretum, who first attended the summer camp programs at the Houston Arboretum as a child and since becoming age eligible had become one of the camps assistants, that he assisted in any area asked of him, he had a natural gift in relating to children and adults alike, a true respect for the human spirit and all things nature. Council Member Adams absent.

Mayor Pro Tem Gonzalez, Council Members Noriega, Costello, Hoang and Burks congratulated the Jefferson Awards recipients and thanked them for their service to the City of Houston. Council Members Adams and Rodriguez absent.

At 2:31 p.m. Mayor Parker recognized Council Member Laster for the invocation and pledge of allegiance, and Council Member Laster invited Reverend Mireya Ottaviano, Assisting Lead Pastor, Saint Lukes United Methodist Church, Gethsemane Campus, for the invocation, and Council Member Laster led all in the pledge. Council Members Davis and Adams absent.

At 2:33 p.m. the City Secretary called the roll. Council Member Pennington absent on personal business.

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

Council Member Davis moved that the rules be suspended for the purpose of adding Ms. Charlotte Sorrell, Ms. Georgia Harper and Ms. Phyllis Wilson to the top of the three minute non agenda speakers list, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Pennington absent on personal business. Council Members Gonzalez and Rodriguez absent. MOTION 2013-0553 ADOPTED.

Council Member Brown moved that the rules be suspended for the purpose of hearing from Reverend Dave Welch after Ms. Phyllis Wilson, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Pennington absent on personal business. Council Members Gonzalez and Rodriguez absent. MOTION 2013-0554 ADOPTED.

Council Member Adams moved that the rules be suspended for the purpose of hearing from Ms. Joy Boone after Ms. Kathleen O'Reilly, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Pennington absent on personal business. Council Members Cohen, Gonzalez and Rodriguez absent. MOTION 2013-0555 ADOPTED.

Ms. Kathleen O'Reilly, 1220 Southmore Blvd., Houston, Texas 77004 (713-303-8938) appeared and stated that she was Chair of the Museum Park Neighborhood Association, Quality of Life and Infrastructure Committee, that they at MPNA were asked to consider applying for Prohibited Yard Parking by several people who were seeing this as a concern in their neighborhood, that as part of the committee's due diligence, before deciding to move forward, they looked for unintended consequences, if they were potentially creating burdens for their neighbors and to make sure there was adequate, un-metered, on street parking in the areas of concern, they concluded that they did not foresee unintended consequences, there

may be some adjustments and inconvenience, Museum Park had about 2,800 residents, fourteen museums and cultural institutions, five preschools, an elementary school, churches and about 10 million visitors a year, they also thought that it should be attractive, they presented prohibited yard parking to the MPNA for a general vote, which was almost unanimous for moving forward, they submitted an application to the Planning Department, who then sent out about 2,800 letters to potentially impacted property owners, MPNA posted signs twice, and about 8 protest letters were received by the Planning Department, that it was clear that this was the direction that the neighborhood wanted to go. Council Members Cohen and Noriega absent.

Ms. Joy Boone, 5318 Crawford, Houston, Texas 77004 (713-459-4669) appeared, passed out a letter and a petition of 82 neighborhood home owners and people who opposed the ordinance, that the application of the ordinance said that the civic club had 79 members, by her count there were over 1,300 properties, that 1,051 and were in the targeted area, which was the heart of their diverse neighborhood, that she wanted to use her property without any interference and without any kind of cost associated with using her property, that having to pave stuff to use your property made them priced out of their neighborhood, that this was a neighborhood of about approximately 50% renters and 50% owners, that on the handout there were some things the Council could do to possibly lessen the cost to the residence from this kind of ordinance. Council Members Gonzalez and Noriega absent.

Ms. Joselyn Thomas, 1812 Blodgett, Houston, Texas 77004 (713-725-9142) appeared and stated that the front of her home faced Blodgett and the side faced Almeda, which was right at the corner of a really busy intersection, that the ordinance would affect her because on the backside she only had a small piece of side parking where she lived, she had no parking in the front and had no parking along the side of where she lived, the only area she had to park was a small area, she had a driveway with a small grassy area which currently a building was torn down next door to her and she had to wait until the builder, Mayberry, did his thing before she could expand her driveway wider, that she brought a picture on her laptop that she could pass around so they could see the small grassy area that the ordinance would not allow her to park her car in the area until she could fix it or pave it, that currently her home was the only residence on Almeda between Benz and Calumet, everything else was commercial, that the ordinance affected her residence very deeply, that she had been there 20 years. Council Members Adams and Noriega absent.

Mayor Parker stated that the item was scheduled for discussion tomorrow morning, although the District Council Member had asked that they may delay it a week, and asked Ms. Thomas if she fully intended to extend her driveway, and Ms. Thomas stated yes, in a way that she could park there, but was at the mercy of the builder next door to her, and Mayor Parker stated that she would ask the department how they would handle those issues where there may be a temporary dislocation, whether they would write tickets and so forth. Council Members Adams and Noriega absent.

Council Member Burks asked Ms. Thomas if she had asked the Mayberry Company how long it would take, and Ms. Thomas stated that she attended a variance meeting a couple of weeks ago and currently that property was not on their top priority of properties to build right now, that they could not give her an ETA of when they were going to start work, but just the empty lot looked great compared to the abandoned building that had been there for 20 years, that her problem was when they tore it down they kind of chopped off her property line in which the rain and erosion went over to his property which keeps her from building out her driveway because there was no foundation there to hold her property in, they took out an embankment wall. Council Members Cohen and Noriega absent.

Council Member Adams stated that her concern was about lumping everybody in under

Item No. 27 throughout the community and one street may not fit the other streets and what happens when the other side of Highway 288 may not fit this side of Highway 288. Council Members Cohen and Noriega absent.

Council Member Adams moved that the rules be suspended for the purpose of extending time for questions of Ms. Joselyn Thomas, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Pennington absent on personal business. Council Members Cohen and Noriega absent. MOTION 2013-0556 ADOPTED.

After further discussion and questions by Council Member Adams, Mayor Parker stated that if Council Member Adams had any difficulty meeting with the Planning Department she needed to let her know, that she did not write the ordinance, that it was amendable, and Council Member Adams stated that she wanted to look at it, and maybe they did not take Ms. Thomas into consideration when they looked at this because she lived on a corner lot, that she would ask Ms. Crinejo if she would schedule a meeting with her and Ms. Marlene Gafrick, Planning Department so they could work it out, that they would try to setup something as quickly as possible. Council Members Cohen and Noriega absent.

Council Member Hoang moved that the rules be suspended for the purpose of hearing from Ms. Tuy Nguyen at this time, seconded by Council Member Laster. All voting aye. Nays none. Council Member Pennington absent on personal business. Council Members Cohen and Noriega absent. MOTION 2013-0557 ADOPTED.

Council Member Hoang moved that the rules be suspended for the purpose of allowing more than one person at the podium, seconded by Council Member Costello. All voting aye. Nays none. Council Member Pennington absent on personal business. Council Members Cohen and Noriega absent. MOTION 2013-0558 ADOPTED.

Ms. Tuy Nguyen, 3918 Cliff Speria Ct., Manvel, Texas 77578 (713-302-1625) appeared and stated that she wanted to invite Mayor Parker and the City Council to the grand opening of the Caodai Temple at 10:00 a.m. on September 1, 2013 at 8415 S. Breeze Dr., Houston, Texas 77071. Council Members Cohen and Noriega absent.

Council Members Hoang and Green congratulate Ms. Nguyen on the new temple and thanked her for the invitation. Council Members Cohen and Noriega absent.

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

Ms. Charlotte Sorrel appeared and stated that she was present representing the seniors of the northeast area, specifically Settegast, where Hobart Taylor Community Center was located, they had some aquatic programs going on and one had just stopped, but they were very beneficial, they had water aerobics, adult swimming lessons and Zumba in the water and it had really helped them and they would like to have those programs extended as long as the weather would permit. Mayor Parker, Council Members Cohen, Hoang and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Ms. Georgia Harper appeared and stated that she was also present representing the seniors of the northeast area, also with the same request that Ms. Sorrel had, that right now they were involved with the Parks and Recreations office, they had members out teaching water aerobics and what have you, but those activities were going to end, some this week already, that they were so beneficial to the seniors in that area, they did not have a whole lot available to them in that area so they would like to request that they extend those programs and allow some

more monies in that area because they had a lot of seniors in that area and they were beginning to come out, that they had the personnel that were able and willing to work with them. Mayor Parker, Council Members Cohen, Hoang and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Ms. Phyllis Willis appeared and stated that she wanted to request that money be allocated for the next summer for the aquatics department for swimming for all seniors. Mayor Parker, Council Members Cohen, Hoang and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Davis stated that he wanted to thank them for voicing their opinion on what they wanted in their community, that Lucy from the Parks Department was present in the Chamber and she could give them information as it related to the Zumba Classes in the pool, that he appreciated them letting him know what he had to get after. Mayor Parker, Council Members Cohen, Hoang and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Rev. Dave Welch, Post Office Box 692207, Houston, Texas 77269 (832-688-9166) appeared and stated that he was with the Houston Area Pastor Council and was compelled on behalf of one of their over 300 member pastors and his peers to raise a serious grievance with the way in which the Office of Inspector General, under the authority of the Mayor's Executive Order Provisions, had violated some fundamental constitutional rights of the Pastor of nearly 30 years as a City employee, with a stellar record, that he wanted to place on record today that this pastor, who had served as a City employee with a solid record and was a well respected community leader, has had accusations made against him, which he asserted were false and which they believed, that without any due process he was placed on administrative leave and was given no details about these allegations, that after 30 days had passed, prior to him having a hearing, he was subjected to a six hour session, denied legal counsel to be present, and was also given no details during this time of process, conducted by the Office of Attorney General, that he had been denied access to these accusations against him and any actual details of the alleged misconduct, that his attorney's timely request for a copy of the complaint had essentially be stonewalled by the City Attorney's office, that this member had been openly urged to resign by the OIG and administration, which they found to be highly inappropriate, in spite of the lack of details and due process, as described above, that this raised serious questions about the entire process and how it operated or did not, the OIG in this process, under City Attorney David Feldman and Mayor Annise Parker, through the executive order, had displayed an appalling lack of respect for the Bill of Rights of the US Constitution and basic rights of due process that were essential to avoid tyrannical abuse of power, they were raising this issue because they were insisting that this individual be given the proper accordance due to any individual in this situation, they were sure that he had proper counsel and wanted this process to be reviewed by the City Council, because they believed there were some serious problems with it. Council Members Davis, Cohen, Adams and Noriega absent.

Mayor Parker stated that she was compelled to inform them that there was an active OIG investigation against a certain City employee and that employee was represented by counsel and that they were strongly encouraged not to engage in conversation about this particular incident in the Chamber, that she would say that the employee was on administrative leave, with pay, was represented by counsel, which certainly indicated to her that he had due process, and the nature of the allegations against him required that he be removed from the workplace. Council Members Davis, Cohen, Adams and Noriega absent.

After discussion by Council Members Brown and Burks, Mayor Parker stated that the employee was represented by counsel and was on administrative leave and still had a job with the City and was still receiving his paycheck, they were giving him due process, and they did not release OIG information or IAD information, for that matter, to an unrelated party during the course of an investigation, that there was a process and a mechanism for the attorney, for the

City employee, to make a request, and Mr. Harlan Heilman, Legal Department, stated that Mayor Parker was correct, and again they would urge the City Council not to discuss this publicly, they would be more than willing to visit with Council Members individually. Council Members Cohen and Noriega absent.

Council Member Bradford moved that the rules be suspended for the purpose of extending time for questions of Reverend Dave Welch, seconded by Council Member Christi. All voting aye. Nays none. Council Member Pennington absent on personal business. Council Members Cohen and Noriega absent. MOTION 2013-0559 ADOPTED.

After further discussion by Council Members Bradford and Brown, Mr. Heilman stated that he believed the executive order that addressed the Office of Inspector General did allude to the rules and regulations and there were some further regulations promulgated under that, and Mayor Parker asked Mr. Heilman if he was familiar with the specifics of this case, and Mayor Parker stated that the short answer was yes, there were opportunities to be represented by legal counsel through their disciplinary process, and if the employee in question was denied the opportunity to be represented by legal counsel, when he clearly had the right to be, might be actionable against the City, and Mr. Heilman stated yes. Council Members Cohen and Noriega absent.

Ms. Lillie Glenn, 8817 Bertwood, Houston, Texas 77016 (832-896-0356) – had reserved time to speak, but was not present when her name was called. Council Members Cohen and Noriega absent.

Mr. J. R. Tyson, 33075 Mustang Road., No. 2210, Alvin, Texas 77511 (832-340-3668) appeared and stated that this was the third time he had appeared before the City Council, that the Mayor mentioned that the investigation was under way, and the simplest way for anybody to assume their responsibilities go look at the scene, that he would be there next Monday, which would be almost a month. Council Members Davis and Noriega absent.

Mayor Parker asked Mr. Tyson if Metro had communicated with him or a representative of Metro had, and Mr. Tyson stated that Mr. Kelley called him yesterday and he expressed his displeasure at the fact that someone authorized the stealing of his phone and hoped she would look into that. Council Members Cohen, Burks, Noriega and Bradford absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he had demanded that emergency protection be provided and the massive millions of dollars being criminally withheld. Mayor Parker, Council Members Cohen, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) – had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Cohen, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

At 3:20 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, August 14, 2013. Council Member Pennington absent on personal business. Mayor Parker, Council Members Cohen, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

The Houston City Council reconvened at 9:00 a.m., Wednesday, August 14, 2013, with Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney; and Ms. Marta Crinejo, Agenda Director, present. Council Member Melissa Noriega absent due to being ill.

At 8:20 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:09 a.m. Mayor Parker called the meeting to order. Council Members Adams and Burks absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 45

ACCEPT WORK - NUMBER 1

1. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$423,424.46 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Substitute Services Program: Back Lot Water Service Lines and Meter Relocation - 7.1% under the original contract amount **DISTRICTS A - BROWN; H - GONZALEZ and I - RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. MOTION 2013-0560 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 2 through 7

2. ORDINANCE appropriating \$197,499.50 out of Public Health Consolidated Construction Fund for Mechanical Remediation Services for the General Services Department on behalf of Health and Human Services Department - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0720 ADOPTED.
- 2a. **GOWAN, INC** for Mechanical Remediation Services for the General Services Department on behalf of the Health and Human Services Department - \$159,545.00 and contingencies for a total amount not to exceed \$175,499.50 - Public Health Consolidated Construction Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. MOTION 2013-0561 ADOPTED.
3. **INX LLC** for purchase of Citywide Cisco SMARTnet Maintenance Agreement through the Texas Department of Information Resources for Houston Information Technology Services \$1,572,046.41 - Central Service Revolving Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. MOTION 2013-0562 ADOPTED.
4. ORDINANCE appropriating \$3,024,122.66 out of Equipment Acquisition Consolidated Fund for the Purchase of Patrol Vehicles for the Houston Police Department – was

presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0721 ADOPTED.

- 4a. **CALDWELL AUTOMOTIVE PARTNERS, LLC, d/b/a CALDWELL COUNTRY CHEVROLET** - \$2,573,211.00; **PHILPOTT MOTORS LTD, d/b/a PHILPOTT FORD** - \$392,284.16; and **PHILPOTT MOTORS LTD, d/b/a PHILPOTT FORD** - \$58,627.50 for Patrol Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council and BuyBoard and for the Houston Police Department - \$3,024,122.66 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. MOTION 2013-0563 ADOPTED.
5. **URETEK USA, INC** for purchase of Foundation Repair Services from the State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works and Engineering - \$105,300.00 - Enterprise Fund **DISTRICTS D - ADAMS and G - PENNINGTON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. MOTION 2013-0564 ADOPTED.
7. **WASTE MANAGEMENT, INC** for additional funding for FY2014 for Solid Waste Disposal Contract for the Solid Waste Management Department - \$500,000.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. MOTION 2013-0565 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 45

10. RESOLUTION authorizing the Housing and Community Development Department to submit an application to access the reservation system for the State of Texas Department of Housing and Community Affairs 2014-2015 Amy Young Barrier Removal Program Grant Funds; to accept the funds, if awarded – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. RESOLUTION 2013-0039 ADOPTED.
12. ORDINANCE amending Exhibit “A” of City of Houston Ordinance No. 2013-387 by adding one Senior Captain Position; adding twelve Engineer Operator Positions; and adding twelve Communication Captain Positions; substituting the amended Exhibit as part of the current Fire Department Classified Personnel Ordinance; providing for severability – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0722 ADOPTED.
13. ORDINANCE approving and authorizing a second amendment to antenna site license agreement between **TEXAS TOWER LIMITED**, licensor, and the City of Houston, Texas, licensee, to allow for the installation of additional equipment at 600 Travis Street, Houston, Texas, in connection with a New Public Safety Radio System - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0723 ADOPTED.
15. ORDINANCE appropriating \$5,558,735.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 3 to the Construction Management at Risk Agreement between the City of Houston and **MANHATTAN CONSTRUCTION COMPANY** for Terminal D Phase IIB Refresh of Ramp Areas and FIDS Upgrade at George Bush

Intercontinental Airport/Houston (Project No. 500N; Contract No. 4600010038); providing funding for The Civic Art Program \$1,308,762.00 - Enterprise Fund - **DISTRICT B – DAVIS** - had been pulled from the Agenda by the Administration, and was not considered. Council Member Adams absent.

16. Omitted
21. ORDINANCE appropriating \$2,482,809.54 out of Equipment Acquisition Consolidated Fund for the Enterprise Management Agreement between the City of Houston and **DELL FINANCIAL SERVICES, LLC** for Microsoft Software and License Maintenance Services for the Fleet of City Desktops (Approved by Ordinance No. 2012-621) - \$1,539,428.17 - Central Services Revolving Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0724 ADOPTED.
22. ORDINANCE amending Ordinance No. 2013-0359 (passed by City Council April 24, 2013) to authorize the Houston Police Department to accept a reduced grant award from the **TEXAS AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY** in support of the Houston Auto Crimes Task Force/22 Grant and to increase the City of Houston's Cash Match Contribution; declaring the City's eligibility for such grant; authorizing the Chief of The Houston Police Department 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. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0725 ADOPTED.
23. ORDINANCE awarding contract to **BFI WASTE SERVICES OF TEXAS LP, D/B/A REPUBLIC SERVICES OF HOUSTON** for Solid Waste Disposal and Equipment Services for Houston Airport System; providing a maximum amount - \$3,276,566.64 - 3 years with two one-year options Enterprise Fund - **DISTRICT B - DAVIS; E - MARTIN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0726 ADOPTED.
24. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential lots in **BRAEBURN TERRACE SUBDIVISION, SECTIONS 2, R/P** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0727 ADOPTED.
27. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to certain improved single-family residential lots within **A&K CUSTOM HOMES ON ARBOR COURT, ABST 212 J CHRISTY, ALMEDA PLACE, ALMEDA PLACE ANNEX, ARBOR SQUARE AMEND, AUSTIN COURT, AUSTIN GREEN, AUSTIN STREET T/H AMEND, BALCOR, BLODGETT PARK T/H, BLODGETT PARK TOWNHOMES SEC 2, CALUMET PARK, CAROLINE MANOR, CAROLINE OAKS, CATCO CRAWFORD PARK, CRAWFORD STREET MANORS, DAYBREAK HOMES ON WICHITA STREET, FIVE THOUSAND ONE HUNDRED AND SIX CRAWFORD STREET T/H, FORTY NINE HUNDRED CAROLINE BOULEVARD, GALWAN T/H, GRAYWOOD PLACE, HAMPTON T/H, HERMANN PARK, JACKSON STREET, JACKSON STREET T/H SEC 2, JACKSON T/H, LA BRANCH PALMS, LABRANCH PLACE,**

MACGREGOR & DEMERITTS SOUTHMORE SEC 2 R/P, MACGREGOR BLODGETT PARK SEC 1, MACGREGORS BLODGETT PARK SEC 2, MACGREGORS BLODGETT PARK SEC 2 PAR R/P 3, MACGREGORS BLODGETT PARK SEC 3, MANORS OF AUSTIN GREEN, MARELIA HOMES AT PROSPECT STREET, METRO LOFTS AT CHENEVERT, METRO LOFTS AT PROSPECT STREET, MUSEUM GALLERIE AMEND, MUSEUM WALK R/P, NEC SOUTHMORE AND JACKSON, OAKDALE AVENUE, OAKDALE PLACE, OAKDALE TERRACE, OAKS AT CAROLINE, OAKS OF SOUTHMORE, PALM AVENUE T/H, PALM PLACE AMEND, PAWL TERRACE, PROSPECT STREET T/H, PROSPECT TOWNHOMES SEC 1, REGENTS GREEN, ROSEDALE AVENUE PLACE, ROSEDALE AVENUE PLACE SEC 2, ROSEDALE PARK, ROSEWOOD, ROSEWOOD GREEN, ROSEWOOD LOFTS, ROSEWOOD MIDTOWN, ROSEWOOD TERRACE, ROSEWOOD TOWNHOMES, ROSEWOOD VILLAS, RUTH STREET MANOR, RUTH STREET T/H, SOUTHMORE 106, SOUTHMORE 107, SOUTHMORE 108, SOUTHMORE 116, SOUTHMORE 117, SOUTHMORE 118, SOUTHMORE GARDENS AMEND, SOUTHMORE OUTLOT 109, SOUTHMORE SEC 2 PAR R/P, SOUTHMORE T/H U/R SOUTHMORE 118, SOUTHMORE TERRACE AMEND, SOUTHMORE TWO VILLAS, STOECKLI PLACE ANNEX, SUTTON PLACE PATIO HOMES SOUTHMORE 108 R/P, THURMAN MANORS, TRACT 11, HOLMAN OUTLOT 68, TRACT 4, BLOCK 24, EMPIRE, TRINITY AT CHENEVERT, TUSCAN ONE, VILLAS AT ROSEDALE, W D SIMPSON NO.1, WENTWORTH HOMES, WHEELER PLACE, WHEELER PLACE R/P, WICHITA JACKSON T/H, AND WICHITA RIDGE to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D – ADAMS** - had been pulled from the Agenda by the Administration, and was not considered. Council Member Adams absent.

28. ORDINANCE issuing a permit to **TPC GROUP 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 Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0728 ADOPTED.
29. ORDINANCE appropriating \$7,219,531.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION COMPANY, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe 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 (4257-137) – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0729 ADOPTED.
30. ORDINANCE No. 2013-0685, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent

due to being ill. Council Member Adams absent. ORDINANCE 2013-0685 ADOPTED THIRD AND FINAL READING.

31. ORDINANCE No. 2013-686, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0686 ADOPTED THIRD AND FINAL READING.
32. ORDINANCE No. 2013-0687, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0687 ADOPTED THIRD AND FINAL READING.
33. ORDINANCE No. 2013-0688, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0688 ADOPTED THIRD AND FINAL READING.
34. ORDINANCE No. 2013-0689, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0689 ADOPTED THIRD AND FINAL READING.
35. ORDINANCE No. 2013-0690, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0690 ADOPTED THIRD AND FINAL READING.
36. ORDINANCE No. 2013-0691, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council

Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0691 ADOPTED THIRD AND FINAL READING.

37. ORDINANCE No. 2013-0692, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0692 ADOPTED THIRD AND FINAL READING.
38. ORDINANCE No. 2013-0693, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0693 ADOPTED THIRD AND FINAL READING.
39. ORDINANCE No. 2013-0694, passed second reading August 7, 2013
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 **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0694 ADOPTED THIRD AND FINAL READING.
40. ORDINANCE No. 2013-0695, passed second reading August 7, 2013
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 **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0695 ADOPTED THIRD AND FINAL READING.
41. ORDINANCE No. 2013-0696, passed second reading August 7, 2013
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 **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0696 ADOPTED THIRD AND FINAL READING.
42. ORDINANCE No. 2013-0697, passed second reading August 7, 2013
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 - **THIRD**

READING – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0697 ADOPTED THIRD AND FINAL READING.

43. ORDINANCE No. 2013-0698, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0698 ADOPTED THIRD AND FINAL READING.
44. ORDINANCE No. 2013-0699, passed second reading August 7, 2013
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 - **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0699 ADOPTED THIRD AND FINAL READING.
45. ORDINANCE No. 2013-0700, passed second reading August 7, 2013
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 **THIRD READING** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Adams absent. ORDINANCE 2013-0700 ADOPTED THIRD AND FINAL READING.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

6. ORDINANCE appropriating \$1,206,005.00 out of Water & Sewer System Consolidated Construction Fund for the purchase of Various Types and Sizes of Pumps for the Department Public Works and Engineering - \$390,203.00 - Enterprise Fund - was presented. Council Member Adams absent.

Council Member Green stated that on Item Numbers 6 and 6a there were some issues with the RCA and were working with Marta's office to clear this and would tag item number 6. Council Member Adams absent.

- 6a. **HAHN EQUIPMENT CO., INC** - \$457,958.00, **KSB, INC** - \$202,815.00, **JERSEY EQUIPMENT COMPANY OF HOUSTON, INC** - \$186,989.00, **GLOBE ELECTRIC CO., INC** - \$129,560.00, **HARTWELL ENVIRONMENTAL, CORP.** - \$78,400.00, **JDC FLUID EQUIPMENT LLC** - \$78,684.00, **PUMPS AND EQUIPMENT OF TEXAS, INC** - \$225,928.00 and **PUMP SOLUTIONS, INC** - \$70,250.00 for purchase of Various Types/Sizes of Pumps and Related Equipment for the Department Public Works and Engineering - \$1,596,208.00 - \$390,203.00 - Enterprise Funds – was presented, moved by Council Member Pennington, seconded by Council Member Bradford, and tagged by

Council Member Green. Council Member Adams absent.

RESOLUTIONS AND ORDINANCES

8. RESOLUTION authorizing a loan application to the Texas Water Development Board (Clean Water State Revolving Fund Program) – was presented, and tagged by Council Member Pennington. Council Member Adams absent.
9. RESOLUTION authorizing a loan application to the Texas Water Development Board (Drinking Water State Revolving Fund Program) – was presented, and tagged by Council Member Pennington. Council Member Adams absent.
11. ORDINANCE **AMENDING CHAPTER 14, SECTIONS 14-220, 14-224, and 14-229 OF THE CITY OF HOUSTON CODE OF ORDINANCES**; relating to sick leave; providing for severability – was presented, and tagged by Council Member Rodriguez.
14. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **PARSONS ENVIRONMENT & INFRASTRUCTURE GROUP, INC F/K/A PARSON COMMERCIAL TECHNOLOGY GROUP, INC** for Comprehensive Facility Condition Assessments for Various City Facilities (Ordinance No. 2011-1208 passed December 21, 2011), to extend the contract term; setting a maximum contract amount; and appropriating sums of \$224,900.00 out of Parks Consolidated Construction Fund, \$12,200.00 out of Public Health Consolidated Construction Fund and \$2,400.00 out of Solid Waste Consolidated Construction Fund – was presented.

Council Member Costello stated that he was going to support Item No. 14, that recently they had a facility assessment that was done for a little over 400 buildings, identifying the need for about \$1.6 billion of renovations, improvements, operation and maintenance improvements, over a 20 year period and there was a discussion about the possibility of doing a utilization study and he wanted to advocate for that to see if in fact they really needed over 400 buildings, or did they really need all of the facilities they had, that he did not know if that had been discussed with the Mayor's staff, but would like to advocate that they pursue that thought process some more in the future.

Mayor Parker stated that yes, a utilization study would be healthy, as they knew she had been pushing to get more data before they made a decisions and that was a critical piece of data as they went forward, and thanked Council Member Costello for raising the issue.

A vote was called on Item No. 14. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2013-0730 ADOPTED.

- 14-1. ORDINANCE appropriating \$2,406,414.50 out of Fire Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Remediation and Tank Replacement at 1205 Dart Street; 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 materials testing, project management, construction oversight and disposal of contaminated water, and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund **DISTRICT H – GONZALEZ** – was presented.

Council Member Christi stated that probably similar advice on something like this, they were removing two storage tanks, 20,000, gallon, two more, and then one 1,000 gallon, and it was a \$2.4 million low bid, that was an enormous amount of money for removing tanks, that he knew they had to do remediation and such, but maybe a recommendation that they only got two

bids and maybe they should put it out again, that he would vote for it just because it was the only bid they got that they accepted, but that was a lot of money to remove tanks and do remediation.

Mayor Parker stated yes, that was actually one of the reasons that they were not replacing the fuel tanks, they had been consolidating and going to Council Member Costello's comment previously, fleet was one place they started where they really looked at particularly fueling stations across the City and they had significantly reduced the number of fueling stations, which meant they reduced the number of tanks, which were a huge liability issue and very expensive long range when they had to pull them back out again.

A vote was called on Item No. 14-1. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2013-0731 ADOPTED.

17. ORDINANCE approving and authorizing payment to the Houston Recovery Center LGC for Full Fiscal Year 2014 Operational Expenses for The Houston Center for Sobriety pursuant to an interlocal agreement between the City of Houston and **THE HOUSTON RECOVERY CENTER LGC** - \$1,646,624.00 - General Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Noriega absent due to being ill. ORDINANCE 2013-0732 ADOPTED.
18. ORDINANCE consenting to the addition of 42.42 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 419**, for inclusion in its district; repealing Ordinance Nos. 2012-946 and 2013-326 – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Costello absent. ORDINANCE 2013-0733 ADOPTED.
19. ORDINANCE approving and authorizing the submission of an application for grant assistance from and contract with the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**, for the City's Air Pollution Control Program; declaring the city's eligibility for such grant; authorizing the director of the Houston Department of Health and Human Services or his designee 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 - Grant Fund – was presented. Council Member Brown voting no, balance voting aye. Council Member Noriega absent due to being ill. ORDINANCE 2013-0734 ADOPTED.
20. ORDINANCE approving and authorizing a first amendment to the contract between the City of Houston and the **ARCHDIOCESE OF GALVESTON-HOUSTON** to provide an additional \$350,000.00 in Community Development Block Grant Funds for the construction of the St. Monica Food Pantry located at 8421 W. Montgomery Road, Houston, Texas - **DISTRICT B - DAVIS** – was presented. Council Member Brown voting no, balance voting aye. Council Member Noriega absent due to being ill. ORDINANCE 2013-0735 ADOPTED.
25. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential lots in **MEREDITH MANOR SUBDIVISION AND SOUTHGLEN SUBDIVISION, SECTION 1 & SECTION 1 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT K – GREEN** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2013-0736 ADOPTED.

After discussion by Council Member Green a vote was called on Item No. 25.

26. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential lots in **PLANTATION OAKS SUBDIVISION & REPLAT; PLANTATION OAKS SUBDIVISION, SECTION 2; SOUTHGLEN SUBDIVISION, SECTIONS 3-5 AND SOUTHGLEN SUBDIVISION, REPLAT OF SECTIONS 2 & 5** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2013-0737 ADOPTED.

NON CONSENT AGENDA - NUMBERS 46 and 47

MISCELLANEOUS

46. **MOTION TO SET A DATE** not less than seven days from August 14, 2013, to receive nominations for Positions A, B, C, D, E, F, G, H, I, J, K, and At-Large Positions 1, 2, 3, 4 and 5 of the **HOUSTON CLEAN COMMISSION BOARD OF DIRECTORS**, for terms ending January 1, 2015 – was presented.

Council Member Gonzalez moved to set Wednesday, August 21, 2013 to receive nominations for Positions A, B, C, D, E, F, G, H, I, J, K, and At-Large Positions 1, 2, 3, 4 and 5 of the Houston Clean Commission Board of Directors, seconded by Council Member Adams. All voting aye. Nays none. Council Member Noriega absent due to being ill. MOTION 2013-0566 ADOPTED.

47. **SET A PUBLIC HEARING DATE** regarding a fifth amendment to the **PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN** for Reinvestment Zone Number Seven (Old Spanish Trail/Almeda Corridors Zone) - **DISTRICT D – ADAMS - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - AUGUST 28, 2013** – was presented.

Council Member Adams moved to set a public hearing for 9:00 a.m. Wednesday, August 28, 2013 regarding a fifth amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Seven (Old Spanish Trail/Almeda Corridors Zone), seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Noriega absent due to being ill. MOTION 2013-0567 ADOPTED.

MATTERS HELD - NUMBERS 48 through 50

48. RECOMMENDATION from Purchasing Agent to award to **CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS** for purchase of a Verizon Data (Air Cards) Plan through the Texas Department of Information Resources for the Houston Police Department - \$1,527,198.00 General Fund – **(This was Item 10 on Agenda of August 7, 2013, TAGGED BY COUNCIL MEMBER DAVIS)** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. MOTION 2013-0568 ADOPTED.
49. RECOMMENDATION from Purchasing Agent to award to **AT&T CORPORATION** for purchase of Telecommunication Services through the Texas Department of Information Resources for Various Departments - Through July 1, 2016 \$9,900,000.00 - Central Services Revolving Fund – **(This was Item 14 on Agenda of August 7, 2013, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Noriega absent due to being ill. MOTION 2013-0567-9 ADOPTED.

50. 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 – (This was Item 42 on Agenda of August 7, 2013, POSTPONED BY MOTION #2013-551)** – was presented.

After discussion by Council Members Bradford, Burks, Rodriguez and Adams, a vote was called on Item No. 50. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2013-0738 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Brown stated that she wanted to recognize the scouts in the Chamber from Troop 355, they were working on their Citizenship in the Community and Communication Badges and were from the Spring area.

Mayor Parker stated that they all got lucky, they had a short Council meeting and they did not have to wait through a long one; that she understood that Council Members Brown and Christie were going to have birthday this weekend and wished them a Happy Birthday, and Council Member Rodriguez son, Jake, also had a birthday.

Council Member Davis announced events he attended or would be attending.

Council Member Cohen thanked Mayor Parker and in particular HEB and Pam Gardner, Central Houston Chair and Houston Arts Alliance for stepping forward so they could have the Thanksgiving Day Parade, it really showed what the community could do, it was something that was important to the community, when they realized they were going to lose the opportunity people came forward; that she wanted to congratulate District C resident Cat Creech, who was recently named the National Event Planner of the Year, by the National Association of Catering and Events, that she operated a business in Oak Forest, Cat Creech Events; that she wanted to wish a Happy Birthday to Mr. Dave Feldman, City Attorney. Council Members Brown, Davis, Hoang and Burks absent.

Mayor Parker thanked Council Member Cohen for referencing the Thanksgiving Day Parade, she too wanted to thank everyone for stepping up, one of the things that would be different going forward, this had always been a private entity, and they had a number of them, the Art Car Parade, the Rodeo Parade, Bayou City Art Fest and the Houston Festival that were independent of the City and were non profit organizations, that the Thanksgiving Day Parade had been independent of the City, and the City did have a role in bringing the entities together that put the money on the table to save this year, going forward they were going to continue to stay engaged through the Mayor's Office of Special Events, to make sure that they did not have this kind of lapse in the future. Council Members Brown, Davis, Martin, Hoang, Pennington and Burks absent.

Council Member Christi stated that he wanted to remind the City that they were so international that it was unreal, they saw in the newspaper where the Port of Houston had taken over the number one spot for foreign exports, that was the number one spot in the Nation, when he was with he Ecuadorians earlier in the week, the Council General and Ambassador were very appreciative of what the City had offered to do for them, it was the Peruvians the week before and if they read the headlines there was a South American, Brazilian and Mexican reaching out to Texas, look at the new President of Mexico, he was looking to the American Companies for their oil and gas production, so they needed to step up and make that North and South American friendships and tie it in with the tar sands in Canada and such, make renewed

friendships, that it was a tendency that they were coming to Houston and it was a joy dealing with them and they were really appreciative of the welcoming that the City gives them. Council Members Brown, Davis, Martin, Hoang, Pennington and Burks absent.

Council Member Rodriguez stated that he wanted to wish a Happy Birthday to his colleagues and also wanted to say Happy Birthday to his little boy Jake, who would be turning four Sunday as well, August 18, 2013, that he was a classic Leo and loved the attention and spotlight, that he would be starting pre-kindergarten this year, that he did not know where the time had gone, but it was the best thing he had ever done to become a Dad. Council Members Brown, Davis, Martin, Hoang, Pennington and Burks absent.

Council Member Gonzalez congratulated Council Member Rodriguez on his son, he was a very handsome and dapper young man; that he wanted to thank Sergeant Frank Escobedo for helping address a number of hot spots in the District H community over the last couple of weeks, he assisted in stopping illegal drag racing on Bauman Road and worked with Department of Neighborhoods and the Solid Waste Department to abate three lots reported to their office by church leaders in the Independence Heights Community; announced events he attended or would be attending; and thanked Ms. Tracy Akindoyore for spending her summer with the District H family as an intern tem member, that she was wrapping up her internship this week and he appreciated her hard work over the last few months. Council Members Brown, Davis, Martin, Hoang, Pennington, Burks and Bradford absent.

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

Council Member Green announced events he attended or would be attending. Council Members Brown, Davis, Martin, Hoang, Pennington, Burks and Bradford absent.

There being no further business before Council, the City Council adjourned at 9:41 a.m. Council Member Noriega absent due to being ill. Council Members Brown, Davis, Martin, Hoang, Pennington, Burks and Bradford absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary