

City Council Chamber, City Hall, Tuesday, October 22, 2013

A Regular Meeting of the Houston City Council was held at 2:00 p.m. Tuesday, October 22, 2013, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, James G. Rodriguez Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. Harlan Heilman, Legal Department, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director, Ms. Stella Ortega, Agenda Office, present. Council Member Edward Gonzalez out of the city on city business.

At 1:39 p.m. Mayor Parker called the meeting to order and stated they would begin with the Council presentations and recognized Council Member Rodriguez. Council Members Brown, Davis, Adams, Martin, Hoang, Pennington, Green, Costello, Burks and Noriega absent. NO QUORUM PRESENT

Council Member Rodriguez presented a proclamation to OKRA and invited Mr. Bobby Heugel, Ms. C. C. Norman and the rest of the OKRA team to join him, that the OKRA collaboration started in 2009. the Charity Bar had been committed to making a difference, that it had been an interesting type of establishment, to be able to have an adult beverage of their choice and know the proceeds were going to a worthy cause and that was what they had been doing since 2011, that the highlight of the charity work was in August 2013 when they raised over \$25,000 for the Houston Police Foundation to help fund the mounted patrol, and Mayor Parker stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed today as OKRA Charity Saloon Day in Houston, Texas, and thanked them for what they did. Council Members Brown, Davis, Adams, Martin, Hoang, Pennington, Green, Costello and Burks absent. NO QUORUM PRESENT

Mr. Heugel thanked Mayor Parker and the City Council for the proclamation, that they had been blown away with the amount of support the Charity Bar had gotten and thought they were at \$143,000 in donations to this point, he thought that showed how restaurants and community members really connected with this concept and idea. Council Members Brown, Davis, Adams, Martin, Hoang, Pennington, Green, Costello and Burks absent. NO QUORUM PRESENT

Mayor Parker thanked them for coming to Council today and being a part of the ceremony, and stated but more importantly for stepping up as a stakeholder organization that was engaged with the City of Houston on a range of things, that while they did not always agree on the outcomes they had very spirited conversations and there were some things they had brought to the City that they never considered before such as all of the hot young chefs they had and different ways of cooking, they actually had to change some of the Health Department Regulations and that sort of dialog had been important to sustain their food culture and she wanted to offer her thanks for that. Council Members Brown, Davis, Adams, Martin, Hoang, Green, Costello and Burks absent. NO QUORUM PRESENT

Vice Mayor Pro Tem Bradford, Council Members Noriega and Cohen congratulated OKRA and thanked them for their service. Council Members Brown, Davis, Adams, Martin, Green, Costello and Burks absent.

Council Member Cohen asked the representatives from the Jewish Family Services to join her at the podium and presented them with a proclamation, and stated that the Jewish Family Service strengthened Jewish individual and family life through counseling, education and services, and offered mental health and support programs for individuals and families, including a specialized program for individuals who suffered from chronic mental illness, and Mayor Parker stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed

today as Jewish Family Service Day in Houston, Texas, and thanked them for what they did. Council Members Brown, Davis, Hoang, Green, Costello and Burks absent.

Mr. Steve Robinson, President and Ms. Linda Berger, CEO, Jewish Family Service, thanked Mayor Parker and the City Council for the proclamation as it was a great honor to receive. Council Members Davis, Green, Costello and Burks absent.

Vice Mayor Pro Tem Bradford thanked the Jewish Family Services for what they had done, particularly the counseling services, as it related to mental health services. Council Members Davis, Green, Costello and Burks absent.

Mayor Parker stated that was a plug for the Real Abilities Film Fest, they were in the Disabilities Awareness Month and would be making presentations today, that she had the chance to see some of the films, if they did not go they really missed some outstanding cinema, the dialog that took place around the films was wonderful, she was glad they were committed to carry that forward, the Real Abilities Film Fest, it would be from February 9 to 14, 2014, opening night would be at the Houston Zoo. Council Members Davis, Rodriguez, Green, Costello and Burks absent.

Vice Mayor Pro Tem Bradford recognized Mayor Parker for the next presentations, and stated she would be joined by Council Member Adams. Council Members Davis, Rodriguez, Green, Costello and Burks absent.

Mayor Parker stated that the Mayor's Office for People with Disabilities had been celebrating with their community Disabilities Awareness Month and as part of that they always came together to recognize members of their community who had been outstanding advocates in various areas of disabilities awareness or access to services and she was happy to be joined by Council Member Adams who would be doing the voice over as they made some presentations. Council Members Davis, Hoang, Rodriguez, Green, Costello and Burks absent.

Council Member Adams stated that the Mayor's Disability Advocate of the Year Awards were given annually to recognize and honor the contribution of advocates who had provided a notable effort toward increasing Houston community awareness of issues related to disabilities, working towards the solution of one or more barriers for people with disabilities, or being the voice of those who had difficulty or could not represent themselves.

Mr. Donald Whitehead, Community Advocate of the Year, Advocate with a Disability, was nominated by Ms. Jasmine Harrell, a team member of his at the Whitehead Group of Morgan Stanley, who wrote that he was a committed role model and sought to help patients feel comfortable and confident in the public, that he was paralyzed from the waist down due to a motorcycle accident at the age of 23, Donald Whitehead went on to graduate with honors from Sam Houston State University and launched a successful career in the financial services industries. Council Members Davis, Hoang, Rodriguez, Green, Costello and Burks absent.

Mr. Whitehead thanked them very much for considering him, and stated it was not only an honor but a privilege to even be recognized for something that he found to be something he enjoyed doing every day and was engrained in who he was, that 20 years ago there were people who paved the way for him to find direction in his life and realized that he did not have to be less of a contributor to society but more of a contributor to those in society and found that working with so many people who survived from traumatic happenings and accidents could be a possible influence on so many other peoples lives and contribute to Houston and their community. Council Members Davis, Green, Costello and Burks absent.

Council Member Adams stated their next honoree was Ms. Alexandria Toledo, Youth

Advocate, that for the last 10 years, she had been an advocate for children with autism, she helped to teach her older twin brothers with autism how to read and perform math problems, she was nominated by Jerry Blum, who wrote, Alexandria had been a sister, teacher, advocate, presenter, and most importantly, someone who cared deeply about the challenges that were faced when autism was in the family, that her work had improved the lives of countless autistic children and their families in the Houston area and beyond. Council Members Davis, Green, Costello and Burks absent.

Ms. Toledo stated that this was a big surprise and an honor, when she was seven she gained two older step brothers into her family, and they had autism, it took a bit of adjusting but what she really appreciated was that having them as siblings in her family really opened her eyes up to the world, because they always knew in the back of their head that there were people with disabilities, but they never really understood until they saw it up close and personal and it really made it real for her, it opened up her tolerance for all types of people and she really appreciated getting to meet all of these people and being able to help them through the Dan Center for Autism. Council Members Davis, Green, Costello and Burks absent.

Mayor Parker asked Ms. Toledo to tell them how old she was, and Ms. Toledo stated she was 17 years old and a senior in high school, and Mayor Parker stated she was a future leader of Houston. Council Members Davis, Green, Costello and Burks absent.

Council Member Adams stated the next honoree was Ms. Alexandria Brusatori, Community Advocate of the Year Non-Disabled, and stated that she had been raising awareness about disability issues for over a decade, creating solutions to obstacles and being the voice of those who are not able to effectively advocate for themselves, that in September 2000, Ms. Brusatori and several other parents of children disabilities, founded the Village Learning & Achievement Center, a non-profit organization dedicated to providing a day habilitation program, that Kim was nominated by Devon Alexander, and ten other individuals, who wrote that Kim, who struggled to raise a child with developmental disabilities, had been the City of Houston and the Greater Lake Houston's gain, that Kim found that there were no childcare or adult care centers that would accept Kyle, her son, or private schools that would enroll him, that over the years it became evident that services and programs were lacking in the community, so Kim took it upon herself, through The Village, she had worked tirelessly with families, the community and organizations to make a difference in the lives of adults and children with disabilities, that Kim's energy knows no boundaries. Council Members Davis, Costello and Burks absent.

Ms. Brusatori thanked Mayor Parker and the City Council Members for the honor and stated also those with her today who nominated her, that she was appreciative of the fact that the City of Houston had chosen to take an active role in helping to build programs and services for individuals with developmental disabilities in their community, that for too long they had ignored the issues that this population faced, in a State that was ranked 48th in the Nation for providing resources to families, that this coupled with the fact that they lived in the largest County in Texas with the largest waiting list simplified necessity for programs such as the one they had developed, that she, and her husband Leonard, had a son who had a disability, that he was born and raised in Houston and they had been blessed to have been led to devote their lives to building a quality program for him and others through the formation of Village Learning Achievement Center, that the City of Houston Housing and Community Development Department had supported them by providing the funds necessary to renovate and purchase property and develop programs necessary to serve individuals with special needs, that she wanted to thank them for the acknowledgement of their work, it was greatly appreciated, it was not every day that they got recognized for doing something that they truly loved. Council Members Davis and Burks absent.

Council Member Adams stated that their final honoree was Ms. Barbara Craig, Community Advocate-Posthumous, to be accepted by her husband, Pastor Arthur Craig, and stated that Ms. Craig, who passed away in August, dedicated most of her life to improving the conditions and opportunities for people who were deaf, in 1980, Ms. Craig and her husband, Arthur Craig, moved to Houston, where they ministered to people who were deaf for 33 years, she was his secretary at Woodhaven Baptist Deaf Church for the last two-and-a-half years, and she supported his work at the only correctional facility for people who were deaf in the nation, she helped to create and support open doors to rehabilitation and a bridge from incarceration back into the community. Ms. Craig was nominated by Dr. Julie Howard, who wrote, "Her heart and soul was in working with the Deaf community and she truly believed that they too were an essential part of God's family. Her dedication to this community and her eagerness to bridge the communication gap sets her apart from many", and introduced Pastor Arthur Craig. Council Members Davis and Burks absent.

Pastor Craig thanked Mayor Parker and the City Council, and stated that this was a great honor for him to receive the award for his wife, Barbara, she loved serving the deaf people, for the last two and a half years she was the administrative assistant, where she served the church, the Lord and the deaf community of the Greater Houston area, that this was a great tribute to her memory. Council Members Davis and Burks absent.

Mayor Parker thanked the translator who was the doing the interpretation for the deaf. Council Members Davis and Burks absent.

At 2:13 p.m. Mayor Parker recognized Council Member Christi for the invocation and pledge of allegiance. Council Members Davis, Adams and Martin absent.

At 2:15 p.m. the City Secretary called the roll. Council Member Gonzalez out of the city on city business.

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

The City Secretary began calling the list of public speakers. Council Member Pennington absent.

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

Mayor Parker stated that she wanted to remind everyone that there was no Council meeting next week, not the public or business session, so do not show up next week. Council Member Pennington absent.

Mr. Brad Greer, 14339 Carol Crest Dr., Houston, Texas 77079 – 281-948-0689 - appeared and stated that he was present to speak about traffic synchronization, traffic was unreasonably congested, that it did not have to be that way in his view, he had called 3-1-1 several times, when he was a kid in Houston all of the lights were synchronized downtown in the 1970s, that he suspected they could do a better job. Council Member Pennington absent.

Mayor Parker stated they did do traffic signal synchronization, one of the challenges was as long as there was major construction in downtown Houston, the light rail impacted the east west traffic because it had signal priority, north and south, as they put in the new light rail line across the north end of downtown was a constant interruption of service and it required

unfortunately manual resetting, but it was something they struggled continuously and they appreciated his bringing it to their attention. Council Member Pennington absent.

Ms. Marie Johnson, 4223 Freedom Tree Dr., Missouri City, Texas 77459 – 281-594-3241 - had reserved time to speak but was not present when his name was called. Council Member Pennington absent.

Ms. Chantelle Petterson, 4738 Allison Rd., Houston, Texas 77048 – 281-204-3666 – had reserved time to speak but was not present when his name was called. Council Member Pennington absent.

Ms. Gladys Williams, 5838 Southgood, Houston, Texas 77033 – 281-690-2840 – had reserved time to speak but was not present when his name was called. Council Member Pennington absent.

Ms. Shondelyn Nicholas, 4102 Grassmere, Houston, Texas 77051 – 832-541-4627 – had reserved time to speak but was not present when his name was called. Council Member Pennington absent.

Ms. Shelia McDonald, 1442 Gentlebend, Missouri City, Texas 77489 – 281-704-4728 – had reserved time to speak but was not present when his name was called. Council Member Pennington absent.

Ms. Regina Sophus, 320 Hamilton, No. 120, Houston, Texas 7002 – had reserved time to speak but was not present when his name was called. Council Member Pennington absent.

Mr. Dale Steffes, 12510 Carriage Hill Dr., Houston, Texas 77077 - 281-497-2179 – appeared and read from a prepared stated, which he had passed out, in which he stated he was a lifetime member of the Greater Houston Partnership, and had filed to run for Mayor, his application was rejected, that he was a strategic planner by profession, that since filing for Mayor, on August 26, 2013, he had already issued many policy position papers, and planned on continuing to issue proposed policies and programs for Houston, just as if he was on the ballot. Council Members Pennington and Laster absent.

Bishop James Dixon, 1024 Pinemont, Houston, Texas 77091 – 713-688-2900 Ext 224 - had reserved time to speak but was not present when his name was called. Council Member Pennington absent.

Ms. Tracey Heslip, 3903 Irving, No. 102, Houston, Texas 77087 – 832-228-6249 - had reserved time to speak but was not present when her name was called. Council Member Pennington absent.

Ms. Glenola Hines, 3814 Lyons Ave, No. 130, Houston, Texas 77020 – 281-865-3774 - had reserved time to speak but was not present when her name was called. Council Member Pennington absent.

Mr. Eric Crowder, 1913 Hawthorne, Houston, Texas 77098 – 713-417-6355 – appeared and stated that he was present about increasing public access to skate parks in the Houston area, specifically as it pertained to BMX and Freestyle bikes, that he grew up in Houston riding BMX bikes, racing at local tracks and traveling around Texas to different skate parks, that his friend's family owned a Houston area BMX track in the late 1990s, that there had been a series of unfortunate events to see that Houston had been building a lot of skate parks, but not allowing BMX bikes, for a couple of different reasons, but they heard from several members of PUSH, Public Use for Skate Parks of Houston, a bunch of skateboarders got together and were

able to build Joe Jamil Skate Park, they cited Statute Section 75 that bikes were not covered under the limited liability of recreational activities that occurred on government land, that he reviewed the law with an attorney and he was not sure that bikes were not covered under that literature, that they heard other reasons about why bikes were not allowed at skate parks, but his friend would speak a little about that, that he wanted to remind people that BMX was a growing sport in industry and there was no reason that Houston could not be on the right side of the curb regarding that issue, that cities all around Texas had found a way to allow bikes in their skate parks, and thought one way that really struck home was that Austin would be hosting the X Games soon, which was a big money maker in the extreme sports industry, they allow BMX bikes. Council Member Pennington absent.

Mayor Parker stated that she was aware of the concern, but wanted to point out that the Joe Jamil Skate Park was built through privately raised funds, specifically for skateboarders, they had five above ground skate parks that did allow BMX bikes, Cliff Tuttle, Dillion Duncan, Eastwood, Rotunga and Clinton Parks, they were not as fancy as Joe Jamil Skate Park, that it was a purpose built park, that there had been discussion about building a specific BMX course, and thought there had been some discussion at one point about Tony Moron Park, but they need someone who was willing to step up with the money as the skateboarding community did. Council Member Pennington absent.

Mr. Desmond Startin, 1116 Beverly St., Houston, Texas 77008 – 832-816-1860 – appeared, presented information, and stated it would dismiss many of the common misconceptions, that skateboards and bikes could not coexist in a skate park, that bikes caused more damage than skateboards, that they could coexist, that Conroe had a park, it was smaller than Lee and Joe Jamil Park and they had to go out there to ride, and that was where they had their meetings of a recently formed organization called HUB, Houston United BMXers, so they would be hearing more from them, they argued if they could not be in the Lee and Joe Jamil Skate Park, why could they not be in the new skate park that was going to be the US largest skate park that was being built in the Greenspoint area, if wheelchairs could be in the skate parks why not allow bicycles as well. Council Member Pennington absent.

Mayor Parker stated that the new skate park they were building on the northside was a co-located skate park and park for all, not actually one park, they were side by side. Council Member Pennington absent.

Mr. Andrew Dobbs, 3100 Richmond, Ste. 290, Houston, Texas 77298 – 713-337-4192 – appeared, presented information from Texas Campaign for the Environment regarding “One Bin for All” and single-stream recycling, and stated he thought they should just go with recycling and pursue the policies, they needed to make sure they were pursuing the policies that had worked in communities across the Country, that the Mayor and Council Members had received more constituent mail from them today, they had generated over 15,000 letters from Houston citizens, over 3,000 emails asking them to oppose “One Bin for All”, that if their concerns turn out to be unfounded, they would welcome the opportunity to support a beneficial policy, that he knew there had been controversy about whether or not there was incineration in the deal, the RQ contradicted itself, it said they did not want any incineration, but were willing to consider gasification and catalytic conversion, these were incineration technologies, if they were introduced in the City of Houston they would have to file for incineration permits, there were also proposals he had heard to turn the trash into refuse derived fuel, which was an incineration technologies, that those technologies would be very difficult to permit in the first place, so he would hope that they would go with stuff they knew was going to work, recycling, composting, other zero waste policies. Council Member Pennington absent.

Mayor Parker stated that he should be grateful that they had given him the wonderful organizing tool that he had used pretty extensively to build his list, she thought it was to early to

decide whether it worked or not, that was why they were doing it, and there was always going to be the issue of co-mingled refuse, they were never going to have "here is the stuff they had to put in the landfill, and here was the stuff that they to recycle", that humans were imperfect at following instructions and certainly resistant to the issue of recycling and until and unless the City of Houston had a very strict garbage and/or recycling fee that financially penalized them she did not think they were ever going to be able to achieve what Mr. Dobbs wanted to achieve, she would rather explore what the technology had available, but they were going to have to see who was right and wrong a few years down the road, and Mr. Dobbs stated that obviously the worse policy was to tell people to intentionally co-mingle, and Mayor Parker stated that she did not know that they were intending to tell people to intentionally co-mingle.

Upon questions by Council Members Christi, Laster and Bradford, Mr. Dobbs stated that gasification was incineration technology; that they would not share their contributor list; that the saying was zero waste or darn close, he thought absolute zero was obviously not very possible, he thought that 90% to 95% diversion was possible, it would take some other technological advances going forward and significant policy changes over many years. Council Members Hoang, Pennington, Costello and Noriega absent.

Mayor Parker stated that she wanted to make sure Council Members knew, they were committed to curbside recycling which was why she just added another 60,000 households next spring. Council Members Hoang, Pennington, Costello and Noriega absent.

Council Member Burks stated that he had not seen Mr. Dobbs talk about Brownfields, and Mr. Dobbs stated that was a very serious issue and hoped they could build a coalition to work on that to, unfortunately there were an incredible number of environmental issues, their specialty had been for a long time waste and recycling, it was where their expertise lay. Council Members Hoang and Noriega absent.

After further discussion Council Member Rodriguez moved to suspend the rules to extend time for questions of Mr. Andrew Dobbs, seconded by Council Member Laster. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Members Hoang, Green and Noriega absent. MOTION 2013-0697 ADOPTED.

Upon further discussion and questions by Council Members Rodriguez and Laster, Mr. Dobbs stated that most of their members were constituents of the City, there were 60,000 contributors and any of those large donors could go away tomorrow and they would still operate because they had a funding mechanism that enabled them to be independent of any interest. Council Members Hoang, Green and Noriega absent.

Mr. Chike Mbonu, 3102 Aspen, Sugarland, Texas 77479 – 713-344-4519 - had reserved time to speak but was not present when his name was called. Council Members Hoang, Green and Noriega absent.

Ms. Lupe Vega, 5449 Peacock, Houston, Texas 77033 – 832-760-1532 – appeared and stated that she lived in District D and had a very big problem in her neighborhood, she had children that were 11 years of age and under, and they had to play in the neighborhood, she had problems with people dumping dead horses, dead dogs, sexual activities, condoms thrown on the street, grassy lots all around where she lived that already had the yellow boards that they stuck when the grass was going to be cut by the City, they had broken and boarded up houses, vandalized houses, she had called 3-1-1 and tried the code enforcer from that section, that she was pretty much just being passed around, that she would like a solution to this problem, if anybody had some suggestions. Council Members Hoang, Green and Noriega absent.

Council Member Adams stated that she appreciated that Ms. Vega was so proactive in her

neighborhood, she knew she had communicated with Solid Waste and Department of Neighborhoods, and everyone had responded to the needs, that there was a representative from Solid Waste in the audience so they could communicate with her. Council Members Hoang, Green and Noriega absent.

Mayor Parker stated that they had an Environmental Crime Unit of HPD that did do investigations, that she needed pictures of people dumping the trash, which was why they created the Camera Program, that she wanted to salute Council Member Davis for really pushing hard on that, she knew it was something that affected all neighborhoods or many neighborhoods across Houston. Council Members Hoang, Green and Noriega absent.

Council Member Burks moved to suspend the rules to extend time for questions of Ms. Lupe Vega, seconded by Council Member Davis. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Members Hoang and Noriega absent. MOTION 2013-0698 ADOPTED.

Council Member Burks knew they did not have a branding ordinance in the City of Houston for large animals and they would have to have them branded and register that brand so they would know who that brand would be. Council Members Hoang and Noriega absent.

Mr. Doug Smith, 11152 Westheimer, No. 169, Houston, Texas 77042 – 832-723-1652 - appeared and stated that he wanted to share a happy experience he had with 3-1-1, he lived near the intersection of Meadow Glen and Kirkwood, and the traffic was horrible at that intersection so he called 3-1-1 and asked if they could get a traffic light there, and they got back to him and said the engineers looked at that and it was to close to the intersection of Kirkwood and Westheimer, but they were going to do something, they did and it was great, so he wanted to let them know that this was something where 3-1-1 worked; that there had been a lot in the newspaper lately about the Critical Mass Bike Ride, which would be coming up this Friday, he could not believe that the police allowed this to happen, it was a blatant violation of laws, bicycles had the same laws that cars did, and basically, in his opinion, this was a mob that the police were afraid to deal with, and if they could not deal with this mob, what about a more violent mob, that he hoped they would do something to stop it. Council Members Hoang and Noriega absent.

Mayor Parker stated that the Critical Mass Bike Rides were about 20 years old around the Country, they were late to Houston, but it had taken off real rapidly in the last year or so, they were not being ignored, there had actually been meetings between her administration, in which she participated in, and some who were willing to speak for Critical Mass, although it was a largely leaderless organization, that the challenge it posed for the Police Department was that they could engage with individual bike riders, but usually with a mass demonstration, it was not a mob, but a demonstration, they had organizers who would take responsibility and work with the police, she wanted to salute those members of Critical Mass who had sat down with her administration, the protocol for dealing with public demonstrations was that they wanted to know where they were going and what route they were going to take to get there, that for the first time they had that information from Critical Mass, they would allow them to exercise their rights to public protest and they would try to find the balance point between their right to public protest and when their public protest was to take to the streets in their bicycles without stopping traffic, that part of having the route published in advance, and some consultation around the route to try to minimize the amount of major intersections that they close for long periods of time; the other thing that they asked for was the ability within the bike ride to communicate with each other, because that was another challenge, if somebody in the front of the route they could not communicate with folks at the back, they had asked internally that they designate those, who change every month, some communication from front to back and that the City knew each time they did it, who the communicators were so that there was a point of contact for the police,

without impeding their ability to do a public protest. Council Members Hoang, Costello, Burks and Noriega absent.

Upon questions by Council Members Laster and Pennington, Mayor Parker stated if they wanted to do a parade they would do a parade permit, public protest did not get a permit to protest, that those groups who protest regularly they ask that they work with the City to make sure they and the public were safe, that it did not matter whether it was Critical Mass or SEIU, shutting down intersections in the Galleria area at 5:00 p.m. traffic, their constitution allowed public protest, they tried to discourage, when it was a time and a place to maximize public anger back at the organization, which was why they had chosen, for the first time, to sit down with folks within Critical Mass and say how it was supposed to work and work to minimize the friction. Council Members Hoang, Rodriguez, Costello, Burks and Noriega absent.

Ms. Rocky Jackson, 4949 Dacoma, Houston, Texas 77092 – No Phone – appeared and stated that she was being targeted through airwaves, and continued to voice her personal opinions and life experiences until her time expired. Council Members Brown, Adams, Hoang, Rodriguez, Costello, Burks and Noriega absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he needed more time, that it was time that they all come to their senses, and continued to express his personal opinions until his time expired. Council Members Brown, Adams, Hoang, Rodriguez, Costello, Burks and Noriega absent.

At 3:08 p.m. Mayor Parker stated the City Council was recessed until 9:00 a.m., Wednesday, October 23, 2013. Council Member Gonzalez out of the city on city business. Council Members Brown, Adams, Hoang, Rodriguez, Costello, Burks and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, October 23, 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, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr. Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney; and Ms. Marta Crinejo, Agenda Director, present. Council Member Edward Gonzalez out of the city on city business.

At 8:24 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 a.m. Mayor Parker called the meeting to order and stated they had two public hearings.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** regarding the second amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Fourteen (Fourth Ward Zone) - **DISTRICT C - COHEN** – was called. Council Member Burks absent.

The City Secretary stated that no one had reserved time to appear at the public hearing and Mr. Ralph De Leon would make remarks concerning the hearing. Council Member Burks absent.

Mr. De Leon stated that on June 25, 2013, the Board of Directors of the Fourth Ward TIRZ approved amendments to the TIRZ Project and Financing Plans and forwarded them to the City for consideration, that in accordance with Section 3111-011E of the Texas Tax Code, the City

must hold a public hearing when proposed amendments to a project plan included changes that increased the total estimated cost stated in the project plan or reduced or enlarged the boundaries of the zone, the public hearing today was regarding the proposed second amendment to the Fourth Ward Project Plan and Financing Plan, that each Council office had been given a copy of the proposed plan for the zone and an official City statement had been distributed to them, that in brief, the proposed amendment to the zone plan would increase the project plan project costs by approximately \$58.1 million from previous plans, that in addition the amended plan would include provisions for the enhancement of and improvements to approximately 8.56 acres of public right-of-way and other public and institutionally owned tracts of land to be added to the boundaries of the zone, contemporaneously with the second amendment, that the goals and objectives included in the amended plan remained consistent with previously approved plans and included provisions for the design and construction of roadways and streets, utility systems, historic preservation, pedestrian enhancements, parks and related recreational infrastructure, public facility improvements and affordable housing, that in closing City staff had worked with the Fourth Ward TIRZ on the proposed second amended plan and would later bring forth a recommendation to City Council to approve the plan amendment. Council Member Burks absent.

Mayor Parker stated that no one reserved time to speak on this item and asked if there was any member of the public who wished to specifically address this item at the public hearing, and seeing none requested a motion to close the public hearing. Council Member Burks absent.

Council Member Bradford moved to close the public hearing, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0699 ADOPTED.

2. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements or amended and restated strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts – was called. Council Member Burks absent.

- West Harris County Municipal Utility District No. 21
- Montgomery County Municipal Utility District No. 98
- Louetta Road Utility District
- Harris County Water Control and Improvement District No. 36
- Harris County Municipal Utility District No. 191
- Memorial Hills Utility District
- West Harris County Municipal Utility District No. 2
- Spring Creek Utility District
- Harris County Freshwater Supply District No. 61
- Harris-Fort Bend Counties Municipal Utility District No. 5
- Harris County Municipal Utility District No. 368

The City Secretary stated that no one had reserved time to appear at the hearing. Council Member Burks absent.

Ms. Nicole Smothers, Planning Department, stated that since January 2001, the City had approved 316 Strategic Partnership Agreements with 227 MUDs generating approximately \$255 million in revenue for the City thru Fiscal Year 2013, the revenue from SPAs now represented 6.94% of the sales tax collection for the City, this was the second of two required public hearings, the first public hearing was held on October 16, 2013, that following the public

hearing, the Department would be seeking Council approval for the SPAs and the limited purpose annexations on November 13, 2013, if approved tax collections would begin on April 1, 2014; that for all of the Utility Districts included in this hearing, the City would levy a 1 percent sales tax, which it would divide evenly with the Districts, these areas included commercial territory only, there were no residents in the areas to be annexed, the agreements for November 13, 2013 were as follows, for the following Districts, the City would amend an existing agreement by adding new territory, there was no territory outside the MUD to be included in the annexation, Harris County Water Control and Improvement District No. 36, Harris County MUD No. 191, Memorial Hills Utility District and West Harris County MUD No. 2; for the following district, the City would execute a new Strategic Partnership Agreement, there was no territory outside the MUD to be included in the annexation, West Harris County MUD No. 21; for the following districts the City would amend an existing agreement by adding new territory, there was territory outside the district to be included in the annexation, the City would enforce the animal control service in the out of district area to be annexed, Spring Creek Utility District, Harris County Fresh Water Supply District No. 61, Harris-Fort Bend Counties MUD No. 5 and Harris county MUD No. 368; for the following districts, the City would execute a new Strategic Partnership Agreement, there was territory outside the district to be included in the annexation, the City would enforce the animal control service in the out of district territory to be annexed, Montgomery County MUD No. 98 and Louetta Road Utility District. Council Member Burks absent.

Mayor Parker stated no one had reserved time to speak on these special or limited purpose annexations and asked if there was any member of the public who wished to address this body on this issue, and seeing no one requested a motion to close the public hearing. Council Member Burks absent.

Council Member Bradford moved to close the public hearing, seconded by Council Member Christi. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0700 ADOPTED.

Mayor Parker stated they would move to the consent agenda. Council Member Burks absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 38

MISCELLANEOUS - NUMBERS 3 through 9

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1 (MEMORIAL CITY MANAGEMENT DISTRICT) BOARD OF DIRECTORS:**

| | | |
|----------------|---|--|
| Position One | - | STEVEN W. GOSS , reappointment, for a term to expire 6/1/2015 |
| Position Two | - | ALLEN TSENG , reappointment, for a term to expire 6/1/2015 |
| Position Three | - | DON M. GERSTENBERGER , appointment, for a term to expire 6/1/2015 |
| Position Four | - | GLENN AIROLA , reappointment, for a term to expire 6/1/2015 |
| Position Six | - | WILLIAM M. MOSLEY, JR. , reappointment, for a term to expire 6/1/2015 |
| Position Seven | - | ROSALIE GROENDES , appointment, for a term to expire 6/1/2017 |
| Position Eight | - | CHARLES DE LACEY , appointment, for a term to expire 6/1/2017 |
| Position Nine | - | ROGER H. HORD , reappointment, for a term to expire 6/1/2017 |
| Position Ten | - | THOMAS B. "BEN" GILLIS , reappointment, for a term to expire 6/1/2017 |

Position Eleven - **BRETT W. HETHERWICK**, reappointment, for a term to expire 6/1/2017

- was presented, moved by Council Member Bradford, seconded by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0701 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment of **JAMES B. HARRISON, III** for Position Eight to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET MARKET SQUARE ZONE)** for an unexpired term ending 12/31/2014 - was presented, moved by Council Member Bradford, seconded by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0702 ADOPTED.

5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **GULFGATE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS:**

Position One - **MICHAEL A. DOMINGUEZ**, appointment, for a term to expire 12/9/2013

Position Two - **MARY MARGARET HANSEN**, reappointment, for a term to expire 12/9/2014

Position Three - **MEDARDO "SONNY" GARZA**, reappointment, for a term to expire 12/9/2013

Position Four - **MICHAEL A. MARQUEZ**, reappointment, for a term to expire 12/9/2014

Position Five - **KARLOS C. ALLEN**, appointment, for a term to expire 12/9/2013

- was presented, moved by Council Member Bradford, seconded by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0703 ADOPTED.

6. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER EIGHT, CITY OF HOUSTON, TEXAS (GULFGATE) BOARD OF DIRECTORS:**

Position One - **MICHAEL A. DOMINGUEZ**, appointment, for a term to expire 12/9/2013

Position Two - **MARY MARGARET HANSEN**, reappointment, for a term to expire 12/9/2014

Position Three - **MEDARDO "SONNY" GARZA**, reappointment, for a term to expire 12/9/2013

Position Four - **MICHAEL A. MARQUEZ**, reappointment, for a term to expire 12/9/2014

Position Five - **KARLOS C. ALLEN**, appointment, for a term to expire 12/9/2013

- was presented, moved by Council Member Bradford, seconded by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0704 ADOPTED.

9. RECOMMENDATION from Fire Chief for Extension of Injury Leave for **ENGINEER OPERATOR GEORGE NICASIO** from 4/13/2013 through 9/22/2013 - was presented, moved by Council Member Bradford, seconded by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0705 ADOPTED.

Mayor Parker stated they had made a number of appointments, first was the Board of Directors of the Main Street Market Square Reinvestment Zone No. 3, and recognized Mr. James Harrison III and thanked him for his willingness to serve and appreciated the time he

was taking, that it was amazing when folks took the time to invest in the City the way he was doing. Council Member Burks absent.

Council Member Noriega thanked Mr. Harrison for his willingness to serve, that it was amazing when folks took the time to invest in the City the way he was doing, thanks for his public service. Council Member Burks absent.

Mayor Parker stated they had appointed Members of Reinvestment Zone No. 8, Gulfgate, and recognized Mr. Michael Dominguez and Mr. Michael Marquez and thanked them for their willingness to serve on the Board of Directors and appreciated the time that it took. Council Member Burks absent.

Council Member Noriega stated that it was her end of town and she shopped at Gulfgate and was grateful that they were stepping up to take care of that, that she appreciated their willingness to serve. Council Member Burks absent.

Council Member Costello moved to suspend the rules for the purpose of considering Item No. 7 at this time, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0706 ADOPTED.

7. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **SPRING BRANCH MANAGEMENT DISTRICT BOARD OF DIRECTORS** for terms to expire 6/1/2017:

Position Eight - **PATRICIA A. MADDOX**, reappointment
Position Nine - **DAVID GUTIERREZ**, reappointment
Position Ten - **JASON J. JOHNSON**, appointment
Position Eleven - **RINO CASSINELLI**, reappointment
Position Twelve - **MELANIE HOFF**, reappointment
Position Thirteen - **JOHN W. H. CHIANG**, reappointment

- was presented, moved by Council Member Bradford, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Members Costello and Burks absent. MOTION 2013-0707 ADOPTED.

Mayor Parker stated they had affirmed the nominations of individuals to the Spring Branch Management District Board of Directors, and recognized Mr. John Chiang and thanked him for his willingness to serve. Council Members Costello and Burks absent.

Council Members Noriega and Brown thanked Mr. Chiang for his service to the City of Houston. Council Members Costello and Burks absent.

PROPERTY - NUMBER 11

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Angela Martinez, Knudson, L.P., on behalf of The Museum of Fine Arts, Houston (Willard Holmes, Chief Operating Officer) and First Presbyterian Church of Houston (Jim Birchfield, Senior Pastor), for abandonment and sale of Roseland Street, from Barkdull Street south to its terminus at Berthea Street, and a 20-foot-wide storm sewer easement, in exchange for conveyance of a 5-foot-wide right-of-way easement along the southern portion of Barkdull Street, from Roseland Street west ±95 feet, all located within the Turner Addition, out of the Obedience Smith Survey, Parcels SY13-097A, SY13-097B, SY14-020 and AY14-011 - **DISTRICT C – COHEN** - was presented, moved by Council Member Bradford, seconded

by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0708 ADOPTED.

ORDINANCES - NUMBERS 13 through 38

13. ORDINANCE approving and authorizing purchase and sale agreement between **UPPER KIRBY REDEVELOPMENT AUTHORITY (THE "AUTHORITY")**, seller and the City of Houston, Texas (the "City"), buyer, for approximately 2.839 acres of land located at the intersection of Wake Forest St. and Richmond Ave., and purchase and sale agreement between the authority, buyer, and the City, seller, for the sale by the City approximately 2.1748 acres of land located at the intersection Eastside St. and Richmond Ave.; in connection with the reconfiguration of Levy Park **DISTRICT C – COHEN** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0951 ADOPTED.
14. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two water line easements and two fire hydrant easements in the Three Fountains Square Subdivision, Houston, Harris County, Texas; vacating and abandoning the easements to Tanglewood Court Associates, LP, abutting owner, in consideration of its payment to the city of \$324,318.00 and other consideration - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0952 ADOPTED.
15. ORDINANCE approving and authorizing Two International Facilities Agreements by and between the City of Houston and **AIR CHINA LIMITED AND TURKISH AIRLINES** at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0953 ADOPTED.
16. ORDINANCE approving and authorizing an agreement between the City of Houston, Texas, and the Metropolitan Transit Authority of Harris County, Texas ("METRO"), to establish a procedure for exchanging and transferring real properties between the parties; authorizing the sale to METRO for \$465,080.00 of a 3,322-square-foot tract of land in Block 160, South Side Buffalo Bayou, Harris County, Texas ("S.S.B.B."), and the purchase from METRO for \$886,560.00 of a 7,388-square-foot tract of land in Block 161, S.S.B.B.; approving a form of special warranty deed; authorizing that payment by METRO of the cash consideration due to the City for the abandonment of 17 real property interests in the Harrisburg Boulevard Area, Houston, Texas, may be effected through the new account - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0954 ADOPTED.
17. ORDINANCE relating to the Fiscal Affairs of the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (SAINT GEORGE PLACE ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone **DISTRICTS G – PENNINGTON and J - LASTER** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0955 ADOPTED.
18. ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER FIVE, CITY OF HOUSTON, TEXAS (MEMORIAL-HEIGHTS ZONE)**; approving the Fiscal

Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvement Projects Budget for the Zone **DISTRICTS C - COHEN; G - PENNINGTON and H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0956 ADOPTED.

19. ORDINANCE relating to the Fiscal Affairs of the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Projects Budget for the Zone - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0957 ADOPTED.
20. ORDINANCE relating to the Fiscal Affairs of the **FOURTH WARD REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvement Projects Budget for the Zone - **DISTRICT C - COHEN** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0958 ADOPTED.
21. ORDINANCE relating to the Fiscal Affairs of the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Projects Budget for the Zone - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0959 ADOPTED.
22. ORDINANCE relating to the Fiscal Affairs of the **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER TWENTY, CITY OF HOUSTON, TEXAS (SOUTHWEST HOUSTON ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICTS F - HOANG and J - LASTER** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0960 ADOPTED.
25. ORDINANCE approving and authorizing first amendment to the agreement for Check Processing, Validation, Imaging and ATM Concession Services between the City and **JPMORGAN CHASE BANK, N.A.**, for the Municipal Courts Department - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0961 ADOPTED.
26. ORDINANCE approving and authorizing continuation agreement between the City of Houston and the **FEDERAL HIGHWAY ADMINISTRATION** for the Transportation and Community and System Preservation 2001 Grant (approved by Ordinance No. 2001-656); approve and authorizing the continuation of the original agreement and to extend the term to December 31, 2015 - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0962 ADOPTED.
27. ORDINANCE approving and authorizing continuation agreement between the City of Houston and the **FEDERAL HIGHWAY ADMINISTRATION** for the Transportation and

Community and System Preservation 2002 Grant (approved by Ordinance No. 2002-805); approve and authorizing the continuation of the original agreement and to extend the term to December 31, 2015 **DISTRICTS C - COHEN; D - ADAMS and K - GREEN** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0963 ADOPTED.

28. ORDINANCE finding determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Buffalo Speedway Paving and Drainage Project from West Airport to Holmes Road; authorizing the acquisition of fee simple title interest in or easement to 9 parcels of land required for the project and situation in the William Bryan Survey, Abstract No. 185 and the B.B.B. & C. R.R. CO. Survey, Abstract No. 172; in Harris County, Texas, said parcels of land being from West Airport to Holmes Road by gift, dedication, purchase or the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Relocation Assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of fee Simple Title Interest in or easement to the 9 parcels of land required for the project - **DISTRICT K - GREEN** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0964 ADOPTED.
29. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public improvement Project known as the Memorial Drive Project from Kirkwood to North Eldridge Boulevard; authorizing the acquisition of fee simple title interest in or easement to 15 parcels of land required for the project and situated in the W. G. Perkinson Survey, Abstract No. 623, the William Hardin Survey, Abstract No. 24, and the Joel Wheaton Survey, Abstract No. 80; in Harris County, Texas, by gift, dedication, purchase or the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 15 parcels of land required for the project - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0965 ADOPTED.
30. ORDINANCE appropriating \$310,500.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to a Professional Engineering Services Contract between the City of Houston and **AMANI ENGINEERING, INC** for Neighborhood Sewer System Improvements (approved by Ordinance No. 2007-0276); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS C - COHEN and G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0966 ADOPTED.
31. ORDINANCE consenting to the addition of 90.828 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 142**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0967 ADOPTED.
32. ORDINANCE consenting to the addition of 12.0895 acres of land to **HARRIS-MONTGOMERY COUNTIES MUNICIPAL UTILITY DISTRICT NO. 386**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Gonzalez out of the

city on city business. Council Member Burks absent. ORDINANCE 2013-0968 ADOPTED.

33. ORDINANCE consenting to the addition of 16.5580 acres of land to **NORTHAMPTON MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0969 ADOPTED.
34. ORDINANCE consenting to the addition of 2.324 acres of land to **PORTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0970 ADOPTED.
36. ORDINANCE appropriating \$6,937,012.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting 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 – (WW4257-138) - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE 2013-0971 ADOPTED.
37. ORDINANCES Nos. 2013-930 to 2013-942, passed first reading October 16, 2013 for Ordinances granting to the following listed as A through M, 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 and making certain findings related thereto **SECOND READING** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE Numbers 2013-930 to 2013-942 PASSED SECOND READING IN FULL.
STERICYCLE, INC, a Delaware Corporation - (2013-930)
ENSOURCE CORPORATION, a Texas Corporation - (2013-931)
MILLENNIUM PROJECT SOLUTIONS, INC, a Texas Corporation - (2013-932)
EXCELL DISPOSAL WASTE CONTAINERS, INC, a Texas Corporation - (2013-933)
SAN MARCOS GREASE SERVICE, LLC, a Texas Limited Liability Company - (2013-934)
PULIDO TRUCKING, L.P., a Texas Limited Partnership - (2013-935)
CHERRY CONCRETE REMOVAL, LTD, a Texas Limited Partnership - (2013-936)
TEXAS WATER MANAGEMENT, LLC, a Texas Limited Liability Company - (2013-937)
GAINSBOROUGH CORPORATION DBA GAINSBOROUGH WASTE, a Texas Corporation (2013-938)
ADAM H. BELMONT DBA BETO'S HYDRO AND SANITATION, a Texas Sole Proprietorship - (2013-939)
GARNER ENVIRONMENTAL SERVICES, INC, a Texas Corporation - (2013-940)
HIPPO WASTE SYSTEMS, LLC, a Texas Limited Liability Company - (2013-941)
A-VAC SEPTIC SERVICE, LLC, a Texas Limited Liability Company - (2013-942)

38. ORDINANCES Nos. 2013-903 to 2013-912, passed second reading October 16, 2013 for Ordinances granting to the following listed as A through J, 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 and making certain findings

related thereto **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. ORDINANCE Numbers 2013-903 to 2013-912 ADOPTED THIRD READING IN FULL.

CTJ VACUUM SERVICE, LLC, a Texas Limited Liability Company - **(2013-903)**

GULFCOAST WASTE SERVICES, LLC, a Texas Limited Liability Company - **(2013-904)**

MAGNA-FLOW INTERNATIONAL, INC DBA MAGNA FLOW ENVIRONMENTAL, a Texas Corporation - **(2013-905)**

JERRY BRUMFIELD DBA BRUMFIELD SANITATION SERVICES, a Texas Sole Proprietorship - **(2013-906)**

CIMA SERVICES, L.P., a Texas Limited Partnership - **(2013-907)**

SUN COAST RESOURCES, INC, a Texas Corporation - **(2013-908)**

CAROL JEAN HARGET DBA SEPCO SEPTIC TANK SERVICES, a Texas Sole Proprietorship - **(2013-909)**

HILL SAND COMPANY, INC DBA HILL WASTE SERVICE, a Texas Corporation - **(2013-910)**

DARYL SHEPPEARD DBA ACE SEPTIC AND PLUMBING CO., a Texas Sole Proprietorship - **(2013-911)**

USA GAIN ENVIRONMENTAL, LLC., a Texas Limited Liability Company - **(2013-912)**

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

8. RECOMMENDATION from Director of Human Resources Department to approve 730 calendar day period for military leave pay differential for employees called to active duty status during a time of war or state of emergency - was presented, moved by Council Member Bradford, seconded by Council Member Adams. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0709 ADOPTED.

After discussion by Council Members Noriega and Pennington, Mayor Parker stated that for the benefit of the public, when members of the City workforce were deployed to active duty many of them may receive a lesser paycheck when they were deployed and the City pays the differential between what their deployment pay was and their pay for the City of Houston. Council Member Burks absent.

10. RECOMMENDATION from the Office of Business Opportunity and Houston Airport System for approval of overall Goal for participation of Disadvantaged Business Enterprises in U. S. Department of Transportation/Federal Aviation Administration funded contracts for Federal Fiscal Years 2014-2016 (October 1, 2013 through September 30, 2016), in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements - **DISTRICT B – DAVIS** – was presented, moved by Council Member Bradford, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0710 ADOPTED.

PURCHASING AND TABULATION OF BIDS

12. **AMEND MOTION #2011-0328, 4/20/11, TO INCREASE** spending authority from \$835,571.50 to \$1,169,800.10 for EMS Gloves for Fire Department, awarded to **BOUND TREE MEDICAL, LLC** \$334,228.60 - General Fund – was presented, moved by Council Member Bradford, seconded by Council Member Adams.

Upon questions and discussion by Council Members Christi and Bradford, Mayor Parker stated that it was the current protocol with ambulance services across the Country to take advantage of the use of different kind of gloves, there were boxes of gloves but latex gloves, that HIV was not the only thing that one could catch through direct transmission, that the \$300,000 increase was adding money to an existing contract, which they felt had a good purchase price to add more boxes of gloves to the buy.

A vote was called on Item No. 12. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Burks absent. MOTION 2013-0711 ADOPTED.

ORDINANCES

23. ORDINANCE approving and authorizing contract between the City and **MGT OF AMERICA, INC**, for Consulting Services for cost allocation plan services; providing a maximum contract amount \$179,220.00 - 1 year with two-one year options - General Fund - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0972 ADOPTED.
24. ORDINANCE amending Ordinance No. 2009-0542 to increase the maximum contract amount for contract between the City of Houston and **HAHN EQUIPMENT CO., INC** for Large Submersible Pump Repair Services for the Public Works & Engineering Department \$915,475.53 - Enterprise Fund - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0973 ADOPTED.
35. ORDINANCE de-appropriating \$3,792,408.00 out of Metro Projects Construction DDSRF, \$1,070,528.00 out of Water & Sewer System Consolidated Construction Fund, \$651,064.00 out of Street & Traffic Control and Storm Drainage DDSRF which was appropriated under Ordinance 2012-0546 and appropriating \$4,184,237.00 out of Metro Projects Construction DDSRF, \$1,696,977.00 out of Water & Sewer System Consolidated Construction Fund, \$907,786.00 out of Street & Traffic Control and Storm Drainage DDSRF, \$100,000.00 out of Contribution for Capital Projects Fund; awarding contract to **CONRAD CONSTRUCTION CO., LTD.** for Long Point Reconstruction: Hollister Road to Pech Road; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF, Water & Sewer System Consolidated Construction Fund, Street & Traffic Control and Storm Drainage DDSRF, and Contribution for Capital Projects Fund - **DISTRICT A - BROWN** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0974 ADOPTED.

MATTERS HELD - NUMBERS 39 through 42

39. ORDINANCE approving and authorizing Lease Development Agreement between the City of Houston and **HOUSTON AIRPORT HOTEL OWNER LIMITED PARTNERSHIP**, for certain premises at George Bush Intercontinental Airport/Houston and concurrently terminating Lease Agreement No. 19753, as amended, and a Special Facilities Lease Agreement by and between the City of Houston and Host of Houston 1979 and Host of Houston, Ltd. - **DISTRICT B – DAVIS – (This was Item 10 on Agenda of October 16, 2013, TAGGED BY COUNCIL MEMBER DAVIS)** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE

2013-0975 ADOPTED.

40. ORDINANCE relating to the Fiscal Affairs of the **UPTOWN REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICTS C - COHEN G - PENNINGTON and J – LASTER – (This was Item 19 on Agenda of October 16, 2013, TAGGED BY COUNCIL MEMBER PENNINGTON)** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. Council Member Costello absent. ORDINANCE 2013-0976 ADOPTED.
41. ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL CITY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS (MEMORIAL CITY ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone - **DISTRICTS A - BROWN and G – PENNINGTON – (This was Item 20 on Agenda of October 16, 2013, TAGGED BY COUNCIL MEMBER PENNINGTON)** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0977 ADOPTED.
42. ORDINANCE relating to the Fiscal Affairs of the **UPPER KIRBY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority and the Fiscal Years 2014-2018 Capital Improvements Budget for the Zone **DISTRICTS C - COHEN and G – PENNINGTON – (This was Item 21 on Agenda of October 16, 2013, TAGGED BY COUNCIL MEMBER PENNINGTON)** - was presented. All voting aye. Nays none. Council Member Gonzalez out of the city on city business. ORDINANCE 2013-0978 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

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

Council Member Adams announced events she attended or would be attending; and asked that they continue to pray for Ms. Margaret Jenkins, who was ill; that Ms. Cleola Thompson had passed and offered her condolences to her family. Council Members Brown, Hoang, Martin, Burks and Christi absent.

Council Member Pennington congratulated Council Member Costello and stated that his company had won an award, his firm was named by the Houston Business Journal as the Best Place to Work for companies with 101 to 500 employees; and announced events he attended or would be attending. Council Members Brown, Hoang, Martin, Burks and Christi absent.

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

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

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

Council Member Christi announced events he attended or would be attending, and stated that he wanted to give a shout out to the contractor for the City Hall Annex, somebody was doing a good job, it was a beautiful job to bring the annex back to life, so someone needed to thank those contractors working on that building. Council Members Brown, Hoang, Martin and Burks absent.

Council Member Laster announced events he attended or would be attending. Council Members Brown, Hoang, Martin and Burks absent.

Council Member Costello stated that the next meeting for the Budget Committee meeting would be on November 12, 2013. Council Members Brown, Hoang, Martin and Burks absent.

Council Member Rodriguez thanked the Parks Department for helping their office on a few issues this week; and wished his parents a happy 42nd Wedding Anniversary. Council Members Brown, Hoang, Martin and Burks absent.

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

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

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

Mayor Parker stated that as a reminder this was Breast Cancer Awareness Month and Domestic Violence Awareness Month and would encourage them to wear purple on Friday; that there would be no Council meeting next week, the next Council meeting would be on November 6, 2013. Council Members Brown, Davis, Hoang, Pennington, Martin, Costello and Burks absent.

There being no further business before Council, the City Council adjourned at 09:58 a.m. Council Member Gonzalez out of the city on city business. Council Members Brown, Davis, Hoang, Pennington, Martin, Costello and Burks absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary