

City Council Chamber, City Hall, Tuesday, December 10, 2013

A Regular Meeting of the Houston City Council was held at 2:00 p.m. Tuesday, December 10, 2013, Mayor Pro Tem Edward Gonzalez presiding, with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, James G. Rodriguez, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. Don Cheatham, Legal Department, Section Chief; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present. Mayor Annise Parker out of the city on city business. Council Member Mike Laster absent on personal business.

At 1:46 p.m. Mayor Pro Tem Gonzalez called the meeting to order and stated they would begin with the Council presentations and recognized Council Member Noriega for the first presentation. Council Members Brown, Davis, Adams, Martin, Hoang, Pennington, Rodriguez, Green and Burks absent. NO QUORUM PRESENT

Council Member Noriega stated that she wanted to recognize the Harris County Health System and asked representatives of the Harris County Health System to join her at the podium and presented a proclamation to the Harris County Health System and Mayor Pro Tem Gonzalez stated on behalf of Mayor Annise Parker, and the City Council, they were proud to proclaim today as Harris County Health System Day in Houston, Texas. Council Members Brown, Davis, Adams, Martin, Hoang, Pennington, Rodriguez, Green and Burks absent. Vice Mayor Pro Tem Bradford presiding. NO QUORUM PRESENT

Dr. Davis S. Lopez, President and CEO, Harris Health System, Ms. Carolyn Truesdell, Chair, Board of Directors, and Dr. Kenneth Maddox stated that they wanted to thank Mayor Parker and the City Council for the proclamation. Council Members Brown, Davis, Martin, Pennington, Rodriguez, Green and Burks absent. Vice Mayor Pro Tem Bradford presiding.

Vice Mayor Pro Tem Bradford, and Council Members Christi and Cohen stated that they wanted to congratulate the Harris Health System for their service to the City of Houston. Council Members Brown, Davis, Martin, Pennington, Rodriguez, Green and Burks absent. Vice Mayor Pro Tem Bradford presiding. NO QUORUM PRESENT

Vice Mayor Pro Tem Bradford recognized Mayor Pro Tem Gonzalez for the next presentation. Council Members Brown, Davis, Martin, Pennington, Rodriguez, Green and Burks absent. Vice Mayor Pro Tem Bradford presiding. NO QUORUM PRESENT

Mayor Pro Tem Gonzalez stated that it was a privilege and an honor to welcome Reverend Calvin J. Abraham, Pastor Emeritus, Bella Vista Missionary Baptist Church, and stated they recognized Reverend Abraham for his humble service to the church and the Independent Heights Community, to commemorate his humble service a dedicated marker would be erected in his honor on Sunday, December 15, 2013 at Bella Vista Baptist Church, presented a proclamation and stated that the City of Houston commended Reverend Calvin J. Abraham for his 58 years of devoted service and on behalf of Mayor Annise Parker and the City Council they proclaimed today as Calvin J. Abraham Day in Houston, Texas. Council Members Brown, Davis, Martin, Pennington, Rodriguez, Green and Burks absent. Vice Mayor Pro Tem Bradford presiding. NO QUORUM PRESENT

Reverend Abraham stated that he wanted to thank Mayor Parker and the City Council for the proclamation. Council Members Brown, Davis, Adams, Martin, Pennington, Rodriguez and Green absent. Vice Mayor Pro Tem Bradford presiding. NO QUORUM PRESENT

Vice Mayor Pro Tem Bradford, Council Members Davis, Burks and Adams stated that they

wanted to congratulate Reverend Abraham and thanked him for his service to the City of Houston. Council Members Brown, Davis, Martin, and Rodriguez absent. Vice Mayor Pro Tem Bradford presiding.

Vice Mayor Pro Tem Bradford stated that he wanted to recognize students from Fonville Middle School and Assistant Principle Karen Jackson who were present in the audience and thanked them for being present. Council Members Brown, Davis, Martin, and Rodriguez absent. Vice Mayor Pro Tem Bradford presiding.

Vice Mayor Pro Tem Bradford recognized Council Member Cohen for the next presentation. Council Members Brown, Davis, Martin, and Rodriguez absent. Vice Mayor Pro Tem Bradford presiding.

Council Member Cohen stated that she wanted to invite Ms. Rhonda Robinson, Executive Director and CEO of Covenant House, to the podium, and delivered a proclamation to her on behalf of the City, that Covenant House Texas was a non profit organization that had been providing emergency shelter, crisis intervention, transitional housing and community based services to homeless runaway and at risk youth under the age of 21, for 30 years, and Mayor Pro Tem Gonzalez stated that on behalf of Mayor Annise Parker and the City Council they proclaimed today as Covenant House Texas Day in Houston, Texas. Council Members Brown, Davis, Martin, and Rodriguez absent. Vice Mayor Pro Tem Bradford presiding.

Ms. Robinson stated that Covenant House had been a safe haven for homeless youth for 30 years, they were part of the largest child care agency throughout their Country in providing safe haven for run away and homeless youth, that she was proud of the Mayor and all of the initiatives to end homelessness, and thanked the City and the Mayor for all of the support they had given Covenant House throughout the 30 years. Council Members Brown, Davis, Martin, and Rodriguez absent. Vice Mayor Pro Tem Bradford presiding.

Council Members Adams stated that she wanted to congratulate Ms. Robinson and thanked her for her service to the City of Houston. Council Members Brown, Davis, Rodriguez and Christi absent.

Council Member Burks stated that he wanted to thank Ms. Robinson and God bless her for what she did and stated that they had not heard from the three people that were with her, and asked what had Covenant House done for them. Council Members Brown, Davis, Rodriguez and Christi absent.

Trevor McLaughlin stated that Covenant House had provided him a place to stay and currently he was trying to get his GED and Covenant House was also helping him with that.

Barbara Taylor stated that she had been at Covenant House approximately 5 months, from going to the crisis shelter, moving to ROP, Rights of Passage, a higher form of living, that Covenant House had taught her respect and how to become an adult, that in ROP they took out rent from their checks that they turn in and save it for them, in order to help them become a young adult, that she appreciated all that Covenant House had done for her, that it was not just a shelter where they go to sleep, they were keeping them grounded and keeping them on their p's and q's and she appreciated all they had done for her. Council Members Davis and Rodriguez absent.

Morris Crosby stated that he had been at Covenant House for about 4 months, that there were a lot of people that he met and they had great people skills and helped him to better his future and be more prosperous in what demand there may be in his life, they were there for him and provided a place for him to stay. Council Members Davis and Rodriguez absent.

At 2:06 p.m. Mayor Pro Tem Gonzalez invited Reverend Abraham for the invocation and Council Member Gonzalez led them all in the pledge of allegiance. Council Members Davis and Rodriguez absent.

At 2:09 p.m. the City Secretary called the roll. Mayor Parker out of the city on city business. Council Member Laster absent on personal business.

Council Members Bradford and Burks moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED.

Council Member Green moved that the rules be suspended for the purpose of hearing from Mr. Ronald Green, Controller, City of Houston, and Ms. Denise Carpenter, out of order, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Laster absent on personal business. Council Member Davis absent. MOTION 2013-0776 ADOPTED.

The City Secretary began calling the list of public speakers.

Mr. Ronald Green, 901 Bagby, Houston, Texas 77002 (no phone number given) appeared and stated that he was present as one, a private citizen, two, as the Controller and one of the individuals who had worked very closely with the Bank on Houston Program, that he was present on Agenda Item No. 26, and had presented a handout of his comments, and as they deliberate the ordinance to please note that there were already some things in place to help them as it related to protecting citizens of Houston, that he did support the Legislation that would protect citizens as it related to cash advance businesses.

Upon discussion and questions by Council Members Adams, Bradford, Martin, Rodriguez and Burks, Mr. Green stated that they could not be 100% assured that people would understand what they were signing, that they could make sure they had every opportunity, at different points along the way, to have gotten the information and have it explained to them; that the ordinance they had in their hands today was the one that he helped craft, that the one that was watered down he did not participate in that; that they had not been provided the information on how much it would cost to enforce the ordinance; that there were several organizations who had been working many years and had gathered information. Council Members Brown, Hoang, Green and Noriega absent.

Ms. Denise Carpenter, (did not wish to give address) – (832-393-3523) appeared and stated that she was the Program Coordinator for Bank on Houston, that she was speaking in favor of the Payday Lending Ordinance and urging Council Members to vote for the ordinance, that Bank on Houston was focused on reducing the number of un-banked and under banked people in Houston, with the goal of people becoming financially stable and working to build assets for themselves and their families, that it was true that people who got in a desperate cycle of using and becoming dependent on Payday and Motor Vehicle Title Lending needed to modify their behavior, that Bank on Houston, through the community based organizations, who were the Bank on Houston Financial Education partners, provided free financial training and free financial coaching, that the ordinance did not advocate closing Payday and Motor Vehicle Title Lending businesses, the ordinance inserted a level of protection to allow people to be free from an endless cycle of debt. Council Members Hoang, Green and Noriega absent.

Upon discussion and questions by Council Members Adams and Pennington, Ms. Carpenter stated that she believed it did not matter what social economic level a person was at that everyone could benefit from financial education and ongoing financial coaching; that they had partners who were banks and credit unions who could provide low dollar loans and through

many of their community based organizations they had low dollar loan programs, that many of those products were for people who had low credit or no credit, and Council Member Pennington asked why would anybody go to a payday lender if those services she described were available, and Ms. Carpenter stated that she could only speculate, that the Payday and Auto Title Lenders had an inordinate amount of advertising and the banks, credit unions and community based organizations, who provided loans, did not advertise at the same level, that she believed there were banks, credit unions and community based organizations who could provide low dollar loans, but low dollar lending was not the only part of the equation, the financial training and ongoing financial coaching was very important and through many of those community based organizations, beyond the financial coaching, provided resources and services to address the non financial challenges that could adversely affect somebody's financial situation. Council Members Hoang and Noriega absent.

Council Member Davis moved that the rules be suspended for the purpose of hearing from Ms. Ada Edwards and Pastor Steve Wells out of order and add Mr. Asif Dherani to the speakers list, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Laster absent on personal business. Council Members Hoang, Pennington, Rodriguez and Noriega absent. MOTION 2013-0777 ADOPTED.

Father Kevin Collins, 7250 Harrisburg, Houston, Texas 77011 (713-921-3531) appeared and stated that as a Pastor and leader with TMO he urged them to vote in favor of the Payday Loan Ordinance, that the regulation was long overdue. Council Members Davis, Adams, Hoang, Pennington, and Noriega absent.

Council Member Burks asked Father Collins how many complaints was he aware of against payday lenders in the last 30 days to a year, in Houston, Texas, and Father Collins stated that he knew of five to six people who every time they got a paycheck they worked for nothing basically because it was going to a payday lender and he had heard of people who had lost their vehicles. Council Members Davis, Adams, Hoang, Pennington, and Noriega absent.

Ms. Jackie Kudlaty, 2143 Fray Rd., Houston, Texas 77034 (832-722-8018) had reserved time to speak, but was not present when her name was called. Council Members Davis, Adams, Hoang, Pennington, and Noriega absent.

Ms. Ayanna Mitchell, 1603 Sauliner St., Houston, Texas 77019 (No Phone) appeared and stated that she was present against the ordinance in front of them, because she had been someone who had taken out a title loan, payday loan, in the past and thought they were definitely needed products in the community, everyone did not have credit to take out loans or the opportunity or time to go through a financial literacy program. Council Members Davis, Adams, Hoang, Pennington and Noriega absent.

Upon questions and discussion by Council Members Costello, Rodriguez, Adams and Green, Ms. Mitchell stated that she thought it was fair if it was a loan that she decided that she wanted to take out, because she may have some funds coming in later in the month and knew that she could pay the loan. Council Members Brown, Martin, Hoang, Pennington and Noriega absent.

Ms. Ada Edwards, 901 Bagby, Houston, Texas 77002 (713-868-8398) appeared and stated that she wanted to bring up an issue that happened and was codified by law on July 23, 1986, the divestment of City of Houston money from South Africa, the Free South Africa Movement would like to thank the City of Houston, none of them were on Council at that time, but they were here now so they would receive the gratitude. Council Members Brown, Martin, Hoang, Pennington and Noriega absent.

Pastor Steve Wells, 5658 Cheena Dr., Houston, Texas 77096 appeared and stated that he was present to speak in favor of the ordinance on payday lending. Council Members Brown, Martin, Hoang, Pennington, Green, Burks and Noriega absent. NO QUORUM PRESENT

After questions and discussion by Council Members Cohen, Bradford, Costello, Adams, Davis and Green, Pastor Wells stated that he was the Senior Pastor at South Main Baptist Church, on Main Street between Richmond and Alabama, that faith houses in Houston were being asked to effectively subsidize the profit of the Payday Loan Industry, people came to their churches, synagogues or mosques and they ask for benevolence help because they could not pay for groceries, pay rent or medical bills or provide their children school supplies because they bought into the lie, they thought they were getting a loan and what they got was a lie, they bought into the lie that they were getting a onetime loan to get them through a presenting crisis and it would done and what they had found themselves was a cycle of churning fees. Council Members Brown, Martin, Hoang and Pennington absent.

Ms. Yvonne Norris, 15101 Blue Ash, No. 209, Houston, Texas 77090 – 832-908-6646 appeared and stated that she had an auto title loan for a funeral for her brother, it was \$2,100 and the loan turned into \$4,735.17, of which \$2,636.17 was in interest alone and she had to pawn her jewelry and lap top to pay the loan and requested that Council pass the ordinance. Council Members Brown, Martin, Hoang and Pennington absent.

Council Member Adams asked Ms. Norris when she knew she had to get the Payday Loan was she educated at the onset of her interest and rollover fees, and Ms. Norris stated that she was told that she would be paying \$430 a month until it was paid off, that she had full coverage on her car and they had her get their insurance, which was another \$60 added onto the \$430. Council Members Martin and Hoang absent.

Ms. Anna M. Babin (713-685-2756) – appeared and stated that she was President and CEO of the United Way of Greater Houston, she was present in support of the proposed ordinance for payday and auto title lending, that for over five years local and State advocates had been working to secure legislation it he State around payday and auto title lending, frustrated by the inability of the State to move on this Texas cities, 10 of them, had adopted their own ordinance to regulate this industry, Houston would not be the first city, but they would be the last major city to adopt the ordinance if they so approved. Council Members Martin and Hoang absent.

After discussion and questions by Council Members Costello and Adams, Ms. Babin stated that they needed to get to the root cause and treatment, in 2007 they launched United Way Thrive, which was an initiative that was helping hard working, low income families achieve stability, but they could only do so much. Council Members Martin, Hoang, Rodriguez and Christie absent.

Ms. Lynne Liberato, 1221 McKinney, Ste. 2100, Houston, Texas 77010 (713-547-2017) appeared and stated that she was the Campaign Chair for the United Way, and now was the Chair of Thrive, that they were putting families on the pathway to financial stability. Council Members Adams, Martin, Hoang, Rodriguez and Green absent.

Upon discussion and questions by Council Members Cohen and Pennington, Ms. Liberato stated that 76% of the payments made on payday loans were for financing, not for the principal, which went to the point that these were predatory practices. Council Members Adams, Martin, Hoang, Rodriguez and Green absent.

Mr. Allan Van Fleet, 1000 Louisiana, Ste. 3900, Houston, Texas 77002 (713-653-1703)

appeared, presented information, and stated that payday and auto title loan business targeted economically vulnerable citizens in their communities, that payday and auto title loan products carried annualized percentage rates upwards of 500%, and through excess fees and interest along these lenders drained an estimated \$1 billion from the State, and requested that they pass the ordinance. Council Members Brown, Martin, Hoang, Rodriguez and Green absent.

After discussion and questions by Council Members Adams and Costello, Council Member Costello stated that he wanted to remind everybody that the ordinance had nothing to do with the fees, or that type of issue relative to their business. Council Members Brown, Hoang, Rodriguez and Green absent.

Ms. Lizbeth Persad, 707 Quitman, Houston, Texas (713-503-5240) appeared and stated that she was the Homeowner Sub Center Manager with Avenue CDC, they were a HUD certified counseling agency and provided homebuyer education counseling as well as foreclosure prevention, they supported the ordinance because it did not limit access to consumers, but increased responsibility and transparency by payday lender to attempt to clarify the terms of the loans being issued to consumers. Council Members Brown, Hoang, Pennington, Rodriguez and Green absent.

Ms. Cynthia N. Colbert, 2900 Louisiana, Houston, Texas 77006 (713-874-6737) appeared and stated that she was the CEO of Catholic Charities and they had been serving the Greater Houston area for 70 years, that their tag line says they were people of faith helping people in need to achieve self-sufficiency and live with dignity, they do that through 15 programs serving children, refugees, immigrants, families and seniors, they also worked with their CDC to build affordable housing in the Independence Heights neighborhood, that she was in favor of the Mayor's proposed ordinance to regulate payday and auto lenders, every month at Catholic Charities they received thousands of request for assistance, that using payday loans created hardships for the families that they served. Council Members Brown, Davis, Adams, Hoang, Pennington, Rodriguez and Green absent. NO QUORUM PRESENT

Ms. Kathleen Davis, (No address given) (281-615-3483) appeared and stated that she was lead case manager with the senior services at Catholic Charities, they had people that have had their cars repossessed because they had been unable to pay, they had one lady who paid monthly and every time she paid she was offered credit to loan out \$50 more dollars or \$75 more dollars, they had people borrow to bury a wife or husband, they had people having trouble paying back the loans because of the fees. Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Adams, Hoang, Pennington, Rodriguez and Green absent. Vice Mayor Pro Tem Bradford presiding. NO QUORUM PRESENT.

Mr. Judson Robinson, 1301 Texas St., Houston, Texas 77002 (713-393-8733) appeared and stated that he and the Urban League were in support of the ordinance, that their job as a non-profit was to look out for some of the most vulnerable in their community, that he would encourage them, as leaders of their City, to take the right stand and vote the way that the community had spoken. Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Adams, Hoang, Pennington, Rodriguez and Green absent. Vice Mayor Pro Tem Bradford presiding. NO QUORUM PRESENT.

After questions and discussion by Council Members Bradford, Costello and Burks, Mr. Robinson stated that he was the President and CEO of the Houston Area Urban League, that they as nonprofits were being stretched to the limits, they were doing more with less. Council Members Brown, Davis, Adams, Pennington, Rodriguez, Green and Noriega absent. NO QUORUM PRESENT

Ms. Oshha Anderson Domenicone, 3440 Preston Ridge Rd., Ste. 500, Alpharetta, GA

30005 (678-823-4668) appeared and stated that she was Vice President of Government Affairs for Select Management Resources and they had been in the title loan business for 23 years, that she did not think that they would be in business for 23 years if they were mistreating their customers, that out of hundreds of thousands of transactions in Texas last year, they had 17 complaints across the State of Texas, that unfortunately the ordinance before them, while well intended, would actually cause harm for consumers and make the transactions more costly and force them into default unnecessarily. Council Members Brown, Davis, Adams, Green and Noriega absent.

Ms. Domenicone was questioned by Council Members Rodriguez, Hoang and Bradford. Council Members Brown, Davis, Adams, Green and Noriega absent.

Mr. Floyd Pickett, 1415 Andrew St., Houston, Texas 77019 (512-619-0861) appeared and stated that he was against the ordinance, he had been sick and had medically problems and had borrowed money several times from payday lending and title loans and it worked for him, that he did not like the idea of someone telling him who he could borrow money from. Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Cohen, Adams, Hoang, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Pickett was questioned by Council Members Pennington, Rodriguez and Martin. Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Adams, Hoang, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Charlene James, 12063 Circle Dr., Houston, Texas 77071 (281-844-5928) appeared and stated that she was a volunteer and Executive Council Member with AARP Texas and lived in Houston, that while AARP recognized the value of free enterprise each day in Texas predatory payday and auto title loan lenders drained precious resources from their local economy with loans that carried excessive fees, these fees were a burden to seniors on a limited income. Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Adams, Hoang, Rodriguez, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

After discussion and questions by Council Members Green and Cohen, Council Member Cohen asked Ms. James if she would agree that they did not always have a choice, in other words she could not drive without wearing a seatbelt, and Ms. James stated that she agreed. Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Adams, Hoang, Rodriguez, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Oscar Darani appeared and stated that he was present as a small business owner of a title loan company, and stated that he went to Austin to testify as well that they were open to regulation that would keep them in business, that what he had read about the proposed ordinance would more than likely cause them to go out of the city limits, and most of his employees who lived in Houston may or may not follow, that he would like for them to consider the ordinance and open it up for discussion again and sit down and come up with a reasonable solution, that would keep the businesses going and at the same time give the consumers the choice they wanted. Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Council Member Green asked Mr. Darani if it was his understanding if the ordinance passed the businesses would shut down, and Mr. Darani stated that the way it was right now he would be forced to move out of the City, that he would move out of the City of Houston, which would cause his clients to drive further. Mayor Pro Tem Gonzalez, Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem

Bradford. NO QUORUM PRESENT

Ms. Deborah Wartel, 2401 Spence, Houston, Texas 77093 (832-236-0181) appeared and stated that she was present on title loans, she went and got a title loan for \$200, and that \$200 ended up costing her over \$3,000, because of the interest that she was paying every month, if she would have understood, they explained to her that every month she needed to pay, if she could not come in and pay the exact amount of what she owed, which was \$400, then she continued to pay \$100 month interest, that she wanted someone to make them accountable and show her that she did not have to pay all that. Mayor Pro Tem Gonzalez, Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Upon discussion by Council Members Davis, Green, Pennington and Costello, Council Member Davis asked Ms. Wartel if she had all of the documents when she started out with the loan, and Ms. Wartel stated that she had all of them and Council Member Davis asked for a copy. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. NO QUORUM PRESENT

Ms. Brett Merfish, 1609 Shoal Creek, Ste. 201, Austin, Texas 78701 (512-473-2800 x109) appeared and indicated that she did not wish to speak. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Bridget Hopkins, 9755 Court Glen, Houston, Texas 77099 (832-388-9567) appeared and stated that she was in support of the ordinance, the cap on the payday loan, that she took out a payday loan in 2011, that she knew the consequences, but she had found herself unemployed, and not being able to pay the loan back. Council Members Brown, Davis, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Council Member Cohen stated to be clear, this ordinance was not designed to put payday loan businesses out of business, the ordinance was designed to have a reasonable cap on what people could borrow and how they would pay it back, the choice would still be there, the question was they had to be able to know what they could afford, and there would be limits to how many times they could borrow. Council Members Brown, Davis, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Tiffany Richardson, 12700 Stafford Rd., No. 915, Stafford, Texas 77477 (281-530-0388) appeared and stated that her Mom was diagnosed with Cancer, that she made the choice to stay at home, that her Mom was a survivor but she took pills now and they were \$10,000 per month for 21 pills, at this moment she had called family members and relatives, she made choices and used some of the businesses and organizations to pay bills and to stay afloat, that she managed to maintain a modest lifestyle, but her last resort was to go to a title loan company, that she would ask that they regulate the bullying. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

After questions and discussion by Council Members Green and Bradford, Ms. Richardson stated that was asking that they regulate the bullying that the companies did, they ought to have ways that they could pay them off. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Benjamin Harris, 1217 Wilson St., Houston, Texas 77019 (No Phone) appeared and stated that he had taken out payday loans and maybe if he had a good counselor explain to him what was going to happen, when and if he did not make a payment on time, that he knew what he was getting into. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Dwayne Whitehead, 1010 Rubin St., Houston, Texas 77049 (713-876-4450) appeared and stated that he was a responsible person, but he had to use payday and title lending before and they had been good for him, he had not lost his car and had used them multiple times, that listening to them today he had come to the conclusion that he had not heard enough that would make him think they should put the regulation forth. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Council Member Davis asked Mr. Whitehead what made him different, why did he not fall into the slippery slope, how did he stay out of that, and Mr. Whitehead stated that he kept hanging in there until he got it caught up and then tax returns and hustling on the side gave him the opportunity to catch up, that he was not saying that it did not get tough for him, but what he did know was that there were certain time of desperation and he needed those options available to him, that in all honesty he had not just used them in desperation, he had used them for wonderful things, like Christmas shopping, which was a choice of his. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Alma Duldulao-Ybarra, 1140 West Loop North, Houston, Texas 77055 (832-431-4473) appeared and stated that she was the Manager of Mission Services and was present on behalf of the CEO of Goodwill Industries of Houston, that they would like to ask for their continued partnership supporting City ordinances on payday loans and auto tile businesses because they preyed on the cliental that they served. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Pennington, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Deon L. Hunter, 712 Main St., Ste. 2700, Houston, Texas 77002 (713-228-0735) had reserved time to speak, but was not present when his name was called. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Pennington, Rodriguez, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Willie Hall, 6311 Gulf Frwy, No. 2201, Houston, Texas 77023 (713-878-1802) appeared and stated that he was present in regards to payday loan regulations and pawn shops alike, their business practices were not people friendly and not good for the prosperity of the economy and felt that their lending practices were predatory. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Pennington, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Mitzie Ordones, 2900 Gessmer, No. 1401, Houston, Texas 77063 (713-927-5908) appeared and stated that she worked for the Faith and Justice Worker Center and was present to share a testimony of one of the members, Silvia Tisvie, who was a single mother and worked at a supermarket and was a victim of wage theft in her previous employment, and did not have another a choice than to get a loan with an interest rate of 20% every two weeks, that as a result she was working to just pay the interest on her loan. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Pennington, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Mal Finger, 806 Misty Ridge Ln., Houston, Texas 77001 (281-827-7885) had reserved

time to speak, but was not present when his name was called. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Pennington, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Reuben Brown, 12275 Seyrus Ln., Houston, Texas 77006 (713-398-9060) appeared and stated that he was representing the Houston Branch of the NAACP, that as Chairman of the Economic Development Committee he would assure them that they had their full support with regards to moving forward on the ordinance for predatory lending, and read a Resolution of Support from the National Office of the NAACP. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Rodriguez, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

After discussion, Council Member Green stated that for the NAACP to stand before them today, showing their support for the ordinance, only underscores his support for the ordinance, that he knew that the Houston branch of the NAACP had a weekend legal clinic and wanted to know if he had to deal with individuals from the community coming into the legal clinic who had to deal with these particular challenges from payday lending, and Mr. Brown stated that he was very familiar with the Legal Redress Committee and the free assistance that they provided on the weekend, but as he noted from the start he was Chairman of the Economic Development Committee, but could speak in general to the fact that often times the cases or assistance that was requested by the NAACP, from a legal standpoint, if it was not specifically a civil rights issue then often time they had to refer them to other legal counsel, and they had had requests, he could not give the specific number of requests or the specific conditions surrounding those requests. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Rodriguez, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Charles Maxey, 8900 Chimney Rock, Houston, Texas 77096 (281-636-7521) appeared and stated that if they were going to provide a law for those who really needed the money they had to produce banks and credit unions, someone who was going to loan people money in a crisis. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Council Member Burks stated that he agreed, they heard from a bank today and they said they had a product, and Mr. Maxey stated that he heard that, but had experienced different. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Irma Diaz-Gonzalez, 3355 West Alabama, Ste. 350, Houston, Texas 77098 (713-439-7530) appeared and stated that she was the President and CEO of Employment and Training Centers, a recruitment and staffing firm in Houston, that she was a Member of the United Way Board of Directors and also the Thrive Task Force, a signature initiative of United Way aimed at increasing the financial stability of low income families, that she was present in support of the proposed ordinances for payday and auto title lending, that she hoped they would vote yes for the ordinance before them. Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Jeff Hunter, 1404 Harrington, Houston, Texas 77009 (713-335-8214) appeared, presented information, and stated that a little over a week ago Ms. Chelsea Norman was run down on her bicycle and left for dead on Commonwealth, just south of West Gray in the Montrose, he was present on his own behalf because he rode these streets always, to speak for Chelsea and his friends who rode Waugh Drive, and a few months ago he appeared before a committee hearing on Safe Passage Ordinance, and read from a prepared statement which he presented. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green,

Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mayor Pro Tem Gonzalez stated that he was one of the advocates for the Safe Passing Ordinance and definitely understood then and understood now that was not the only step that was needed, that he also advocated for Complete Streets because he thought there had to be a design change going forward, that he also had a meeting to try to bring some stakeholders together so they could try to build some more education and awareness about safe passing and driver behavior, that it had been a slow process, it was something they were all going to have to work on. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) - had reserved time to speak but was not present when his name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Michael Johnson, 9105 Kelburn, Houston, Texas 77016 (832-468-5109) had reserved time to speak but was not present when his name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. William Beal, No address, No phone - had reserved time to speak but was not present when his name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. John Noflin, 12903 Brent Rock Dr., No. 703, Houston, Texas 77082 (832-208-1498) had reserved time to speak but was not present when his name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Betty Gregory, Post Office Box 450172, Houston, Texas 77245 (713-816-8665) had reserved time to speak but was not present when her name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Ming Min Fang, 10110 Forum West Dr., No. 304, Houston, Texas 77036 (713-272-7871) had reserved time to speak but was not present when her name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Andrew Dobbs, 3100 Richmond Ste. 290, Houston, Texas 77098 (713-337-4192) had reserved time to speak but was not present when his name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Jack St. John, 21802 Sweet Bay, Kingwood, Texas 77339 - had reserved time to speak but was not present when his name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Derek Kastner, 410 Sul Ross, Houston, Texas 77006 (540-207-3400) appeared and stated that he was deeply saddened to hear what happened to Chelsea Norman in the hit and run that killed her while she was in the bike lane, that it struck hard because he lived in that

neighborhood and went to the grocery store that she worked at, and was riding home from, that he relied on his bike as his sole means of transportation throughout the entire year, so an incident like this hit close to him. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mayor Pro Tem Gonzalez stated that they were working on some things, that it was not going to fix everything, but he appreciated his comments and remembrance of the tragic incident and the victim, that they would continue to advocate and see if they could make things better and help make a difference with the community. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Sherry Browning, 2616 S. Loop, Ste. 110, Houston, Texas 77054 (832-287-5909) had reserved time to speak, but was not present when her name was called. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Robert Edness, 6221 Main St., Houston, Texas 77030 (No Phone) appeared and stated that he rode the bus and was having problems with Metro bus drivers, that he had dogs and had them in cages, that a couple of times they put him off of the bus and contacted Metro about the dogs and he being on the bus, that they stopped the bus because people complained, and continued to voice his experiences until his time expired. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Council Member Davis asked Mr. Edness if he had gone to Metro and filed a complaint, and Mr. Edness stated that he filed a complaint. Council Members Brown, Cohen, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he wished to get their attention to their obligation to take emergency action on his case, that he was a crime victim, and continued to voice his personal opinions until his time expired. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Ms. Yvette Gbalazeh, No Address, 936-672-3335 appeared and stated that she was present to thank Council Member Bradford for supporting the Cite and Release Law, and for supporting it being enforced in Houston, Texas. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

Mr. Darrell J. Patterson, 1007 Ruthven, Houston, Texas 77019 (713-269-2857) appeared and stated that he was in opposition to Item No. 26, the payday lending ordinance. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

At 5:36 Mayor Pro Tem Gonzalez stated the City Council was recessed until 9:00 a.m., Wednesday, December 11, 2013. Mayor Parker out of the city on city business. Council Member Laster absent on personal business. Council Members Brown, Adams, Martin, Hoang, Rodriguez, Green, Burks, Noriega and Christie absent. Vice Mayor Pro Tem Bradford. NO QUORUM PRESENT

The Houston City Council reconvened at 9:00 a.m., Wednesday, December 11, 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, 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, and Ms. Stella Ortega, Agenda Office, present. Council Member James G. Rodriguez absent on personal business.

At 8:21 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:14 a.m. Mayor Parker called the meeting to order and recognized Council Member Pennington for a point of order. Council Member Burks absent.

Council Member Pennington moved that the rules be suspended for the purpose of considering Item No. 21 out of order, seconded by Council Member Costello. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Burks absent. MOTION 2013-0778 ADOPTED.

Mayor Parker stated that she thought they should all salute their colleague Council Member Steven Costello, who was named Engineer of the Year by Houston Engineers Week Committee, that the award was given to an engineer who had made a significant contribution to the Engineering Community in the Houston region, and the committee solicited applications from all fields of engineering and then reviewed their application, scoring them on engineering achievements, education and civic contributions, and congratulated Council Member Costello for being Engineer of the Year. Council Member Green absent.

21. RESOLUTION reappointing Ray A. Holtzapple to serve as the City's Representative on the **BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT** for a two-year term commencing on January 1, 2014 and ending on December 31, 2015 – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. RESOLUTION 2013-0063 ADOPTED.

Mayor Parker invited Mr. Holtzapple to the podium and stated that he was their appointee to the Harris County Appraisal District and they were re-appointing him, that he had done a yeoman's work and was also interested in working with them as they considered issues in the next Legislative session related to appraisals, and thanked him for the work that he did.

Mr. Holtzapple stated that he wanted to thank them for their confidence and appreciated the opportunity to serve the City of Houston in this capacity.

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented.

Mayor Parker recognized Mr. Ronald Green, City Controller and Mr. Kelley Dowe, Director, Finance Department for the Monthly Operations and Financial Report.

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

Council Member Costello moved to accept the Monthly Operations and Financial Report, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Members Cohen and Adams absent. MOTION 2013-0779 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 59

MISCELLANEOUS - NUMBERS 1 through 8

1. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **GENERAL APPEALS BOARD**, for terms to expire 1/2/2016:

Position Two - **LESLIE BARRY DAVIDSON**

Position Ten - **EDWARD E. CAMPBELL**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0780 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of **VIC J. ZACHARY** for Position Ten to the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 9 (HOBBY AREA MANAGEMENT DISTRICT) BOARD OF DIRECTORS**, for a term to expire 6/1/2015 - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0781 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of **ANTHONY TODD ROBINSON** for Position Seven to the **HOUSTON FORENSIC SCIENCE LGC, INC. BOARD OF DIRECTORS**, for an unexpired term ending 6/30/2015 - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0782 ADOPTED.

8. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2012 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2013 MTFP in map form - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0783 ADOPTED.

Mayor Parker stated that they had appointed Members to various boards, and asked if any new members were present and hearing none, stated they would proceed with the consent agenda.

ACCEPT WORK - NUMBERS 12 and 12a

12. ORDINANCE appropriating \$17,416.29 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Lyerly Street 72-Inch Sanitary Tunnel

under a Construction Contract with BRH-Garver Construction, L.P. (approved by Ordinance No. 2009-0895) - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. ORDINANCE 2013-1121 ADOPTED.

- 12a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,351,811.38 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION, L.P.** for Lyerly Street 72-Inch Sanitary Tunnel – 5.25% over the original contract amount - **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0784 ADOPTED.

PROPERTY - NUMBER 15

15. RECOMMENDATION from City Attorney to settle the eminent domain proceeding styled City of Houston v. M. Ali & Sons, Inc., a Texas Corporation, et al., Cause No. 1009484; in amount of \$340,000.00 for acquisition of Parcel AY10-201 & AY11-171; for the **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610)** - **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0785 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 17 through 18

17. ORDINANCE appropriating \$78,779.00 out of Equipment Acquisition Consolidated Fund for purchase of a Fuel Trailer for the Fleet Management Department - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1122 ADOPTED.
- 17a. **THE JACK OLSTA CO.** for Fuel Trailer for the Fleet Management Department - \$78,779.00 - was presented, moved by Council Member Pennington, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Rodriguez absent on personal business. MOTION 2013-0786 ADOPTED.
18. **G T DISTRIBUTOR, INC** for purchase of Night Vision Surveillance Equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (Buyboard) for the Houston Police Department - \$366,373.14 - Grant Funds - was presented, moved by Council Member Pennington, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Rodriguez absent on personal business. MOTION 2013-0787 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 23 through 59

23. RESOLUTION authorizing the Director of the Department of Public Works & Engineering to submit an application for grant funding to the Texas Water Development Board and to accept the awarded funds on behalf of the City - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. RESOLUTION 2013-0064 ADOPTED.

28. ORDINANCE relating to the rescheduling or postponement of certain City Council Meetings - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1123 ADOPTED.
29. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Berry Street, from Main Street to Travis Street, located in the Obedience Smith Survey, A-696, Harris County, Texas; vacating and abandoning the public street right-of-way to Mid-Main Properties, L.P., abutting owner, in consideration of its construction of a public parking garage or payment in cash of the appraised value of the right-of-way; authorizing an agreement regarding pavement reparations and a ratification of parking easement and agreement **DISTRICTS C - COHEN and D - ADAMS** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1124 ADOPTED.
32. ORDINANCE authorizing a lease agreement between **KITCHCO REALTY, LTD., METCO REALTY, LTD. AND ACR-S HOLDINGS I, LTD.**, jointly as landlords, and the City of Houston, Texas, as tenant, for approximately one acre of land located at 1010 Washington Avenue, Houston, Texas, for parking for the Houston Permitting Center - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1125 ADOPTED.
33. ORDINANCE authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to execute three Subrecipient Grant Agreements with the Texas Department of Public Safety accepting FY2013 Homeland Security Grant Funding from the Urban Area Security Initiative ("UASI") Grant Program, the UASI Law Enforcement Terrorism Prevention Activities Program, and the UASI Management and Administration Program; declaring the City's eligibility for such grants; authorizing the director to execute all modifications to the agreements and to execute any subsequent documents necessary to secure the city's allocations throughout the life of these grant awards - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1126 ADOPTED.
35. ORDINANCE amending Ordinance No. 2008-1224 relating to the abandonment and sale of Calumet Drive, from Caroline Street to Austin and approving and agreement with the **HOLOCAUST MUSEUM HOUSTON** extending time to perform the original agreement **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1127 ADOPTED.
36. ORDINANCE terminating **REINVESTMENT ZONE NUMBER FOUR, CITY OF HOUSTON, TEXAS (VILLAGE ENCLAVES ZONE)** on December 31, 2013 - **DISTRICT G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1128 ADOPTED.
42. ORDINANCE approving and authorizing amendment No. 1 to lease agreement by and between the City of Houston and **WILSON AIR CENTER – HOUSTON, INC**, for certain premises at William P. Hobby Airport approved by Ordinance No. 2008-469 – Revenue - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1129 ADOPTED.
51. ORDINANCE approving and authorizing task order contracts between the City of Houston and **BRIAN SMITH CONSTRUCTION INSPECTION, INC. AND INFRASTRUCTURE ASSOCIATES, INC** for professional construction management and inspection services, contingent on contractors' submission of all required contract documents; setting a

maximum contract amount; and appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and \$50,000.00 out of Fire Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1130 ADOPTED.

52. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to certain improved Single-Family Residential properties within Bonham Acres Subdivision, Sections 2, 3, and Section 1 Replat; Braes Bend Subdivision and ABST 134 J R Black, Tracts 32D, 32D1, 32J, 32H, 33E, 33H, 33J, 49, 50 & 55 to prohibit the parking of vehicles in the front of side yards of such residences - **DISTRICT J - LASTER** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1131 ADOPTED.
53. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to all improved Single-Family Residential Properties within Kirkwood Country Subdivision, Section 1 Replat and Section 2 to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1132 ADOPTED.
54. ORDINANCE approving and authorizing an advance funding agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the rehabilitation or replacement of Calhoun Street Bridge at Brays Bayou - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1133 ADOPTED.
55. ORDINANCE approving and authorizing a third amendment to an agreement between the City of Houston and **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** (approved by Ordinance No. 2010-0353 as amended) for reimbursement for design and construction of a pilot project to develop local data for storm water quality best management practices - **DISTRICT C - COHEN** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1134 ADOPTED.
58. ORDINANCES granting to the following listed as A through F, 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 **FIRST READING** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1135 to 2013-1140 PASSED FIRST READING IN FULL.

DANIELS SHARPSMART, INC, a Delaware Corporation – (2013-1135)

R. M. WOODS INC DBA DRANE RANGER VACUUM SERVICE,
a Texas Corporation – (2013-1136)

WASTE PARTNERS OF TEXAS, INC, a Delaware Corporation – (2013-1137)

TAP INC DBA TAP ENVIRONMENTAL, a Texas Corporation – (2013-1138)

INTERGULF CORPORATION, INC, a Texas Corporation – (2013-1139)

WASTEWATER TRANSPORT SERVICE, LLC, a Texas
Limited Liability Company – (2013-1140)

59. ORDINANCES Nos. 2013-1112 to 2013-1116, passed first reading December 4, 2013 for Ordinances granting to the following listed as A through E, 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 Rodriguez absent on personal business. ORDINANCES 2013-1112 to 2013-1116 PASSED SECOND READING IN FULL.

GRACE DISPOSAL SYSTEM, LLC DBA ROYAL DISPOSAL & RECYCLE,
a Texas Limited Liability Company - **(2013-1112)**
TUCO BROTHERS WASTE, INC, a Texas Corporation - **(2013-1113)**
BFI WASTE SERVICES OF TEXAS, LP, a Delaware Limited Partnership
- **(2013-1114)**
DANIEL HOLDEN DBA MR. PUMPER SEWER SERVICE,
a Texas Sole Proprietorship **(2013-1115)**
JANUARY TRANSPORT, INC, a Texas Corporation - **(2013-1116)**

Mayor Parker recognized Council Member Davis for a point of personal privilege.

Council Member Davis stated that Mr. Robert Sholtz was present in the audience on Agenda Item No. 29, and asked Mr. Sholtz to stand and be recognized, that he was one of the reasons that the rail was what it was today, with the Continental Club, and places like that, that they appreciated his service to the City.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

4. RECOMMENDATION from the Director Convention & Entertainment Facilities Department for approval of the **HOUSTON FIRST CORPORATION'S** Calendar Year 2014 Budget- was presented, and tagged by Council Member Green. (Note: Council Member Green released his tag later in the meeting.)
5. RECOMMENDATION from the Mayor's Office of Intergovernmental Relations for renewal of membership in the **HOUSTON-GALVESTON AREA COUNCIL** - \$83,978.04 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. MOTION 2013-0788 ADOPTED.
6. RECOMMENDATION from the Mayor's Office of Public Safety and Homeland Security for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** for 2014 Budget (January 1, 2014 - December 31, 2014) – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0789 ADOPTED.
7. RECOMMENDATION from Director Houston Parks & Recreation Department for purchases of resale items for the Houston Parks & Recreation Department Golf Course and Tennis Center Pro Shops - \$250,000.00 annually - **DISTRICTS B - DAVIS; C - COHEN; D - ADAMS; I - RODRIGUEZ and J - LASTER** – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0790 ADOPTED.

ACCEPT WORK

9. RECOMMENDATION from Director Department of General Services for approval of final contract amount of \$10,048,413.00 and acceptance of work on contract awarded to **COMEX CORPORATION** and completed by the surety, **TRAVELERS CASUALTY & SURETY COMPANY OF AMERICA** for Hiram Clarke Multi-Service Center (formerly South Post Oak Multi-Service Center) and Vinson Branch Library - 0.41% under the original contract amount **DISTRICT K – GREEN** – was presented.

Council Member Green stated that Item No. 9 dealt with an accept work for the parking lot of the Hiram Clarke Multi Service Center, that the repair of the parking lot had not been done, and he wanted to be clear that he had been given assurances by General Services and schedule of when the repair would be done. Council Members Adams and Christi absent.

Mayor Parker stated that as they knew it had been a trouble project, any project that had to be finished by the surety was a problem project. Council Members Adams and Christi absent.

Council Member Burks asked if the work had been completed, and Council Member Green stated that by the surety it had, they had complied with all of the parts that they were supposed to do in the contract, that it was now up to the General Services Department to come in and actually get the work done. Council Members Adams and Christi absent.

A vote was called on Item No 9, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Members Adams and Christi absent. MOTION 2013-0791 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,500,663.51 and acceptance of work on contract with **TIKON GROUP, INC** for Streetscape Enhancements along light Rail Lines, Work Authorization, Southeast Corridor 0.69% under the original contract amount - **DISTRICTS D - ADAMS, H - GONZALEZ and I - RODRIGUEZ** – was presented, and tagged by Council Member Davis. Council Members Adams and Christi absent.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,419,549.28 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Lift Station Renewal and Replacement – Green Crest and Fairway Lift Stations – 3.43% under the original contract amount - **DISTRICTS G - PENNINGTON and I - RODRIGUEZ** – was presented, and tagged by Council Members Davis and Green. Council Members Adams and Christi absent.
13. RECOMMENDATION from Director Department of Public Works and Engineering for approval of final contract amount of \$2,772,196.76 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Kingspoint Area - 4.36% under the original contract amount - **DISTRICT E - MARTIN** – was presented, and tagged by Council Members Davis and Green. Council Members Adams and Christi absent.
14. RECOMMENDATION from Director Department of Public Works and Engineering for approval of final contract amount of \$1,302,643.78 and acceptance of work on contract with **HUFF AND MITCHELL, INC** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 8 - 3.51% under the original contract

amount – was presented, and tagged by Council Members Davis and Green. Council Members Adams and Christi absent.

PROPERTY

16. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Rick Radford, Bury+Partners, on behalf of Streetlights Montrose, L.P., [Streetlights Residential (Doug Chestnut, Chief Executive Officer), General Partner] for abandonment and sale of a 15-foot-wide prescriptive sanitary sewer easement, located within Block 1 of the Chelsea Place Subdivision, out of the Obedience Smith Survey, A-696, Parcel SY13-080 - **DISTRICT C – COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0792 ADOPTED.

PURCHASING AND TABULATION OF BIDS

19. ORDINANCE appropriating \$2,389,400.00 out of the Water and Sewer System Consolidated Construction Fund to Remove, Furnish and Install Centrifugal Pumps and Associated Equipment for the Department of Public Works & Engineering – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. ORDINANCE 2013-1114 ADOPTED.
- 19a. **PEPPER-LAWSON WATERWORKS, LLC** to Remove, Furnish and Install Centrifugal Pumps and Associated Equipment for the Department of Public Works & Engineering - \$2,389,400.00 – was presented, moved by Council Member Gonzalez, seconded by Council Member Laster. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Adams absent. MOTION 2013-0793 ADOPTED.
20. ORDINANCE appropriating \$140,784.00 out of Equipment Acquisition Consolidated Fund and \$2,303,424.00 out of Water & Sewer System Consolidated Construction Fund for purchase of Wreckers and Sewer Vacuum Trucks for Various Departments – was presented.

Council Member Christi stated that he was going to vote no on Item Numbers 20 and 20a because they were diesel powered and he would like for it to be natural gas. Council Member Adams absent.

A vote was called on Item No. 20. Council Member Christi voting no, balance voting aye. Council Member Rodriguez absent on personal business. Council Member Adams absent. ORDINANCE 2013-1142 ADOPTED.

- 20a. **RUSH TRUCK CENTERS OF TEXAS, L.P. d/b/a RUSH TRUCK CENTERS** - \$3,658,291.00; **TEXAS UNDERGROUND, INC d/b/a UNDERGROUND INC** - \$227,210.00; **SPECIALIZED INDUSTRIES L.P. D/B/A SUPER PRODUCTS, LLC** - \$401,800.00; **CLEVELAND MACK SALES d/b/a PERFORMANCE TRUCK HOUSTON** - \$173,142.84; **HOUSTON FREIGHTLINER, INC** - \$675,804.00; **KINLOCH EQUIPMENT & SUPPLY, INC** - \$1,627,620.00; **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** - \$140,784.00 for purchase of Medium and Heavy Duty Cabs & Chassis and Truck Bodies including Sewer Vacuum Trucks and Wreckers through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council - \$6,904,651.84 - Enterprise and other Funds – was presented, moved by Council

Member Gonzalez, seconded by Council Member Pennington. Council Member Christi voting no, balance voting aye. Council Member Rodriguez absent on personal business. MOTION 2013-0794 ADOPTED.

RESOLUTIONS AND ORDINANCES

22. RESOLUTION approving the creation of the City of Houston Cultural Education Facilities Finance Corporation; approving the certificate of formation and bylaws thereof; appointing initial board of directors; and containing other provisions relating to the subject; providing an effective date – was presented, and tagged by Council Members Brown and Laster.
24. ORDINANCE **AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Alcohol Free Zones; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented, and tagged by Council Members Burks, Bradford and Cohen.
25. ORDINANCE **AMENDING SECTION 24-5 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Government and use of Library System property – was presented, and tagged by Council Member Laster.
26. ORDINANCE **AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to Consumer Protection and Regulation of Credit Access Businesses; containing findings and other provisions relating to the foregoing subject; providing for severability; providing an effective date – was presented, and tagged by Council Members Davis and Burks.
27. ORDINANCE **AMENDING SECTION 16-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to increasing the number of Municipal Courts; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. Council Member Pennington voting no, balance voting aye. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1143 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY**, providing up to \$130,000.00 in Community Development Block Grant Funds for Strategic Homeless Planning Services – was presented.

Council Member Burks asked if they did checks on the companies after giving them the money, as far as the Coalition for the Homeless, follow up behind them, making sure that the monies were used in a proper manner.

Mayor Parker stated yes, that in addition to the normal work they did currently working with Mandy, she had a coalition of stake holders, business people and community leaders who were overseeing the work that she was doing and they got monthly reports on how effective each individual agency was in housing the homeless, they did a number of levels of review, that they were HUD dollars also so they were auditable, and Council Member Burks asked for a report also on that, and Mayor Parker stated absolutely, the Housing Committee did that periodically and they could schedule one for after the first of the year.

A vote was called on Item No. 30. Council Member Brown voting no, balance voting aye. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1144

31. ORDINANCE approving and authorizing a release of deed restriction relating to property located at 7400 Park Place Boulevard, Houston, Harris County, Texas - **DISTRICT I – RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1145 ADOPTED.
34. ORDINANCE approving and authorizing a contract between the City and **THE HOUSTON ARTS ALLIANCE, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, MILLER THEATRE ADVISORY BOARD, INC, AND THEATER DISTRICT IMPROVEMENT, INC** for the Support, Advancement and Promotion of the Arts; providing for contract payments from Hotel Occupancy Tax Revenue; establishing a maximum contract amount – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1146 ADOPTED.
37. ORDINANCE amending Ordinance No. 2013-469 relating to **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)** to correct a Legal Description **DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER** – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1147 ADOPTED.
- 37a. ORDINANCE relating to the fiscal affairs of the **UPTOWN DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; amending Ordinance No. 2013-976 to amend the Fiscal Year 2014 Operating Budget for the Uptown Development Authority - **DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER** – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1148 ADOPTED.
38. ORDINANCE approving and authorizing a concession services contract between the City of Houston and **BECKS PRIME MEMORIAL PARK, LTD.** for Memorial Park Golf Course Clubhouse, course and driving range - Revenue - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1149 ADOPTED.
39. ORDINANCE amending Ordinance 2009-1343, as amended, to increase the maximum contract amount and approving and authorizing a first amendment to the professional services agreement for Pension Related Consulting Services between the City and **CRAIG T. MASON** - \$208,080.00 General Fund – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1150 ADOPTED.
40. ORDINANCE approving and authorizing a first amendment to the agreement for professional auditing services between the City and **DELOITTE & TOUCHE LLP** for the Finance Department – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1151 ADOPTED.
41. ORDINANCE approving and authorizing a revised and restated agreement between **AUTOMATION NATION INC** and the City of Houston (approved by Ordinance No. 2005-1399, as amended) for Handling, Marketing and Sale of Biosolids for the Department of Public Works & Engineering – Revenue – was presented.

Council Member Green stated that this particular contract had not been bid since 2005, that this was an extension of an agreement for 10 years, and wanted to know how was it that they were extending 10 year agreements and had not tested the market for a particular vendor

since 2005, and that along with Council Member Davis would tag Item No. 41.

Mayor Parker stated that Council Members Davis and Green had tagged Item No. 41.

Mayor Parker stated that they would have a procedural moment, going back to Item No. 26, that Council Member Christi had offered a written amendment, that she did not appreciate being surprised and would oppose the amendment, but the amendment was offered timely and in writing and would be considered falling under the tag.

26. **ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to Consumer Protection and Regulation of Credit Access Businesses; containing findings and other provisions relating to the foregoing subject; providing for severability; providing an effective date – was presented, and tagged by Council Members Davis and Burks.

Council Member Christie presented the following written motion to amend Item No. 26 as follows:

"I move to amend Sec. 28-502 of Item No. 26 on the December 11, 2013 City Council Agenda as follows:

Sec. 28-502. Restriction on extension of consumer credit.

(a) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a deferred presentment transaction may not exceed 20 percent of the consumer's gross monthly income.

(b) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a motor vehicle title loan may not exceed the lesser of:

- (1) ~~Three~~ Six percent of the consumer's gross annual income; or
- (2) 70 percent of the retail value of the motor vehicle.

(c) A credit access business shall use a paycheck or other documentation establishing income to determine a consumer's income.

(d) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for repayment in installments may not be payable in more than ~~four~~ six installments. ~~Proceeds from each installment must be used to repay at least 25 percent of the principal amount of the extension of consumer credit.~~ An extension of consumer credit that provides for repayment in installments may not be refinanced or renewed.

(e) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for a single lump sum repayment may not be refinanced or renewed more than ~~three~~ six times. ~~Proceeds from each refinancing or renewal must be used to repay at least 25 percent of the principal amount of the original extension of consumer credit.~~

~~(f) For purposes of this section, an extension of consumer credit that is made to a consumer within seven days after a previous extension of consumer credit has been paid by the consumer will constitute a refinancing or renewal.~~

(f) After an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining has been refinanced the

maximum number of times permitted by this Section, the credit access business must offer the consumer a repayment plan to repay any remaining balance without additional fees prior to taking any further collection activity. The repayment plan must have term equal to: (i) four additional months if the original payment terms were monthly; or (ii) or four additional weeks if the original payment terms were weekly.

Council Member Costello stated that he would tag Council Member Christi's written motion to amend Item No. 26.

43. ORDINANCE approving and authorizing Amendment No. 3 to a lease agreement between the City of Houston and **SOUTHWEST AIRLINES CO.** for certain premises at William P. Hobby Airport - **DISTRICT I – RODRIGUEZ** – was presented.

Council Member Pennington requested a brief summary of Amendment No. 3 to the lease agreement.

Mayor Parker stated that she did not know if there was anybody prepared to offer that at the Council table, and asked if he wished to tag it, and Council Member Pennington stated that he would tag Item No. 43, and Mayor Parker stated that if she had been informed she would have been happy to have someone from the Airport present.

44. ORDINANCE approving and authorizing a lease agreement between the City of Houston and **STANDARD AERO BUSINESS AVIATION SERVICES, LLC** for certain premises at George Bush Intercontinental Airport/Houston (IAH) - Revenue - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1152 ADOPTED.
45. ORDINANCE approving and authorizing a lease agreement between the City of Houston and **TRAJEN FLIGHT SUPPORT, LP, D/B/A ATLANTIC AVIATION CORPORATION**, for certain premises at George Bush Intercontinental Airport/Houston (IAH); terminating a lease agreement by and between the City of Houston and **QUALITRON AERO SERVICES, INC**, approved by Ordinance No. 1999-102 and assigned to **TRAJEN FLIGHT SUPPORT, LP, D/B/A ATLANTIC AVIATION CORPORATION** (successor-in-interest to **QUALITRON AERO SERVICE, INC**) Revenue - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1153 ADOPTED.
46. ORDINANCE approving and authorizing an airport advertising concession agreement between the City of Houston and **THE JOINT VENTURE FOR THE ADVERTISING CONCESSION AT HOUSTON AIRPORTS, LLC** at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - **DISTRICTS B - DAVIS and I – RODRIGUEZ** – was presented, and tagged by Council Members Davis and Costello.
47. ORDINANCE appropriating \$1,053,637.00 out of Houston Airport System Consolidated 2011AMT Construction Fund and \$10,600.00 out of Airports Improvement Fund and approving and authorizing a Construction Manager-At-Risk Agreement between the City of Houston and **HENSEL PHELPS CONSTRUCTION COMPANY/CBIC CONSTRUCTION & DEVELOPMENT, LLC (JOINT VENTURE)** for pre-construction services for garage, roadway and satellite central utilities plant projects and construction services for roadway and satellite central utilities plant projects at William P. Hobby Airport (Project Nos. 597a, 685, 692); providing funding for the Civic Art Program - **DISTRICT**

I - RODRIGUEZ – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1154 ADOPTED.

48. ORDINANCE appropriating \$6,600,000.00 out of Airports Improvement Fund as an additional appropriation to the On-Call Professional Design Services Contracts between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC, JACOBS ENGINEERING GROUP, INC AND PIERCE GOODWIN ALEXANDER & LINVILLE, INC** (Project Nos. 715A, 715B and 715C); amending ordinance 2012-839 to increase the maximum contract amount – **DISTRICTS B - DAVIS; E – MARTIN and I – RODRIGUEZ** – was presented, and tagged by Council Members Green and Davis.
49. ORDINANCE amending Ordinance No. 2012-741 (passed on August 29, 2012) to increase the maximum contract amount for Contract No. 4600010513 between the City of Houston and **KRONOS, INC.** – was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1155 ADOPTED.
50. ORDINANCE approving and authorizing two agreements for implementation of integrated care for the chronically homeless initiative between the City of Houston and 1) Healthcare For The Homeless-Houston and 2) Houston Area Community Services, Inc., Respectively; providing a maximum contract amount - \$7,547,636.25 - Essential Public Health Service – was presented. Council Member Brown voting no, balance voting aye. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1156 ADOPTED.
56. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 12.145 acres commonly known as 2200 Texas Avenue, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability - **DISTRICT I - RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1157 ADOPTED.
57. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 9.293 acres commonly known as White Oak Bayou at 0 North Shepherd Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability **DISTRICT C - COHEN** – was presented. Council Member Brown voting no, balance voting aye. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1158 ADOPTED.

NON CONSENT AGENDA - NUMBER 60

MISCELLANEOUS

60. **SET A PUBLIC HEARING DATE** on the proposal to use approximately 6,986 square feet of Stuebner-Airline Park for a sanitary sewer corridor - **DISTRICT B – DAVIS - HEARING DATE - WEDNESDAY - JANUARY 8, 2014 - 9:00 A.M.** – was presented.

Council Member Gonzalez moved to set a public hearing for 9:00 a.m., Wednesday, January 8, 2014, on the proposal to use approximately 6,986 square feet of Stuebner-Airline Park for a sanitary sewer corridor, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Rodriguez absent on personal business. MOTION 2013-0795 ADOPTED.

MATTERS HELD - NUMBERS 61 through 66

61. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,892,381.35 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project 451 - 1.78% over the original contract amount and under 5% contingency amount - **DISTRICT K - GREEN** – (This was Item 5 on Agenda of December 4, 2013, TAGGED BY COUNCIL MEMBER GREEN) – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega.

After discussion by Council Member Green, a vote was called on Item No. 61. All voting aye. Nays none. Council Member Rodriguez absent on personal business. MOTION 2013-0796 ADOPTED.

62. ORDINANCE **AMENDING CHAPTERS 1 AND 8 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to Wrecker Drivers; containing findings other provisions relating to the foregoing subject; providing for severability – **(This was Item 18 on Agenda of December 4, 2013, TAGGED BY COUNCIL MEMBER BROWN)** – was presented.

Council Member Brown offered the following written motion to amend Item No. 62, and stated that it was just inserting the word “non-consent” to have further clarity.

“I move to amend the proposed Ordinance so that Subsection (g) of Section 8-111 reads as follows:

(g) The registration for each non-consent tow truck subject to this section shall be renewed annually by payment of the fee stated for this provision in the city fee schedule to the police department, which shall verify that the tow truck is still in compliance with this section.”

REDLINE for this motion, with the change shown in red with double-underlining:

~~(g)~~(e) The registration for each non-consent tow truck subject to registered under this section shall be annually renewed annually by payment of the fee stated for this provision in the city fee schedule per tow truck to the police department, which shall verify that the tow truck is still in compliance with this section.

Mayor Parker stated that the administration fully supported the amendment.

A vote was called on Council Member Brown written motion to amend Item No. 62. All voting aye. Nays none. Council Member Rodriguez absent on personal business. MOTION 2013-0797 ADOPTED.

A vote was called on Item No. 62 as amended. All voting aye. Nays none. Council Member Rodriguez absent on personal business. ORDINANCE 2013-1159 ADOPTED AS AMENDED.

63. ORDINANCE **AMENDING CHAPTERS 8 AND 28 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to Automotive Dealers; containing findings other provisions relating to the foregoing subject; providing for severability – **(This was Item 19 on Agenda of December 4, 2013, TAGGED BY COUNCIL MEMBER BROWN)** – was presented.

Council Member Brown offered the following written motion to amend Item No. 63 as follows:

"I move to amend Section 9 of the proposed Ordinance to read as follows:

Section 9. That Section 8-155 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

An application for authorization to operate a private storage lot shall be approved unless:

- (1) There is no current license issued by the automotive board under article II of this chapter for the applicant to operate an automobile storage lot at that location.
- (2) Any information set out in the application was incomplete or false.
- (3) The applicant has not signed an agreement as required under section 8-152(b).
- (4) The proposed private storage lot has less than ten vehicle storage or parking spaces that will be used for the storage of motor vehicles."

REDLINE for this motion

Section 9. That Section 8-155 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 8-155. Standard for approval.

An application for authorization to operate a private storage lot shall not be approved unless if:

- (1) There is no current license issued by the automotive board under article II of this chapter for the applicant to operate an automobile storage lot at that location.
- (2) Any information set out in the application was incomplete or false.
- (3) The applicant has not signed an agreement as required under section 8-152(b).
- (4) The proposed private storage lot has less than ~~25,000 square feet of space~~ ten vehicle storage or parking spaces that will be dedicated used for the storage of motor vehicles.

~~A private storage lot that was first operated under an authorization on or before _____, shall be exempt from the requirements of item (4) of this section, provided that the private storage lot is operated continuously under an authorization or renewal authorization without termination, revocation, or lapse longer than 90 days."~~

After discussion by Council Members Brown, Noriega, Green, Laster, Adams, Bradford and Hoang, Mayor Parker stated that Council Members Bradford, Green and Hoang had tagged Council Member Brown's written motion to amend Item No. 63.

Mayor Parker stated that Council Member Laster had tagged Item No. 63.

64. ORDINANCE approving and authorizing Memorandum of Understanding No. 2 between the City and **HOUSTON FORENSIC SCIENCE LGC, INC** - \$1,567,110.00 - General Fund – **(This was Item 30 on Agenda of December 4, 2013, TAGGED BY COUNCIL MEMBER BROWN)** – was presented.

After discussion, Council Member Brown stated that they, as Council, needed to see a

report that delved into the results of the testing of the backlogs, that this was the type of report they needed to see as the outcome of the monies continuing to be sent to the new local government committee and would request that again and would vote no until they started seeing some type of report. Council Member Davis absent.

Mayor Parker stated that she wanted to be clear, they had previously voted all expenditures for the sexual assault kits, this expenditure fund had nothing to do with the sexual assault kits, if her purpose was to have a presentation to committee, Mayor Pro Tem Gonzalez, as Chair of the Public Safety Committee, could schedule it at a mutually convenient time for Council Members, that they were always happy to give updates on this issue and thought it was updated at the last meeting. Council Member Davis absent.

Council Member Gonzalez stated that the sexual assault backlog issue had been rolled out and handle through the Houston Police Department, this was just a separate effort for them to begin consolidating operations going forward and obviously setting up the structure for them to receive funding for the Forensic Science Center, that an update was obviously appropriate. Council Member Davis absent.

A vote was called on Item No. 64. Council Members Brown and Christi voting no, balance voting aye. Council Member Rodriguez absent on personal business. Council Member Davis absent. ORDINANCE 2013-1160 ADOPTED.

65. ORDINANCE awarding contract to **SCR CONSTRUCTION CO., INC** for Cleaning and Sealing Cracks in Pavement Citywide for the Public Works and Engineering Department; providing a maximum amount - \$567,050.00 - 3 years with two one-year options - Enterprise Fund – **(This was Item 33 on Agenda of December 4, 2013, TAGGED BY COUNCIL MEMBER BROWN)** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Davis absent. ORDINANCE 2013-1161 ADOPTED.

66. ORDINANCE approving and authorizing a Professional Architectural Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for the Houston Emergency Center Training Facility, contingent on contractor's submission of all required contract documents - \$116,209.00 - Houston Emergency Center Fund - **DISTRICT H – GONZALEZ – (This was Item 34 on Agenda of December 4, 2013, TAGGED BY COUNCIL MEMBER BROWN)** - was presented. All voting aye. Nays none. Council Member Rodriguez absent on personal business. Council Member Davis absent. ORDINANCE 2013-1161 ADOPTED.

Council Member Green stated that he would like to release his tag on Item No. 4.

4. RECOMMENDATION from the Director Convention & Entertainment Facilities Department for approval of the **HOUSTON FIRST CORPORATION'S** Calendar Year 2014 Budget- was again before the City Council, moved b Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Rodriguez absent on personal business. MOTION 2013-0798 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Green announced events he attended or would be attending; and stated that he wanted to acknowledge former South African President Nelson Mandela, who passed away on Thursday, December 5, 2013, that he was relentless in his struggle against oppression, survived decades in prison and ultimately leading his Country into freedom, may he rest in peace. Council Members Brown, Martin, Hoang, Gonzalez and Burks absent.

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

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

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

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

Council Member Bradford stated that he wanted to encourage the citizens of Houston to get out and vote, there was a runoff election for Saturday, December 14, 2013. Council Members Brown, Martin, Hoang, Pennington and Noriega absent.

Council Member Laster stated that as many of them knew last Wednesday morning his mother, Ms. Audrey Lavonne Wilson Laster, passed into eternal glory at age 73, that they laid her to rest yesterday morning on a beautiful cold day in Austin, Texas, and he wanted to thank his colleagues around the horseshoe, Mayor Parker and all of the other organizations and persons across the City who had extended their comforting words, prayers and thoughts to his family, it had been great and a real comfort to all of them. Council Members Brown, Martin, Hoang, Pennington and Noriega absent.

Council Member Costello stated his condolences to the Laster family. Council Members Brown, Martin, Hoang, Pennington and Noriega absent.

Council Member Gonzalez stated his condolences as well to Council Member Laster, that his thoughts and prayers were with him; that he was pleased Reverend Calvin J. Abraham, Mount Bella Vista Missionary Baptist Church was present at in City Council yesterday, as they proclaimed December 10, 2013 in his name; and announced events he attended or would be attending. Council Members Brown, Davis, Martin, Hoang, Pennington and Noriega absent.

Council Member Adams stated that yesterday they had a lengthy discussion on Item No. 26 concerning Payday Lending and she wanted to thank City Attorney Feldman and the Council Members for the dialog, and stated that one of the questions was how were they going to implement this, that she wanted to thank Ms. Tina Paez for sending out the information concerning implementation and what exactly was needed to move this forward and asked that her colleagues read the memo from Director Paez and look at the plans and if they had any questions they could contact her; and announced events she attended or would be attending; and stated to Council Member Laster that all she could do was give him a hug because she knew what his family was going through; and for all of them to continue to remember Mr. Nelson Mandela and his family. Council Members Brown, Davis, Martin, Hoang, Burks and Noriega absent.

Council Member Pennington stated that he was very moved by the death of Ms. Chelsea Norman, that she was killed coming home from her job at Whole Foods at night and did not think she had a helmet on or reflective equipment on, but he maintained for some time that they ought to look at off street bicycle riding as much as possible, including using sidewalks, that he thought it was a worthwhile thing to look at. Council Members Brown, Davis, Martin, Hoang, Burks and Noriega absent.

There being no further business before Council, the City Council adjourned at 10:28 a.m. Council Member Rodriguez absent on personal business. Council Members Brown, Davis, Martin, Hoang, Burks and Noriega absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary