

City Council Chamber, City Hall, Tuesday, January 14, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, January 14, 2014, Mayor Annise Parker presiding, with Council Members Brenda Stardig, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, David Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. Dave Feldman, City Attorney, Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Stella Ortega and Ms. Karen Kelly, Agenda Office, present. Council Member Jerry Davis out of the city on city business. Council Member Stephen C. Costello absent on personal business.

At 1:55 p.m. Mayor Parker called the meeting to order and stated that they had one presentation today and requested that Council Member Cohen join her at the podium. Council Members Martin, Pennington, Green, Kubosh, Bradford and Christie absent.

Mayor Parker stated that the Council of Bishops of the African Methodist Episcopal Church were in town for a retreat and she invited those who were a part of the AME Retreat and some of the out of town visitors, to join her at the podium, that they were a City blessed with strong and active churches, and many of those churches were part of larger networks, intertwined religious tradition, they were pleased to host the AME Church in a retreat for their bishops and wanted to officially welcome the delegation on behalf of the City of Houston, and therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed January 14, 2014, as Council of Bishops of the African Methodist Episcopal Church Day in Houston, Texas. Council Members Martin and Kubosh absent.

At 2:00 p.m. Council Member Cohen invited Bishop Vashti McKenzie, African Methodist Episcopal Church, for the invocation and Council Member Cohen led all in the pledge of allegiance. Council Member Martin absent.

At 2:06 p.m. the City Secretary called the roll. Council Member Davis out of the city on city business. Council Member Costello absent on personal business.

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

Mayor Parker stated that she wanted to welcome Bishop McKenzie, they had an opportunity to visit briefly and she referenced God, grace and guts, that was what it takes, and clearly she had those and thanked her for offering the prayer.

Council Member Green stated that they had joining them the Reverend Terrance Grant Malone, Saint Johns Missionary Baptist Church and asked that he stand and be recognized, and Mayor Parker thanked him for being present.

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

Mr. Mike Koehler, 3203 W. Arbor Run Circle, Sugarland, Texas 77479 – 281-703-5077 – appeared and stated that he was the General Manager for CIGNA in Houston and would like on behalf of CIGNA recognize their appreciation for the business relationship they had for the last two and a half years, that when these health benefits were discussed three years ago the proposal really focused on two things, one was the improvement of the health of employees and their families and that would translate into lower costs and with the benefit of two and a half years of hindsight to look back the data demonstrated that those two things had occurred, they

were very happy about that and thought the relationship had worked, they also recognized that health benefits for employees was a big deal, that was stating the obvious, he was not telling them anything they did not already know, and he wanted to reassure them that CIGNA took that very seriously and he had the full support of their whole entire organization behind him in this relationship and they stood ready to participate in any discussions they may have to work through and discuss this issue in a way that got them comfortable.

Mayor Parker stated that they had appreciated the working relationship they had and she looked forward to continuing it.

Mayor Parker stated that they had also been joined by Representative Garnett Coleman, and thanked him for being present.

Mr. James Carey, 12852 Westheimer, Houston, Texas 77007 – 610-417-1722 – appeared, presented a handout, and stated that he was the Director of Business Development with Clear Channel Airports, that he wanted to address Item No. 54 and asked whether it truly represented what was best for Houston, that reviewing the evaluation criteria as followed, compensation to the Houston Airport System, the recommended Joint Venture group was offering a guarantee of \$4 million or 70% of gross revenues, which calculated to \$10 million in the first year, as per the RCA, Clear Channel's projected year one return to the Houston Airport System was \$9,946,697, a mere difference of \$53,000 and their minimum annual guarantee was \$4.5 million in year one; the advertising plan and capital investment that Joint Venture had recommended offered a \$4.5 million capital investment in the first seven years of the contract, Clear Channel offered \$8.1 million; Joint Venture, or JCD Co. operated 18 U.S. Airports and two of the top ten airports in the U.S., Clear Channel operated in 133 U.S. Airports, five of the top ten airports, and fourteen airports in Texas; management and operation, Clear Channel Airport Division had been in the business, exclusively dedicated to airports, for 38 years, that Clear Channel itself had 255 employees in Houston, with the airport contract they would have added 5 members to that staff; regarding the ACDBE goals, it was a pass/fail, Clear Channel chose to do a typical subcontract agreement given the RFP timeline, they both passed/failed, however, in the evaluation, there were five extra points given if someone were to create a joint venture agreement; the proposal process, Clear Channel followed the required proposal process explicitly as defined in the RFP, Section 1.2.3, Page 4, which meant to bid on C they needed to make sure they added four proposals for A/B, meaning A/B=C, that Clear Channel's interest in the best value for the Houston Airport System was package C, both airports, they did not submit on B on a stand alone process, merely following the process, that if Clear Channel would have accepted the bid for B, meaning Hobby Airport only, they would essentially have three companies trying to market airport advertising to national buyers and local buyers in the airport system, it would not maximize value and revenue to the airport system.

After a lengthy discussion by Members of the City Council, and passage of Motions 2014-0018 through 2014-0024, Mayor Parker stated that all Council Members could have a copy of the scoring; that they were distributing to Council the letter that HAS, Houston Airport System, received from Clear Channel and Council Members could judge for themselves whether they thought that Clear Channel was withdrawing it's offer, that Council Members could make their own decisions; that the Airport System did not award under C, they awarded A, they attempted to award B and were declined on B, so they went to the second low bidder. Council Member Gallegos absent.

The following are Motions 2014-0018 through 2014-0024, which all suspended the rules to extend time for questions by Mr. James Carey. Council Member Gallegos absent.

Council Member Bradford moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Gonzalez. All

voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Members Gallegos and Laster absent. MOTION 2014-0018 ADOPTED.

Council Member Bradford moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Members Gallegos and Laster absent. MOTION 2014-0019 ADOPTED.

Council Member Bradford moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Cohen. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Member Gallegos absent. MOTION 2014-0020 ADOPTED.

Council Member Gonzalez moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Green. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Member Gallegos absent. MOTION 2014-0021 ADOPTED.

Council Member Pennington moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Green. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Member Gallegos absent. MOTION 2014-0022 ADOPTED.

Council Member Bradford moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Member Gallegos absent. MOTION 2014-0023 ADOPTED.

Council Member Pennington moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Green. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Member Gallegos absent. MOTION 2014-0024 ADOPTED.

Mr. Lee Vela, 12852 Westheimer, Houston, Texas 77007 – 610-417-1722 – appeared and stated that he was with Clear Channel Outdoor in Houston, Texas, that he would like to address them to their company's commitment to the community in Houston, that as most of them knew

he had worked for a number of years in this industry, and throughout that time their corporation's commitment to the community had been unsurpassed, that as they heard Clear Channel employed 255 people in the Houston area, both in their radio and outdoor divisions and they had planned to add more if they had the opportunity to work with the Airport Division in advertising in the terminals, that Clear Channel's long history of giving back to the community went through a comprehensive program with their Outdoor Division and Radio Division and they worked with hundreds of nonprofit organizations each year to donate advertising space and air time at the value of millions of dollars, that last year alone they donated nearly \$10 million in advertising to nonprofit organizations throughout the area that marketed their services, reached participants and raised much needed funds, that all the organizations had benefited from their public service donations, that in 2012 Clear Channel launched the Gulf Coast Emergency Communications Network, which was honored at City Council, that working with the Emergency Management Teams in four area counties protocols were now in place for emergency messaging on their digital billboards in case of a disaster, that additionally their digital billboards in the area had worked with the FBI, HPD, the Sherriff's Department and other law enforcement agencies for the Stop Houston Gangs Program, that each week a different gang members wanted on felony charges had been featured on their digital billboards and in the first 18 months of that program more than 60 fugitives had been caught, they operated 24/7 on their digital billboards and posted Amber Alerts for missing children as fast as they came into them, and this program had been extremely successful, that last October they donated 25 outdoor displays to the City of Houston to promote the 3-1-1 System in areas who might now know of the service that the system provided, that Clear Channel Radio Division operated 6 radio stations in Houston and stayed very involved with the community as well with donating public service airtime. Council Member Gallegos absent.

After a lengthy discussion by Members of the City Council, and passage of Motions 2014-0025 through 2014-0029, Mayor Parker stated that she thought every one of them would be happy to say that Clear Channel was a great corporate citizen, the question before them was did Clear Channel make a bid with the Houston Airport System that they never intended to honor.

The following are Motions 2014-0025 through 2014-0029, which all suspended the rules to extend time for questions by Mr. Lee Vela.

Council Member Gonzalez moved that the rules be suspended for the purpose of extending time for questions of Mr. Lee Vela, seconded by Council Member Cohen. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. MOTION 2014-0025 ADOPTED.

Council Member Gonzalez moved that the rules be suspended for the purpose of hearing from the previous speaker, Mr. James Carey, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. MOTION 2014-0026 ADOPTED.

Council Member Gonzalez moved that the rules be suspended for the purpose of extending time for questions of Mr. Lee Vela, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. MOTION 2014-0027 ADOPTED.

Council Member Martin moved that the rules be suspended for the purpose of extending time for questions of Mr. James Carey, seconded by Council Member Laster. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. MOTION 2014-0028 ADOPTED.

Council Member Bradford moved that the rules be suspended for the purpose of extending time for questions of Mr. Lee Vela, seconded by Council Member Christie. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Members Boykins, Green and Kubosh absent. MOTION 2014-0029 ADOPTED.

Council Member Gonzalez moved that the rules be suspended for the purpose of adding Mr. Ray Hunt to the speakers list, after Mr. Johnny Mata, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Members Boykins and Green absent. MOTION 2014-0030 ADOPTED.

Dr. Alkebu Motapa, 5022 Cosby, Houston, Texas 77021 – 713-741-5150 – had reserved time to speak, but was not present when his name was called.

Ms. Kim Ogg, 612 West 26th Street, Houston, Texas 77008 – 832-443-7699 – appeared and stated that she was present as a resource, a lawyer who had been on both sides of the prosecution and defense bar, in favor of dash cameras for HPD Officers and Vehicles, they were a win win for both the prosecution and the defense, the police officer and the citizen, that she knew at least in terms of Crime Stoppers success rate when she was the leader of Crime Stoppers they did everything based on photographs of individuals committing crimes captured on tape, so she thought the cameras were a safety mechanism, a good thing for police officers, they would help prosecutors and also offer citizens who wanted transparency from their Police Department back.

Mayor Parker stated that she agreed that cameras were a great thing, they had made the strategic decision that body cameras were a higher priority than dash cameras, because the body cameras captured anything the officer was looking at, a dashboard camera the car had to be in the right place, looking in the right direction and it did not capture anything away from the vehicle, and asked if Ms. Ogg had an opinion on body cameras.

Ms. Ogg stated that she thought body cameras were good to, that she did not think this was an opinion offered to suggest that one was necessarily superior to the other, but that cameras period for their police officers and citizens were helpful, this Council was in the best position to make the determination about what was most cost effective, but would say that cameras in the cars were basically standard operating procedure around the Country and many cases had been solved as a result of them; and Mayor Parker stated that as of the last budget they rolled out their first 100 body cams and they intended to be doing more.

After discussion and questions by Council Members Laster, Boykins, Pennington and Kubosh, Ms. Ogg stated that she thought chases were important to record for everybody involved, including innocent citizens who may be harmed in the chase, so if the body cam was not automatically activated or must be activated by somebody who was in a high pressure situation, if it was not directed exactly at the roadway, it may not offer the same benefits, that

she was pro camera either way, her full intent today was to say whatever the City Council could do with regard to equipping their officers with cameras, whether in their cars or on their bodies, it was not an either or for her, it was an and. Council Member Cohen absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of extending time for questions of Ms. Kim Ogg, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Member Cohen absent. MOTION 2014-0031 ADOPTED.

After further questions and discussion by Council Members Stardig, Gonzalez and Gallegos, Ms. Ogg stated that she had just read a little bit about the research done in Austin and knew the dash cam there cost around \$2,500, that was her understanding, that she was giving them hearsay information, that the cost of the Houston cams she was not familiar with, she did not do any research on what HPD cameras cost or what the latest technology was, that most cameras had gone digital and recorded now into a computerized system, that she did not know what the costs were in terms of comparison, that almost all dash cams, as she understood it, were stationary. Council Member Cohen absent.

Mayor Parker stated they were stationary and obviously if they lost the car they scavenged all sorts of things off of the cars, parts and so forth, if the car was wrecked the camera would be moved, but they were fixed mounted on the car. Council Member Cohen absent.

Ms. Ogg thanked the Council Members, especially Council Members Gonzalez and Bradford for their service on the police department. Council Member Cohen absent.

Mr. Lorenzo Butler, 3906 Daphne St., Houston, Texas 77021 – 832-880-3733 – appeared and asked where would they be on the Martin Luther King Holiday, that each year the North Houston Frontiers hosted the Dr., Martin Luther King, Jr. Memorial Breakfast, which solely funded the North Houston Frontiers Minority Scholarship Program, they would host the breakfast at the Hilton Americas Downtown on Monday 20, 2014, that they looked forward for them being at the breakfast on Monday morning. Council Members Cohen and Laster absent.

Council Members Green and Boykins stated that they looked forward to the breakfast and thanked the North Houston Frontiers for what they did for the City of Houston. Council Members Cohen and Laster absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of adding Mr. Keith Davis to the speakers list, seconded by Council Member Boykins. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Council Members Cohen and Laster absent. MOTION 2014-0032 ADOPTED.

Mr. Davis stated that as a co-chair he would like to make sure everyone came out, that this year they were going to have a statue, that there were only 8 around the Country, that the breakfast symbolized unity with some of the organizations. Council Members Cohen and Laster absent.

Mr. John Noflin, 12903 Brent Rock Dr., Houston, Texas 77082 – 832-208-1498 – had reserved time to speak, but was not present when his name was called. Council Members

Cohen and Laster absent.

Ms. Lisa Schreiner, 13259 Carvel Ln., Houston, Texas 77083 – 713-502-3376 – had reserved time to speak, but was not present when her name was called. Council Members Cohen and Laster absent.

Mr. Randall Kallinen, 511 Broadway, Houston, Texas 77012 – 713-320-3785 – appeared and stated that he was present to talk about the squad car cameras, that the recent article and research by the Houston Chronicle showed that the City of Houston only had 5% squad car cameras when all of the other major law enforcement organizations in Texas had many more squad car cameras, upwards of 60%, he thought, with DPS and 40% in Dallas, that squad car cameras were extremely helpful in getting the whole picture of what was happening during a stop, that stops were where most shootings occurred and also stops were very important to determine whether a stop was valid, that the cameras would clearly show for any officer what the probable cause was for a stop, that also cameras caught crimes and could catch it when a suspect claimed an officer punched him, when the officer did not punch him, so this went both for the safety of the officer to fight crime, as well as to catch unfortunate circumstances of police misconduct or simple police mistakes, they saw that these tools could be very important for safety, that it was not the either/or, was the body camera better, did it replace the video camera, they did not replace one another, they were both necessary, and of course the Greater Houston Coalition for Justice supported both the body camera and the squad car camera, that basically video cameras were about the truth. Council Members Cohen, Boykins and Laster absent.

Council Member Bradford stated that stops were required, via State law, to be documented by law enforcement officers, whether there were cameras or not, that Chief McClelland had requested, and the City Council had made a decision to fund the initial source of dollars on the table with the procurement of body cams versus dash cams, and he fully supported that decision, that he thought Chief McClelland was on the right track, that also they had to go into the process slowly, an additional consequence was the impact on the officers and what time it was going to take from the officers in the field or overtime at the end of their chief to follow proper procedure to download the technology to do documentation, that the pilot program that was under way with, he thought, 100 cameras, was a good strategy. Council Members Cohen, Boykins and Laster absent.

Mr. Kallinen stated that they did send around to all of the Council Members and the Mayor a list of policies that they would like to have in both any body cam system or any dash cam system for transparency and the non ability for officers to manipulate the data. Council Members Cohen, Boykins and Laster absent.

Mr. Johnny Mata, 2121 Fountainview, No. 47D, Houston, Texas 77057 – 832-723-3110 – appeared and stated that he had emailed everyone about 1:30 a.m. what he wrote, because he knew they were going to have a press conference, that the new cameras that were being used in Austin took a video of what was in front on them, the people that were detained that were in the car and beyond, that was the new technology, he did not know what it cost, but that new camera would be a great asset, that they were also concerned with the life of the police officer, that they used to have two police officers in a patrol car, when the budget allowed it, and now they only had one, that the dangers were greater, that what he heard about the body cam was the activation, the space it covered and then the life span, it had a short span of recording, that they might be making some new ones that were better, but at this time he did not think that was their total solution. Council Members Cohen, Laster and Green absent.

Council Member Bradford stated that the technology, that Mr. Mata mentioned in Austin, was good technology, but he wanted him to keep in mind that the dash mounted cam

technology only captured video where the car was located, so were they concerned with the activity of the car or the activity of the officers, the body cams went where the officers went and there was a lot more activity surrounding the officers and where they were, that policy would dictate how and when the body cam technology was activated, how the data was stored, who had access to it, all of that went with policy, and Mr. Mata stated that he believed that both were still essential. Council Members Cohen, Laster and Green absent

Council Member Gonzalez stated that Mr. Mata had made some good points and appreciated the information about the Austin camera system, that one part of technology was that they were focusing on the fixed camera system in the vehicle and Mr. Mata added a different element with the other one, which was a 360 type, so there was new technology emerging and one thing they had to do with any major expenditure would be that technology would be good, because if the technology started breaking down and they made all of that cost and the cameras were always being repaired, how effective or sturdy had they been in Austin, these were things that obviously they needed to study as part of the discussion. Council Members Cohen, Laster and Green absent

Mr. Ray Hunt appeared and stated that the whole reason for this was because of the Chronicle article that said they only had 5% of the cars that had dash cams, that the reason for that was that those 5% were DWI units, where they were able to capture the necessary information that they needed in order to make the case on a DWI, that they were not opposed to cameras, they were not opposed to people who wanted to video tape them, they were not opposed to the body cameras, they had to get the best bang for their buck, there was all kind of technology out there, that they had heard about three types of technology and all they wanted the Council to do was to make sure that they were listening to the Chief of Police, Chief McClelland, who was making the right decisions, that they had several of the cameras in the downtown area recently, through government grants, that any time the government wanted to give them money he thought they should take that and buy as many cameras as they could, that when they were dealing with their budget they needed to get the best bang for their buck and needed to make sure they had enough boots on the ground, they needed to make sure they had enough staff with the Houston Police Department before they started talking about all of the technologies that were out there, that he and Mr. Mata did agree on one thing, the two men unit idea, that he wanted to thank them for supporting their Chief in the past for budgetary issues that he brought forth and they were willing to be as transparent as they possibly could, but they also wanted to get the best bang for their buck. Council Members Green absent.

Mayor Parker stated that they all agreed that cameras were a good thing, it was just a matter of so many dollars, where did they want to put their dollars; as had been stated the Chief was moving toward the body cams rather than the dash board cams, except for the DWI units, where they were very clearly helpful, they hoped to have more cameras deployed in the future, it was just a matter of where they wanted to put their resources. Council Member Green absent.

Council Member Boykins stated that he was looking forward to getting the results back on the body cams, he thought it was going to do a lot of good for the City and commended the Mayor and administration for just visualizing the impact it could have in making their decisions, in terms of having accurate information on crime scenes, and Mr. Hunt stated that their vice president was wearing one of the body cams and testing on the streets so they could get firsthand knowledge of what was going on with them. Council Member Green absent.

Ms. Deborah Elain Allen, Post Office Box, Houston, Texas – 713-264-0127 - had reserved time to speak, but was not present when her name was called. Council Member Green absent.

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 Member Green absent.

Dr. Davetta Daniels, 3314 Arbor, Houston, Texas 77004 – 713-522-2940 – appeared and stated that she was present as a City leader, concerned citizen, tax payer and educator who had served over 30 years of dedicated service in Houston schools, that she read an article yesterday, and she did not believe everything the Chronicle said, but knew this was true, as far as people, who were in positions, not taking seriously after school programs and anything related to education, that she felt, and took it upon herself as a person who loved children and education, to say to the leaders of the City, that they could not continue to call themselves a great City and Houston First City, when their children were finishing last in education and everything thereof, this was not how they constructed and maintained a world class City, that she remembered Hurricane Katrina and the Mayor at that time was a good Stewart and invited a lot of the victims to come to Houston, and what that did for the whole Country was to pull the cover over all of the blight and the mess and un-education of children for years and years and all of a sudden people started getting serious about education, that when they came to Houston the crime rate skyrocketed, and she did not mean to judge anybody who was from New Orleans, but that was just the fact of the matter, and a lot of that was because of mis education of youth, that when she read the article one thing that stuck with her were the after school programs, she was a principle the last twelve years in the school system and could not imagine what life would have been for her in inner city schools without the assistance and money from after school programs. Mayor Parker and Council Member Boykins absent. Mayor Pro Tem Gonzalez presiding.

Council Members Bradford, Boykins and Mayor Pro Tem Gonzalez stated that they wanted to thank Dr. Daniels for supporting after school programs and for her service to the City of Houston. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Mr. William Brown, 4640 Main St., No. 326, Houston, Texas 77002 – 281-785-8323 – appeared and stated that he was a life member of DAV Chapter 9 in Houston and they were having their Annual District 4 Meeting Fundraiser coming up and were asking businesses to support them through either advertisement and a program book that they put out, or they could donate gift cards, gift certificates and products, that he also did volunteer fund raising for Vietnam Veterans of America Chapter 343, they were a 501(c), 19 vets service organization, that he had done this on his own, uncompensated, following the guidelines of the DAV National Executive Committee, that it was a very important service to vets, the surplus from these went to the host chapters, that he wanted to make sure that they were made aware that as a benefit in fund raising he also came in contact with other veterans in fundraising and it was also a fact that he had been able to help some of the veterans either write up their claims for benefits. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Council Member Laster stated that Mr. Brown and his family had been long time residents of Sharpstown and he was very well known in the Sharpstown Community for all he was doing for their veterans, they were greatly appreciative of the extra work and were always wanting to know how whatever regulation or rules or ordinances that they put forth or what the County may put forth, how that impacted his efforts to do the good work he was doing. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Mr. Richard Schoppe, 3310 Space Center Blvd., No. 242, Pasadena, Texas 77505 – 713-582-1049 appeared and stated that he wanted to talk about the legalization of industrial hemp, for some reason America was the only industrialized country that was not utilizing as an agricultural commodity, there were more than 50,000 products that could be made from industrial hemp, that a lot of people got confused when they heard industrial hemp and thought it was automatically marijuana, they could not get high off of industrial hemp, and continued his

personal opinions on industrial hemp until his time expired. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Ms. Terry Freeman, 7409 South Hall, Houston, Texas 77028 – 713-631-5175 – had reserved time to speak, but was not present when her name was called. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding..

Mr. Anthony Morris, 2400 South Loop West, Ste. 515, Houston, Texas 77054 – 832-785-4855 – appeared and stated that his son was present, that he was going to have surgery tomorrow for Cancer and may be in for two to three weeks; that he thought that Mr. Feldman was one of the most valued people on the Mayor's staff, that when he heard that he got \$350,000 increase he said that was great because at least someone was valuing his service; that he appreciated all of them and had been around for almost 27 years and had seen a lot of administrations, that Ms. Anna Russell was one of those people who he had come to really enjoy and love because of her tenacity and personality and all of the Council Members should be part of the City Council. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez, Council Members Christie, Cohen, Kubosh, Pennington, Stardig, Bradford and Boykins wished Mr. Morris a very successful surgery and they appreciated his service to the City of Houston. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Ms. Bridget Alexander McDaniel, Post Office Box 53993, Houston, Texas 77052 – 713-987-3854 appeared and stated that she was still homeless, that Metro Police committed numerous forgeries, which included the Houston Fire Department, that a federal student loan was forged and an immigrant was hired by the Fire Department, that she had been to Council several times and this still had not been eliminated with the Metro organization, that the FBI Houston finally got hold of the forgeries that were being committed, that there was some City involvement with Public Works. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was still entitled to three minutes and no one responded, that he was President Joseph Charles of the U.S., and continued to voice his personal opinions until his time expired. Mayor Parker and Council Member Laster absent. Mayor Pro Tem Gonzalez presiding.

Ms. Sherry Browning, 2616 S. Loop, Ste. 110, Houston, Texas 77054 – 832-287-5909 – stated that she wanted to thank God for her idea of having a toy drive, that she wanted to thank Mayor Parker and her staff for all of the help and information and also Council Member Christie for extending the information that he did for her to continue with the toy drive, that it was not her fault that the government shut down and prevented the youth from getting their toys, and even after Christmas they still could not contact various government agencies. Mayor Parker and Council Members Martin and Laster absent. Mayor Pro Tem Gonzalez presiding.

Ms. Yvette Gbalazeh, No Address, 936-672-3335 - appeared and stated that she was present again about the Sight and Release Law, which the Texas State Law, which should soon be enforced in Houston, Texas, that she spoke with Kim Ogg and she said she did believe in enforcing the Sight and Release Law, that she did not know what Council Member Bradford thought about it because he did not seem to be for or in support of the Sight and Release Law and would like to hear his response on that. Mayor Parker and Council Members Martin and Laster absent. Mayor Pro Tem Gonzalez presiding.

Council Member Bradford stated if Ms. Gbalazeh would schedule time to come by his office they could sit down and have this discussion, and Ms. Gbalazeh asked if Council Member

Bradford minded if she video taped it so the public could see what his opinion was because he had a lot of experience, and Council Member Bradford asked if she was going to have it on television or You Tube or something, that if she scheduled a meeting in his office she could bring a video, audio or whatever she wanted to bring. Mayor Parker and Council Members Martin and Laster absent. Mayor Pro Tem Gonzalez presiding.

Ms. Rocky Jackson, 5604 Los Angeles, Houston, Texas 77026 – 281-616-1300 appeared and stated that she was having problems finding an attorney, and continued to voice her personal opinions until her time expired. Mayor Parker and Council Members Martin and Laster absent. Mayor Pro Tem Gonzalez presiding.

At 4:34 Mayor Parker stated the City Council was recessed until 9:00 a.m., Wednesday, January 15, 2014. Council Member Davis out of the city on city business. Council Member Costello absent on personal business. Mayor Parker and Council Members Martin and Laster absent. Mayor Pro Tem Gonzalez presiding.

The Houston City Council reconvened at 9:00 a.m., Wednesday, January 15, 2014, with Mayor Annise Parker presiding and with Council Members Brenda Stardig, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David Robinson, Michael Kubosh, 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 Jerry Davis out of the city on city business.

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

At 9:13 a.m. Mayor Parker called the meeting to order and recognized Council Member Gonzalez for a procedural motion. Council Members Davis, Cohen, Martin and Pennington absent.

Council Member Gonzalez moved that the rules be suspended for the purpose of considering Item Numbers 1, 2, 3 and 4 out of order, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0033 ADOPTED.

Council Member Costello moved that the rules be suspended for the purpose of considering Item 54 out of order after the appointments, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Martin absent. MOTION 2014-0034 ADOPTED.

1. REQUEST from Mayor for confirmation of the reappointment of **REGINALD LEE MACK** for Position One to the **GENERAL APPEALS BOARD**, for a term to expire 1/2/2015 – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Martin absent. MOTION 2014-0035 ADOPTED.

Mayor Parker stated that they had just affirmed the appointment to Mr. Reginald Mack to the General Appeals Board, and did not believe Mr. Mack was present in the audience. Council Member Martin absent.

2. REQUEST from Mayor for confirmation of the appointment of **DIANN L. LEWTER** for Position Four to the **BOARD OF THE METROPOLITAN TRANSIT AUTHORITY**, for an unexpired term ending 4/7/2014 – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member

Davis out of the city on city business. Council Member Martin absent. MOTION 2014-0036 ADOPTED.

Mayor Parker stated that they had just confirmed Ms. Diann Lewter as a Board Member for the Metropolitan Transit Authority and invited Ms. Lewter to the podium, that she wanted to acknowledge that they had a number of Metro Board Members present, as well as the Chairman of the Metro Board, Mr. Gilbert Garcia, that many of them had known Ms. Lewter for a long time, she had been a Board Member of the Hermann Park Conservancy, active in Leadership Houston, Chaired the Board of the AIDS Foundation, but in her real life, when she was not volunteering, she was very active in commercial real estate, Business Director for Central Houston, so she understood economic development issues, the impact of rail on business and communities, so she appreciated her willingness to serve. Council Member Martin absent.

Council Members Cohen, Green, Gonzalez, Gallegos, Bradford, Pennington, Kubosh, Robinson and Boykins congratulated Ms. Lewter on her appointment; and Mayor Parker recognized Ms. Lewter's husband, Mike, who was present in the audience.

3. REQUEST from Mayor for confirmation of the appointment of **CATON M. FENZ** for Position Seven to the **REINVESTMENT ZONE NUMBER TWO (ALSO KNOWN AS THE MIDTOWN ZONE) BOARD OF DIRECTORS**, for a term to expire 12/31/2015 – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Boykins absent. MOTION 2014-0037 ADOPTED.
4. REQUEST from Mayor for confirmation of the appointment of **CATON M. FENZ** for Position Seven to the **BOARD OF DIRECTORS OF THE MIDTOWN REDEVELOPMENT AUTHORITY**, for a term to expire 12/31/2015 – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Boykins absent. MOTION 2014-0038 ADOPTED.

Mayor Parker stated that they had just affirmed the appointment of a Member of Reinvestment Zone No. 2 and the Midtown Redevelopment Authority, Mr. Caton M. Fenz, whom she did not think was present in the audience, but would thank him for his service to the City of Houston. Council Member Boykins absent.

54. 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 – GALLEGOS** – (**This was Item 22 on Agenda of January 8, 2014, TAGGED BY COUNCIL MEMBERS BOYKINS and NGUYEN**) – was presented. Council Member Boykins absent.

Council Member Costello moved to refer Item No. 54 back to the administration, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Davis out of the city on city business. Council Member Boykins absent. MOTION 2014-0039 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 51

MISCELLANEOUS - NUMBERS 5 and 6

5. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$1,905.14 per acre for properties connecting to the 12-inch wastewater line located along Hycohen Road from Almeda Genoa Road constructed by **HAMMAN WEST PARTNERS, LP.** - **DISTRICT D – BOYKINS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0040 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.664 per square foot for properties connecting to the 8-inch wastewater line located along Cohn Street from Tyne Street constructed by **SHARON J. SIMANDL** - **DISTRICT C - COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0041 ADOPTED.

ACCEPT WORK - NUMBERS 8 and 9

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,106,557.40 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Alabonson Area - 1.57% under the original contract amount - **DISTRICT A - STARDIG** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0042 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,153,923.15 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Fulton North and Glenwood Forest Areas 1.79% over the original contract amount and under 5% contingency amount - **DISTRICTS B - DAVIS and H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0043 ADOPTED.

PROPERTY – NUMBER 13

13. 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 Houston First Foundation, (Dawn Ullrich, President and CEO), for abandonment and sale of a 1) Jackson Street, from Rusk Street south to its terminus; 2) a 10-foot-wide portion of Walker Street, from Crawford Street to Avenida De Las Americas; 3) two visibility triangle easements; 4) a 10-foot-wide prescriptive sanitary sewer easement; and conveyance of 5) a 13-foot-wide aerial easement along Walker Street, from Crawford Street to Avenida De Las Americas and 6) a 5-foot-wide aerial easement along Crawford Street, from Rusk Street to Walker Street, all located within Blocks 99 and 121, South Side Buffalo Bayou Addition, out of the J. S. Holman Survey, A-323, Parcels SY13-088A through SY13-088G - **DISTRICT I - GALLEGOS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0044 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 17 through 22a

17. **LIBERTY DATA PRODUCTS, INC DBA LIBERTY OFFICE PRODUCTS** for Continuous Forms (continuous feed paper and specialty computer paper) for the Houston Police Department \$328,800.72 - 3 years with two one-year options - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0045 ADOPTED.
19. **CONSOLIDATED TRAFFIC CONTROLS, INC** for Solar Panel Modules and Associated Equipment through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Department of Public Works & Engineering \$112,710.00 - Dedicated Drainage & Street Renewal Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0046 ADOPTED.
20. **GODWIN PUMPS OF AMERICA, INC** for Trailer-Mounted Centrifugal Pumps through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Department of Public Works & Engineering - \$129,712.12 - Combined Utility System General Purpose Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0047 ADOPTED.
22. ORDINANCE appropriating \$539,992.44 out of Equipment Acquisition Consolidated Fund for the purchase of Automated Refuse Carts for the Solid Waste Department – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0010 ADOPTED.
- 22a. **TOTER INCORPORATED** for purchase of Automated Refuse Carts through the Interlocal Agreement for Cooperative Purchasing with the City of Tucson, Arizona for the Solid Waste Management Department - \$539,992.44 – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0048 ADOPTED.

ORDINANCES - NUMBERS 26 through 51

26. ORDINANCE amending Ordinance No. 2012-935 to establish maximum contract amount for an agreement between the City of Houston and **WALTER P. MOORE** for Construction related consulting services for the Houston Airport System - \$25,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0011 ADOPTED.
30. ORDINANCE appropriating \$274,343.00 out of the Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Houston Fire Department – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0012 ADOPTED.
31. ORDINANCE approving and authorizing lease agreement between the City of Houston and **ACCESS FLOOR SPECIALISTS, INC D/B/A ALLIED INTERIORS** for Certain Premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT**

B - DAVIS – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0013 ADOPTED.

32. ORDINANCE approving and authorizing an airport use and lease agreement by and between the City of Houston and **SPIRIT AIRLINES, INC** for Certain Premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0014 ADOPTED.
33. ORDINANCE approving and authorizing the acceptance of a grant award from the U.S. Department of Housing and Urban Development for the 2014 Lead-Based Paint Hazard Reduction Demonstration Grant Program; declaring the City's eligibility for such grant; authorizing the Director of Health and Human Services Department to accept the grant and expend the grant funds, as awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0015 ADOPTED.
35. ORDINANCE approving and authorizing a first amendment to grant agreement between the City of Houston and **JOHNSON & JOHNSON ACTIVITIES, INC** to provide an additional \$200,000.00 of Federal Community Development Block Grant Funds for costs associated with the acquisition and construction of an Adult Day Care Center to be located in the vicinity of 14750 Fondren Road, Houston, Texas, which will serve low to moderate income persons - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0016 ADOPTED.
37. ORDINANCE approving a Heavy Duty and Recovery Police-Authorized Tow Service Agreement Form and authorizing the Chief of the Houston Police Department to act as the City's representative and sign all of the Heavy Duty and Recovery Police-Authorized Tow Service Agreements – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0017 ADOPTED.
40. ORDINANCE consenting to the addition of 15.063 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILTIY DISTRICT NO. 19**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0018 ADOPTED.
41. ORDINANCE consenting to the addition of 8.2950 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILTIY DISTRICT NO. 11**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0019 ADOPTED.
43. ORDINANCE appropriating \$215,684.00 from Metro Projects Construction DDSRF; authorizing a Public Highway At-Grade Crossing Agreement between the City of Houston, Texas and **UNION PACIFIC RAILROAD COMPANY** for the Parker Road Bridge widening over Hardy Toll Road Project - **COUNCIL MEMBERS B - DAVIS and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0020 ADOPTED.
45. ORDINANCE appropriating \$133,700.00 out of Metro Construction - Other and approving and authorizing a Professional Engineering Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Missouri Kansas Texas Trail Spur

Connector; Providing funding for contingencies relating to construction of facilities financed by the Metro Construction - Other **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0021 ADOPTED.

46. ORDINANCE appropriating \$1,017,700.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services contract between the City of Houston and **IDC INCORPORATED** for Watonga Paving and Drainage W34th to W43rd; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0022 ADOPTED.
47. ORDINANCE appropriating \$5,547,000.00 out of Street & Traffic Control and Storm Drainage DDSRF-A and \$1,946,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNER, LLC** for Millbury Drive Area Drainage and Paving Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF-A and Water & Sewer System Consolidated Construction Fund - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0023 ADOPTED.
48. ORDINANCE appropriating \$956,358.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities finance by the Water & Sewer System Consolidated Construction Fund (4277-78) – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0024 ADOPTED.
49. ORDINANCE appropriating \$2,678,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Cambridge Park Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT K - GREEN** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0025 ADOPTED.
50. ORDINANCES Nos. 2013-1183 to 2013-1185, passed second reading January 8, 2014 for Ordinances granting to the following listed as A through C, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions and making certain findings related thereto **THIRD AND FINAL READING** – was presented. All voting

aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE Numbers 2013-1183 thru 2013-1185 ADOPTED THIRD AND FINAL READING IN FULL.

HOLCOMB ENVIRONMENTAL OIL SERVICES LLC, a Texas Limited Liability Company (2013-1183)

TOMMY MILES GARBAGE SERVICE, a Texas Partnership - (2013-1184)

THE DUMPSTER GUYS, LLC, a Texas Limited Liability Company - (2013-1185)

51. ORDINANCES Nos. 2013-1186 to 2013-1199, passed second reading January 8, 2014 for Ordinances granting to the following listed as A through N, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions and making certain findings related thereto **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE Numbers 2013-1186 thru 2013-1199 ADOPTED THIRD AND FINAL READING IN FULL.

TEXAS ENVIRONMENTAL CONTROL, INC, a Texas Corporation - (2013-1186)

SPECIALIZED MAINTENANCE SERVICES, INC, a Texas Corporation - (2013-1187)

K & S CONSTRUCTION SERVICES, LLC, a Texas Limited Liability Company - (2013-1188)

STERICYCLE SPECIALTY WASTE SOLUTIONS, INC, a Delaware Corporation - (2013-1189)

LEGACEE INTERNATIONAL ENVIRONMENTAL SERVICES, INC, a Texas Corporation (2013-1190)

DANIEL RODRIGUEZ DBA A-HAWK GREASE TRAP, a Texas Sole Proprietorship (2013-1191)

AMIR BENJAMIN DBA JAYCO VACUUM SERVICES, a Texas Sole Proprietorship (2013-1192)

J.A. GAMEZ TRUCKING SERVICES, a Texas Partnership - (2013-1193)

CLEANER EARTH GROUP, LLC, a Texas Limited Liability Company - (2013-1194)

COMBS INDUSTRIAL SERVICES, INC. DBA ONSITE ENVIRONMENTAL, a Tennessee Corporation - (2013-1195)

MAGNOLIA ENVIRONMENTAL SERVICES, a Texas Partnership - (2013-1196)

ALFRED SAVOY JR. DBA DIRT WORKS UNLIMITED, a Texas Sole Proprietorship (2013-1197)

SET ENVIRONMENTAL, INC, an Illinois Corporation - (2013-1198)

AARON OIL COMPANY, INC, a Texas Corporation - (2013-1199)

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

7. RECOMMENDATION from Director Department Public Works & Engineering to accept the January 2014 Semiannual Report of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$16,071,354.30 to the Combined Utilities System Operating Fund for Revenue Bond Debt Service as recommended in the Report - was presented, and tagged by Council Member Martin.

ACCEPT WORK

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,206,339.37 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Sims South Wastewater Treatment Plant Improvements - 8.58% under the original contract amount - **DISTRICT I - GALLEGOS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0049 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,702,433.62 and acceptance of work on contract with **SIEMENS INDUSTRY, INC** for Traffic Signal Construction Work Order Contract 5.78% under the original contract amount - **DISTRICTS D - BOYKINS; E - MARTIN; F - NGUYEN; H - GONZALEZ; I - GALLEGOS; J - LASTER and K - GREEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0050 ADOPTED.

PROPERTY

12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Virgil Robertson, declining the acceptance of, rejecting, and refusing the dedication of Tam Tam Street from Green River Drive south to its terminus, located within the Green River Gardens Subdivision, out of the J. L. Stanley Survey, Parcel SY13-055 - **DISTRICT B – DAVIS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford, and tagged by Council Member Green.
14. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Perry, The Pinnell Group, on behalf of 6804 Properties, LLC. (Gary Hamby, Director) and John C. Stephen, Hall and Stephen, P.C., on behalf of Ruth Rental Real Estate, Ltd. (Ruth Rental Real Estate Management, Inc. [Joel Ruth, President], General Partner) for abandonment and sale of Plainview Street, from La Paseo Street south to its terminus, located within the Dixie Acres Subdivision, out of the H.B. Prentice Survey, Parcels SY13-092 and SY14-017 - **DISTRICT I - GALLEGOS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello, and tagged by Council Member Green.
15. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc., on behalf of Harris County Municipal Utility District 529 (Dan Quinlan, President), and Lakes of Parkway Homeowners Association, Inc., (William F. Schwind Jr., President), for abandonment and sale of Colecrest Lane, from its southern terminus north to its cul-de-sac terminus at Barton Gate Lane, in exchange for conveyance to the City of a public utility easement in the same location, all located within the Lakes of Parkway Subdivision, Section 17, out of Joel Wheaton Survey, A-80, Parcels SY14-042, SY14-047, VY14-004 and VY14-005 - **DISTRICT G - PENNINGTON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford, and tagged by Council Member Green.

PURCHASING AND TABULATION OF BIDS

16. **TOMMIE VAUGHN MOTORS, INC** for Automotive, GM Car and Truck OEM Replacement Parts and Repair Services for the Fleet Management Department - \$2,390,500.00 - 3 years with two one-year options - Fleet Management Fund – was presented.

After discussion by Council Members Martin, Stardig, Pennington, Bradford, Boykins, Mayor Parker stated that two bidders downloaded the solicitation and only one firm bid, that she would be happy to ask the Fleet Director and Purchasing Agent for the City to come and visit with Council Member Martin; that this included a labor component for repair services that could not be performed by the City staff, that they did everything in house that they could possibly do in house, that the majority of the bid was for parts, but there was \$900,000 for labor solely for things that the City did not have the skills to support in house, that they had brought everything in house that they considered cost effective to do in house, there were certain type of repairs that they would not perform on a regular basis and paying for that skill set among their mechanics was not necessarily cost effective, that she would be happy to have the Fleet Director visit with Council Member Stardig; that the bid was issued with an 11% goal for MWBE participation and was in the RCA, that since the item would be tagged they would be happy to provide the information as to how long they had the contract to Council Member Boykins.

Mayor Parker stated that Item No. 16 had been tagged by Council Members Martin and Stardig.

18. **GLOBE ELECTRIC SUPPLY CO., INC** for Batteries, Gelled Electrolyte Cell for the Department of Public Works & Engineering - \$549,975.00 - 3 years with two one-year options - Dedicated Drainage & Street Renewal Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0051 ADOPTED.
21. **URETEK USA, INC** for spending authority to purchase Soil Densification Services from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$1,000,066.00 - 5 years Dedicated Drainage & Street Renewal Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0052 ADOPTED.
23. **AMEND MOTION #2010-330, 6/2/10, TO INCREASE** spending authority from \$323,407.50 to \$452,770.50 for Paint, Street Marking for Various Departments, awarded to **ENNIS PAINT, INC** \$129,363.00 - Dedicated Drainage & Street Renewal Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello.

Council Member Green stated that this was an extension of an existing contract from 2010 whereby OBO, Office of Business Opportunities, provided a zero percent goal with regard to MWBE, that this was a delivery service type contract whereby in the vendors list there were 8 vendors they knew of that could do this particular work, why had OBO not gone in an provided a particular goal on this particular goal, that he would encourage OBO when there was an opportunity, when they had qualified MWBEs to actually take advantage and get involved in some of this work and provide them an opportunity to do so.

A vote was called on Item No. 23. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0053 ADOPTED.

ORDINANCES

24. ORDINANCE appropriating \$300,000.00 out of Police Consolidated Construction Fund for Professional Legal Services Related to the Proposed Justice Complex; approving and authorizing an agreement for Professional Services between the City of Houston and **HAWKINS DELAFIELD & WOOD LLP** for Legal Representation of the City related to the Proposed Justice Complex; providing a maximum contract amount – was presented.

After discussion by Council Members Pennington, Laster, Kubosh, Gonzalez and Stardig, Mayor Parker stated that they had presented on more than one occasion the process of moving to a new Justice Complex for the Municipal Courts and the Police Department starting probably three years ago when they indicated that they would be doing a sale lease back of the current police headquarters on Travis, so it had been quite evident to Council Members that their intention was to consolidate all the police headquarter function into one facility, since the Travis Headquarters was actively on the market and would not be retained, that the decision as to the final siting of a location had not been made and they fully expected to continue periodic briefings to the Public Safety Committee on the progress, that Hawkins Delafield & Wood was one of the premier public/private partnership law firms across the United States and they believed it was a complicated project and deserved the best firm available, that site determination had not been and would not be made until Council had an opportunity to weigh in.

A vote was called on item no. 24. Council Member Pennington voting no, balance voting aye. Council Member Davis out of the city on city business. ORDINANCE 2014-0026 ADOPTED.

25. ORDINANCE amending Ordinance No. 2012-925 to establish a maximum contract amount for an agreement between the City of Houston and **PORTER HEDGES LLP** for Construction related Legal Services for the Houston Airport System - \$60,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0027 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City of Houston and **CIGNA HEALTH AND LIFE INSURANCE COMPANY** for Administrative Services for Self-Funded Integrated Medical and Pharmacy Health Plans effective May 1, 2014; providing a maximum contract amount; containing other provisions relating to the foregoing subject; providing for severability - \$29,200,000.00 - 3 years - Health Benefits Fund – was presented.

After discussion by Council Members Cohen, Laster, Martin, Bradford and Costello, Mayor Parker stated that there were never Council Members on any of their contract selection committees, that the administrative authority of the City rested in the Mayor's chair, that actually all of the members of the evaluation team, other than the outside consultant Segel were beneficiaries under the system, that there was a separate Health Benefits Advisory Committee, Council Member Christie was the current Council representative on that committee, and it was made up of representatives of the retiree groups, the unions and the major departments across the City and they advise on the structure of their benefits, not who had the business, how much they pay for a co-pay, emergency room visit, and so forth, there was a Council representative and employee representatives.

After further discussion by Council Members, Mayor Parker stated that Council Members Bradford, Martin, Laster, Costello, Stardig, Green and Gallegos tagged Item No. 27.

28. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2013-722 by adding one Assistant Arson Investigator; Substituting the amended Exhibit as part of the current Fire Department Classified Personnel Ordinance; providing for severability – was

presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0028 ADOPTED.

29. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2010-306 adding two Lieutenant Positions; Substituting the amended Exhibit as part of the current Police Department Classified Personnel Ordinance; providing for severability - was presented, and tagged by Council Member Bradford.
34. ORDINANCE approving and authorizing various contracts between the City of Houston and 1) **MONTROSE COUNSELING CENTER, INC**, 2) **BEE BUSY LEARNING ACADEMY, INC**, 3) **ST. HOPE FOUNDATION, INC**, 4) **LEGACY COMMUNITY HEALTH SERVICES, INC**, 5) **POSITIVE EFFORTS, INC**, 6) **AIDS FOUNDATION HOUSTON, INC**, and (7) **FUNDACION LATINOAMERICANA DE ACCION SOCIAL, INC**, Respectively, for Various HIV/STD Prevention Services; providing maximum contract amounts - \$12,459,368.75 - 1 year with four automatic one-year renewals - Grant Fund – was presented, and tagged by Council Member Laster.
36. ORDINANCE approving and authorizing a Child Care Local Match Certification Agreement between the City of Houston and **GULF COAST WORKFORCE BOARD** for the certification of After School Achievement Program expenditures to obtain additional federal funding for Child Care Services – was presented, and tagged by Council Member Green.
38. ORDINANCE approving and authorizing a sole source lease agreement and an addendum between the City of Houston and **TOMCO₂ SYSTEMS COMPANY** for two carbon dioxide storage tanks and to complete feed system for Public Works & Engineering Department; providing a maximum contract amount - \$312,000.00 - 3 years with two one-year options - Enterprise Fund **DISTRICT J – LASTER** – was presented, and tagged by Council Member Laster.
39. ORDINANCE consenting to the addition of 9.953 acres of land to **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILTIY DISTRICT NO. 1**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0029 ADOPTED.
42. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Pinemont Drive Paving and drainage improvements project from Ella Boulevard to N. Shepherd Drive; authorizing the acquisition of fee simple title interest in or easement to 15 parcels of land required for the project and situated in the S. McClelland Survey, Abstract No. 544 and the S. W. Allen Survey, Abstract No. 94; in Harris County, Texas, by gift, dedication, purchase or the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of fee simple title interest in or easement to the 15 parcels of land **required** for the project - **DISTRICTS B - DAVIS and C – COHEN** – was presented, and tagged by Council Member Green.
44. ORDINANCE appropriating \$669,000.00 out of Street & Traffic Control and Storm Drainage DDSRF-A as an additional appropriation to the Professional Engineering Services contract between the City of Houston and **HR GREEN, INC** for Montrose Area and Midtown Drainage and Paving (approved by Ordinance No. 2011-0561); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street &

Traffic Control and Storm Drainage DDSRF-A **DISTRICTS C - COHEN; D - BOYKINS and I - GALLEGOS** – was presented. All voting aye. Nays none. Council Member Davis out of the city on city business. ORDINANCE 2014-0030 ADOPTED.

NON CONSENT AGENDA - NUMBERS 52 through 53B

MISCELLANEOUS

52. **MOTION TO SET A DATE** not less than seven days from January 15, 2014, to receive nominations for Positions One through Four of the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for the remainder of a two year term ending December 31, 2015 – was presented.

Council Member Gonzalez moved to set Wednesday, January 22, 2014, to receive nominations for Positions One through Four of the Animal Advisory Committee Board of Directors, seconded by Council Member Green. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0054 ADOPTED.

53. **SUSPEND THE RULES OF COUNCIL** to RECEIVE nominations for Positions One, Two and Two Alternate At-Large Positions and to CONFIRM the appointments to the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one year terms to expire December 31, 2014 - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0055 ADOPTED.

- 53a. RECEIVE nominations for Positions One, Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one year terms to expire December 31, 2014 – was presented.

Council Member Gonzalez stated that he would nominate and confirm the appointment of Mayor Parker for Position One, Council Member Pennington for Position Two, and Council Members Davis and Kubosh for Alternate At-Large Positions of the Houston-Galveston Area Council Board of Directors, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Davis out of the city on city business. MOTION 2014-0056 ADOPTED.

- 53b. CONFIRMATION of the appointments from the list of nominees to the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one year terms to expire December 31, 2014 - was confirmed by the passage of MOTION 2014-0056.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Gallegos announced events he attended or would be attending. Mayor Parker, Council Members Martin and Pennington absent. Mayor Pro Tem Gonzalez presiding.

Council Member Stardig announced events she attended or would be attending. Mayor Parker, Council Members Martin and Pennington absent. Mayor Pro Tem Gonzalez presiding.

Council Member Kubosh stated that he wanted to address all that had signed the petition to allow free food that Ms. Anna Russell had told him she was counting the petitions, she had been asked by the Mayor to count them, so as soon as they knew what the count was they would be letting them know. Mayor Parker, Council Members Martin and Pennington absent. Mayor Pro Tem Gonzalez presiding.

Council Member Nguyen announced events he attended or would be attending. Mayor Parker, Council Members Martin and Pennington absent. Mayor Pro Tem Gonzalez presiding.

Council Member Christie stated that there had been a tree caper at Memorial Park, that he and Council Member Cohen planted a tree, sweated a lot, and somebody dug it up, that he would like for the administration to find out who stole their tree. Council Members Martin and Pennington absent.

Council Member Robinson stated that he wanted to wish everyone a Happy Martin Luther King Day, that especially poignant this year with the passing of Nelson Mandela and all that he had meant to the world for causes of freedom and thought their great City was a place that had benefited from both great causes of these incredible leaders of the world. Council Members Martin and Pennington absent.

Council Member Boykins announced events he attended or would be attending; and stated that he would like to wish his Deputy Chief of Staff, Ms. Shovanda Johnson, a Happy Birthday, that he wanted to thank her for her service; that he wanted to thank the staff members of the General Services Department, especially Mr. Johnny Richmond, Jr. and Mr. Thomas Hernandez for setting up his office. Council Members Martin and Pennington absent.

Council Member Costello announced events he attended or would be attending; and stated that he found Council Member Christi's tree, that it was relocated because in Memorial Park they were rebuilding the stretching area, next to the Tennis Center, that he urged him to contact Ms. Shelly Arnold and she would tell him where the tree was; that as a marathoner he wanted to wish all of the runners this weekend a successful and safe race. Council Members Martin and Pennington absent.

Mayor Parker stated that she had attended the marathons each year as Mayor, but was actually out of town this weekend and would miss it, but understood that Council Member Costello would be subbing for her and would be up on the starting platform. Council Members Martin and Pennington absent.

Council Member Gonzalez stated that he wanted to acknowledge some of the folks who worked at City Hall and the City Hall Annex to ensure that a smooth transition did occur for their new colleagues and staff at the end of last year, Director Kelly Dowe, Finance Department, Ms. Vernita Jones, AOCC, and her support team, Mr. Merrick Hamilton, Ms. Alejandra Ruiz, Mr. Dylan Osborne, who had now joined Council Member Nguyen, Mr. Brad Wray and Ms. Kanitria Love, that the AOCC, that he wanted to thank and acknowledge Mr. Scott Minnix, General Services, the team led by Mr. Paul Marro, did a super job, that folks like Ms. Maria, Ms. Baltomera and Mr. Johnny spent late hours with Paul ensuring that everything was done just right, that he wanted to acknowledge IT Director, Mr. Charles Thompson and his entire team for ensuring that computers, phones and emails were ready to go on day one, that in particular he wanted to give a special thank you to Paulo Nino-Fong, who always helped Council Members with IT stuff in their individual offices, that he knew that the folks he mentioned were only a few of the many that played key roles in last years transition and was truly appreciative of their entire force of dedicated City employees and was excited that 2014 was off to a great start, that he wanted to thank Mr. William Paul Thomas and Ms. Wynette Chang and the entire team for doing the Boot Camp Program. Council Members Martin and Pennington absent.

Mayor Parker stated that she wanted to thank Council Member Gonzalez for acknowledging the hard work of staff, that she knew it was a scramble for the new Council Members, but there were a lot of folks on the City side that had to help make that transition, and to the Council Members, she had been impressed with the staffs that they had assembled, they thought long and hard about who they needed to have work with them and they did a little

judicious poaching, so good work. Council Members Martin and Pennington absent.

Council Member Gonzalez stated that he wanted to thank Ms. Jessica Michan, that she would be leaving and he wanted to thank her for her professionalism and all the work in communications and dealing with the media, that she was an asset for the City and would be an asset in her new endeavors. Council Members Martin and Pennington absent.

Mayor Parker stated that she was going to mention Jessica's leaving at the end of the meeting, that Ms. Michan had been her press secretary for just under four years and was going to do public work for Direct Energy, and definitely would be missed, that this was what happens when they were in their last term, people started looking for other jobs. Council Members Martin and Pennington absent.

Council Member Gonzalez stated that he wanted them to keep Mr. Tony Morris in their prayers, that he was undergoing surgery today. Council Members Martin and Pennington absent.

Council Member Cohen stated that she wanted to thank Mayor Parker for honoring her by appointing her as Chair of the Quality of Life Committee, that she looked forward to working with her Co-Chair Council Member Robinson, who would bring to the committee a tremendous amount of knowledge about their community and what needed to be done; and announced events she attended or would be attending; and stated that she wanted to congratulate a friend, Ms. Sandy Block, who would be honored with the Helene Susman Award, who was the first woman from Texas to be admitted to the Bar of the Supreme Court of the United States. Council Members Martin and Pennington absent.

Council Member Green announced events he attended or would be attending; and stated that he was honored that Mayor Parker appointed him as Chair of the Council Transportation, Technology and Infrastructure Committee, that he wanted to thank Mayor Parker for appointing him as Chair of the TTI Committee, as well as his Co-Chair Council Member Christie; that he was happy to report that the street lights would finally turn on along the Brentwood Neighborhood streets of Biran, Ebbtide, Tidewater, knotty Oaks, Wuthering Heights and White Heather Drive, the installation of street lights was the final stage of Phase IV, White Heather Storm Sewer Drainage Project; that today, January 15th was Dr. Martin Luther King's official birthday, even though the Nation would observe his birthday on January 20th. Council Members Martin and Pennington absent.

Mayor Parker stated that she appreciated all Council Members who were active in the committee process, that she chose to have six committees this year, but with six committees and eleven Council Members who were in their second and third terms, that meant there were more Council Members who wanted to chair committees than obviously she had committees, but she had tried to find opportunities for every Council Member to be either chair, vice chair or in a leadership role in either HCAD or TPC so that every Council Member had an opportunity to lead on the Council and grow into a role, that she appreciated everyone's willingness to serve. Council Members Martin and Pennington absent.

Mayor Parker announced that the meeting next week would be a consolidated session, there would be no Council meeting on Tuesday because they had a Monday holiday, there would be a consolidated session on Wednesday. Council Members Martin and Pennington absent.

There being no further business before Council, the City Council adjourned at 10:31 a.m. Council Member Davis out of the city on city business. Council Members Martin and Pennington absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary