

City Council Chamber, City Hall, Tuesday, February 4, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 04, 2014, Mayor Pro Tem Edward Gonzalez presiding, with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David Robinson, Michael Kubosh and C. O. "Brad" Bradford; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office, present. Mayor Annise Parker and Council Member Jack Christie, D.C., out of the city on city business.

At 1:51 p.m. Mayor Pro Tem Gonzalez called the meeting to order and stated that they would begin with the presentation section of the Houston City Council meeting and recognized Council Member Davis for a presentation. Council Member Stardig absent.

Council Member Davis stated that they wanted to recognize a constituent of District B with a proclamation and invited Mr. John Broussard to come forward; that Mr. Broussard retired from the U.S. Postal Service in 1987, after 32 years of dedicated service, that he had been married to his wife Audrey for 52 years and they were blessed with 3 sons, 2 daughters, grandchildren and great grandchildren, and Mayor Pro Tem Gonzalez stated therefore, on behalf of Mayor Annise Parker, and his colleagues on the Houston City Council they were proud to proclaim February 4, 2014 as John C. Broussard in Houston, Texas Day. Council Member Stardig absent. Council Member Pennington presiding.

Mr. Broussard stated that he was overwhelmed by this, that he wanted to thank the City of Houston, Mayor Parker and the Members of the City Council, that he appreciated very much the acknowledgement that had been given to him. Council Member Stardig absent. Council Member Pennington presiding.

Council Member Boykins stated that he wanted to thank Mr. Broussard for what he stood for today, that men like him who had sacrificed and worked hard made it possible for Council Members such as himself, Bradford, Green and Davis to sit at the horseshoe and they did not take that lightly. Council Member Cohen absent.

At 1:57 p.m. Mayor Pro Tem Gonzalez recognized Council Member Davis for the invocation and pledge of allegiance, and Vice Mayor Pro Tem Davis invited Pastor Keith Summerville, Calvary United Methodist Church, for the invocation, and Council Member Davis led all in the pledge.

At 1:59 p.m. Mayor Pro Tem Gonzalez requested the City Secretary to call the roll. Mayor Parker and Council Member Christi out of the city on city business.

Council Members Bradford and Johnson moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Davis absent. MOTION ADOPTED.

At 2:01 Mayor Pro Tem Gonzalez requested the City Secretary to call the list of speakers.

Mr. Bill Calderon, 5523 Spellman, Houston, Texas 77069 – 713-724-4460 – appeared and stated that he was present to speak on Item No. 1 on the agenda, that he was the Executive Director of the Montrose Management District, that through that district they had currently an application submitted to the City, the Planning and Development Department, to establish a Parking Management District within the boundaries of the Montrose Management District, that the concern they had was one of coordination with the City, they would hope to complete their process and discussions with the City Planning Department and Parking Management Staff as

well, on bringing that application to finalization for presentation to the City Council, in order for that Parking Management District to be created, that to the extent that there were applications like the one before them that might have an impact on their use of that Parking Management District tool, they would hope that Council would see the benefit and wisdom of putting a moratorium in place for a short period of time to allow them to work through the process with the City of Houston staff in order to benefit the maximum use of this tool, and to that end they would ask that they consider that.

Upon questions by Council Member Robinson, Mr. Calderon stated that the reason they were pursuing the use of this special parking designation for the district was that parking was impacting the Montrose commercial corridors probably more significantly than any other commercial corridor set in the City of Houston, that the density in Montrose was really contributing significantly to traffic and traffic congestion, there were a lot of cars that were impacting the mobility within the district and they were hopeful that through the use of this tool they would be able to bring some variable standards that would help with the continued commercial development of the area. Council Member Green absent.

Council Member Pennington moved that the rules be suspended for the purpose of extending time for questions of Mr. Bill Calderon, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Member Green absent. MOTION 2014-0110 ADOPTED.

After further discussion and questions by Council Members Pennington, Laster and Cohen, Council Member Cohen moved that the rules be suspended for the purpose of extending time for questions of Mr. Bill Calderon, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. Council Member Green absent. MOTION 2014-0111 ADOPTED.

After further discussion by Council Member Robinson, Mayor Pro Tem Gonzalez stated that at this point and time obviously the administration was not prepared to just support a moratorium, what they would recommend instead was if Mr. Calderon could see Ms. Maria Irshad, Director of Parking Management, start a discussion with her, and they wanted to make sure that based on the Residential Parking Permit Ordinance that they were meeting the notification requirements as well, that everybody would be aware of it, that they would make sure they would communicate with the Council Members to see what possible next steps were. Council Member Green absent.

Ms. Larra Elliott, 318 Hyde Park Blvd., Houston, Texas 77006 – 281-900-8816 – appeared and stated that she lived along the 2400 Block of Morgan and had lived there for four years and she loved it and did not intend on moving any time soon, that parking was horrendous, that she was sure that City Council had not heard any opposition yet, but she could tell them that there most certainly was, it was from the commerce in the area, they had a very popular bar on the corner, that they as residents frequented, they did not have to drive there, but they were asking for 10 spaces, for 14 households that were occupied, 18 at full occupancy, that each of them may have up to 3 people living in the same household, and the parking was affecting everything, they could not shop on certain nights or do laundry on certain nights, that five nights a week they were lucky if they could get a parking spot two blocks away, that there was a valet service, she was pretty sure they were employed by the bar, but they had their customers park at the door for valet and pay the valet service, and then the valet service parked on the street in their neighborhood, that the bar owner had two parking lots that were paid lots, they were always empty, but their streets were packed, that the nonresidents, including the valet, parked in intersections, blocked ramps and stop signs, fire hydrants, they squeezed anywhere they could fit their cars on the wrong side of the street and there were not enough police in all of the City to ticket them, and if they had the option to have them towed it would change everything,

that right now there was no repercussion, they were just ticketed, just like they were ticketed when they had to pull over with their hazard lights on to unload their groceries, that she thought it was a fair compromise, asking for the permit to begin at 11:00 p.m., they requested 6:00 p.m., that she was fortunate, she did not get home from work sometimes until after that, but 11:00 p.m. was still plenty of time for the bars to make money, that she did not know if they were familiar with the frequently asked questions pamphlet with the residential permit parking, she had to give it to all of her neighbors when she petitioned, they met every requirement, if they had not received it, 100% of their parking spaces were taken up by non-commuting vehicles, they were bar patrons and valet cars. Council Members Davis, Martin and Green absent.

Mayor Pro Tem Gonzalez stated that he wanted to thank Ms. Elliott for advocating for her and her neighbors, that likewise Director Irshad was present with Parking Management, so if she could visit with her as well he was sure she would like to learn more as well about her input. Council Members Davis, Martin and Green absent.

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

Mr. John Cieslewicz, 1250 DuBarry Ln., Houston, Texas 77018 – 713-906-1725 – appeared and read from a prepared statement, which he presented, regarding swales put in by the developer that ran down utility easements to the streets, that on November 18, 2013 he sent a letter to the Mayor and two City Council Members asking for an answer to his November 6, 2013 presentation, that last month he was told by the Mayor's office that if he wanted an answer he would have to sue the City, that he wanted a detailed answer, that it was a simple request. Council Members Stardig, Davis, Martin and Green absent.

Mayor Pro Tem Gonzalez stated that he knew Cieslewicz had come to City Council on a regular basis, that the Legal Department had given him two written responses to some of his concerns, and Mr. Cieslewicz stated that not the point about the drainage ditches, and Mayor Pro Tem Gonzalez asked Mr. Harlan Heilman, Legal Department, if they had any pending requests for Mr. Cieslewicz or anything that they needed to answer. Council Members Stardig, Davis, Martin and Green absent.

Mr. Heilman stated nothing that he was aware of, that they had responded to the citizen a number of times, that he disagreed with their position and that was why they indicated to him to go the judicial route if he believed he was correct and they would proceed accordingly. Council Members Stardig, Davis, Martin and Green absent.

After further discussion and questions by Council Member Laster, Mr. Heilman stated they had provided Mr. Cieslewicz a copy of the legal opinion previously, and Mr. Cieslewicz stated that he still had not had an answer to his November 6, 2013 presentation, which he should have an answer for, and Mayor Pro Tem Gonzalez stated that they would take another look, but they felt they had given him the answer and he just disagreed, that at this point there was nothing they could add. Council Members Stardig, Davis, Martin and Green absent.

Ms. Patricia Martin, 7065 Bellfort, Houston, Texas 77087 – 832-276-6470 – had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Martin and Green absent.

Mr. Art Smith, 5309 Sonora St., Houston, Texas 77020 – 832-258-5776 – appeared, presented information, and stated that he was a proud stakeholder in the Fifth Ward, that he was trying to get some information, that in their community there were several hundred churches and none of the pastors stayed in the community, they had a small number of

pastors, less than 10, who stayed in the community, and there were probably over 300 churches in the community, that the same way that City Council and State Representatives and Commissioners had to stay in the area to get certain benefits, as representing their constituents, that it was not a good example with so many churches getting tax breaks, they were buying a lot of property and not building anything on the property, and asked if those properties were being taxed, was there a limitation on how many pieces of property they could buy and when they were buying the property how long was it before they had to build something on the properties instead of putting a sign in the yard that said it was church property; that this month marked 102 years that there was the greatest fire in the City of Houston and it happened on the corner of Appaloosa and Hardy Street, that he would like for them to consider putting a historical marker, that it was an empty corner now. Council Members Stardig, Martin, Pennington, Gallegos and Green absent.

Council Member Davis stated that it was the anniversary coming up and they were trying to get a Mardi Gras Parade started in that area; that as they knew they had no control over the churches, the nonprofits had their own board and brought in their own pastors and they could not tell them where they must reside, that he would get more information to him about the purchase of property, that it was his understanding there was not a cap on acquiring property. Council Members Stardig, Martin and Pennington absent.

Council Member Kubosh stated that when he was running for office he met with the Harris County Council of Organizations, in the Third Ward, and the first statement they made to him was basically what Mr. Smith was talking about, that they were also very concerned about the fact that much of the property in the Third Ward was tax exempt so they were not able to build things there and do the things they needed to do, that if he would talk to one of his staff members, John, they would contact him. Council Members Stardig, Cohen, Martin and Pennington absent.

Ms. Koffey Smith, 5309 Sonora St., Houston, Texas 77020 – 832-258-5776 – appeared and stated that she was present to support what her husband had just talked about, and her opinion was that they had many pastors at churches who spoke about change but in order to make change they had to get in the midst of the community, and continued to voice her opinion until her time expired. Council Members Stardig, Cohen, Martin and Pennington absent.

After discussion by Council Members Davis, Boykins and Bradford, Mayor Pro Tem Gonzalez stated that they appreciated her advocating for the community, that there were different paths that they could identify, perhaps it was just a matter of having communications with those pastors and maybe there were significant plans that they did plan to develop at some point. Council Members Stardig, Martin and Pennington absent.

Ms. Mackenzie Essner, 3110 Southwest Freeway, Houston, Texas 77098 – 713-292-0361 appeared and stated that she was a Girl Scout Junior in the San Jacinto Council, which covered 26 counties in southeast Texas, that National Girl Scout Cookie Weekend would take place February 7 through 9, 2014 and Girl Scouts across the Nation would celebrate by educating their community about the Girl Scout Program, which was the largest girl led business in the world, that she had been selling for five years and was currently a top cookie seller, which meant she had sold more than 1,000 packages of cookies, that every year millions of girls like her develop five essential skills through the program, goal setting, decision making, money management, people skills and business ethics, that they set their own goals, keep track of customers and inventory, follow up on leads and make big decisions, could they even imagine the impact on their families, community, or even the education system if more and more girls became proficient in these areas, all thanks to Girl Scouts. Council Members Stardig, Martin and Pennington absent.

After discussion by Council Members Boykins and Vice Mayor Pro Tem Davis, Council Member Kubosh moved to suspend the rules to allow more than one person at the podium, seconded by Council Member Boykins. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Members Stardig, Martin and Pennington absent. MOTION 2014-0112 ADOPTED.

Ms. Maelynn Roberts, 3110 Southwest Freeway, Houston, Texas 77098 – 713-292-0361 appeared and stated that she was a Girl Scout Junior, also in the San Jacinto Council, that she had been selling cookies for five years and was a top cookie seller, that participating in the cookie program had taught her many leadership skills, but had also allowed her and her troop to help the community do fun projects and discover new adventures, that with the cookie program currently under way she would also like to share some facts, that last year more than 3,000 troops and approximately 30,000 girls participated in the program, together they sold just under 400,000 cases of cookies, or over 4.5 million packages, that was a lot of cookies. Council Members Stardig, Martin and Laster absent.

Ms. Elena Welsh, 3110 Southwest Freeway, Houston, Texas 77098 – 713-292-0361 appeared and stated that she was a Girl Scout Cadet, also in the San Jacinto Council, that she had been selling cookies for seven years and was also a top seller, that she thought it was also important for people to know that when they purchased Girl Scout Cookies they were supporting their local community and local Girl Scouts, that at the council level cookie proceeds helped fund girl programs and maintain their camps, but they chose how to use their proceeds, from helping those in need to improving their neighborhoods or going on fun, educational trips, selling cookies helped them become good citizens, that they would like to say thank you for allowing them to share a little of their experiences with the Girl Scout Cookie Program and thanked them for their service to the City, and they hoped the Council Members would accept a small token of their appreciation, they promised it was a tasty treat, and they distributed Girl Scout Cookies as a treat for the Council Members. Council Members Martin and Laster absent.

After discussion by Council Members Kubosh, Stardig, Cohen, Robinson, Boykins, Mayor Pro Tem Gonzalez stated that they wished them much success with their efforts and hoped they met all of their goals. Council Members Martin and Laster absent.

Mr. William Beal (did not wish to give address and phone number) - had reserved time to speak, but was not present when his name was called. Council Members Martin and Laster absent.

Mr. Leslie Parker, 1200 MLK Blvd., Houston, Texas 77048 – 832-703-5504 - had reserved time to speak, but was not present when his name was called. Council Members Martin and Laster absent.

Mr. Ruben Mercado, 3825 Dacoma, Houston, Texas 77092 – 713-843-3791 – appeared, presented information, and stated that he was the Business Manager for the Local Chapter of the National Association of Minority Contractors, better known as NAMC, and read from the information that he presented, that he would like to bring their attention to what they believed to be a misuse of the Good Faith Effort clause, also known as GFE, it had come to their attention that the Public Works and Engineering Department was using the clause in a manner that was detrimental to MWSBE participation, the value of this contract is estimated at \$19 million, with a goal of 11% MBE and 7% WBE for this project, this would mean that \$3,420,000 should go to MWSBEs, that they would urge the Mayor and City Council to perform due diligence review of this solicitation to determine if it was conducted within the realm of City Ordinance 15. Council Members Boykins, Martin, Laster and Costello absent.

After discussion by Vice Mayor Pro Tem Davis. Council Member Gallegos and Green,

Mayor Pro Tem Gonzalez stated that the City Attorney was aware of the situation and was looking into it to see if any changes needed to be made, they would also make sure that Director Carlecia Wright, Director, Office of Business Opportunity, and Mr. Andy Icken, who oversaw that specific department were all aware. Council Members Boykins, Martin, Laster and Costello absent.

Mr. John Noflin, 12903 Brant 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 Boykins, Martin, Laster and Costello absent.

Ms. Bridget Alexander, Post Office Box 53993, Houston, Texas 77052 – 713-987-3854 - had reserved time to speak, but was not present when his name was called. Council Members Boykins, Martin, Laster and Costello absent.

Mr. Kenneth Corley, 13930 Woodthorpe Ln., Houston, Texas 77079 – 713-384-5978 – appeared and stated that he had an issue, a problem and a potential solution to raise with them today, with respect to the Twin Peaks bar that was currently scheduled to go into business in an Alcohol Free Zone, within a stone's throw of three school and their neighborhood, that the problem was that there had not been an opportunity for due process to take its course with respect to Twin Peaks, that he believed the placement of Twin Peaks was wrong and believed there were several Council Members who also agreed, that there were two avenues that the City Council could pursue in order to try to change the problem they faced now, the first had to do with the covenant that the City entered into with Twin Peaks and the land owners, the covenant expressly gave Director Gafrick the ability to ask that the permits for the property be surrendered, then it allowed Twin Peaks and the property owners to appeal that decision to City Council, that the idea that City Council had no say in what happened on that property was false, in fact what the covenant that Twin Peaks and the land owner signed said that applicant and restaurant owner agreed that their rights to a hearing and Rule 12 Appeal to the City Council were their sole and exclusive remedy. Council Members Boykins, Martin, Gallegos and Laster absent.

After discussion by Council Members Kubosh, Stardig and Pennington, Mayor Pro Tem Gonzalez stated that many of them listened to the conversation when many of his neighbors came forward, they were received with a very sympathetic ear on behalf of much of City Council, that he knew the Legal Department was still reviewing everything to make sure nothing had been overlooked, and knew they were still undergoing that process. Council Members Boykins, Martin, Gallegos and Laster absent.

Council Member Pennington moved to suspend the rules for the purpose of extending time for questions of Mr. Kenneth Corley, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Christie out of the city on city business. Council Members Boykins and Laster absent. MOTION 2014-0113 ADOPTED.

After further discussion by Council Members Pennington and Robinson, Mr. Corley stated that this was not a pro-business or anti-business issue, this was a placement issue, they did not need this across the street from their elementary schools. Council Members Boykins and Laster absent.

Mr. Thomas Gentry, 13306 Kingride, Houston, Texas 77079 – 281-686-3735 – appeared and stated that he was pretty impressed by the City Council's support of what they were trying to accomplish, that this was truly a family issue, that they lived in a community that did not have public sidewalks, so most of the bike riding or selling cookies for Girl Scouts was done on their City streets, they were in a position where there were risks being added to their community, and these risks partially were alcohol related, that his main issue as a father, husband and

community member really went beyond alcohol, it was the added risk to their children in the neighborhood, it was not about the business, but some of the things that the business conducted and the way they conducted business could potentially be detrimental to their community. Council Members Boykins, Martin and Laster absent.

Mayor Pro Tem Gonzalez stated that there were a lot of individuals interested in this issue and were advocating on their behalf as well, that they would continue working with their Legal Department. Council Members Boykins, Martin and Laster absent.

Mr. Wade Lee, 11122 Bellaire, Houston, Texas 77072 – 832-880-3733 - had reserved time to speak, but was not present when his name was called. Council Members Boykins, Martin and Laster absent.

Mr. Renzo Ormsbee, 11518 Breezy Knoll Dr., Houston, Texas 77064 – 281-802-0999 - had reserved time to speak, but was not present when his name was called. Council Members Boykins, Martin and Laster absent.

Mr. Joe Jordan, 14173 Northwest Frwy., No. 166, Houston, Texas 77040 – 713-680-3181 – appeared, presented information, and stated that he was a limousine operator, licenses by the City of Houston, and they were concerned about HUBER who wanted to come in and use electronic apps to dispatch limousines and private cars, that across the Country this was a problem, that he would like for them to look at his handout, that Sofia Liu, age six, was run over in San Francisco by a driver who was not paying attention to the road, that the HUBER system depended in a GPS and an app so a drivers attention was on his electronic devices, it was called distracted driving, that also they were concerned with the system because they did not have the proper background checks, for him to drive a limousine he had to have a doctors exam, a drug test and full FBI fingerprinting, the HUBER system did not require any of that, that the Taxi Cab Ordinance in Houston required drivers to not be allowed to work more than 12 hours, the HUBER system did not have that, so they had a bad combination for public safety. Council Members Boykins, Martin, Laster and Kubosh absent.

After discussion by Council Members Cohen, Green and Bradford, Mayor Pro Tem Gonzalez stated that ARA stood ready to start moving forward and briefing Council Members if they wished a briefing, that if Mr. Jordon wished to discuss anything further he could with Ms. Nicki Cooper, ARA, who was present in the audience. Council Members Boykins, Martin, Laster and Green absent.

Mr. Lee Otis McBride, 7373 N. Wayside, Houston, Texas 77028 – 832-816-4264 appeared and stated that he worked for Burger King, that he went to a Texaco station to play the lottery and his human rights were violated, and continued to voice his personal experiences until his time expired. Council Members Boykins, Martin, Laster and Green absent.

Ms. Christie Hammond, 4629 Rusk, Houston, Texas 77023 – 405-343-4333 – appeared and stated that she was present to speak about bicycle safety in Houston and how it related to her and her children, that every day they rode their bikes in Houston and nearly every day they encountered something from drivers that left them concerned for their safety, that they rode for recreation, exercise, environmental stewardship and as bike commuters, that cycling was an extremely important part of their lives, that unfortunately the move to Houston, just over two years, had left them more and more concerned about their safety on the streets, that her kids followed her directions and were aware of cars, and everything around them and always followed the rules of the road, that her sons rode their bikes to school, she actually had a Houston Police Officer tell her she was nuts for letting her freshman in high school ride his bike three quarters of a mile to school because traffic was so bad around the school and Houston drivers were “the worst”, that her youngest was 11 years old and his school was less than a

mile away, but she could not let him ride to and from school alone because they have had way to many close calls due to impatient drivers, that they had both been nearly hit several times on the way to and from his school, that as far as her own experiences, other than daily aggression, hostility, motorists driving way to close and verbal abuse, she had also had things thrown at her and been hit, that she had someone hit her from behind simply because he was impatient and wanted her out of the way so he could make his right turn, that they both had some medical problems and physical sports were difficult for them, that she did not know all the answers to the questions about how to make Houston a more bike friendly City, but she did know that cycling in Houston was exploding, that last year she joined Bike Houston on a trip to Austin to lobby for the Safe Passage Law to be passed for vulnerable road users because she wanted to make it safer for herself and her children, that it would make a huge difference if people were not only held accountable to the law, but also educated on the law. Vice Mayor Pro Tem Davis, Council Members Boykins, Martin, Laster and Green absent.

After discussion by Council Members Gallegos and Cohen, Mayor Pro Tem Gonzalez stated that there had been a lot of discussion about bike safety in the City and obviously they wanted to make sure they were considering all users, that HPD was working on a lot of things as well, enforcement obviously was on the table and would potentially impact both sides, both cyclists at times and also those who were not in accordance with the Safe Passage Ordinance. Council Members Davis, Boykins, Martin, Laster and Green absent.

Mr. Christopher Nugent, 4629 Rusk, Houston, Texas 77023 – 405-343-4333 – appeared and stated that just as his brother he had Muscular Dystrophy, so this restricted him from participating on most sports so cycling was one of the only athletic activities he could enjoy, that cycling was easy to do so he did not want to lose it because people were not aware of cyclists, that the best part of cycling in Houston was the community of cyclists, that he loved group rides, that last year for Halloween instead of trick or treating for candy he, his Mom and brothers did an awesome Halloween ride that ended with a costume contest, that unfortunately many times he had been verbally abused by motorists, as his brother and Mom, that he also had people drive very close behind him and floor it behind him, that motorists needed to have rules concerning cyclists, that before he moved to Houston he lived in Champagne, Illinois, where his family did not own a car and either rode their bikes or took public transportation, that he understood how to ride on the street as a vulnerable road user, that what was new to him was the hostility that was directed his way as a cyclist in Houston, please find a way to make Houston streets safe for him and his family, they loved the City and wanted to continue to enjoy it on their bikes and still feel safe. Council Members Davis, Boykins, Martin, Laster and Green absent.

After discussion by Council Members Kubosh and Gallegos, Mayor Pro Tem Gonzalez stated that they were working on it. Council Members Davis, Boykins, Martin, Pennington, Laster and Green absent.

Mr. Matthew Nugent, 4629 Rusk, Houston, Texas 77023 – 405-343-4333 – appeared and stated that he was a Fifth grader at Lanthrop Elementary and was present with his Mom and brother to talk about bike safety, that he had Muscular Dystrophy so there were not that many sports that he could play other than bike riding, that the best birthday he ever had was riding his bike with his friends and family, they rode their bikes from their house in Eastwood to downtown Houston, where they got on the bike paths and rode to lunch on Washington Avenue, they explored the Bayou Trails before ending up at a Taqueria for dinner, finally they rode to an ice cream shop in the Heights and then took the bike paths back to downtown before heading home to Eastwood, that he would never want to give up bike riding, but sometimes when he was riding his bike cars honked at him and almost hit him, so he may have to, that as bikers they were treated as though they were not people, that when there was a car accident people gathered around and feel sorry for them, but when a car hits a biker, people just walk by and

act like nothing happened to them, even though people who hit them just drive away, that only a few people stay when a car hits a biker, that cycling was a huge part of his life, that he loved that this was something that he got to enjoy with his brother and Mom, they rode every day. Council Members Davis, Boykins, Martin, Pennington, Laster and Green absent.

After discussion by Council Members Gallegos and Robinson, Council Member Robinson stated that he knew that he, his Mom and brother clearly knew the rules of the road, following them was really important for their safety, that he was a message bringer to the City. Council Members Davis, Boykins, Martin, Pennington, Laster and Green absent.

Ms. Archana Williams, 5807 Hennikers Dr., Houston, Texas 77041 – 832-466-9630 – appeared and stated that on December 18, 2013 she was on her way home from contortion training when she was hit from behind by a truck, while on her bicycle, that the result was pretty bad, she had to be airlifted to Memorial Hospital in the Medical Center and was hospitalized for four days, with intense pain and pretty severe symptoms, that she broke several vertebrae in her neck and back and her doctor said she was very lucky to be alive, and if she was not trained to do extreme backbends she would probably be paralyzed, that the effects had taken their toll and this probably meant the end of her contortion career because there were two compressed fractures in her thoracic spine, that what really bothered her about the case was that it was completely avoidable, she was an experienced commuter and regularly rode all over the City, the gym was 32 miles away from her home, that she wore a helmet and her backpack was light colored, the sun was out and was completely light, she was riding straight and there were no intersections and no traffic lights and this man hit her from behind, that it was really hard having to deal with this as a person who had led a previously active lifestyle, that unfortunately this man had not been given any legal action by looking at the accident report, even though he was driving without his glasses, while legally required to do so, that she would really like to see more motorists being held accountable for actions they did. Council Members Boykins, Martin, Pennington, Laster and Green absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 – FA34511 – had reserved time to speak, but was not present when his name was called. Council Members Boykins, Martin, Pennington, Laster and Green absent.

Ms. Sherry Browning, 2616 S. Loop, Ste. 110, Houston, Texas 77054 – 832-287-5909 – appeared and stated that was wearing a foolish birthday hat today because Martin Luther King Day was over, but while it was taking place she had some very annoying things happen to her, and continued to voice her opinions until her time expired. Council Members Boykins, Martin, Laster, Green and Kubosh absent.

Mr. Lorenza Butler Jr., 3906 Daphne St., Houston, Texas 77021 – 832-880-3733 – appeared and stated that at the Texas Lunar Festival 35,000 people would celebrate the expressive quality of every culture while celebrating the Asian Lunar New Year, that for the past 18 years community leaders and volunteers had worked hard to promote the remarkable diversity and impressive leadership of the greater Asian Community while fostering friendship to nearly every culture, that the festival would be held at Amity Park in Alief. Council Members Boykins, Martin, Laster, Green and Kubosh absent.

Council Member Nguyen stated that he understood Mr. Butler was a close friend of Mr. Wade Lee, and Mr. Butler stated that he was his publisher and he was taping Asian Connection at Channel 26, and Council Member Nguyen stated that he was looking forward to attending the festival in their district. Council Members Boykins, Martin, Laster, Green and Kubosh absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373

(713-928-2871) appeared and stated that he was still demanding three minutes for the new term of the year, that he was requesting more time, and continued to express his personal opinions until his time expired. Council Members Boykins, Martin, Nguyen, Gallegos, Laster, Green and Kubosh absent. NO QUORUM PRESENT.

Mr. Dan Morgan, 1614 Prairie Grove, Houston, Texas 77077 – 979-248-2886 appeared and stated that the cycling community was very aware that City Council was aware and they really appreciated, that he wanted to clarify one point, the Mayor stated to be careful what they asked for, that he wanted to clarify what he was asking for, specifically what they could do in short term enforcement, they could go out and write 1,000 tickets on I-10 for people speeding today and that was not going to help cycling safety one bit, they could find all of the group rides they were talking about that were very safe, and they could find one or two cyclists that may not have lights or issue 20 tickets to cyclists riding in groups, that was not going to help bicycling safety, what was going to happen was a focused target on the main cycling corridors of the City where cars and cyclists were not doing what they were supposed to, so when they put some short term plans in place to kick start this please keep that in mind, go to where the major thoroughfares were in the City, Washington Avenue, Waugh, Telephone, Navigation, those were the areas that they could make an immediate impact in changing drivers behaviors that drove in those neighborhood every day, and the cyclists to, hold the irresponsible cyclists accountable. Council Members Stardig, Boykins, Martin, Nguyen, Gallegos, Laster, Green and Kubosh absent. NO QUORUM PRESENT.

Council Member Pennington stated that he agreed with Mr. Morgan, he thought they ought to concentrate on the main corridors. Council Members Stardig, Boykins, Martin, Nguyen, Gallegos, Laster, Green and Kubosh absent. NO QUORUM PRESENT.

Mayor Pro Tem Gonzalez stated that as he knew there had been a lot of dialog, a lot of increased awareness and thought they were going to be very thoughtful about it, about trying to come up with some very tangible steps that would be productive for everyone as they tried to move forward and increase bike safety in the City and he would commend the Police Department as well, they knew they had not come up with a formal big statement, but they were working very diligently with some steps already and they were getting more ideas and suggestions and some things they touched upon last week and also looking at best practices in other major cities as well. Council Members Davis, Boykins, Martin, Nguyen, Gallegos, Laster, Green and Kubosh absent. NO QUORUM PRESENT.

At 3:52 p.m. Mayor Pro Tem Gonzalez stated that the City Council was recessed until 9:00 a.m., Wednesday, February 5, 2014. Mayor Parker and Council Member Christi out of the city on city business. Council Members Davis, Boykins, Martin, Nguyen, Gallegos, Laster, Green and Kubosh absent. NO QUORUM PRESENT.

The Houston City Council reconvened at 9:00 a.m., Wednesday, February 05, 2014, Mayor Pro Tem Edward Gonzalez presiding, with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David Robinson, Michael Kubosh and C. O. "Brad" Bradford; Mr. Dave Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office, present. Mayor Annise Parker and Council Member Jack Christie, D.C. out of the city on city business.

At 8:27 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:06 a.m. Mayor Pro Tem Gonzalez called the meeting to order and invited City Controller Ronald Green and Finance Director Kelly Dowe to the podium for the Monthly Operations and Financial Report. Council Members Davis, Boykins, Nguyen and Bradford

absent.

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

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

Council Member Pennington stated that as they knew they had a substantial discussion at the Finance and Budget Committee meeting about proper procedures for getting additional proposed expenses approved, he thought that adherence to a budget began with following those procedures, and he did not feel like they had done that, in the case of several expenditures yesterday, and wanted them to know that he had put out a press release to that effect today and would like to see some response about how they were going to handle those proposed expenditures and the proposed additional revenues in the future, the Council had limited authority over things, one of them being budgetary expenditures, so he was sure everybody at the table would like to see a procedure that was adhered to, to be certain they had the proper information, because priorities had to be established if there was a proposal to spend additional money, there were needs for additional money in a lot of different areas, so he thought the role of Council was to decide on the priorities or actually approve or not approve the funds. Council Member Davis absent.

Mr. Dowe stated that as they said yesterday, this was not a choice undertaken, unfortunately by the Fire Department, in the overtime case that they discussed yesterday, it was more an issue, he believed, in forecasting and they would absolutely respond to Council Member Pennington's memo and looked forward to sharing more in the future around how they were going to strengthen policies and procedures for accountability related to surprises such as these. Council Member Davis absent.

Council Member Martin stated that the way to address this, in his opinion, was to keep track of the monthly financial report and the minute they stepped over their budget they should vote against everything anyone brought forward within that department, that was how they maintained budget integrity, the minute this Council allowed anyone to spend over the budget it was going to be a trickle-down effect when any department could exceed the budget, that this Council did not have a great deal of power, but they did have the power in that front and that was the minute they found out they were over budget, their expenditures, from this Council, through an RCA, must stop. Council Member Davis absent.

Council Member Bradford asked Mr. Feldman, City Attorney, part of the discussion yesterday had to do with the Pennington/Martin amendment they passed last budget cycle, count of limiting residual funds to be deferred for utilization toward the Fund Balance and Debt Service, simply trying to protect the City going forward and really prospectively getting a grasp on some of the unfunded liabilities, and asked once Council approved that budget amendment that became the law, the governing instrument as it related to the budget and Council should not have to do anything else, that decision had been made that any expenditure that went above the FY14 allocation could not happen without Council coming back and revisiting that ordinance, and Mr. Feldman stated that was correct, that was the effect of the amendment, and Council Member Bradford stated that therefore as long as they were within the FY14 expenditures the administration had the authority to move money around as she saw fit, as long

as she did not exceed that FY14 spending authority, and Mr. Feldman stated that was correct also. Council Member Davis absent.

Mayor Pro Tem Gonzalez stated that as a reminder they also could not preempt the collective bargaining process that was currently underway between the City and the Fire Department as well, and they had to keep that in mind as they worked through some of these issues and they considered what options may be on the table, that process was underway right now and discussions were taking place. Council Member Davis absent.

Council Member Costello stated that yes, yesterday's committee meeting was a rather lively committee meeting relative to these particular items, and asked Mr. Dowe if the final resolution of the budget occurred in the general appropriation activity, was that correct, and Mr. Dowe stated that was correct, they brought forth a final ordinance that the Controller certifies that there were funds available for which they could spend from, and then it was up to Council to decide whether what the administration had proposed was acceptable, and Council Member Costello asked Mr. Feldman if what they talked about yesterday, about not approving the MOFR, this was really simply a report of the status, it was not necessarily a Council action because it was a general appropriations activity, which was really what solidified everything in terms of expenditures, and Mr. Feldman stated that was correct, it had no substance to the fact, they were just receiving the report, and Council Member Costello stated that he was going to make a motion to accept the report, not necessarily accepting the activity of concurring that the administration was going to add the extra money into the Fire Department budget, that he was going to encourage the administration to come back to Council, in very short order, to tell them how they were going to handle this issue rather to the Pennington/Martin amendment, and relative to accountability, which was something that they talked about at great length. Council Member Davis absent.

Council Member Costello moved to accept the Quarterly Financial Report for the period ending December 31, 2013, and the Quarterly Investment Report for the period ending December 31, 2013, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. MOTION 2014-0114 ADOPTED.

Mr. Dowe stated that they lost a great employee for the City of Houston yesterday, Mr. Harlan Brown was an employee in the Finance Department, an absolutely outstanding employee who really helped to turn around the issues they had in the IT Budget, had been partnering with Director Thompson, working to get cost down and working in the Fleet area with Director Hogland, and he died suddenly of a heart attack yesterday, that he wanted to send his prayers out to Mr. Brown's family, that they all had a heavy heart in the Finance Department today, and he wanted to take a second to acknowledge that.

Mayor Pro Tem Gonzalez stated that he wanted to thank Mr. Dowe for sharing that with them, that their thoughts and prayers were with his team and Mr. Brown's family.

Mr. Green stated that he was sorry to hear about Mr. Brown; that they each received information about their Annual Investor Conference, if they remembered last year they had the Investor Conference for one day and they had now expanded to two days, that essentially the conference invited the institutional and retail investors who really bought the City's bond and debt, so they were looking forward to a great conference again this year, the response had been overwhelming and they would invite all Council Members to come out, that he thought it was a great way for the Council Members to continue to act as ambassadors when people buy the debt that build all those great projects that were in each of their districts, that it was on March 3 and March 4, 2014 at the George R. Brown Convention Center.

Mayor Pro Tem Gonzalez stated that he wanted to thank Mr. Green for his leadership, that he knew the conference was a success last year, and was glad to see it was happening again.

Council Member Pennington stated that in light of the statement that was made, and thought was probably true, they had certain restrictions as a result of their union contracts, he knew there were negotiations going on with the firemen, and perhaps some of the other unions right now, he realized it was the province of the administration, but if the City was going to be bound by those contracts it may obligate them to appropriate additional funds, raise additional monies to pay, it seemed to him that before that contract was approved the Council ought to be apprised of at least what the financial implications of it were, that he knew they had to finally approve it, but it was something to finally approve it, but it was another thing to be involved and to understand what the financial implications were, the sooner they could begin on that, he thought, the better they would understand it.

Mr. Feldman stated that just so that everybody understood the current status, they had their third bargaining session yesterday, they had another bargaining session next Thursday, and the next session was going to be a very significant one, when the Mayor Pro Tem was talking about that they could not preempt collective bargaining, the point was that they could not present proposals on a fix here before Council prior to putting it on the table in the collective bargaining, that was going to happen, in fact, next Thursday, so Council would be kept informed all along the way, they were fully cognizant of the problem, that issue, with respect to overtime, was very much at the center of their negotiations right now, and these negotiations were going to be unique in a number of respects, but one of them was that they were going to be keeping Council informed, real time, as to where they were, and Council Member Pennington stated that was his request.

Mayor Pro Tem Gonzalez stated that the City Secretary could proceed with the consent agenda.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 14**

#### **MISCELLANEOUS** - NUMBER 1

1. RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of a residential parking permit area in the Super Neighborhood of Neartown-Montrose and **AMEND MOTION 2008-656, 8/20/08**, in part to remove prior designation of the west side of 1300 Crosby as a residential permit parking area - **DISTRICT C – COHEN** – was pulled from the agenda by the administration and was not considered.

#### **PROPERTY** - NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering, on request from the City of Houston Convention & Entertainment Facilities Department and NCN Group, Inc., (Nicholas Hiransomboon, President), for the abandonment and sale of Chenevert Street, from Capitol Street to Texas Avenue, located in the South Side Buffalo Bayou Addition, out of the J. S. Holman Survey, A-323, Parcels SY14-048 and SY14-057 - **DISTRICT I – GALLEGOS** – was presented, moved by Council Member Laster, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. MOTION 2014-0114 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 3 and 4

3. **HYDRO CONDUIT CORPORATION dba RINKER MATERIALS - CONCRETE PIPE DIVISION** for Emergency Purchase of Pre-cast Concrete Boxes for the Department of Public Works & Engineering - \$56,320.08 - Dedicated Drainage & Street Renewal Fund – was presented, moved by Council Member Laster, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. MOTION 2014-0115 ADOPTED.
4. **RUSH TRUCK CENTERS OF TEXAS, L.P. d/b/a RUSH TRUCK CENTERS** - \$714,530.00 and **DOGGETT HEAVY MACHINERY SERVICES, LLC** - \$264,020.00 for Heavy-Duty Trucks and Equipment Trailers through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council - Enterprise Fund – was presented, moved by Council Member Laster, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. MOTION 2014-0116 ADOPTED.

**ORDINANCES** - NUMBERS 13 and 14

13. ORDINANCES granting to the following listed as A and B, 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. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE Numbers 2014-0089 to 2014-0090 PASSED FIRST READING IN FULL.  
**GRANTING TO LONE STAR DISPOSAL, LP**, a Texas Limited Partnership – (2014-0089)  
**SUN COAST RESOURCES, INC.**, a Texas Corporation – (2014-0090)
14. ORDINANCES Nos. 2014-64 to 2014-74, passed first reading January 29, 2014 for Ordinances granting to the following listed as A through K, 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. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE Numbers 2014-0064 to 2014-0074 PASSED SECOND READING IN FULL.  
**FRESH CAN LLC D/B/A TEXAS WASTE CO.**, a Texas Limited Liability Company - (2014-64)  
**TRUE BLUE SOLUTIONS, LLC**, a Texas Limited Liability Company - (2014-65)  
**SNEAD'S, INC**, a Texas Corporation - (2014-66)  
**CONTROL WASTE SERVICES, LTD.**, a Texas Limited Partnership - (2014-67)  
**EVERGREEN ENVIRONMENTAL SERVICES, LLC**, a Texas Limited Liability Company (2014-68)  
**SAFETY-KLEEN CORP.**, a Wisconsin Corporation - (2014-69)  
**HOA TRAN DBA A-EVERGREEN VACUUM SERVICE**, a Texas Sole Proprietorship - (2014-70)  
**DAVID PATTERSON DBA DUMPSTER DAVE**, a Texas Sole Proprietorship – (2014-71)

**PHILIP RECLAMATION SERVICES, HOUSTON, LLC**, a Texas Limited Liability Company (2014-72)  
**NEXUS DISPOSAL, LLC**, a Texas Limited Liability Company - (2014-73)  
**WASTE CONNECTIONS OF TEXAS, LLC**, a Delaware Limited Liability Company - (2014-74)

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

**ORDINANCES**

5. ORDINANCE creating the Nuisance Abatement Special Revenue Fund; establishing the sources and uses of the funds therein for the purposes authorized by Section 125.047(e) of the Texas Civil Practice and Remedies Code; appropriating any and all funds donated to or received into the fund for the purposes set out herein – was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE 2014-0091 ADOPTED.
6. ORDINANCE approving and authorizing a contract between the City and the **HOUSTON RECOVERY CENTER LGC, a Texas Local Government Corporation**, for the Expansion and Enhancement of Public Health Services Under Section 1115 Waiver Program; providing maximum contract amount - \$2,933,332.00 - Essential Public Health Services Fund – was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE 2014-0092 ADOPTED.
7. ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City of Houston and the **GREATER EAST END MANAGEMENT DISTRICT** for the Design and Construction of Projects funded by the US DOT TIGER Grant (approved by Ordinance No. 2013-433) - **DISTRICTS H - GONZALEZ and I – GALLEGOS** – was presented, and tagged by Council Member Davis.
8. ORDINANCE relating to the Retail Gas Utility Rates of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Entex and as CenterPoint Energy Texas Gas; terminating the formal Gas Utility Rate Inquiry opened by Ordinance No. 2012-662; postponing a new base rate case until November 2016; maintaining current rates in effect until changed – was presented.

After discussion by Council Members Pennington, Boykins and Mayor Pro Tem Gonzalez a vote was called on Item No. 8. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE 2014-0093 ADOPTED.

9. ORDINANCE approving and authorizing contracts for Computerized Library Services through the Houston Area Library Automated Network that allows the City of Houston (Houston Public Library), City of Bellaire (Bellaire City Library), City of Port Neches (Hebert Public Library), City of Pasadena (Pasadena Public Library), City of Lancaster (Veterans Memorial Library), and City of Port Arthur (Port Arthur Public Library) to share the use of an Integrated Library System and other technology – was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE 2014-0094 ADOPTED.
10. ORDINANCE amending Ordinance Number 2012-0952 (passed by City Council on November 7, 2012) to increase the maximum contract amount and approving and

authorizing first amendment to a Tariff Pricing Agreement, Contract No. 4600009429, between the City of Houston and **SOUTHWESTERN BELL TELEPHONE COMPANY d/b/a AT&T TEXAS** for the provision of sole source, City-Wide Tariff Services: Analog Private Line Services, 311 Services and Telebranch Services - 18 months - \$6,000,000.00 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE 2014-0095 ADOPTED.

11. ORDINANCE approving and authorizing contracts between the City and **(1) AAR INCORPORATED, (2) R&A BUILDING SPECIALISTS, (3) ORTHO CONSTRUCTION/RENOVATION COMPANY INC., (4) TREBOR INCORPORATED, AND (5) WATSON CONSOLIDATED** for the City's Lead-Based Paint Hazard Reduction Control Program; providing maximum contract amount - 3 Years with two one-year options - \$12,500,000.00 - Grant Fund – was presented.

Council Member Green stated that on this particular item there was another waiver from OBO, so he was going to request a meeting with Office of Business Opportunity and would tag the item.

Council Member Laster stated that he had a number of questions about this item and wanted to thank Ms. Barton, Health Department, for being so responsive to a series of questions that he asked her, and he would be glad to share the answers to those questions to other Council Members who wanted to know, that as they could see they were looking at a very large contract for a three year time period that was designed to do something that was important in the City, and that was to remediate lead base paint, that one of the things that had caught his attention was that they had apparently, through this program, spent \$30 million, over the last multiple years, addressing that issue, which seemed like a monumental effort, and he would like to learn a little more about that and would join in the tag, and again wanted to thank the Health Department for bringing them up to speed and looked forward to getting some more information on this.

Mayor Pro Tem Gonzalez stated that Item No. 11 had been tagged by Council Members Green and Laster.

12. ORDINANCE approving and authorizing Professional Materials Engineering Laboratory Agreement between the City of Houston and **ALPHA TESTING, INC** for Testing Laboratory Services – was presented. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE 2014-0096 ADOPTED.

#### **MATTERS HELD** - NUMBER 15

15. ORDINANCE approving and authorizing contract between the City of Houston and **CLAY POPE AND CLIFF JOHNSON** for State and Federal Representation related to water and wastewater issues; providing a maximum contract amount - \$522,000.00 - 2 years with one option year - Enterprise Fund – **(This was Item 27 on Agenda of January 29, 2014, TAGGED BY COUNCIL MEMBER DAVIS)** – was presented.

After discussion by Council Members Davis, Boykins and Pennington, Mayor Pro Tem Gonzalez stated that they would agree that this firm was very highly qualified, this was a very specialized area of expertise and they had seen significant accomplishments working with them, however he thought there was always room to grow, and maybe grow the expertise of other local companies, or identify companies who could already do the work and find

opportunities for them, that he thought that was a reasonable request, that it sounded like there was already some conversations, thanks to the leadership around the table, to try to expand that conversation and find those firms, that hopefully those efforts could be productive in the future.

A vote was called on Item No. 15. All voting aye. Nays none. Mayor Parker and Council Member Christi out of the city on city business. ORDINANCE 2014-0097 ADOPTED.

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

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

Council Member Robinson announced events he attended or would be attending; and stated that Council Member Costello had earned the Engineer of the Year Award from Houston Engineers Week.

Council Member Bradford announced events he attended or would be attending. Council Members Stardig and Davis absent.

Council Member Boykins announced events he attended or would be attending. Council Members Council Members Stardig, Davis and Kubosh absent.

Council Member Martin stated that they had the SWAT team in Kingwood, which was very unusual for their area, that it was annexed in 1996 and since 1996 their population had more than doubled, yet they had less police on the streets of Kingwood today than they had in 1996, that was a fundamental problem they needed to look at if they were going to be upfront with public safety; and he wanted to congratulate Council Member Costello, it could not be more deserving; and announced events he attended or would be attending. Council Members Council Members Stardig, Davis and Kubosh absent.

Council Member Laster stated that he wanted to congratulate Council Member Costello; that he wanted to thank Mr. Neal Rackleff and his entire staff at the Housing Department, yesterday he was able to sit down with him and spend some quality time looking at the housing issues in the City of Houston and as they moved forward with the Housing Committee they looked forward to reaching out to each of the Council Members to hear what their perspective on housing needs in their part of the City of Houston. Council Members Council Members Stardig, Davis and Kubosh absent.

Council Member Costello announced events he attended or would be attending. Council Members Council Members Stardig and Kubosh absent.

Council Member Cohen stated that she wanted to add her congratulations to Council Member Costello, that she thought it was quite an honor and very pleased that they recognized him; that she wanted to say congratulations to Genora Boykins and Sharon Owens, who were the owners of District C's, La Maison, they just received outstanding ratings in Zagat 2014 Houston, which was a very tight rating system, they had an absolutely fabulous facility, Bed and Breakfast in District C; and announced events he attended or would be attending.

Council Member Pennington stated that he had met on Tuesday with Ms. Jenn Char, Mayor's appointment person about appointments by City Council to various committees and boards and wanted to carry on the tradition that Council Member Bradford started to vet those nominations before the Ethics Committee, there were several that expired at the end of the year and more that would expire in the first quarter, so they were going to find a convenient day toward sometime in March 2014 to vet those, they would be sending notices to the people who

were holding the positions now and ask them if they were interested in being reappointed to contact the Council Members that they knew, they would send that information around to the Council Members, that he knew Ms. Char was always looking for qualified people to serve on commissions and boards, so if they had some names they would like to submit he would encourage them to do that; and announced events he attended or would be attending.

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

Council Member Davis announced events he attended or would be attending; and stated that he wanted to thank DRT and DON for going out on one of their properties in Acres Homes, they had a gentleman who had applied for a Salvage Yard Permit and he was denied, but he chose to put the cars in his lot anyway, that they were stacking cars in a dangerous building and received a warrant, they began to take care of business by tracking all of the numbers in the cars to see if they were stolen and then DON began to clean the property and then DRT began to set the stage to take the cars away, after they gave him ample time to move them; that everyone knew they had a problem with dogs, but on their local Radio Station 97.9 The Box, he thought on Monday, one of the radio figures was bitten by a dog and for three hours all they heard was dog bite sound bites in the background, and all they were talking about were the dog bites, that it was funny in the beginning but he had to call and ask where was the address and where was he bitten, that it was a problem and he did not understand why they were not putting more efforts in this area and more funding in this area, that he was approached by Senator Rodney Ellis and he said when he rode his bike everything was good until he got to Districts B, I and H, and he had dogs following him and nipping at him, what were they going to do about the dogs, that this was a serious issue so he hoped when they got ready to work on the budget this year that they would figure out how to allocate funding for BARC, that if it was not dogs, he had horses and bulls, that they had to figure out a strategy to help their constituents.

Council Member Gallegos announced events he attended or would be attending; and stated that at Duval Mobile Home Park a gentleman, 75 years old, lost his life in a fire due to the fact that he was trapped and was not able to come out of his mobile home, that this past Monday he and a staff member assisted the Fire Department, who were going door to door and educating the homeowners of the importance of having a smoke detector in their mobile home, that was an issue that he thought needed to be addressed.

Council Member Stardig announced events she attended or would be attending; and stated that in the past they had volunteers to man the storefronts, that over the years they had some outstanding individuals, and she had to commend their storefront officers for taking the time to work with an Eagle Scout to get a tree planted, a bench put in place for two of the longest standing volunteers, Fred Oaks and Glenn Smith, who had passed away, and recognizing their work at the store front for many years, that she knew their widows and families appreciated it and she did have to commend them for taking the time to do that.

Council Member Kubosh stated that he promised Helms Elementary, after going to their Fifth Grade Class, that he would recognize them and give them a shout out today, especially to the class who spoke to him in both English and Spanish, they were very impressive, that the principle, Ms. DelPilar, gave him a school sash, that Byron Onn gave him a very good welcome in Spanish and he asked him to translate it; and announced events he attended or would be attending.

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

Council Member Pennington stated that they had three HPD District Offices, Central, West on Dairy Ashford and Midwest in Regency Square, off of the Southwest Freeway, that he

had been to meetings recently and burglary statistics were up all over the City, 10% to 15%, that was certainly a trend, that he knew that HPD was doing what they could do, but it seemed like to him that it would be worthwhile for the Police Chief to have some statement of what they were doing and what he thought could be done by the residents and HPD to focus more on that issue.

Mayor Pro Tem Gonzalez stated that he wanted to acknowledge some fantastic Public Works and Engineering Department employees that went above and beyond last week's inclement weather, Mr. Jim McCormack, District H, reached out that his water service had been interrupted due to a water main break in the area, that he had gone more than 8 hours without water and needed help, that Bryean Martinez and Maine Pollard worked diligently to ensure Mr. McCormack had his water service restored and by the end of the day the appropriate repairs had been made in the community, that he wanted to thank them for their hard work, that they appreciated everything that Director Krueger, Gary Norman and the PWE team did to work with their residents; and announced events he attended or would be attending.

There being no further business before Council, the City Council adjourned at 10:12 a.m. Mayor Parker and Council Member Christi out of the city on city business.

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary