

City Council Chamber, City Hall, Tuesday, April 22, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 22, 2014, Mayor Annise Parker presiding, with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David W. Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; and Ms. Marta Crinejo, Agenda Director, present.

At 1:42 p.m. Mayor Parker called the meeting to order, and recognized Council Member Davis for the first Council presentation.

Council Member Davis presented a proclamation to Dr. Mary Washington and stated that she was also known as Rapper M.D., she was an accomplished Nephrologist, who specialized in Kidney Disease, Kidney transplantation, hypertension and dialysis, that Rapper M.D. was not only an accomplished doctor, but also a versatile musician and writer, using her talent to spread the crucial message about Kidney Health and Type II Diabetes, to a diverse audience, that the City of Houston commends Rapper M.D. for using her musical talent to spread the message about the prevention of Diabetes and Kidney Disease, and Mayor Parker stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed Rapper M.D. Day in Houston, Texas and thanked Dr. Washington for what she did.

Dr. Washington stated that yes her words were rough, but how do they sugarcoat deaths, strokes, heart attacks or kidney failure, that she was very honored and humbled that Council Member Davis and Mayor Parker presented her a proclamation, that she was a Nephrologist, a Kidney Doctor, and had been doing it for over 15 years and wanted to make a difference, and introduced her family.

Mayor Pro Tem Gonzalez, Council Members Boykins and Christie congratulated Dr. Washington and thanked her for all that she did for the City of Houston.

Mayor Pro Tem Gonzalez recognized Council Member Green for the next two Council presentations.

Council Member Green presented a proclamation to the Construction Contractors' College, the CCC, a program of the Entrepreneur Learning Center at the Kingdom Builders Center, that it was a free comprehensive program and was funded by Capital One Bank and was established to prepare minority business owners and construction industry to bid on contractors in the public and private sectors, and Mayor Parker stated that she normally did not give business plugs, but wanted to say that Capital One Bank helped out with a lot of their small business initiatives and MWBE initiatives across the City of Houston, and therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed Construction Contractors' College Day in Houston, Texas and thanked them for what they did to build Houston.

Ms. Tandelyn Weaver, Director, Kingdom Builders Center, stated that she wanted to thank Mayor Parker, Council Member Green and the City Council for the proclamation, that they had identified that there were a lot of minority contractors who were very good at their skill, but did not have the business structure around them so that they could successfully bid when it came time to take advantage of the \$2 million that was voted on by the City of Houston a year and a half ago, that was an area that they could help and together with the team members they had come together to look at what was not in place and in their curriculum they devised a curriculum that put things in place to help the small businesses, and recognized members from

Capital One and Kingdom Builders Center present with her today.

Council Member Boykins stated that he wanted to say welcome to the KBC and Windsor Village family and thank you to Capital One for partnering with the small businesses.

Council Member Green presented a proclamation to the Community College Consortium Initiative Program and recognized students representing countries from Bangladesh, Brazil, Colombia, Egypt, Ghana, Indonesia, Pakistan, South Africa and Turkey, who had finished their year and were planning to return to their countries and they wanted to wish them success, that joining them was the Counsel General of Pakistan, Honorable Afzaal Mahmood and Mr. Mohammed Siddiqi, a student, and Mayor Parker stated that they were an amazingly international City and brought in folks from around the world, but one of the things that they were particularly working to expand was their ability to educate students from around the world, because their belief was when they went back to their home countries they had permanent friends and they could build and deepen the relationships they had with those countries, therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed Community College Consortium Initiative Program Day in Houston, Texas.

Mr. Mohammed Siddiqi stated that on behalf of his group wanted to say deepest regards and thank you for everything, that it meant so much to them.

Honorable Afzaal Mahmood, Consular General, thanked them and stated that he felt proud and privileged to be a part of the exercise which was there to make bridges between different nations and thanked Mayor Parker for supporting this event and the State Department for the initiative, that he was grateful to all who had supported the students and was sure they would be their ambassadors to their countries.

Council Members Laster and Christie congratulated them for their initiative program.

At 2:09 p.m. Mayor Parker recognized Council Member Laster for the invocation and pledge of allegiance, and Council Member Laster invited Pastor John P. Johnson and Minister Nicki Byrd, Higher Dimension Church, for the invocation and Council Member Laster led all in the pledge of allegiance.

At 2:14 p.m. The City Secretary called the roll. All present.

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

Mayor Parker recognized Council Member Gallegos for a procedural motion.

Council Member Gallegos moved that the rules be suspended for the purpose of adding Mr. Fred Salinas and Mr. Gilbert Camarillo to the list of speakers following Mr. Spence Gaskin, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0331 ADOPTED.

Mayor Parker recognized Council Member Green for a point of personal privilege. Council Members Davis and Laster absent.

Council Member Green recognized students present in the audience from C-STEM Academy and asked that they stand and be recognized, that they were joined by Ms. Argentina James, Counselor, and Mr. Louis Bullock, Superintendent, and Council Member Boykins stated that was a skillset that they had established that would take them into their careers and congratulated them and wished them on their upcoming graduation. Council Members Davis

and Laster absent.

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

Ms. Any Dinn, 6724 Sylvan Rd., Houston, Texas 77023 (713-501-5070) appeared and stated that she was a resident of Idelwood in the East End, and was present in support of the botanical garden at Gus Wortham, as well as the adjacent 25 acre public park. Council Members Davis and Laster absent.

Upon questions by Council Member Pennington, Ms. Dinn stated that a group of residents hosted a community meeting last Wednesday for a couple of hours where they were able to expand on the efforts that were begun with the townhall meeting that the Mayor and Council Member Gallegos hosted at the end of March, they answered additional questions about the garden and proposed layout, as well as the potential for having a public park for their community as well, and solicited their input and running their own informal survey, that she had planned before the Parks Department came up with theirs, but they definitely also referred the community residents to be participating in the one that the Parks Department was doing so their voices were heard in that method as well, and Council Member Pennington stated that he believed there was a proposal to create somewhat of a park from the golf course advocates and asked Ms. Dinn if she had reviewed their proposal as well, to see if it met their needs, and Ms. Dinn stated that she had attended their master plan presentation that was given earlier this year, unfortunately at the time they did not include any proposal for community access other than possibly opening up their clubhouse or something for community events. Council Members Davis and Laster absent.

Mr. Donald Burns, 13021 Donegal, Houston, Texas 77047 (713-882-0307) appeared presented information which he reviewed, a receipt of operation under Assumed Name for Shamrock Manor Civic Club, which was all they filed; a dismissed for want of prosecution in City of Houston VS Safety Skid LLC; and a memo date November 17, 2004, a rush compliant by Joseph Boxie, concerning the South East Corner of Donegal and Swindle, which was a complaint of a commercial use – storage of 18 wheeler storage containers was occurring on the property, that on November 19, 2004 they were already doing an investigation while Mr. Boxie was filing a dba for Boxie and Brown, they were in the construction business and excluding people from building homes, that he had 15 pieces of property, he was excluded, not included. Council Members Davis and Laster absent.

Mayor Parker stated that Mr. Burns had been to public session a number of times and his complaint was with the Shamrock Manor Civic Club, which was a private entity and a private relationship. Council Members Davis and Laster absent.

Council Member Boykins asked Mr. Burns if he had met with the Legal Department, and Mr. Burns stated yes. Council Members Davis and Laster absent. Council Members Davis and Laster absent.

Mr. Dan Morgan, 1614 Prairie Grove, Houston, Texas 77007 (979-248-2886) appeared and stated that he was present to talk about education, enforcement and policy around bicycling safety, the City made a great PSA a month ago, that as of today it had 350 views on the HPD You Tube site, it had not been marketed at all, that a flag and simple video he shot had 400,000 views since last Friday, that the City had to help them get the message out, that the flag was going to get very up front and in front of people before long, they could see the message, and on the back it said "It's the Law", that in the filming he had done his flag had been hit a total of 10 times on camera, he had license plates and people's faces and had sent

them to HPD and nothing had been done yet, that they did not have the resources, that when they talked about the number of police officers per square mile they were very low, they had to have the officers on the street to do enforcement, they did not have that here, that the City of Houston's policy had been for some time to keep bicycles off of the street, the Metro Light Rail still did not allow bicycles to come on the train during peak commuting hours, 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m., that it was still illegal to ride their bicycle on the sidewalks in business districts in Houston, that he saw people at bus stops sitting with their bikes because when the bus comes by, which has two or three racks on the front, and their full, and the bus drivers would not let the people, on a half empty bus, to take their bike on, they had to sit and wait, if they were going to do alternate modes of transportation, they had to rethink what their policies were. Council Members Davis and Green absent.

Council Members Stardig, Gonzalez, Robinson and Bradford thanked Mr. Morgan for his work on bike safety in Houston. Council Members Davis and Green absent.

Mr. Randall Beaman, 6535 Cindy Ln., Houston, Texas 77008 (713-864-6282) appeared and stated that he was urging them to put the Equal Rights Ordinance on the agenda for it to be passed for all Houstonians, that he wanted to remind the Council Members of the commitments they made to the Gay Community on the issue when they were screened by the GLBT Political Caucus and when they received the endorsement of the caucus, that he thought about the time when someone in Spring Branch wrote the word "fag" on his office door in liquid paper and the next day the principle recommended to his supervisor that he be fired, that he thought about the time he called to make reservations at a B&B and the lady said "would it be you and the missus" and he said he and his boyfriend, and she would not rent him the room. Council Member Davis absent.

Council Members Cohen and Laster thanked Mr. Beaman for sharing his perspective and testimony. Council Member Davis absent.

Mr. Guo-Yin Xu, 6636 England St., Houston, Texas 77021 (713-741-3125) appeared and stated that he was present to urge them to save his life, he had been attacked three times since 1986, the last time was very devastating. Council Members Boykins and Martin absent.

Mayor Parker stated that she was sorry to hear his story of being attacked, and asked if he would visit with Sargent Herndon and go over the details of what happened and to see if they could find out what the progress was that it would not happen to him again. Council Members Boykins and Martin absent.

Ms. Reni (no last name), 6666 Park Ln., Houston, Texas 77023-4016 (832-819-4653) appeared, presented information, and stated that she was founder and president of Wortham Park Friends, a nonprofit corporation which was set up to raise charitable funds for Gus Wortham Park Golf Course, that she had a business plan that she wanted to distribute to all of the Council Members, and the capital campaign they were working on, and also a signature petition seeking Conservancy Historical Preservation status and restoration at Gus Wortham Golf Course, that they had been raising money and hosted a golf tournament last month, which was very successful considering they were inexperienced in the area, that they had many people in the Houston area that were interested in donating that they had been meeting with for the past several month, that she thought it was important that they form some kind of partnership with the City, possibly through a conservancy, so that they could receive relief, they were willing to raise millions for them through pro tour tournaments, they had been in conversations with the LPGA, Men Seniors and other sources that were very interested in hosting tournaments at the Gus Wortham Park Golf Course. Council Members Davis, Boykins and Martin absent.

Mayor Parker stated that she knew Reni had been involved in the Wortham Park Friends for a long time, but there were other groups that had formed recently, also focused on preservation of Gus Wortham Park, that she respected the work that she and other members of the Wortham Park Friends had done, but she did not know going forward which organization was the best position to raise the significant amount of money that would be needed. Council Members Davis, Boykins and Martin absent.

Council Member Kubosh asked if Ms. Reni if there was something they were getting from the State to make it a historical designation, and Ms. Reni stated that they would like that but the City owned the property. Council Members Davis, Boykins, Martin and Gonzalez absent.

Ms. Sylvia Medina, 1209 Elliston, Houston, Texas 77023 (281-702-7950) appeared, presented information, and stated that she lived in Eastwood and was the past president of the Eastwood Civic Association and still served on the board, that she had friends in town and were impressed by the vibe of the City and thanked Mayor Parker for improving their quality of life, that at some point they would have to make a difficult decision, but believed they would separate out the emotion and look at the business side of why Gus Wortham was the perfect place for the botanical garden, that the number of golfers was declining and she was providing them with a packet with recent numbers from the National Golf Foundation from 2013, please give them a botanical garden in the East End and improve their quality of life. Council Members Davis, Boykins, Martin and Gonzalez absent.

Mr. James Estrada, 5210 Nett St., Houston, Texas 77007 (713-582-0419) appeared and stated that primarily he was a golfer and was the reason he was present, that he attended a meeting at the Cape Community Center, and what he heard was not pleasing to a golfer, who had been playing at Gus Wortham since 1986, that Gus Wortham was a classic golf course that had history and was one of the oldest golf courses in the United States, established in 1908 and was over 100 years old, that they could not buy history, it was irreplaceable, that it was there for everybody, not just the residents of a given district, but for all of the residents of Houston. Council Members Davis, Boykins, Martin and Gonzalez absent.

Mayor Parker stated that Mr. Estrada was a serious golfer and knew that he had played at golf courses all over the world, and the fact that he was so highly complementary of Gus Wortham was significant. Council Members Davis, Boykins, Martin, Gonzalez and Green absent.

Mr. Robert Townley, 5902 Harrisburg, Houston, Texas 77011 (713-876-1279) appeared and stated that he was a business man in the East End and had been there since 1971 on Harrisburg, that he was born in Houston, that Gus Wortham was 50 years old when he was a kid, it was the Houston Country Club, it did have history and had things to offer the community, especially in the future, that he was present because they had all done everything fairly well up until now, but the truth was that a golf course was an amenity, a botanical was an amenity, they were all for the good of the public, that the East End was coming back from some really terrible times and he was there through them and it was rebuilding, there would be more golfers and more people that wanted those amenities, that there was room for a botanical garden but they did not have to tear up 100 years of history to build it, that Mason Park could house the botanical garden. Council Members Stardig, Davis, Boykins, Martin, Gonzalez and Green absent.

Mr. Robert Cruz, 8167 River Dr., Houston, Texas 77017 (281-686-6141) appeared and stated that he was present to give them his views as to why Gus Wortham should remain a golf course, that he believed that they should be adding green space to Houston and should not be taking from one to give to another, they should not be taking from tennis courts to give to soccer fields, from gardens to give to golfers or from golfers to gardens, that it was a bad public

policy to get into, that he thought it was bad for the City and divisive for the City and did not make sense, especially since Gus Wortham was one of the oldest golf courses in the State of Texas, 18 hole golf course, the topography of the Gus Wortham was unlike any of the City courses because it was naturally hilly and had been praised by all of the golfers that had gone there in the past and the golfers that were there now; that it was designed uniquely, he had been playing at Gus Wortham for 30 years and he had never realized that one of the aspects of Gus Wortham was that the front nine was on the outside edge of the golf course and the back nine was on the inside, like a doughnut, that it was the Houston Country Club and was very important, that it was also important because it opened the door for the minority population, that a renovated golf course in the inner city had worked well and been successful in almost every major city in the United States, that there should be room for both entities to exist and coexist, that it was bad public policy, that in the community when the public forum was held he believed it was 5 to 1 in favor of keeping it a golf course. Council Members Stardig, Davis, Boykins, Martin, Gonzalez and Green absent.

Mayor Parker stated that they were in conversation with more than one organization that wanted to preserve Gus Wortham as a golf course, they were continuing to have productive conversations on many fronts. Council Members Stardig, Davis, Boykins, Martin, Gonzalez and Green absent.

Council Member Kubosh stated that Mr. Cruz said something very compelling, that they should not be taking from one and giving to another, that he had not heard that before, that he thought he had a very good argument before them, that he liked the fact that they should not be doing something that created such division and divisiveness in the community, that was another very compelling point and he appreciated Mr. Cruz coming down and telling them that. Mayor Parker, Council Members Stardig, Davis, Boykins, Martin and Green absent. Mayor Pro Tem Gonzalez presiding.

Ms. Celia Garcia, 5213 McCormick, Houston 77023 (713-298-7853) appeared and stated that her parents relocated to Houston after her father came back from World War II and he built her mother her first house on Avenue O and Magnolia Park, that 10 years later they decided to move the family to the East End, so they bought another house, that they continued to buy, they were there and had been there, they did not relocate to the East End, they had been there for 60 years, they were not the only family that had been there for that many years, there were hundreds of them, a lot of families that had been there, that she had the opportunity to travel, not only in Country, but internationally, and everywhere she had gone she had heard out of mouths "I wonder where the nearest golf course was", where could they go to shoot a few balls and do a few rounds, they hear it all the time, and she says this because Houston hosts a lot of international conferences, the visitors that come to Houston had easy access to a new revitalized Gus Wortham, why, because they were 4.6 miles away from downtown, the heart of Houston, Memorial was 5.6 miles away and Hermann was 4.1 miles and look what they had done with the revitalization, look at the economy with Memorial and Hermann, it could be done with Gus Wortham also, that in the Master Plan they were looking at putting in a botanical garden, and if she was not mistaken, it said on the Northside Sewage Treatment Facility right off of Lockwood, which would be accessible and was part of the East End, so why were they taking away Gus Wortham, why could they not have both in the East End, let them not have 30 to 40 people represent the East End, because that was what was happening, listen to all of them because there was a lot of them that were not being heard. Mayor Parker, Council Members Stardig, Davis, Boykins, Martin, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Armando Diaz, 6674 Rock Bridge Ln., Houston, Texas 77023 (281-221-7198) appeared and stated that he was present as a representative of Harrisburg Heritage Society and as a resident of Idelwood, he wanted them to keep in mind, when they were thinking about

the decision, Gus Wortham Golf Course was a proven, viable and growing concern, and that was being disputed, but it legitimately was, if they went on a sunny day it was always busy, that it was only going to increase over time, they had legitimate philanthropists of the City who wanted to raise the money for the golf course, and he implored and would ask City Council to be reasonable and fair with them and not create some type of impossibility by term of contract that would set them up to fail, that he thought it was a great gift that the City had that philanthropists wanted to give so much money to them for the golf course, and if they could not give a total commitment to the golf course he would suggest that a third party trust fund, for the benefit of the City, should be established for golf funds to insure that the philanthropists money was not at risk of losing their contributions to the City if they were not willing to commit completely to the golf course, that he thought that was only fair, that he would suggest to them that Houston already had a tourist park, Hermann Park, already trains that took them from downtown to a beautiful area of the City, that as had been mentioned, business travelers and tourists loved to golf and Gus Wortham was a great value, a beautiful golf course at a reasonable price, that he would suggest to them that a significant investment had already been made to the East End, and that the improvement to the East End was not contingent on a botanical garden, there were already wealthy real estate developers, Chinese banks and other investors with plans, that the East End Chamber of Commerce was probably one of the strongest chambers in the City of Houston, so to suggest that the East End was hurting and needed a botanical garden to save it, was just not coming from a legitimate position in his opinion. Council Members Stardig, Davis, Boykins, Martin, Pennington, Gonzalez, Green and Costello absent.

Ms. Laura Manion, (no address given, no phone number given) appeared and stated that last year she purchased her first home in Idelwood, in the East End, one street south of Lawndale, where the proposed botanical garden would be going, that she was attracted to the neighborhood because she and her boyfriend had been taking lessons at Gus Wortham, but as the whole issue of the golf course versus the garden had unfolded her concerns had become much deeper than just her preference for golf over gardens, that her first concern was if the Houston Botanic Garden group was unable to fulfill its ambitious fund raising goals necessary to construct the project once the golf course was torn up there was no going back, she would hate to see, after years of construction and uncertainty, for that land to run into the same sorry fate that the El Mercado site did in the 1980s, which was supposed to be an East End Cultural attraction, but was now luxury loft rentals, additionally she would like to echo Mayor Parker's phrase about other projects, that it was the wrong project in the wrong place, that she did not want to say that the garden was the wrong project, it was the right project, but not for this location, absolutely no studies had been done with respect to the traffic, noise, parking and commercial impacts on the surrounding community, of which she was a member, that she knew the City could require these things, as they did with the Ashby High Rise developers. Council Members Stardig, Davis, Cohen, Boykins, Martin, Gonzalez, Green and Costello absent.

Mayor Parker stated that she wanted to assure Ms. Manion that whether Gus Wortham was restored or whether it became a botanic garden, not a spade of dirt was going to be turned until the organization that had the contract reached its fund raising benchmarks, they would fully intend to operate the golf course, as it was today, until then, whether it was a contract term sheet with a pro Gus Wortham organization or a term sheet with the botanic garden, they were not going to touch the operation until a designated amount of money was in the bank, and that was one of the reasons they had the Houston Parks Board so they had a place to park funds like that. Council Members Stardig, Davis, Cohen, Boykins, Martin, Gonzalez, Green and Costello absent.

Mr. Spence Gaskin, 1906 Pasadena St., Houston, Texas 77023 (832-768-0008) appeared and stated that within the last month Spring had come into full swing in the East End where he and his lived, the beautiful weather had brought them out of their homes and into the

communities and they had been planting their gardens, in which many took great pride, but they also took pride in their golf course, a venue that they certainly could not fit at home, that they already had the multi-purpose park at Mason Park, right down the great new bike trail from the proposed 25 acre park, which 25 new acres to him did not justify the loss of the valued golf course, that yesterday he asked a coworker, an avid golfer about 29 years old, if he had played at Gus Wortham Park, he was from the Kingwood area, and a former golf pro at the Oakhurst Golf Course, his response was that he had played there, it had some great youth programs, that was the legacy of the great course, named for a great Houstonian, the first response from a visiting golfer was that it was great for the youth, that was worth the City support, that he wished their ruling was not to just be based on the admittedly small polls within the Idelwood and Eastwood Communities, for a so called green fee only area, the surprising number of local non golfers valued the beauty, history and quiet neighbor that the Gus Wortham Golf Course provided, to please consider the voice of the locals, the history of the course and the promise it held for the future. Council Members Stardig, Davis, Boykins, Martin and Costello absent.

Mr. Fred Salinas, appeared, presented information, and stated that he had passed out a list for the City Council, it was not a thousand residents, not even 1,000 golfers, it was about 75 golfers who usually played at Gus Wortham, that from time to time they may have anywhere from 25 to 30 players, sometimes during the cold weather even old people did not want to stay home and they went to Idelwood and played golf, and that was usually what they did at Gus Wortham, every Wednesday morning at 8:00 a.m., that he had another 920 players, but they started playing at Gus Wortham around 1970 and they were no longer with them, that a young man, Mr. Jacobs, came by a couple of weeks ago and mentioned that he represented 1,000 homeowners, that he did not represent these people, he took the handicaps, made a list of all the telephone numbers, that most of these players did not live in the East End anymore, they lived in Katy, Sugarland and probably in Pearland, but they all came to Gus Wortham every Wednesday morning to play golf, that he ran across, on Monday, Council Member Nguyen and Mr. Fraga, he showed them around the golf course a little bit, that he was going to volunteer to help out Mr. Gilbert Camarillo with Junior Golf, they were trying to contact the schools and invite them to the golf course. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Costello absent.

Mayor Parker stated that they were trying to work out a win win solution, although she would say that one of the challenges was that the green fees had to be set to a level to support the operation of that golf course, that she had this conversation with Council Member Gallegos, a newly renovated Gus Wortham would have to have higher green fees and asked if he thought that would be a problem, and Mr. Carrillo stated that they spoke to Mr. Joe Turner, Director, Parks and Recreation last year and he brought up the same question and he told him that as long as they kept the green fees just like Memorial Park, he would be glad to pay \$15 to walk, he did not mine, they were paying \$21 right now for the green fee and cart, and he guaranteed, the senior citizens would not mind paying \$26, and Mayor Parker stated that their goal was to set the green fees at each golf course so that it would pay for itself. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Costello absent.

Mr. Gilbert Camarillo, appeared and stated that he had a flyer to pass out, but did not have enough, it was advertising the Magnolia Junior Golf, free golf lessons at Gus Wortham, that he represented the Magnolia Junior Golf, so far the youth had not really had a voice in this issue, and to him they were the future, such as other fields he knew they had to go into, that golf, especially to him, was one of the important fields that he thought needed to be represented by the youth, that his mission was to revive golf amongst the youth in the Magnolia or East End area, especially high school golf, that next Tuesday, April 29, 2014, they would begin their 2014 End of the School Year and Summer Golf sessions at Gus Wortham, it would run until October 2014, their age groups were from 8 years old up to 18 years old, it was a free program and they provided free equipment, most of their golf equipment was donated by

Goodwill, they were one of their major sponsors, they were an organized organization, they had lesson plans with qualified golf instructors, he and Mr. Salinas were instructors, that the University of Houston Woman's College Team had committed to providing teaching assistance, they not only teach golf skills, but teach good citizenship values to their juniors. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Costello absent.

Mayor Parker stated that she wanted to thank Mr. Camarillo for what he did to promote junior golf. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster and Costello absent.

Mr. Steven Loy, 2530 Briar Ridge, Houston, Texas 77057 (832-206-5423) appeared, presented information and stated that he was present to speak on behalf of an old cemetery called Morse Bragg Cemetery, that he tried to request a Landmark Antiquity Status for the cemetery, that it had already been registered with the State as a historic cemetery, that it was one third acre and was down to a quarter of an acre, the rest lost to development, that since it was registered in 2010 there had been a lot of desecration going on, which was illegal, and he was trying to get further recognition for the cemetery to try to save what was left. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mayor Parker stated that she appreciated his bringing this to their attention and his willingness to get involved, she had been working on cemetery issues since she was in the Controller's office, as they knew there were a lot of orphan cemeteries around the United States, but there were several in Houston, that Ms. Susie Hartgrove was present and would be glad to sit with him and see what they needed to do, they recently worked out a relationship with the Parks Board to help them be better conservators of orphan cemeteries, but there was now a formal process to do that and the first step was to find out if anyone actually still owned that cemetery or whether in fact it was an orphan cemetery. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Council Member Robinson stated that they had a letter from Director Patrick Walsh, Planning and Development, who worked with Ms. Hartgrove, and he was confident that he could lend some assistance and if there was anything that the At Large Office could do the staff would be there to help. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mr. Jesse Shields, (no address, no phone) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mr. John Moore, 5654 Overbrook, Houston, Texas 77056 (713-385-0492) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mr. Steven Williams, no address, no phone, had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Ms. Rocky Jackson, 23319 Treechill, Spring, Texas 77373 (281-513-0966) had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Ms. Lauren Barrash, 1116 W. 26th, Houston, Texas 77008 (713-863-9283) had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh 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 Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he had come time and time again requesting and demanding that emergency protection be provided, and continued to voice his personal opinions until his time expired. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mr. Felix Fraga, 5501 Brady, Houston, Texas 77011 (713-923-5591) appeared and stated that he thought that public land belonged to all of them, and when they changed the use of public land from to another they were not taking it away from anybody that he could see, so he hoped that they all did not feel that way, that they were taking something away from the golfers just because they might make it a botanic garden. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mr. Stephon Wiggins, (did not wish to give address and phone number) appeared and stated that he was present about the Constitution, the government may not deprive citizens of life, liberty or property without due process of law, this meant that the government had to follow rules and establish procedures in everything it did, it could not, for example, skip parts of trials or deny any citizen their right as protected by the Bill of Rights, and by law, that he filed a case and at his pretrial he was not able to make it, but his lawyer did not show up for court, and his reputation had been destroyed and he would like to know what kind of help he could get. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

Mayor Parker stated that she did not know what court Mr. Wiggins was in, and Mr. Wiggins stated that he was in federal court, and Mayor Parker stated that they had no avenue of entry there, that it was not an area that they could not assist in. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

At 3:42 p.m. Mayor Parker stated that the City Council was recessed until 9:00 a.m., Wednesday, April 23, 2014. Council Members Stardig, Davis, Boykins, Martin, Pennington, Laster, Costello and Kubosh absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, April 23, 2014, Mayor Annise D. Parker presiding, with Council Members Brenda Stardig, Jerry Davis, 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. Dave Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director, present.

At 8:22 a.m. Ms. Anna Russell, City Secretary, read the descriptions or captions of items on the Agenda.

At 9:07 a.m. Mayor Parker called the meeting to order and stated that the first item on the agenda was a public hearing.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate Strategic Partnership Agreements or amended and restated strategic partnership agreements with the below named districts in Harris County and Fort Bend County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on a separate proposal by the City of Houston to annex for limited purposes certain territory in the vicinity of a certain District:

1. **HARRIS COUNTY MUD NO. 61**
2. **HARRIS COUNTY MUD NO. 286**
3. **CINCO MUD NO. 7**
4. **HARRIS COUNTY MUD NO. 287**
5. **HARRIS COUNTY MUD NO. 367**
6. **FORT BEND COUNTY MUD NO. 30**

- was called. Council Members Davis, Martin, Nguyen, Gallegos and Laster absent.

The City Secretary stated that no one had reserved time to speak at the public hearing and Ms. Nicole Smothers, Planning Department, would make remarks on the hearing.

Ms. Smothers stated that since January 2001, the City had approved 327 Strategic Partnership Agreements with 230 MUDs generating approximately \$283 million in revenue for the City thru March, 2014, the revenue from SPAs now represented 6.94% of the sales tax collection for the City, that this was the first of two required public hearings, a second public hearing was scheduled for April 30, 2014, that following the second public hearing, the Planning Department would be seeking Council approval for the SPAs and the limited purpose annexations on May 28, 2014, if approved, tax collections will begin on October 1, 2014, that for all of the Utility Districts included in this hearing, the city would levy a 1 percent sales tax, which it would divide evenly with the Districts, that these areas included commercial territory only, there were no residents in the areas to be annexed, the agreements for May 2014 were as follows, that for the following Districts, the City would amend an existing agreement by adding new territory, there was NO territory outside the MUD to be included in the annexation, HC MUD No. 61 and HC MUD No. 286; for the following Districts, the City would execute a new Strategic Partnership Agreement, there was NO territory outside the MUD to be included in the annexation, HC MUD No. 367, HC MUD No. 287 and Cinco MUD No. 7; and for the following District, the City would amend an existing agreement by adding new territory, there WAS territory outside the District to be included in the annexation, the City would enforce Chapter 6, Article I, Section 6.3 of the Houston Texas Code of Ordinances in this area, Fort Bend County MUD No. 30; and that completed her comments. Council Members Davis, Nguyen and Costello absent.

Mayor Parker asked if there were any questions by Council Members and seeing none stated that no one had signed up for the public hearing and asked if there was anybody present who wished to address this particular agenda item, and seeing no one requested a motion to close the public hearing. Council Members Davis and Costello absent.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Costello absent. MOTION 2014-0332 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 46

MISCELLANEOUS - NUMBER 2

2. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF PUBLIC TRUSTS**, for terms to expire March 22, 2016:
 - Position Two - **YVONNE CABRAL**
 - Position Four - **LENORA SOROLA-POHLMAN**
 - Position Six - **WILLIAM J. HILL**
 - Position Eight - **BILL C. LITTLEJOHN**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Costello absent. MOTION 2014-0333 ADOPTED.

ACCEPT WORK - NUMBERS 3 through 6

3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,056,803.71 and acceptance of work on contract with **JERDON ENTERPRISE, L.P.** for Glenbrook Park - Phase II, and Schwartz Park - 1.76% over the original contract amount and under the 5% contingency - **DISTRICTS A - STARDIG and I - GALLEGOS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Costello absent. MOTION 2014-0334 ADOPTED.
4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$369,964.00 and acceptance of work on contract with **MILLIS DEVELOPMENT AND CONSTRUCTION, INC** for Sunnyside Park Trail - 5% over the original contract amount and within the 5% contingency - **DISTRICT D - BOYKINS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Costello absent. MOTION 2014-0335 ADOPTED.
5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$429,750.00 and acceptance of work on contract with **AAR INCORPORATED** for Asbestos Abatement, Demolition and Underground Storage Tanks Removal at 801 Gillette Street 23.73% under the original contract amount - **DISTRICT C - COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Costello absent. MOTION 2014-0336 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,820,372.60 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LLC** for Greens Bayou Lift Station Replacement - 1.93% 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 Members Davis and Costello absent. MOTION 2014-0337 ADOPTED.

Mayor Parker stated that they had just confirmed Members of the Board of Public Trust and stated that Ms. Lenora Sorola-Pohlman was present and invited her forward, and stated that she was engaged in a number of things and appreciated her service on the Board of Public Trusts and her willingness to continue to do it.

Council Members Boykins, Stardig, Gonzalez, Gallegos and Laster congratulated Ms. Sorola-Pohlman and thanked her for her service to the City of Houston.

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 and 10

8. **GLOBAL SUPPLY SOLUTIONS, LLC d/b/a GSS GEAR** for Body Armor from the General Services Administration Schedule 84 Contract through the Cooperative Purchasing Program for the Houston Police Department - \$112,652.05 - General and Grant Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0338 ADOPTED.
10. **RESTOCON CORPORATION** for Parking Garage Rehabilitation for the General Services Department on behalf of the Department of Public Works & Engineering - \$142,337.00 and contingencies for a total amount not to exceed \$156,570.70 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0339 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 46

13. RESOLUTION expressing no objection to an application from **UVALDE CENTER I, LTD.** to the Texas Department of Housing and Community Affairs for Tax Credits for proposed development for affordable single family rental housing, known as Bayou Fifth, to be located on scattered sites in the Greater Fifth Ward in the City of Houston, Texas - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. RESOLUTION 2014-0011 ADOPTED.
14. RESOLUTION expressing no objection to an application from **CLEME MANOR HOLDINGS, LLC** to the Texas Department of Housing and Community Affairs for Tax Credits for proposed renovation of an affordable rental housing community, known as Cleme Manor, located at 5300 Coke Street in the City of Houston, Texas – was presented. All voting aye. Nays none. RESOLUTION 2014-0012 ADOPTED.
15. RESOLUTION expressing no objection to an application from **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to the Texas Department of Housing and Community Affairs for Tax Credits for proposed development for affordable rental housing to be located at 2010 North Main Street in the City of Houston, Texas - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. RESOLUTION 2014-0013 ADOPTED.
16. ORDINANCE **AMENDING CHAPTERS 41 AND 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to street naming and property addressing; making conforming amendments to other Chapters of the Code of Ordinances; making findings and containing other provisions relating to the foregoing subject; containing a repealer; providing for severability – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
17. ORDINANCE **AMENDING ARTICLE XIV OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Municipal Drainage Utility System; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. All voting aye. Nays none. ORDINANCE 2014-0336 ADOPTED.

18. ORDINANCE approving and authorizing the City of Houston to submit the 2014 Annual Action Plan to the United States Department of Housing and Urban Development, including the following 2014 grant applications and budgets: 1) 40th Program Year Community Development Block Grant in the amount of \$22,934,233 (which amount includes \$186,813 in program income); 2) Home Investment Partnerships Grant in the amount of \$7,304,908 (which amount includes \$90,943.00 in program income); 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$10,895,746; and 4) Emergency Solutions Grant, formerly known as the Emergency Shelter Grants, in the amount of \$1,926,568; and to accept funds from the aforementioned grants, if awarded – was presented. All voting aye. Nays none. ORDINANCE 2014-0337 ADOPTED.
19. ORDINANCE approving and authorizing second amendment of Land Use Restriction Agreement (Restrictive Covenants) and release of Declaration of Land Use Restrictions (Restrictive Covenants) between the City of Houston and **2013 HOUSTON SUNNYSIDE STREET, LLC** for La Casita Apartments, an affordable rental housing community located in the vicinity of 313 Sunnyside Street, Houston, Texas - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. ORDINANCE 2014-0338 ADOPTED.
20. ORDINANCE approving and authorizing contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC**, to provide \$839,340.18 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of four multi-unit residential facilities, along with the provision of supportive services – was presented. All voting aye. Nays none. ORDINANCE 2014-0339 ADOPTED.
21. ORDINANCE approving and authorizing contract between the City of Houston and **MONTROSE COUNSELING CENTER, INC**, providing up to \$982,496.21 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Short-Term Rent Mortgage and Utility Assistance Program, along with the provision of supportive services – was presented. All voting aye. Nays none. ORDINANCE 2014-0340 ADOPTED.
22. ORDINANCE approving and authorizing contract between the City of Houston and the **VILLAGE LEARNING CENTER, INC**, to provide \$113,700.00 in Community Development Block Grant Funds for a Vocational/Educational Training Program serving a special needs population – was presented. All voting aye. Nays none. ORDINANCE 2014-0341 ADOPTED.
23. ORDINANCE approving and authorizing contract between the City of Houston and **CAPITAL INVESTING IN DEVELOPMENT AND EMPLOYMENT OF ADULTS, INC**, to provide up to \$250,000.00 in Community Development Block Grant Funds for the administration, implementation, oversight and delivery of a Workforce Development Program – was presented. All voting aye. Nays none. ORDINANCE 2014-0342 ADOPTED.
24. ORDINANCE approving and authorizing first contract amendment between the City of Houston and **AIDS FOUNDATION HOUSTON, INC**, to provide \$186,544.70 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of two community residences, along with the provision of supportive services – was presented. All voting aye. Nays none. ORDINANCE 2014-0343 ADOPTED.
26. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **US DEPARTMENT OF TRANSPORTATION** for the Transportation Investment Generating Economic Recovery Discretionary Grant Project; declaring the City's eligibility for such grant; authorizing the Director of the Public Works & Engineering

Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. ORDINANCE 2014-0344 ADOPTED.

27. ORDINANCE appropriating \$238,890.47 out of Equipment Acquisition Consolidated Fund for purchase of Capital Equipment for the Houston Fire Department – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
29. ORDINANCE approving and authorizing Confidential Settlement and General Release Agreement between the City of Houston, Texas, and **WASTE CORPORATION OF TEXAS, L.P.**; to resolve threatened litigation – was presented. All voting aye. Nays none. ORDINANCE 2014-0345 ADOPTED.
30. ORDINANCE establishing the north and south sides of the 1600 block of California Street within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2014-0346 ADOPTED.
31. ORDINANCE establishing the east side of the 2700 block of Yupon Street, between California and Westheimer Streets, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2014-0347 ADOPTED.
35. ORDINANCE awarding contract to **FCC ENVIRONMENTAL, LLC** for Residual Transportation Services for Public Works & Engineering Department; providing a maximum contract amount 5 Years - \$28,209,538.80 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2014-0348 ADOPTED.
38. ORDINANCE appropriating \$548,000.00 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 Binglewood Drainage and Paving (Sub-Project 1) (Approved by Ordinance No. 2012-0415); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF-A - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. ORDINANCE 2014-0349 ADOPTED.
39. ORDINANCE appropriating \$750,000.00 out of Street & Traffic Control and Storm Drainage DDSRF-A and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HDR ENGINEERING, INC** for Negotiated Work Orders for Pre-Engineering of Storm Water Drainage Improvements – was presented. All voting aye. Nays none. ORDINANCE 2014-0350 ADOPTED.
40. ORDINANCE approving and authorizing Professional Engineering Services Contract between the City of Houston and **LANDTECH CONSULTANTS, INC** for Negotiated Work Orders for Pre-Engineering for Street and Traffic (Thoroughfares) Improvements – was presented. All voting aye. Nays none. ORDINANCE 2014-0351 ADOPTED.
41. ORDINANCE appropriating \$750,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Negotiated Work Orders for

Pre-Engineering for Street and Traffic (Thoroughfares) Improvements – was presented. All voting aye. Nays none. ORDINANCE 2014-0352 ADOPTED.

42. ORDINANCE appropriating \$750,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TRAFFIC ENGINEERS, INC** for Negotiated Work Orders for Pre-Engineering of Street and Traffic (Thoroughfares) Improvements – was presented. All voting aye. Nays none. ORDINANCE 2014-0353 ADOPTED.
43. ORDINANCE appropriating \$563,670.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LJA ENGINEERING, INC** for Westway Wastewater Treatment Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. ORDINANCE 2014-0354 ADOPTED.
44. ORDINANCE appropriating \$1,658,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **IDS ENGINEERING GROUP, INC** for Lift Station Renewal and Replacement - Highstar, Alief Village, WCID #78, Roark #3, Belle Park #2, and WCID #94; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - NGUYEN and J – LASTER** – was pulled from the agenda by the administration and was not considered.
45. ORDINANCE appropriating \$1,341,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **VAN DE WIELE & VOGLER, INC** for Water Line Replacement in Binglewood Area and Water Line Replacement in Tanglewilde Area; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; F - NGUYEN and I - GALLEGOS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0355 ADOPTED.
46. ORDINANCE appropriating \$5,066,880.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INDUSTRIAL TX CORP.** for Lift Station Wet Well Cleaning and Evaluation; 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 financed by the Water & Sewer System Consolidated Construction Fund (WW5170) – was pulled from the agenda by the administration and was not considered.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

7. ORDINANCE appropriating \$455,420.00 out of Equipment Acquisition Consolidated Fund for purchase of Computers and Installation Services for the Houston Fire Department – was presented. All voting aye. Nays none. ORDINANCE 2014-0356 ADOPTED.

- 7a. APPROVE spending authority in the total amount not to exceed \$1,051,750.79 to **MOBILE CONCEPTS TECHNOLOGY, INC** to Purchase Computers and Installation Services through the Texas Department of Information Resources for the Houston Fire Department - \$596,330.79 Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0340 ADOPTED.
9. APPROVE spending authority in the amount of \$750,000.00 to **M. E. K. INTERIORS & FLOORS, LLC** to Purchase Floor Covering Supply and Installation Services from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - General Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford.

After discussion by Council Member Davis a vote was called on Item on Item No. 9. All voting aye. Nays none. MOTION 2014-0341 ADOPTED.

11. ORDINANCE appropriating \$3,406,900.00 out of Reimbursement of Equipment/Projects Fund for Purchase of Automated Recycling Containers for Solid Waste Management Department – was presented. All voting aye. Nays none. ORDINANCE 2014-0357 ADOPTED.
- 11a. **TOTER LLC** for Automated Recycling Containers through the Interlocal Agreement for Cooperative Purchasing with the City of Tucson for the Solid Waste Management Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0342 ADOPTED.

RESOLUTIONS AND ORDINANCES

12. RESOLUTION requesting the Sheriff and Constables of Harris County, Texas, or their official representative to conduct a public auction for the sale of delinquent tax foreclosure properties – was presented. All voting aye. Nays none. RESOLUTION 2014-0014 ADOPTED.
25. ORDINANCE approving and authorizing submission of an application for grant assistance to the **US DEPARTMENT OF TRANSPORTATION** for the Transportation Investment Generating Economic Recovery Discretionary Grant Project; declaring the City's eligibility for such grant; authorizing the Director of the Parks & Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICTS F - NGUYEN and J - LASTER** – was presented. All voting aye. Nays none. ORDINANCE 2014-0358 ADOPTED.
28. ORDINANCE amending Ordinance No. 2014-138 (Passed by City Council on February 19, 2014) to increase the maximum contract amount for contract between the City of Houston and **DENTON, NAVARRO, ROCHA, BERNAL, HYDE & ZECH, P.C.** for Legal Representation of the City of Houston in negotiation of Fire Department Employee Agreements; establishing a maximum contract amount - \$75,000.00 - General Fund – was presented. All voting aye. Nays none. ORDINANCE 2014-0359 ADOPTED.
32. ORDINANCE approving and authorizing Amendment No. 1 to contract between the City of Houston and **GREATER HOUSTON PARTNERSHIP, INC** for Professional Consulting Services for the Houston Airport System - \$810,000.00 - Enterprise Fund – was presented, and tagged by Council Member Martin.

Council Member Martin released his tag for purposes of discussion.

Council Member Davis stated that he had called the Greater Houston Partnership Economic Office to get more background on the new program or marketing item and to see what happened with the last \$299,000 they voted on in 2013, that they called to see when they could have a meeting with the partnership and he got a phone call stating that they would have a meeting through the City's Economic Development Office, and he wanted to see if they needed to go through the administration to setup a meeting.

Mayor Parker stated that he could have meetings with anybody in the partnership that he wanted, her understanding was that he called the wrong division of the partnership and they called the Economic Development Office, which was how they got involved, that if he wanted to know what the City expected from them in their contract he could talk to the City's Economic Development Office and they could point him to the right person in the Greater Houston Partnership if he wanted to talk to them, if he was told that he could not talk to the partnership that should not have happened and she was happy to talk to her people about that, and Council Member Davis stated that he was not told that he could not talk to the partnership, he called the partnership so that he could get information, and then he would come back to the City department to get information so they could clarify, that he wanted to know where the \$300,000 went, he was trying to figure out where they were going.

Mayor Parker stated that she thought those were worthy questions, that he knew they had been reducing the amount of money they send to the partnership over the term, that she appreciated the question, her understanding was that originally the call went to the wrong arm of the partnership, they called the City, and they called and said they were happy to answer his questions.

Mayor Parker stated that Item No. 32 had been tagged by Council Member Martin.

33. ORDINANCE approving and authorizing contract between the City of Houston and **JOHN BEAN TECHNOLOGIES CORPORATION** for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System; providing a maximum contract amount; providing funding for contingencies - 3 years with two one-year options - \$26,496,824.70 - Enterprise Fund - **DISTRICTS B - DAVIS and I - GALLEGOS** – was presented.

Council Member Christi stated that in the national news they had seen baggage handling problems and asked if they were having any problems in this baggage handling system.

Mayor Parker stated that she was not aware of any existing problems, she had not had any reports of problems, that baggage handling systems had technology problems periodically, but there were also problems with baggage handlers, and they all engaged in loss prevention activities.

A vote was called on Item No. 33. All voting aye. Nays none. ORDINANCE 2014-0360 ADOPTED.

34. ORDINANCE awarding contract to **WESTERN HORTICULTURAL SERVICES, INC** for Landscape and Horticultural Services for the Houston Airport System; providing a maximum contract amount - 3 years with two one-year options - \$10,018,942.00 - Enterprise Fund **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS** – was presented, and tagged by Council Member Martin.

Council Member Martin released his tag for purposes of discussion.

Council Member Christi stated that he wanted to compliment this, if they took the time to look at the horticultural areas at the airport, it was just phenomenal, beauty coming into the airport and well maintained, it just made them proud that international people were coming into the airport, they did a great job.

Mayor Parker stated that Item No. 34 had been tagged by Council Member Martin.

36. 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 Almeda Road Reconstruction Project from MacGregor to Old Spanish Trail; authorizing the acquisition of fee simple title interest in or permanent easement to 3 parcels of land required for the project and situated in the DWC Survey, Abstract No. 325, in Harris County, Texas, said parcels of land being located along the south-westerly corner of Old Spanish Trail and Almeda Road and the northerly line of Holcombe Boulevard between Almeda Road and Grand Boulevard in Houston, Harris County, Texas, by gift, dedication, purchase and 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 permanent easement to the 3 parcels of land required for the project - **DISTRICT D - BOYKINS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0361 ADOPTED.

37. 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 Hirsch Road Reconstruction Project II from Kelly to Crosstimbers; authorizing the acquisition of fee simple title interest in or easement to 5 parcels of land required for the project and situated in the Harris and Wilson Two League Grant, Abstract No. 32; 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 5 parcels of land required for the project - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0362 ADOPTED.

MATTERS HELD - NUMBERS 47 and 48

47. MOTION by Council Member Pennington/Seconded by Council Member Bradford to adopt recommendation to award to **TOMMIE VAUGHN MOTORS, INC** for Automotive, Ford Car/Light Truck Replacement Parts and Repair Services for Various Departments - 36 Months with two one-year options - \$7,030,325.00 - Fleet Management Fund – (**This was Item 15 on Agenda of April 16, 2014, TAGGED BY COUNCIL MEMBERS KUBOSH, MARTIN, STARDIG and COSTELLO**) – was presented.

Council Member Martin stated that he met with the Fleet Department and it seemed like three months ago when he asked for a little pro-activeness they were not proactive and had been reactive, this was a \$7 million bid and he thought it opened up opportunities to get other folks involved, that he was going to vote against Item No. 47, but would like for the administration to go back, if they looked at the RCA it was an \$800,000 expenditure for this fiscal year and the remaining balance of \$6 million was spread out over a number of years, that he thought it would make sense to rebid this, do the one year if Tommy Vaughn was agreeable

to that, and then rebid this thing, that 90% of it was for paint and body work, that he would like them to give the Fleet Department a year, six months or whatever, reach out to a number of folks through NADA, National Association of Dealerships, and have OBO lead the project and reach out to a number of MWBEs that participate in service and bodywork, and maybe be a little bit proactive so they could get them involved and then one day they may be able to lead the entire project instead of being a participant in the MWBE 10% the City had, that they heard the explanation related to police, if they looked at the Fleet Departments response, 90% of it was paint and bodywork, nothing related to police.

Council Members Green stated that he would echo the sentiments of his colleague and would be voting “no” on this, he thought they could have done a better job in reaching out to their smaller minority businesses on this, he thought Council Member Martin did a reasonable proposal on how they handle the situation.

Council Member Kubosh stated that he agreed with Council Member Martin and believed that the part that dealt with repair of the vehicles should certainly be bid out if it did not have to have a special license to deal with police cars, and they need to look into that, so he would also be voting “no”.

Mayor Parker stated that they certainly had the prerogative of voting “no”, but would appreciate if they would delay Item No. 47 for one week, that she was not aware that there were still questions or concerns about the item, and did not know whether she could accommodate Council Member Martin’s request, that she would work on getting the answer.

Council Member Kubosh moved to postpone Item No. 47 for one week, seconded by Council Member Bradford.

After further discussion by Council Member Martin a vote was called on the motion to delay Item No. 47 for one week. All voting aye. Nays none. MOTION 2014-0343 ADOPTED.

After discussion by Council Member Cohen, Mayor Parker stated that she did not think that Council Member Martin, in any way, implied that they violated bid laws or did not do anything appropriate, but apparently believed that was not sufficient, so they were going to take the next week to find out.

After further discussion by Council Member Martin, Mayor Parker stated that they had voted to delay Item No. 47 for one week, that he wanted Council Member Martin to clarify what his question was, that she would say that they were talking heavy volume, so they were not going to be doing one offers to mom and pops, they just wanted everyone to understand, this was not an opportunity for the local garage to do three vehicles, they were large volume.

48. MOTION by Council Member Boykins/Seconded by Council Member Costello to adopt recommendation to award to **YES AMERICA NOW, INC dba YES AMERICA ENTERPRISES** - \$871,769.00 and **TEXAN TREE DEPOT LP** - \$98,631.00 for Landscape, Plants, Trees, Grass and Associated Landscape Materials for Various Departments - General and Enterprise Funds - **(This was Item 18 on Agenda of April 16, 2014, TAGGED BY COUNCIL MEMBER DAVIS)** – was presented. All voting aye. Nays none. MOTION 2014-0344 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Green announced events he attended or would be attending. Council Members Martin and Kubosh absent.

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

Council Member Gallegos announced events he attended or would be attending. Council Members Martin and Kubosh absent.

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

Council Member Nguyen stated that last week the Library Department received a large donation of books from Rosen Publishing and he wanted to thank them for their generosity and understood that the books would be supporting their Summer Reading Programs; and announced events he attended or would be attending. Council Members Davis, Martin and Kubosh absent.

Council Member Christi announced events he attended or would be attending; and stated that on Item No. 7 it would save EMS so much and time and wasted trips because supposedly 80% of the calls were for EMS and 70% of those were unnecessary, that he had said that they should not be running a shuttle service for allergy shots or anything like that, that the investment they made on Item No. 7 should save a lot of money in the long run. Council Members Davis, Martin and Kubosh absent.

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

Council Member Boykins stated that he wanted to recognize three City of Houston employees, Mr. Landon Taylor for explaining the Strike-Of Program yesterday; Mr. Krueger, Director, Public Works and Engineer and Mr. Pat Walsh for joining him in giving the update and options to the University of Houston Board of Regents with regard to Cullen Boulevard; Ms. Lucy Correa, Parks and Recreation, that she had always been there every time he had asked for something to be done for District D that he wanted to thank her for what she did; and they were going to keep Mr. Tony Morris in their prayers. Council Members Davis, Martin and Kubosh absent.

Council Member Costello stated that tomorrow, Thursday, would be a special called meeting of Budget and Fiscal Affairs Committee, to discuss the Mickey Leland International Terminal at IAH; and next Tuesday, April 29, 2014, would be their regularly scheduled meeting to discuss the Monthly and Financial Reports and the Local Government Corporations. Council Members Stardig, Davis, Martin, Pennington and Kubosh absent.

Council Member Gonzalez announced events he attended or would be attending; and stated that as a result of last summer's bulldozing incident at Woodland Park, the Houston Parks and Recreation Department received a damage settlement of \$300,000, this was thanks to the Mayor's priority of protecting their public parks and trees and full support of his Council office and the hard work of City Attorney Dave Feldman; that he wanted to commend the administration on the Strike-Of item as well, that one of the benefits was that it was more of an efficient process, going through that instead of the long process that they had to go through ordinarily, and there was a greater chance of being able to recover the demolition costs because that cost went to the top of the list when they sell the properties, so hopefully they recoup some of those monies that could then be reinvested into more demolitions. Council Members Stardig, Davis, Martin, Pennington and Kubosh absent.

Council Member Cohen announced events she attended or would be attending; and stated that she wanted to thank Mayor Parker and City Attorney Dave Feldman for their efforts in getting out the Equal Rights Ordinance in a timely fashion so that all of them around the Council table and all people in the City had an opportunity to view it, that they could go to the City website and look at it if they had not had a chance to, and most importantly a week from today they would have a Quality of Life

Meeting specially called at 2:00 p.m. for purposes of discussion of the ordinance, that she felt strongly that the ordinance they were presenting now was one that reflected the Houston community and the fact that they truly were a City dedicated to proving that they supported equal rights. Council Members Stardig, Davis, Martin, Pennington and Kubosh absent.

Mayor Parker stated that she hoped Council Member Cohen's meeting paled in comparison to the ones generated for the Vehicles for Hire Ordinance; that she would not be at the Council meeting next week, she would be traveling out of the Country and Mayor Pro Tem Gonzalez would be presiding. Council Members Stardig, Davis, Martin, Pennington and Kubosh absent.

Council Member Green stated that he wanted to offer their deepest condolences to the Greater Saint Mathews Family on the loss of Ms. Theola Booker, that her funeral was on Saturday at Greater Saint Mathews off of South Main. Council Members Stardig, Davis, Martin, Pennington and Kubosh absent.

Council Member Boykins stated that the Church's locations were one in Council Member Green's district and one in his district and they both would be representing the City on Saturday.

Mayor Parker stated that she appreciated that, she would already be traveling at that point, but she had attended Greater Saint Mathews and knew Pastor Booker. Council Members Stardig, Davis, Martin, Pennington and Kubosh absent.

There being no further business before Council, the City Council adjourned at 9:57 a.m. Council Members Stardig, Davis, Martin, Pennington and Kubosh absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary