

City Council Chamber, City Hall, Tuesday, July 8, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 8, 2014, with Mayor Annise Parker presiding with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, 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 and Ms. Stella Ortega, Agenda Office, present. Council Member Dave Martin absent on personal business.

At 1:42 p.m. Mayor Parker called the meeting to order and stated that they would begin the presentation portion of the City Council meeting, and recognized Council Member Nguyen for the first presentation. Council Members Stardig, Davis, Pennington, Gallegos, Laster, Green, Robinson and Bradford absent. NO QUORUM PRESENT

Council Member Nguyen presented a proclamation to Ms. Hong Nguyen, for saving the life of an 8 month old baby, on June 23, 2014, and reunited the child with the mother, that she was visiting from halfway around the globe, and on behalf of the City of Houston he would like to honor her, and Mayor Parker stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed July 8, 2014 as Hong Nguyen Day in Houston, Texas. Council Members Davis, Pennington, Gallegos, Green, Robinson and Bradford absent.

Ms. Nguyen stated that she was very happy to receive the recognition for saving the baby, that at the time she did not know anything about the missing baby, that they called her a hero, but she was lucky to have seen the baby at the right time and the right place and save the baby's life. Council Members Davis, Pennington, Gallegos, Green, Robinson and Bradford absent.

Mayor Pro Tem Gonzalez, Council Members Stardig, Kubosh and Boykins thanked Ms. Nguyen for saving the child's life. Council Members Davis, Pennington, Gallegos, Green, Robinson and Bradford absent.

Mayor Pro Tem Gonzalez recognized Council Member Cohen for the next presentation. Council Members Davis, Pennington, Gallegos, Green, Robinson and Bradford absent.

Council Member Cohen presented a proclamation to Ms. Reda Hicks, and stated that Ms. Hicks was an Army wife, attorney and proud Houstonian who was recognized as the 2014 Armed Forces Insurance Army Spouse of the Year, that the honor was bestowed annually to the spouse who best represented the important contributions and unwavering commitment of military spouses to the military, their Country and community, and Mayor Parker stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed July 8, 2014 as Reda Hicks Day in Houston, Texas, that they also wanted to recognize the 2014 Armed Forces Insurance Army Spouse of the Year in Houston, Texas. Council Members Davis, Nguyen, Pennington, Gallegos, Green, Robinson and Bradford absent.

Ms. Hicks stated that she wanted to thank Council Member Cohen and Mayor Parker, and all of the other Leadership Houston Alumnae in the Chamber, both on the Council and off, for their unwavering support of her efforts to support military families and veterans in Houston. Council Members Davis, Nguyen, Pennington and Green absent.

Mayor Pro Tem Gonzalez congratulated Ms. Hicks for her personal success in the community and for being a military family, that she represented Houston so well, and knew that the men and women in the military could not do it without a strong support system and she definitely exemplified that. Council Members Davis, Nguyen, Pennington and Green absent.

At 1:54 p.m. Mayor Parker recognized Council Member Kubosh for the invocation and pledge of allegiance, and Council Member Kubosh invited Pastor Max Miller for the invocation and Council Member Kubosh led all in the pledge of allegiance. Council Members Davis, Nguyen, Pennington and Green absent.

At 1:57 p.m. the City Secretary called the roll. Council Member Martin absent on personal business. Council Members Nguyen and Pennington absent.

Council Members Gonzalez and Bradford moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Martin absent on personal business. Council Members Nguyen and Pennington absent. MOTION ADOPTED.

The City Secretary called the list of speakers. Council Members Nguyen and Pennington absent.

Ms. Ria Vandright, 2710 N. Sabine, Houston, Texas 77007 (832-541-1014) appeared and stated that she worked for the City of Houston as an escrow officer and in her spare time she volunteered with Houston's homeless animals and was present in support of Item No. 17, the Rescued Pets Movement funding. Mayor Parker, Council Members Davis, Cohen, Nguyen and Pennington absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez, Council Members Boykins and Christie thanked Ms. Vandright for all that she did for the City of Houston. Mayor Parker, Council Members Davis, Cohen, Nguyen, Pennington and Laster absent. Mayor Pro Tem Gonzalez presiding.

Ms. Ann Knight, 7602 Burning Hill, Houston, Texas 77071 (713-702-1490) appeared and stated that she was for the funding of RPM, Rescued Pets Movement, that she was a volunteer with RPM, that since RPM had been working with BARC they had saved over 2,500 unwanted animals in the Houston. Mayor Parker, Council Members Davis, Cohen, Pennington and Laster absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez and Council Members Green and Gallegos thanked Ms. Knight for all that she did for the City of Houston. Mayor Parker, Council Members Davis, Pennington and Laster absent. Mayor Pro Tem Gonzalez presiding.

Council Member Kubosh moved that the rules be suspended for the purpose hearing from Mr. Randall Kallinen out of order, seconded by Council Member Costello. All voting aye. Nays none. Council Member Martin absent on personal business. Mayor Parker, Council Members Davis, Pennington and Laster absent. Mayor Pro Tem Gonzalez presiding. MOTION 2014-0641 ADOPTED.

Ms. Lisa Befort, 5718 Robertson Rd., Houston, Texas 77079 (832-444-0623) appeared and stated that she supported their voting in favor of funding for RPM, that she was their financial advisor, and had worked with RPM for the last seven plus years. Council Member Martin absent on personal business. Mayor Parker, Council Members Davis, Stardig, Pennington, Laster and Green absent. Mayor Pro Tem Gonzalez presiding.

Ms. Yolanda Navarro Black, 5008 Park Dr., Houston, Texas 77023 (713-924-4162) appeared and stated that they had heard many of them speak on the necessity to continue with the overpass for the Harrisburg Green Line as timely as possible, so that their transit riders, who depend on public transportation, could have the same access and opportunity as other transit and rail ridership throughout the City, they had heard from business owners who had lost thousands and their businesses were impacted, that Metro Board Chairman, Mr. Gilbert Garcia

and the Metro Board had met, discussed, adjusted and went above and beyond on allowing all segments to come together for the common good, that she would urge them to allocate the \$10 million to the overpass and asked that they support the Metro leadership and reappoint them. Mayor Parker, Council Members Davis, Stardig, Pennington, Laster and Green absent. Mayor Pro Tem Gonzalez presiding.

After discussion and questions by Council Members Boykins and Gallegos, Council Member Gallegos moved that the rules be suspended for the purpose of extending time for questions of Ms. Yolanda Navarro Black, seconded by Council Member Boykins. All voting aye. Nays none. Council Member Martin absent on personal business. Mayor Parker, Council Members Davis, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding. MOTION 2014-0642 ADOPTED.

After further discussion by Council Member Gallegos, Mayor Pro Tem Gonzalez stated that just as a reminder, this was not an exclusive District I project, it was also a District H project, the bridge span both districts so both constituencies were impacted by this, that he thought they had to be practical and realistic, and agreed and thought they should not necessarily be holding the money at bay until other decisions were made, ultimately this was a Metro Project, the City had some say in it as well, but they had an independent Board that had to make those decisions as well, just as City Council, so he hoped they could find a way forward because they had to consider all constituencies. Mayor Parker, Council Members Davis, Boykins, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding.

Mr. Alan Atkinson, 5008 Park Dr., Houston, Texas 77023 (713-924-4162) appeared and stated that he was present to support everything that Ms. Yolanda Navarro Black stated, that on the issue of environmental, for 18 years he had worked on remediating and environmental issues in the East End properties, so he had practical and actual experience in that, many times the responsible answer was to leave it alone; that he was present basically in support of reappointing the Metro Board, the City's representatives, specifically, that this board had done an extraordinary job of dealing with a very contentious issue. Mayor Parker, Council Members Davis, Cohen, Boykins, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding.

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. Mayor Parker, Council Members Davis, Cohen, Boykins, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding.

Ms. Jessica Hulse, 4809 Brady St., Houston, Texas 77011 (713-928-3201) appeared and stated that she was present to speak about the \$10 million that was delayed at the last Council session, that her community was hurting, especially the business community, that she welcomed all Council Members At Large to visit her neighborhood and hear the voices of the community and hear the concerns of the business owners, it had been a long waiting year after year, they were losing money waiting for the economic development, that they were members of District I and District H, that the contamination had been known for years and years, the whole East End and surrounding neighborhood was contaminated. Mayor Parker, Council Members Davis, Boykins, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding.

After discussion, Council Member Gallegos stated that all he was asking was for the engineer, who had retired from TXDOT, to be given an opportunity to see if the contamination could be cleaned up at a reasonable cost and time, so when the overpass was built there would be no fear that it would contaminate the community or the children. Mayor Parker, Council Members Davis, Boykins, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding.

Council Member Gonzalez stated that he had called Ms. Hulse personally on the issue and told her where he stood on the issue and they were working on it. Mayor Parker, Council

Members Davis, Boykins, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding.

Mr. Randall Kallienen, 5011 Broadway, Houston, Texas 77012 (713-320-3785) appeared and stated that he was a Civil Rights Lawyer and a spokesperson for a group of Houston Fire Marshall Inspectors, that four of the Inspectors were present, that they were present because they were very concerned with some issues in the Fire Marshall's Office, that recently an insurance audit of the City property resulted in the Fire Marshall's being told to go to various City properties to do inspections for safety concerns, that was followed up by several oral orders, on more than one occasion, whereby the Fire Marshall Inspectors were ordered not to issue citations and not to charge inspection fees, and that basically took away the power that Fire Marshalls had to enforce their restrictions, that sure they could do the report however there were many addresses where there had been reports made of violations and an inspection, and in two cases a re-inspection, yet nothing had been done, they wanted to be sure that they had the power, like with private businesses, to go ahead and issue those citations; that secondly, they had an issue with the overtime, the fire suppression, known as firefighters, division of the Houston Fire Department had a very open system of overtime, whereby the hours were posted and the next individual with the least hours got to say yes or no to the next assignment, however in the Fire Marshalls Division that was not the case, it was not open, so the Fire Marshalls had several complaints about certain assignments they had been given in the past, he had looked into this and there were some allegations of favoritism, that they wanted a return or a change to what the firefighters did, and that was an open system where they posted it on the board. Council Members Davis, Boykins, Pennington and Green absent.

After discussion by Council Members Kubosh and Bradford, Mayor Parker stated that for their edification, since February 2014 there had been 277 inspections of City properties, 21 issues noted that required re-inspection and it was the City's policy, however, not to write citations on the first visit, but to get compliance, whether it was the public or the private sector, that as far as her record indicated they had achieved compliance on everything they indicated was in violation and hoped not to receive any citations, that they were inspected and not treated any differently than the private sector. Council Members Davis, Boykins, Pennington, Gonzalez and Green absent.

Ms. Carla Wade, 10130 Ripple Lake Dr., Houston, Texas 77026 (281-702-1605) had reserved time to speak, but was not present when her name was called. Council Members Davis, Boykins, Pennington, Gonzalez and Green absent.

Mr. Mike Smith, 10501 Holly Springs, Houston, Texas 77042 (832-884-5285) appeared and stated that he had been in the Houston apartment business for over a third of a century and right now he had a problem, they were currently trying to get their Habitability inspections done but the Mechanical Department had a hold on their property because someone went out there and saw air conditioners that had been replaced in the last two years, AC condensers and they said they had to have a permit to replace those, that was not true, they were referring to Section 112 of the Building Code, but Chapter 11 of the Building Code Enforcement stated that they did not have to have a permit to replace AC condensers, that any air conditioner over 25 horsepower must have a permit, none of their air conditioners were over 25 horsepower, they were all between 6 and 16 horsepower, they did not have the manpower to stop what they were doing, go to Washington Avenue, fill out the paperwork, get the permit, pay for it and drive all the way back to replace an air conditioner, they had never had to get a permit or ever gotten a permit for replacing a part of an air conditioner system, that obviously of the entire system needed to be replaced they must have a permit and a TAC Licensed Contractor do that. Council Members Davis, Boykins, Pennington, Gonzalez and Green absent.

Mayor Parker asked Mr. Smith if he thought these current standards should not apply to him because his condensers were smaller than required, and Mr. Smith stated yes, and asked

Mr. Smith if he would meet with Mr. Alvin Wright, from the Public Works Department, to see if in fact the condensers fell below the standard and they could quickly resolve this, and Council Member Stardig asked if she could have a follow up on their meeting, that increasingly permits could be gotten on line, that they would figure out what the situations was. Council Members Davis, Boykins, Pennington, Gonzalez and Green absent.

Mr. Dwayne Reynolds, (Homeless) (No phone) had reserved time to speak, but was not present when his name was called. Council Members Davis, Boykins, Pennington, Gonzalez and Green absent.

Mr. Joseph Omo Omuari, 3939 North Freeway, Houston, Texas 77022 (713-478-7321) had reserved time to speak, but was not present when his name was called. Council Members Davis, Boykins, Pennington, Gonzalez and Green absent.

Mr. Griff Griffin, 5327 Winding Way Dr., Houston, Texas 77091 (713-503-8044) appeared, presented information, and stated that they were trying to open up all HOV lanes on weekends, free for everyone, they had been working on it for roughly four years, that Metro had opened them up on weekends, where they could go from downtown to Galveston, that they wanted to extend the hours from 8:00 p.m. to 11:00 p.m., that Metro guaranteed that they had signage, that people did not know where to get on, all he was asking was that they use their influence, they wanted to let Metro know why could they not open all the HOV lanes. Council Members Davis, Pennington and Green absent.

Upon discussion and questions by Council Members Bradford and Kubosh, Mr. Griffin stated that people were complaining that they did not know where to get on, that Metro stated that they would have the signage this summer, that they were putting flyers in buses and on the internet, that he needed the City's help. Council Members Davis, Pennington, Green and Costello absent.

Council Member Gallegos moved that the rules be suspended for the purpose of adding Mr. Fred Salinas to the speakers list, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Martin absent on personal business. Council Members Davis, Pennington, Green and Costello absent. MOTION 2014-0643 ADOPTED.

Ms. Sherry Lewis, 5123 Wickview Ln., Houston, Texas 77052 (713-828-4797) appeared and stated that she was present on behalf of Spotts Park, they asked for a permit to have a motorized vehicle, Spotts Park was a very hilly park and not accessible to seniors, and they were not able to get into the park, that she requested a permit and was told no, she asked for an explanation and there was no explanation. Council Members Davis, Pennington, Costello and Christie absent.

Mayor Parker stated that City policy, citywide, was that they did not allow ATVs or golf carts on grass in their parks, that golf carts were only allowed on concrete cart paths, that she did not think it was ever clear that Ms. Lewis was asking for a one-time special event, and Ms. Lewis stated one-time special event each year, and Mayor Parker stated that whether it was Spotts Park or other parks, there often was a need to bring tables or equipment in, that if she was requesting a Special Event Permit if they were holding a festival in the park in order to move equipment in and out, or senior citizens, she thought they could figure a way to make that happen, but she really needed to go to the Special Events Office and indicate that she was holding a special event, that it was on the ground floor of City Hall. Council Members Davis, Pennington, Costello and Christie absent.

Upon discussion by Council Member Gonzalez, Mayor Parker stated that they did not allow motorized vehicles of any kind to go across the grass on a routine basis. Council

Members Davis, Pennington, Costello and Christie absent.

Mr. William Henry, 6464 San Felipe, No. 1390, Houston, Texas 77057 (281-433-2695) had reserved time to speak, but was not present when his name was called. Council Members Davis, Pennington, Costello and Christie absent.

Mr. Jacob Padilla, 10722 Chadwick, Houston, Texas 77029 (832-540-10222) appeared and stated that he was born and raised in Denver Harbor, the Nieto Park area, he was present on two issues, first, he had been out of the neighborhood for twenty years and had gotten a phone call from someone who wanted to repaint the three murals they had on the building that housed the control for the Water Park, that it was sad when he went to the park and found what he found, he knew they were a big City and had many parks, he was a City employee also and knew their budgets were tight, but it was sad, the park was behind Scroggins Elementary School and the playground was in poor condition and needed to be re-mulched, the lighting in the basketball pavilion needed new lights so kids could play, there were no basketball nets, the playground needed to be painted, there was a real ugly leak on the drain from the pavilion, instead of using a gutter it fell onto the basketball court, that he had nine items that he could share with Parks Department, that all he was asking for permission to repaint the murals, it had been twenty years since the murals were put on the walls, that he wanted something in writing that they had approval from the City of Houston and the Parks Department for lights on the murals, they wanted to bring it back to life, that he was asking for some assistance with the paint. Mayor Parker, Council Members Davis, Pennington, Gallegos and Costello absent. Mayor Pro Tem Gonzalez presiding.

Council Member Boykins and Mayor Pro Tem Gonzalez thanked Mr. Padilla for what he was doing for the community, and Mayor Pro Tem Gonzalez stated that they would be glad to help out and financially he would do what he could to help support with the paint and work with the Parks Department. Mayor Parker, Council Members Davis, Pennington, Gallegos and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Terrance Randle, 210 Wilcrest Dr., Houston, Texas 77042 (832-388-6151) appeared and stated that he was present to talk about the injustice in Houston, that in April 2010 he was arrested on false charges, taken into custody, put into a holding cell, he asked for water and he was given something that made him start hallucinating, and continued to voice his experiences in jail until his time expired. Mayor Parker, Council Members Davis, Pennington, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez asked if he could speak with Sergeant Tweedie, HPD, who was present in the Chamber, who could give him some direction with HPD, and Mr. Randle stated that HPD was not going to help him because they were the whole reason why this was going on, and Mayor Pro Tem Gonzalez asked that he meet with the Mayor's Citizens Assistance office also. Mayor Parker, Council Members Davis, Pennington, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Geno Mouton, 5210 Amy St., Houston, Texas 77028 (832-875-3831) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Davis, Pennington, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Davis, Pennington, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Mark Rodriguez, 7315 Banyan, Houston, Texas 77028 (832-882-9775) appeared,

presented information, and stated that he was present regarding the bridge on Harrisburg, he was President of the Oakland Forest Civic Association, and also a business owner on Harrisburg, that Metro Chairman Garcia had helped them and listened to the pros and cons on both sides, he would appreciate the Metro Board making a fast decision because the people that were hurting were the business owners, that in his packet there were over 50 business owners who signed and wanted the overpass, that other communities opposed it and wanted the underpass, they talked about plume, his car lot was about nine blocks from these tracks, when Metro checked there was contamination at his car lot, what were they going to do, clean up the whole community, he did not think it made sense to clean up one section and not five blocks down, they had contamination throughout the whole community, it was not going to go anywhere; that he had seen hundreds of businesses close down, he had lost hundreds of thousands of dollars throughout the five years, that he owned a used car lot at the corner of Harrisburg and Adams and his business was struggling, that it flooded on Harrisburg so they did not need to make an underpass, that it would be a long term mistake that the City would be making. Mayor Parker, Council Members Davis, Boykins, Pennington, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that one of the challenges, because he too had been supportive of the underpass, was that they had to listen to everybody, there were different opinions, they had to balance a lot of different needs in the community, and asked Mr. Rodriguez if he was supportive of Metro Chairman Garcia's reappointment, and Mr. Rodriguez stated yes. Mayor Parker, Council Members Davis, Boykins, Pennington, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Council Member Cohen stated that she wanted to thank Mr. Rodriguez for his hand out, several letters, that one of the things that always annoyed her was to get the same letter, the same two paragraphs, with different people's signatures on them or sent by email, that the letters he brought were very impressive, they were individually written and demonstrated the people's concerns, that she thought if more people presented their cases the same way that he did today it would have a greater impact on some of the decisions they had to make. Mayor Parker, Council Members Davis, Boykins, Pennington, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Ms. Kathleen Gunter, 7315 Banyan, Houston, Texas 77028 (832-882-9775) appeared and stated that she was present on behalf of the Houston Garden Community, on the east side of Houston and was also an advocate for the neighborhood, that she had two concerns, one is property at 7311 Banyan, right next door to her, and the other concern was the illegal dumping in the area, and presented pictures of the abandoned home next to her, that there were strange cars being parked there, stray dogs roaming, homeless people in and out, and now they were starting to dump dirt, mounds and mounds of dirt, that violation notices had been posted on the home, that stray dogs were barking at her, it was just a nuisance to the neighborhood; that her other concern was the recycling center located off of Kirkpatrick, that there was trash and debris all along Kirkpatrick on a weekly basis, that she calls and gets a reference number but they close it before they pick up the trash, that they sent her signs to put in front of her home to stop illegal dumping, she placed them in front of her home and her husband pulled them up quickly and said for her not to make herself a target. Mayor Parker, Council Members Davis, Boykins, Pennington, Gallegos, Laster, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that this had been on their radar for some time, he thought that back in 2012 they executed an inspection warrant to go on the property and take photographs, they submitted it for a legal review, and it was denied, they said at the time there was not sufficient structural damage to follow up and do something, that more recently they did receive another nuisance complaint on the property, citations were mailed out so they were

waiting to do a site visit, because they had to be given sufficient time to make the corrections, if they were not they would perhaps see about filing another warrant so they could go back on the property and see if they could go through another legal review, that sometimes these issues were very lengthy to try to get them resolved, but apparently they were working on them, they would make sure to connect her to someone to give her an update; as to the City recycling center he would have her speak with someone in the Mayor's Citizens Assistance office to see if they could connect her with Solid Waste to correct that as well. Mayor Parker, Council Members Davis, Boykins, Pennington, Gallegos, Laster, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Council Member Bradford stated that he wanted to thank Ms. Gunter for her work in the neighborhood, that he wanted her to give her husband his commendations for protecting his household. Mayor Parker, Council Members Davis, Boykins, Pennington, Gallegos, Laster, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Ms. Demitajo Brown, 7515 Funbonnet Ln., Houston, Texas 77064 (832-614-4118) appeared and asked if there was legal help for a person with disabilities, advocacy to help navigate through the legal system, that she was run over by an 18 wheeler, and continued to express her personal experiences until her time expired. Mayor Parker, Council Members Davis, Boykins, Gallegos, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that it sounded like she needed some type of legal assistance, his recommendation would be that she reach out to some of the volunteer lawyer associations in Houston, because the City really did not offer legal advice per se, and asked if Ms. Brown had reached out to the Mayor's Office of People with Disabilities, that might be a good start for her, and asked that she speak with the Citizens Assistance Office personnel present and they could try to help her. Mayor Parker, Council Members Davis, Boykins, Green, Costello and Kubosh absent. Mayor Pro Tem Gonzalez presiding.

Ms. Jared Meators, 1223 W. Gray, Houston, Texas 77098 (404-545-1737) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Davis, Boykins, Green, Costello and Kubosh absent. Mayor Pro Tem Gonzalez presiding.

Pastor James Nash, 8418 Colonia Ln., Houston, Texas 77051 (713-725-1664) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Davis, Boykins, Green, Costello and Kubosh absent. Mayor Pro Tem Gonzalez presiding.

Mr. Israel Francis, 5723 Greenvale Ln., Houston, Texas 77066 (832-256-0506) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Davis, Boykins, Green, Costello and Kubosh absent. Mayor Pro Tem Gonzalez presiding.

Mr. Johnathan CC Day, 624 Highland St., Houston, Texas 77009 (832-368-5500) appeared, presented information and stated that that the basic question was Two Bins for One or One Bin for All, he did not know the right answer and did not believe, based on some very positive communications with very responsive people in the City, that anybody knew the right answer right now, that there was a big day coming up on Thursday, the Request for Proposals would be due and would be turned in, then there would be a period of evaluation and he just wanted, during the period of evaluation, for everybody to search for the right question before they tried to find the answer, that he thought the question was what happens to the black bin. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (832-258-7511) appeared and stated that he lived in District D, that he wanted to thank the Mayor on behalf of the Blue Ridge Civic Club, they had worked with the Mayor's office for many years attempting to provide safe sidewalks in Blue Ridge and Reedwood, and the Mayor's office was able to give them \$3 million in the Safe Sidewalk Program, providing for the first time every child safe access to a sidewalk to get to school, that he wanted to thank all in the City who had helped him along the way. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Tony Jones, 1950 Spenwick Dr., No. 318, Houston, Texas 77055 (no phone number given) appeared and stated that he was present to speak on the Disability Awareness Month Kickoff on September 26, 2014, that Council Member Stardig would be giving the keynote speech this year; that he wanted to thank Council Member Stardig for getting his sidewalk done, it was a block long and his wheelchair could actually go through it without his having to go out into the street; that when he came to City Hall, about 10 minutes to one and came up on the reflecting pool side and they had a doorbell on the Bagby side, and an automatic door opener, but on the reflecting pool side they had a door bell, they were spending \$1.25 million on the reflecting pool so why did they not have an automatic door opener on the reflecting pool side, that he rang the doorbell and sat there until 10 after one waiting for someone to open the door, when somebody finally did come it was a security guard and he was told that "we don't have time to keep running and opening doors for you handicaps". Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

After discussion by Council Member Stardig, Mayor Pro Tem Gonzalez stated that he wanted to apologize if he was not treated in a professional manner, there was no excuse for that, and Council Member Stardig stated that it was her understanding that they were working on the other side, but estimated it would be a month for the other one, so if they could get an update to find out when that door would also be completed, and Mayor Pro Tem Gonzalez stated that he wanted to thank Mr. Jones for putting the issue about the reflection pool and the automatic door in more perspective, that he knew Mr. Vela, General Services Department, had been present and they would try to get him an update and would make sure that Council Member Stardig and anyone else interest would have that update as well. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

Ms. Marilu De La Fuente, 1724 Alta Vista, Houston, Texas 77023 (713-208-6080) appeared and stated that she was present on the contamination issue, she wanted to thank them all for supporting District H and I, in delaying the vote to release the \$10 million, when Gilbert Garcia told them they could not go under because the contamination was too bad, whether the overpass or underpass, that discussion was over, what they had on hand now was the contamination, the East End could not be overlooked, the plume was migrating to the southeast of the railroad, that they had an engineer who retired from TXDOT and he had done some great work and great studies, unfortunately he was not given the opportunity to present this when they went to the board meeting on May 22, 2014, that when City Council voted to delay it was a good thing. Mayor Parker, Council Members Davis, Boykins, Laster and Costello absent. Mayor Pro Tem Gonzalez presiding.

After discussion and questions by Council Members Kubosh and Gallegos, Mayor Pro Tem Gonzalez stated that these were different issues they were talking about, the environmental and the \$10 million, that he wanted to make sure that whatever project ended up being there was as good a project for the East End as possible. Mayor Parker, Council Members Davis, Boykins, Laster and Costello absent. Mayor Pro Tem Gonzalez presiding.

Ms. Elisa Gonzales, 7433 Earth, Houston, Texas 77023 (713-923-8348) appeared and stated that she was President of the East Lawndale Civic Association and she represented over

1,000 property homeowners, that she was always trying to do the best thing for the community because they wanted a better quality of life, that she would agree that this particular project had been a lengthy process, but do not rush through the project just to get it done and out of the way, that she wanted to remind the Mayor and City Council Members that Metro Chairman Gilbert Garcia, indicated that he was now going to have to build an overpass with LRT only due to not having received the \$10 million, which let them to believe if Metro really needed the money, obviously not, that a 30 day delay to review the contamination was not too much to ask. Mayor Parker, Council Members Davis, Boykins, Laster and Costello absent. Mayor Pro Tem Gonzalez presiding.

After discussion by Council Members Green and Gallegos, Council Member Green stated that he served as Chair of the City's Transportation Technology and Infrastructure Committee and he had a conversation with Chairman Garcia with regard to his letter, and hoped Metro would not do just an LRT, but their full rendering, and that which the community had worked on. Mayor Parker, Council Members Davis, Boykins, Laster and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that Ms. Gonzalez spoke about Metro not needing the \$10 million and thought the issue would be, in his opinion, that they would just proceed simply with the LRT option, which they would fund regardless, and was that what they would want ultimately, or that \$10 million to have a more enhanced bridge. Mayor Parker, Council Members Davis, Boykins, Laster and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Kevin Kunec, 1108 Wyatt St., Houston, Texas 77023 – (713-802-0607) appeared and stated that he was in support of the Gus Wortham Golf Course and that it seemed only right to honor Mr. Wortham's gift and his legacy by affording the supporters of Gus Wortham Golf Course the opportunity to renovate the course. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

Council Member Gallegos stated that he spoke with former Council Member Pam Holm last Thursday and she was leading the task force in regards to the renovation of Gus Wortham, and he asked her how much money did they need to renovate Gus Wortham plus amenities, and she said \$15 million, and 18 months, that was the timeline she was asking for and that they needed, and that was what he was asking for from the administration. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Fred Salinas appeared in support of Gus Wortham Golf Course. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

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. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Ray Fields, 5910 Jackwood, Houston, Texas 77074 (713-297-1397) had reserved time to speak, but was not present when his name was called. Mayor Parker, Council Members Davis, Boykins and Costello absent. Mayor Pro Tem Gonzalez presiding.

Ms. Sherry Browning, Post Office Box 31162, Houston, Texas 77230 (832-287-5909) appeared and stated that she wanted to invite them to the Houston, and surrounding Chinese

areas, to the ITV International Television and CCTV talent hunt, which was equivalent to the American Idol TV Show, they would be auditioning to have a chance to go to China. Mayor Parker, Council Members Davis, Boykins, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

Mr. Mike Moreno, 7636 Avenue J, Houston, Texas 77012 (713-876-2880) appeared and stated that he was from the East End and was present to thank them for their support two weeks ago for Council Member Gallegos motion to postpone the granting of the \$10 million to Metro. Mayor Parker, Council Members Davis, Boykins, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

At 4:12 p.m. Mayor Pro Tem Gonzalez stated that the City Council was recessed until 9:00 a.m., Wednesday, July 9, 2014. Council Member Martin absent on personal business. Mayor Parker, Council Members Davis, Boykins, Green and Costello absent. Mayor Pro Tem Gonzalez presiding.

The Houston City Council reconvened at 9:00 a.m., Wednesday, July 9, 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 Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. Dave Feldman, City Attorney and Ms. Lynette Fons, First Assistant City Attorney; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present.

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

At 9:18 a.m. Mayor Parker called the meeting to order and stated that the first item of business was the Monthly Financial and Operations Report, and recognized Mr. Ronald Green City Controller, and Ms. Tantri Emo, Deputy Director, Finance Department. Council Member Davis 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 – was presented.

Mr. Green and Ms. Emo reviewed the Monthly Operations and Finance Report, a copy of which is on file in the City Secretary's office for review.

Council Member Pennington stated that it looked like they had done some major changes in Miscellaneous Other Revenue and some other categories, and the property tax decreased \$2.1 million, and asked if they had scrubbed the books now and done what they thought were the major changes in the revenue estimates based on that, or should they expect more next month.

Mr. Green stated that they were going to change theirs but they probably would not be significant, that these last couple of months they would see them tightened, there probably would be some more movement.

Ms. Emo stated that one of their biggest changes, because of the reclassifications were the categories for the Unclaimed Property Tax refunds.

Council Member Costello moved to accept the Monthly Financial Report, seconded by

Council Member Gonzalez. All voting aye. Nays none. MOTION 2014-0644 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 through 10

1. CONFIRMATION of the reappointment of the following to the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for three year terms:

Position 10 - **ADRIAN PATTERSON**

Position 11 - **RICHARD BADGER**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0645 ADOPTED.

2. CONFIRMATION of the reappointment of the following to the **REBUILD ADVISORY COMMITTEE BOARD OF DIRECTORS**, for two year terms:

Position 2 - **KATHY EASTERLY**

Position 4 - **VERNITA HARRIS**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0646 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **AUTOMOTIVE BOARD**, for two year terms:

Position One - **ROBERT "BOBBY" G. KNAPP**, appointment

Position Two - **RYAN WINKELMANN**, reappointment

Position Three- **SHELLY E. RICHARDSON**, reappointment

Position Four - **ERMA PALMER**, reappointment

Position Five - **MAZEN ALLAHAM**, reappointment

Position Six - **KEN W. ULMER**, reappointment

Position Seven- **BENJAMIN KIRKE SANCHEZ**, reappointment

Position Eight - **CHAU WENG WANG**, reappointment

Position Nine - **TIMOTHY STRANEY**, reappointment

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0647 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment of **SHELLEY L. KENNEDY** to Position Twenty-Three of the **HOUSTON CLEAN CITY COMMISSION**, for an unexpired term ending February 1, 2015

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0648 ADOPTED.

5. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **ELECTRICAL BOARD**, for terms to expire January 2, 2016:

Position Two - **ELIOT L. DOUCET**, and to serve as Chair

Position Four - **JIMMIE M. STALLONES, JR.**

Position Six - **CHAL W. SHRADER**

Position Eight - **NOLAN R. NEATHERY**

Position Ten - **JAVIER M. RAMOS**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0649 ADOPTED.

7. REQUEST from Mayor for confirmation of the appointment of **ERIN DYER** to Position Seven of the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**, for a term to expire June 1, 2017 - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0650 ADOPTED.

8. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF METROPOLITAN TRANSIT AUTHORITY**, for terms to expire April 7, 2016:

- Position One - **GILBERT ANDREW GARCIA**
- Position Two - **ALLEN DALE WATSON**
- Position Three- **JUDGE DWIGHT E. JEFFERSON**
- Position Four - **DIANN L. LEWTER**
- Position Five - **CHRISTOF SPIELER**

- was pulled from the agenda by the administration and was not considered.

9. REQUEST from Mayor for confirmation of the appointment of **KARIN R. MARSHALL** to Position Seven of the **MILLER THEATRE ADVISORY BOARD**, for a term to expire April 24, 2017 - was pulled from the agenda by the administration and was not considered.

10. RECOMMENDATION from Chief of Police for extension of Injury on Duty Leave for **Houston Police Officer WARREN JONES** - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0651 ADOPTED.

Mayor Parker stated that they had made a number of appointments and did not believe there was anyone present from the Municipal Pension System, that Ms. Vernita Harris of the Rebuild Houston Advisory Committee was present, and Mayor Parker and Council Member Boykins congratulated Ms. Harris and thanked her for her service to the City of Houston.

Ms. Harris stated that she wanted to thank them for their vote of confidence.

Mayor Parker stated that they appointed Members of the Automotive Board and stated that Ms. Erma Palmer was present and stated that this was a very industry specific Board and most of the positions were very specifically designated, and thanked Ms. Palmer and stated that they appreciated her willingness to serve.

Ms. Palmer stated that it had been an honor and a pleasure to serve the industry, and stated that Ms. Ken Ulmer was the Director and they wanted to make them proud and thanked them for nominating all of them again.

Mayor Parker stated that Ms. Shelly Kennedy was present for the Houston Clean City Commission, and she and Council Members Boykins and Gallegos congratulated Ms. Kennedy on her appointment and thanked her for her service to the City of Houston.

Mayor Parker stated that Ms. Erin Dyer of the Greater East End Management District was present, and she and Council Members Gonzalez and Gallegos congratulated Ms. Dyer and appreciated her service to the City of Houston.

ACCEPT WORK - NUMBERS 11 and 12

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$172,410.80 and acceptance of work on contract with **CONGO LLC** for Wastewater System/Substitute Service Support-Peden and Bomar, Package 2 - 22.58% under the original contract amount - **DISTRICT C - COHEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0652 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,058,509.11 and acceptance of work on contract with **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (4258-41) - 2.85% over the original contract amount and under the 5% contingency amount - **DISTRICTS C - COHEN; D - BOYKINS; E - MARTIN; F - NGUYEN; H - GONZALEZ; I - GALLEGOS and K - GREEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0653 ADOPTED.

PROPERTY - NUMBERS 13 through 16

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert L. Pacini, Terra Realty Equities, L.P., for the sale of ±3,444 square feet of fee-owned property, located within Lots 11B and 12B, Block 21, located in Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51, Parcel SY14-077 - **DISTRICT D - BOYKINS** - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0654 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry, TBG Partners, on behalf of New Nurseries, LLC. (F. Taylor Moore, Owner and Managing Partner) and Stephen Kelso, authorizing the disclaimer of 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey, Parcels SY14-126A, SY14-126B and SY14-126C **DISTRICT C - COHEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0655 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lance Hoffman, BEC-LIN Engineering, L.P., on behalf of EastGroup Properties (Brent Wood, Vice President), and Billipp/World Houston, L.P. (J. Andrew Billipp, President), for abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, in and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston Intercontinental Business Center Section 6, out of the Mary E. Colby Survey, A-1649 and the William Lloyd Survey, A-1407, Parcels SY14-090, SY14-108, SY14-119, DY14-042, DY14-044 and LY14-038 - **DISTRICT B - DAVIS** - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0656 ADOPTED.

16. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Barry Hunsworth, Century Engineering, Inc., on behalf of KAVAC, LLC, (Terry Fisher, President), for abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey, Parcel SY14-102 **DISTRICT C - COHEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0657 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 18 through 21A

18. **DIGITAL SANDBOX, INC** for Software Enhancements and Support Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Mayor's Office of Public Safety and Homeland Security - \$490,400.00 - Grant Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0658 ADOPTED.
19. **EAGLE COPTERS LTD.** for Goodrich External Rescue Hoist Kit for the Houston Police Department - \$217,059.00 - Grant Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0659 ADOPTED.
21. ORDINANCE appropriating \$410,748.55 out of Parks Consolidated Construction Fund for Construction Services for Installation of Ball Field Lighting for the General Services Department on behalf of the Houston Parks & Recreation Department – was presented. All voting aye. Nays none. ORDINANCE 2014-0688 ADOPTED.
- 21a. **MUSCO SPORTS LIGHTING, LLC** for Construction Services for Ball Field Lighting (Keith Weiss Park) through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Houston Parks & Recreation Department - \$398,785.00 and contingencies for a total amount not to exceed \$410,748.55 - Parks Consolidated Construction Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0660 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 23 through 40

23. RESOLUTION approving amendments to the bylaws of **HOUSTON MEDIA SOURCE** and making other provisions related to the subject – was presented. All voting aye. Nays none. RESOLUTION 2014-0026 ADOPTED.
24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a prescriptive sanitary sewer easement from Nicholson Street to Lawrence Street located in Block 39, Houston Heights Addition, John Austin Survey, A-1, Harris County, Texas; vacating and abandoning the easement to JLB Block 39, L.P., owner, in consideration of owner's payment to the City of \$55,500.00, and other consideration - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2014-0689 ADOPTED.
25. ORDINANCE approving the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty-Four, City of Houston, Texas (Greater Houston

Zone) **DISTRICTS D - BOYKINS; H - GONZALEZ; I - GALLEGOS and K - GREEN** – was presented. All voting aye. Nays none. ORDINANCE 2014-0690 ADOPTED.

26. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **CB&I, INC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0691 ADOPTED.
27. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **FAMIGLIA DEBARTOLO, LLC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0692 ADOPTED.
28. ORDINANCE approving and authorizing an international facilities agreement by and between the City of Houston and **SCANDINAVIAN AIRLINES of NORTH AMERICA, INC** at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCE 2014-0693 ADOPTED.
32. ORDINANCE releasing certain territory consisting of approximately 87.09 acres in Waller County, adjacent to the extraterritorial jurisdiction of the City of Waller, Texas, in the vicinity of U.S. 290 and Hempstead Road, from the extraterritorial jurisdiction of the City of Houston – was presented. All voting aye. Nays none. ORDINANCE 2014-0694 ADOPTED.
33. ORDINANCE awarding contract to **ALLIANCE HEALTH RESOURCES MOBILE DIVISION, LTD** for Occupational Medical Testing Services for Various Departments; providing a maximum contract amount - \$1,213,808.00 - General and Other Funds – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
34. ORDINANCE authorizing the sale of certain real property consisting of approximately 19.39 acres of land located at 800 and 815 Dorsett Street, being a part of the John Brown Survey, Abstract Number 8, Houston, Harris County, Texas, and identified as Parcels SY14-127 and SY14-128; declaring Parcels SY14-127 and SY14-128 surplus; appointing two independent appraisers to determine the Fair Market Value of Parcels SY14-127 and SY14-128; approving and authorizing Listing Agreement between the City of Houston and **CUSHMAN & WAKEFIELD OF TEXAS, INC**, for the marketing and sale of Parcels SY14-127 and SY14-128 - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. ORDINANCE 2014-0695 ADOPTED.
36. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 9.66 acres commonly known as **21147 SH 249, HOUSTON, HARRIS COUNTY, TEXAS**; supporting issuance of Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. ORDINANCE 2014-0696 ADOPTED.
37. ORDINANCE consenting to the addition of 19.4657 acres of land to **BAMMEL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2014-0697 ADOPTED.

38. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 537**, and authorizing the district to issue bonds for road facilities within the City of Houston subject to certain conditions - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2014-0698 ADOPTED.
39. ORDINANCE consenting to the addition of 18.35 acres of land to **RICEWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2014-0699 ADOPTED.
40. ORDINANCE granting to **TNT WASTE CONTAINER SERVICE, LLC, A Texas Limited Liability Company**, 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 **FIRST READING** – was presented. All voting aye. Nays none. ORDINANCE 2014-0700 PASSED FIRST READING IN FULL

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MISCELLANEOUS

6. REQUEST from Mayor for confirmation of the appointment of **COUNCIL MEMBER ROBERT GALLEGOS** as a non-voting advisory member to the **BOARD OF DIRECTORS OF THE HOUSTON FIRST CORPORATION** – was presented, moved by Council Member Gonzalez, seconded by Council Member Laster.

After a lengthy discussion by Council Members Martin, Green, Boykins, Davis, Gonzalez, Gallegos, Cohen, Council Member Martin moved to delay Item No. 6 for 30 days, seconded by Council Member Christie.

After discussion by Council Members Stardig, Gonzalez, Bradford, Kubosh and Costello a vote was called on Council Member Martin's motion to delay Item No. 6. All voting aye. Nays none. MOTION 2014-0661 ADOPTED.

Mayor Parker stated that she would suggest that Council Members who were interested to serve, and she anticipated that there would be a number of Council Members who were interested in serving, should make her aware of their interest.

PURCHASING AND TABULATION OF BIDS

17. **RESCUED PETS MOVEMENT INC** for Animal Transport Operations for the BARC Division of the Administration & Regulatory Affairs Department - \$265,000.00 - BARC Special Revenue Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0662 ADOPTED.
20. ORDINANCE appropriating \$67,987.25 out of Parks Consolidated Construction Fund for Construction Services for Installation of Ball Field Lighting for the General Services Department on behalf of the Houston Parks & Recreation Department – was presented. All voting aye. Nays none. ORDINANCE 2014-701 ADOPTED.
- 20a. **MUSCO SPORTS LIGHTING, LLC** for Construction Services for Ball Field Lighting (Milby Park) through the Texas Local Government Purchasing Cooperative (BuyBoard) for the

General Services Department on behalf of the Houston Parks & Recreation Department - \$302,845.00 and contingencies for a total amount not to exceed \$317,987.25 - Parks Special Revenue and Parks Consolidated Construction Funds – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0663 ADOPTED.

22. ORDINANCE appropriating \$65,892.00 out of Equipment Acquisition Consolidated Fund for Purchase of Light-, Medium- and Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments – was presented.

Council Member Christie stated that he would vote no because there was no tendency to natural gas powered trucks.

A vote was called on Item No. 22. Council Member Christie voting no, balance voting aye. ORDINANCE 2014-702 ADOPTED.

- 22a. **CHASTANG ENTERPRISES, INC d/b/a CHASTANG FORD** for Light-, Medium- and Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments - \$1,113,016.00 - Equipment Acquisition Consolidated, Stormwater and Other Funds Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0664 ADOPTED.

RESOLUTIONS AND ORDINANCES

29. ORDINANCE approving and authorizing agreement for Legal Services between the City of Houston and **SUSMAN GODFREY L.L.P.** for representation of the City in pursuit of claims against Towers Watson & Co f/n/a Towers Perrin Associated with actuarial work related to HFD Relief and Retirement Fund and impacting the City of Houston; providing a maximum contract amount - \$970,000.00 - General Fund - was presented.

After discussion by Council Members Green, Boykins and Christie, Council Members Bradford and Green stated that they would tag Item No. 29.

30. ORDINANCE approving and authorizing agreements to reimburse **ALDINE INDEPENDENT SCHOOL DISTRICT; ALIEF INDEPENDENT SCHOOL DISTRICT; AMIGOS POR VIDA - FRIENDS for LIFE PUBLIC CHARTER SCHOOL; ANNUNCIATION ORTHODOX SCHOOL; CLEAR CREEK INDEPENDENT SCHOOL DISTRICT; GALENA PARK INDEPENDENT SCHOOL DISTRICT; PASADENA INDEPENDENT SCHOOL DISTRICT; RIVER OAKS BAPTIST SCHOOL; SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; ST. JOHN'S SCHOOL; ST. VINCENT de PAUL SCHOOL/ARCHDIOCESE of GALVESTON; HOUSTON GATEWAY ACADEMY; HOUSTON INDEPENDENT SCHOOL DISTRICT; HUFFMAN INDEPENDENT SCHOOL DISTRICT; JOHN PAUL II CATHOLIC SCHOOL; KATY INDEPENDENT SCHOOL DISTRICT and FORT BEND INDEPENDENT SCHOOL DISTRICT** for payment of School Crossing Guards from the Child Safety Fund - \$3,300,000.00 – was presented.

After discussion by Council Members Pennington, Gonzalez and Stardig, a vote was called on Item No. 30. All voting aye. Nays none. ORDINANCE 2014-703 ADOPTED.

31. ORDINANCE amending Ordinance No. 2014-0092 to increase the maximum contract amount to Letter of Agreement between the City of Houston and **THE HOUSTON RECOVERY CENTER LGC**, a Texas Local Government Corporation; approving and authorizing first amendment to the above-mentioned Letter of Agreement - \$1,127,159.00 - Essential Public Health Services Fund - was presented.

Council Member Green stated that he knew they were transferring dollars for public health services to the Houston Recovery Center and asked who currently provided those services and was there a budget line item that this was being transferred from, or how were they handling that.

Mayor Parker stated that they contracted with Star of Hope, which provided the basic services at the Houston Center for Sobriety, but the goal was, as they now had almost a year and a half of operations, that they had to up the intervention piece where possible, and the intention was for various recovery and addiction providers to be operating in other locations for follow up care, and Council Member Green asked if the Houston Recovery Center, with these funds, then let the projects to folks like the Star of Hope and other service providers in the industry, and Mayor Parker stated that this particular item was focused on the City of Houston Health Department, but the goal was to have community based providers offering recovery services at City facilities, and Council Member Green stated that they would let them like they currently did now, as opposed to putting out an RFP for a service provider to provide these type of services, and now the Houston Recovery Center would do that, and Mayor Parker stated that she did not know the answer to that questions, and asked if Council Member Green wanted to tag the item, or should she bring someone forward to answer his questions, and stated that she saw Ms. Kathy Barton in the Chamber.

Mayor Parker stated that this was the about the Houston Center for Sobriety, and asked what services were going to be provided and how were they going to be contracted, and Ms. Barton stated that this was part of an 1115 Project, when they created the 1115 Waiver Contract this was who was contracted to provide these services, if they subcontracted that would be up to them, and Council Member Green asked if the City Health Department would receive the funds and then transfer to the Houston Recovery Center and then they would let it to the service providers, or would the Houston Health Department let the funds to the service provider and they would work with the Houston Recovery Center, and Ms. Barton stated that she would have to get back with him, this was a contract to provide these services at the Houston Sobering Center as a part of the 1115 Waiver Project, and Council Member Green stated that he would not tag Item No. 31, but if Ms. Barton could get back with him because this was new and it would be interested to know how they were handling the grants that came through, and Mayor Parker stated that the services would be provided at the multi service centers, not at the Center for Sobriety, and Council Member Green asked why were they transferring the funds to the Houston Recovery Center and Ms. Barton stated because they had expertise in addiction issues.

After further discussion by Council Members Green and Gonzalez, a vote was called on Item No. 31. All voting aye. Nays none. Council Members Davis and Pennington absent. ORDINANCE 2014-704 ADOPTED.

35. ORDINANCE awarding construction contract to **GADBERRY CONSTRUCTION COMPANY, INC** for TIGER Project #1 - White Oak Path: Alabonson Rd. to Antoine Dr. Link; 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 Federal Government Grant - USDOT TIGER Discretionary Fund and other Government Grant Funds Houston Parks Board Fund - \$1,881,000.00 -

DISTRICT A – STARDIG – was presented. All voting aye. Nays none. Council Members Davis and Pennington absent. ORDINANCE 2014-705 ADOPTED.

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

41. **SET A PUBLIC HEARING DATE** on the re-adoption of Article XII Chapter 32, Code of Ordinances, City of Houston, regarding Standards of Care for the Houston Parks & Recreation Department youth recreation programs **HEARING DATE - 9:00 A. M. - WEDNESDAY - JULY 16, 2014** – was presented.

Council Member Gonzalez moved to set a public hearing for 9:00 a.m. on Wednesday, July 16, 2014 regarding Standards of Care for the Houston Parks & Recreation Department youth recreation programs, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0665 ADOPTED.

MATTERS HELD - NUMBERS 42 through 44

42. Consideration of proposed amendments to Item 42A below, submitted in writing on June 25, 2014 by Council Members Stardig, Davis, Martin, Pennington, Gonzalez, Gallegos, Laster and Green, as set forth in the attached Exhibits 1-17 – (**TAGGED BY COUNCIL MEMBER GONZALEZ**) – was presented.

Mayor Parker stated that they kept asking for a matrix on these items and they normally did not do that for the CIP, but there were multiple requests, they distributed the one they were using internally, where they grouped amendments that were similar to each other, if it was helpful to Council to address them in this order, similar to the budget matrix, they were happy to do that, otherwise they would proceed by number as received.

Council Member Bradford moved that they use the matrix for the CIP amendments, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2014-0666 ADOPTED.

Mayor Parker stated that the administration had a cut and paste matrix in front of them with the maker of the motion, that as they did with the budget matrix, attempting to group those items together that closely resembled each other.

Council Member Pennington stated that he had an amendment which actually amended 42a and was not sure exactly when to bring it up, and Mayor Parker stated if he would amend the main item when they got to Item No. 42a, that would be the appropriate time to do that.

Line 1 – Bradford Exhibit 17

In order to establish a legal, but faster and more simplified method to quickly address neighborhood issues, this Amendment allocates up to \$6,000,000.00 from the Unused General Obligation Fund Balance to establish a Capital Improvement Council District Service Project Program. If the \$6,000,000.00 is not available, the remainder or balance shall be taken from the Dedicated Drainage Street Renewal Fund (DDSRF). Each of the eleven District Council Members shall be allocated an equal amount of the \$6,000,000.00 to be utilized by district council members based on neighborhood needs and constituents' input in determining what money (from this specific allocation) would be spent on projects as permitted by voter authorized category, State law, City Charter, ordinances, contractual obligations, and with approval by the Mayor. The Mayor's consideration shall be finalized no later than 10 days after

a council member's specific project proposal. If any District Council member does not accept or rejects their respective allocation, that portion shall be further divided on a pro rata basis among other supporting District Council Members. Capital Improvement Council District Service Project funds could be used to quickly address neighborhood issues such as, including but not limited to, sidewalks, street and drainage issues.

The Capital Improvement Council District Service Project Program shall be funded no later than sixty (60) days after the FY2015-2019 Capital Improvement Plan Budget is approved.

Funding Options: (\$6,000,000.00)
FY2014 Unused General Obligation Fund Balance

Dedicated Drainage Street Renewal Fund (DDSRF) – was presented.

After discussion by Council Member Bradford, Mayor Parker stated that this was a completed legal motion, the only issue was whether there would be any money left over from Unallocated Bond Funds for the 2013 Program, there may or may not be but the interpretation of his motion would be that it would come entirely out of DDSRF rather than the bond dollars.

After further discussion by Council Members Costello, Bradford and Davis, Mayor Parker asked if Council Member Davis would yield his motion, Line 2 – Davis Exhibit 3, to Line 1 – Bradford Exhibit 17, if it passed, and Council Member Davis stated that he would.

After further discussion by Council Members Pennington, Boykins, Green, Gonzalez and Costello, Mayor Parker stated that her obligation was to make sure that the Charter was followed, that all rules and requirements were followed, Council Member Bradford articulated that his motion spelled that out, her belief was if by the passage of this, Council Members would have a vested interest in protecting Rebuild Houston going forward, and advocating for Rebuild Houston going forward, and any Council Member who voted for this had an obligation to go out and help defend and advocate for the program.

After further discussion by Council Members Kubosh, Bradford, Boykins, Stardig and Gonzalez, Council Member Gonzalez stated that they had not heard from Mr. Dave Feldman, City Attorney, on this, and he would like to make sure that they stayed true to the spirit of Rebuild Houston and what was in the Charter and was passed by the voters, and asked that considering the discussion that this would only be utilized for maintenance and road projects, and not bleed into other areas, would this still be consistent and be in compliance with the Charter, and Mr. Feldman stated yes.

A roll call vote was called on Council Member Bradford's motion, Line 1 – Bradford Exhibit 17, to amend Item No. 42a.

ROLL CALL VOTE:

Mayor Parker voting aye	Council Member Gallegos voting aye
Council Member Stardig voting aye	Council Member Laster voting aye
Council Member Davis voting aye	Council Member Green voting aye
Council Member Cohen voting aye	Council Member Costello voting no
Council Member Boykins voting aye	Council Member Robinson voting aye
Council Member Martin voting aye	Council Member Kubosh voting aye
Council Member Nguyen voting aye	Council Member Bradford voting aye
Council Member Pennington voting aye	Council Member Christi voting no
Council Member Gonzalez voting aye	MOTION 2014-0667 ADOPTED.

Mayor Parker stated that the motion passed 15 to 2 votes.

Line 2 – Davis Exhibit 3

In order to establish a legal, but faster and more simplified method to quickly address minor neighborhood issues, this Amendment allocates \$6,000,000.00 to establish a Council District Service Budget to be designated from the Dedicated Drainage Street Renewal Fund (DDSRF) METRO Project Construction Fund No. 4040. Each of the eleven District Council Members shall be allocated an equal amount from the \$6,000,000.00 to be utilized by district council members based on neighborhood needs and constituents' input in determining what money (from this specific allocation) would be spent on what issues, subject to approval by the Mayor. The Mayor's consideration shall be finalized no later than 10 business days after a council member's specific project proposal. If any District Council member does not accept or rejects their respective allocation, that portion shall be further divided on a pro rata basis among other supporting District Council Members.

The Council District Service Budget shall be funded no later than thirty (30) days after the FY2015 CIP Budget is approved.

Funding Source: METRO Projects Construction Fund No. 4040 – DDSRF (\$6,000,000.00) – was presented, and withdrawn by Council Member Davis.

Line 3 – Davis Exhibit 4

Davis amendment 7.02 passed as part of the approved Fiscal Year 2015 operating budget states:

1. Funds in the Dedicated Drainage & Street Renewal Fund shall not be encumbered beyond what is contractually and or legally required to meet annual payments.
2. The Dedicated Drainage & Street Renewal Fund (DDSRF) Planned Ending Fund Balance shall not be budgeted to exceed 10% of the DDSRF Budget.

The total budget for the DDSRF in the Fiscal Year 2015 approved budget is \$281,366,173. Ten percent of DDSRF total budget is \$28,136,617. The Fiscal Year 2015 Proposed Budget DDSRF Planned Ending Fund Balance was \$59,483,173. This effectively frees up \$31,346,556 (formerly held in Planned Ending Fund Balance) for transfer to capital projects.

To reflect this transfer, to remove negative contingency amounts in both the storm drainage and the street and traffic programs (which fully fund Fiscal Year 2015 projects), and to increase expenditures for street and drainage projects citywide in Fiscal Year 2015, we move to amend the Fiscal Year 2015-2019 Capital Improvement Plan as follows:

Of the now freed \$31,346,556 from DDSRF Planned Ending Fund Balance: allocate \$10,218,000 to Fiscal Year 2015 Storm Drainage Project: Contingencies (M-0000NA); allocate \$1,498,000 to Fiscal Year 2015 Street and Traffic Project: Contingencies (N-0000NA); and allocate the remaining \$19,630,556 to the following line items (distribution to be determined by Public Works and Engineering Department):

- M-420126 - Local Drainage Program (LDP): Location V
- N-321038 - Concrete Panel Replacement Program: Location V
- N-321039 - Roadway Surface Replacement Program: Location V – was presented.

After discussion, Council Member Davis stated that he put forth this amendment with Council Member Costello.

After discussion by Council Members Costello, Mayor Parker recognized Mr. Daniel Krueger, Director, Public Works and Engineering and Ms. Susan Bandy, Deputy Director, Public Works and Engineering, who were questioned at length by Council Members Davis, Boykins, Pennington, Bradford, Stardig, Christie, Martin, Green, Gonzalez and Davis.

Mayor Parker stated that every year, when they went through the CIP, was when the City Council had the responsibility to act, but certainly Ms. Bandy could come forward on a regular basis and show the cash flow; that they could not do long borrowing for this, commercial paper was just a way to manage cash flow, they could not go into debt, they could not spend money that was not there, so projects would be halted or pushed back, that it was not a matter of choice, they could not do that and would not do that.

A roll call vote was called on Council Member Davis's motion, Line 3 – Davis Exhibit 4, to amend Item No. 42a.

ROLL CALL VOTE:

Mayor Parker voting no	Council Member Gallegos voting aye
Council Member Stardig voting aye	Council Member Laster voting aye
Council Member Davis voting aye	Council Member Green voting aye
Council Member Cohen voting aye	Council Member Costello voting aye
Council Member Boykins voting aye	Council Member Robinson voting aye
Council Member Martin voting aye	Council Member Kubosh voting aye
Council Member Nguyen voting aye	Council Member Bradford voting aye
Council Member Pennington voting aye	Council Member Christi voting no
Council Member Gonzalez voting aye	MOTION 2014-0668 ADOPTED.

Mayor Parker stated that the motion passed 15 to 2 votes.

Line 4 – Costello Exhibit 4

Of the now freed \$31,346,556 from DDSRF Planned Ending Fund Balance: allocate \$10,218,000 to Fiscal Year 2015 Storm Drainage Project: Contingencies (M-0000NA); allocate \$1,498,000 to Fiscal Year 2015 Street and Traffic Project: Contingencies (N-0000NA); and allocate the remaining \$19,630,556 to the following line items (distribution to be determined by Public Works and Engineering Department): M-42012-Local Drainage Program (LDP): Location V; •N-321038-Concrete Panel Replacement Program: Location V; •N-321039-Roadway Surface Replacement Program: Location V; This project is shared with CM Jerry Davis, District B – was presented, and withdrawn by Council Member Costello.

Line 5 – Davis Exhibit 2

Within 90 days, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be limited to a maximum of 40% of funds expended from the DDSRF – was presented.

Council Member Davis offered a substitute written motion to amend Line 5 – Davis Exhibit 2 as follows:

“Beginning with the Fiscal Year 2016 – 2020 CIP, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be limited to a maximum of 40% of funds appropriated from the DDSRF.”

After discussion by Council Members Davis, Pennington and Bradford, Mayor Parker stated that she would suggest that if the Council Member had thought through this a little bit he might have added "with the consent of the District Council Member".

After further discussion by Council Members Davis, Stardig, Costello, Boykins and Cohn, Council Member Davis stated that he thought this would be a good thing for their communities, since they had talked about it before, but guessed they needed to go back and look at it, and stated that he would consider withdrawing the item and asking Public Works to present to committee within 90 days of what the effects could be.

Council Member Bradford stated that he wanted to reiterate the need for the Council Members discretion to still be in the equation because what the amendment did was put more restraint on what the previous amendment that they passed, had done, and offered a friendly amendment to add a proviso "with the District Council Member approval".

Mayor Parker stated that the administration was not opposed to Council Member Davis's original motion, it was how the default worked, but they did not believe it was appropriate to take total discretion out of the hands of District Council Members, and Council Member Davis stated that he believed in his motion and accepted the friendly amendment from Council Member Bradford, and Mayor Parker stated that Council Member Davis accepted the friendly amendment as part of his motion to amend Item No. 42a and asked Council Member Davis to restate his motion to amend Item No. 42a.

Council Member Davis stated "Beginning with the Fiscal Year 2016 – 2020 CIP, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be limited to a maximum of 40% of funds appropriated from the DDSRF, subject to approval of the District Council Member."

After further discussion by Council Members Pennington and Stardig, a vote was called on Council Member Davis's motion to amend Item No. 42a, Line 5 – Davis Exhibit 2, as amended. Council Members Pennington and Green voting no, balance voting aye. MOTION 2014-0669 ADOPTED AS AMENDED.

Line 6 – Green Exhibit 16

Within 90 days, major thoroughfare projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be allocated no less than 40% of funds expended from the DDSRF – was presented, and withdrawn by Council Member Green.

Line 7 - Exhibit 16

Within 90 days, local street projects funded by the Dedicated Drainage & Street Renewal Fund (DDSRF) shall be allocated no less than 60% of funds expended from the DDSRF – was presented, and withdrawn by Council Member Green.

Council Member Laster moved to suspend the rules for the purpose of extending the City Council meeting past the scheduled noon recess, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0670 ADOPTED.

Line 8 - Gonzalez Exhibit 12

Funds were previously reprogrammed to the City's requested betterment at Harrisburg from a project previously programmed in District H. These funds are no longer needed at Harrisburg and shall be reprogrammed back to the district. Therefore, amend the FY15-19

CIP by adding the following project:

N-000818 Street Project on Fulton (from Quitman to Hogan) in Council District H for the amount of \$4,134,000 in Fiscal Year 2015.

Funding Source: N-000670 Railroad Crossing Improvements Fund 4040 – METRO Projects Construction – DDSRF. The Water & Sewer funds needed to complete the project, as required and appropriate for improvements to those systems, shall be added as needed – was presented.

After discussion by Council Members Gonzalez, Martin, Gallegos and Laster, a vote was called on Line 8 – Gonzalez Exhibit 12. All voting aye. Nays none. Council Members Davis, Boykins and Christie absent. MOTION 2014-0671 ADOPTED.

Line 9 – Gallegos Exhibit 13

Funds were previously reprogrammed to Harrisburg Boulevard from a project originally programmed in District I. These funds are no longer needed at Harrisburg and shall be reprogrammed back to District I. Therefore, amend the FY15-19 CIP by adding the following project:

N-00TBD2 Project in Council District I for the amount of \$3,171,000 to be divided as follows: \$1,000,000 in Fiscal Year 2015 and \$2,171,000 in Fiscal Year 2016.

Funding Source: N-000670 Railroad Crossing Improvements Fund 4040 – METRO Projects Construction – DDSRF. The Water & Sewer funds needed to complete the project, as required and appropriate for improvements to those systems, will be added once the projects are determined - was presented. Council Members Davis, Boykins and Christie absent.

After discussion by Council Members Martin, Gallegos, Costello and Stardig a vote was called on Line 9 – Gallegos Exhibit 13. All voting aye. Nays none. Council Members Cohen and Pennington absent. MOTION 2014-0672 ADOPTED.

Line 10 – Green Exhibit 16

Allocate \$2,000,000.00 toward the replacement of esplanade, roadway, and residential curbs – was presented. Council Member Cohen absent.

Council Member Green stated that he would withdraw Line 10 – Green Exhibit 16, with the proviso that Public Works look at a process in which they could replace the curbs, esplanades, roadways and residential curbs, right now there was not a process to deal with this unless there was a total reconstruction of the street. Council Member Cohen absent.

Mayor Parker stated that Line 10 – Green Exhibit 16 had been withdrawn, and stated that it seemed to her that this would be a legal use of the Council Member Service request funds that they previously allocated, that she would be happy to have Public Works come and talk to Council Member Green's committee about what was involved, that it was all a matter of priorities.

Line 11 – Martin Exhibit 5

Allocate funding for improvements to Freeway Manor Park. Add (5) park benches and improvements to asphalt.

The cost forecast to replace all the asphalt trail at Freeway Manor (approximately one mile of trail) would be:

\$ 820,000 Construction
\$ 123,000 Design
\$ 16,000 Testing
\$ 41,000 Contingency
\$ 35,000 Project/Construction Management
\$ 1,035,000 TOTAL

Funding requested for the Freeway Manor Trail replacement would be needed over a two year period (Design in one year and construction in the following year).

Council Member Martin stated that District E had no CIP dollars allocated for Fiscal Year 15, when most people thought of District E they thought of Kingwood and Clear Lake, that he had two proposals that were going to address the low socio economic areas of District E, those within the North Belt area of the City.

After further discussion by Council Members Martin, Boykins, Cohen, Green, Bradford, Pennington, Council Member Pennington stated that as mentioned, this was a two year project, and asked if it was possible to appropriate some City money to get the design work done, the preliminary work done, and then they could come back next year, and offered a substitute motion "to have the City allocate \$75,000 to begin the planning in this fiscal year, and finish this next year".

After further discussion, Council Member Martin stated that he would accept Council Member Pennington's friendly amendment to his motion, Line 11 – Martin Exhibit 5, to begin the project.

After further discussion by Council Members Costello, Martin, Laster, Stardig and Green, Mayor Parker stated that they had to change the tape in the back and give the person who was doing the captions a break and asked that they take a brief 10 minute recess.

Council Member Gonzalez moved to take a 10 minute recess, seconded by Council Member Costello. All voting aye. Nays none. Council Member Cohen absent. MOTION 2014-0673 ADOPTED.

At 12:27 p.m. the City Council recessed for 10 minutes. Council Member Cohen absent.

At 1:12 p.m. Mayor Parker reconvened the meeting of the City Council and stated that they were still on Line 11 – Martin Exhibit 5, an amendment to the CIP by Council Member Martin. Council Members Stardig, Cohen, Robinson and Christie absent.

After discussion, Council Member Martin stated that he thought they had identified a funding source and moved to amend his Line 11 – Martin Exhibit 5, "to ask the administration to take \$500,000 from the Safe Sidewalk, line item N-32061 and allocate it to Line 11 – Martin Exhibit 5." Council Members Cohen, Robinson and Christie absent.

Mayor Parker stated that she did not know if that money was fungible, that it was a great idea, but asked if he would hold that thought while she had someone from the Finance Department, and Council Member Martin thanked everybody for their patience. Council Members Cohen, Robinson and Christie absent.

Line 12 – Stardig Exhibit 1

The City of Houston shall adopt a “Neighborhood Matching Grant Program (NMGP)” to match privately raised funds for the purposes of constructing permanent traffic calming devices. An additional \$400,000 shall be added to the NMGP and shall be administered by the Neighborhood Traffic Management Program (NTMP). After receiving temporary traffic calming devices through the NTMP, if a neighborhood raises half of the money to make the approved temporary measures permanent, the NMGP shall match these funds and provide engineering options.

Mayor Parker stated that the next three items had to do with traffic management, in the General Fund Budget they passed a Neighborhood Matching Grant Program, this would actually be a grant program for traffic calming devices. Council Members Cohen, Robinson and Christie absent.

After discussion by Council Members Stardig and Laster, Mayor Parker stated that she was not opposed to a matching grant program, but her motion was that they wanted to add funding to the program for the purposes of the matching grants, and Council Member Stardig stated yes, and Mayor Parker asked if Council Member Stardig had a proposed funding source, and Council Member Stardig that she was open, that it was something that she and Mayor Parker discussed and that she was supportive of, and trusted Mayor Parker’s expertise on the funding source, that this would serve all Houstonians, not district specific, and Mayor Parker stated that they had money for traffic calming devices, but as Council Member Laster indicated there were people in the queue for that. Council Members Davis and Boykins absent.

After further discussion by Council Members Green, Laster, Stardig, Costello, Gonzalez, Mayor Parker stated that the money they freed up earlier for DDSRF, they could spend that money on speed humps or other traffic calming devices, it was a legal expenditure of DDSRF Funds and they could reserve some of it to this program. Council Members Davis, Gallegos and Christie.

Council Member Stardig moved to amend her motion, Line 12 – Stardig Exhibit 1, “to be a pilot program on the matching grant for \$100,000, and move forward with the other monies in the traffic calming devices.”

Mayor Parker stated that Council Member Stardig had amended her motion “to reduce it to a total of \$100,000 specifically for non-speed cushion, traffic calming devices, and the creation of a matching grant program”, seconded by Council Member Green.

After further discussion by Council Member Laster, a vote was called on Line 12 – Stardig Exhibit 1, as amended. All voting aye. Nays none. Council Members Davis, Gallegos and Christie absent. MOTION 2014-0674 ADOPTED AS AMENDED.

Line 13 – Laster Exhibit 14

I move to amend the FY15 CIP budget by increasing funding for the Neighborhood Traffic management Program to \$500,000.00 - was presented. Council Members Davis, Gallegos and Christie absent.

After discussion by Council Member Laster, a vote was called on Line 13 – Laster Exhibit 14. All voting aye. Nays none. Council Members Davis, Gallegos and Christie absent. MOTION 2014-0675 ADOPTED.

Line 14 – Green Exhibit 16

Allocate \$1,000,000.00 toward the Neighborhood Traffic Management Program for speed cushions – was presented, and withdrawn by Council Member Green. Council Members Davis, Gallegos and Christie absent.

Line 15 – Stardig Exhibit 1

The City of Houston shall allocate \$365,000 for the purposes of the Houston Parks and Recreation Department to take over and improve the Inwood Forest Golf Course Maintenance Shed. This shed will be used by the Parks and Recreation Department to store vehicles and equipment for the purpose of park maintenance – was presented. Council Members Davis, Gallegos, Green and Christie absent.

After discussion by Council Members Stardig, Bradford, Cohen and Pennington, a vote was called on Line 15 – Stardig Exhibit 1. Council Member Stardig voting aye, balance voting no. Council Members Davis and Christie absent. MOTION 2014-0676 FAILED.

Line 16 – Stardig Exhibit 1

The City of Houston shall allocate \$100,000 for design purposes for Alabonson Park – was presented. Council Members Davis and Christie absent.

After discussion by Council Members Stardig, Bradford, Cohen and Pennington, a vote was called on Line 16 – Stardig Exhibit 1. Council Member Stardig voting aye, balance voting no. Council Members Davis, Pennington, Green and Christie absent. MOTION 2014-0677 FAILED.

Line 17 - Stardig Exhibit 1

The City of Houston shall allocate \$100,000 for design purposes of Sherwood Oaks Park - was presented. Council Members Davis, Pennington, Green and Christie absent.

After discussion by Council Members Stardig, Gonzalez, and Pennington, Council Member Stardig stated that she thought if the administration was willing to have conversations with Commissioner Radick, through Director Turner's office, she would be willing to defer that park to those conversations and keep in tack the Safe Sidewalks and any ADA money, but would appreciate knowing the administration's support of those conversations, and Mayor Parker stated that she was happy to have conversations with Commissioner Radick if they could work something out, and Council Member Stardig stated that she would withdraw Line 17 – Stardig Exhibit 1. Council Members Davis, Green and Christie absent.

Line 11 – Martin Exhibit 5 – was again before the City Council.

Allocate funding for improvements to Freeway Manor Park. Add (5) park benches and improvements to asphalt.

The cost forecast to replace all the asphalt trail at Freeway Manor (approximately one mile of trail) would be:

\$	820,000	Construction
\$	123,000	Design
\$	16,000	Testing
\$	41,000	Contingency
\$	35,000	Project/Construction Management
\$	1,035,000	TOTAL

Funding requested for the Freeway Manor Trail replacement would be needed over a two year period (Design in one year and construction in the following year).

After discussion Council Member Martin stated that he wanted to amend his original motion, Line 11 – Martin Exhibit 5 to amend Item No. 42a and ask for “\$500,000 in Fiscal Year 2015 to be allocated to the design and construction of the Hiking, Walking and Bike Trails improvements to Freeway Manor Park, which would exclude the park benches, and the funding source would be the Safe Sidewalk Program N-320610, seconded by Council Member Costello. Council Members Davis, Green and Christie absent.

After further discussion, by Council Members Gonzalez and Martin, Council Member Gonzalez asked Mayor Parker if the \$4 million for the Safe Sidewalk Program that she talked about was allocated per year, or was it revolving and Mayor Parker stated that it was for FY15 and asked if someone could let them know how many projects were on the list waiting. Council Members Davis, Green and Christie absent.

Mayor Parker stated that they were checking to see if they had any information on the projects. Council Members Davis, Green and Christie absent.

Mayor Parker stated that they were going to put Line 11 – Martin Exhibit 5, back on the shelf again.

Line 18 – Martin Exhibit 5

Designate \$50,000 for Wilson Memorial Park pool improvements and eliminate the unsecure mote. Please note this amount is based on an estimate, no study or pre-design has been done to identify actual costs – was presented, and withdrawn by Council Member Martin. Council Members Davis, Green and Christie absent.

Line 19 – Martin Exhibit 5

Allocate \$50,000 for feasibility and design study of a community center located at the site of Sylvan Rodriguez Park in the south sector of District E – was presented, and withdrawn by Council Member Martin. Council Members Davis, Green and Christie absent.

Line 20 – Martin Exhibit 5

Amend the Capital Improvement Plan to only include district specific projects. If a CIP project is for the benefit of the entire City of Houston, it shall not be designated to a specific district.

Example: All wastewater treatment facilities fall within District E, however they are serving the entire City of Houston but are “designated” under the CIP as District E projects. Within District B, the main BARC facility and mounted patrol are both designated to the district CIP, even though they are serving the entire City of Houston – was presented. Council Members Davis, Green and Christie absent.

After discussion by Council Member Martin, Mayor Parker stated that in the CIP allocations they already stripped it out and showed a listing for citywide and they made every effort not to lump things like waste water treatment plants in, they believed they had already addressed it in the CIP, and Council Member Martin stated that there were some that had been addressed and some that had not, in the big CIP book and Mayor Parker stated that if he could point those out to him, because they thought they had stripped them all out, and Council Member Martin stated that he would. Council Members Davis and Christie absent.

Council Member Nguyen stated that since there was no mention of dollars and cents he would support it. Council Members Davis and Christie absent.

After further discussion a vote was called on Line 20 – Martin Exhibit 5. All voting aye. Nays none. Council Members Davis and Christie absent. MOTION 2014-0678 ADOPTED.

Line 21 – Pennington Exhibit 11

I move to amend the general form of CIP used annually by each department such that by the FY2016 CIP, any project which has been broken down into or is comprised of “sub-projects” or “phases” shall: (i) within the “Project Description”, clearly and distinctly identify the various sub-projects within the CIP by the scope of work to be performed or by the street segment limits or location of such work; (ii) within the “Project Description”, clearly and distinctly identify which of the sub-projects or phases are funded by the current CIP; (iii) within the “Project Description”, clearly and distinctly identify with regard to each expenditure (whether planning, design, land acquisition, construction, equipment, civic art, salary recovery or other) to which sub-project or phase such allocation is attributable; and (iv) using the best information available to the Department, provide a best estimate of when any sub-projects not currently funded on the CIP will be funded. Without limitation of the generality of the foregoing, this new form shall be used by the Public Works & Engineering Department in its descriptions of the following CIPs:

- M-000247 (two (2) sub-projects)
- M-000265 (two (2) sub-projects)
- M-410006 (two (2) sub-projects)
- M-410007 (two (2) sub-projects)
- M-410009 (three (3) sub-projects)
- M-410015 (three (3) sub-projects)
- M-410016 (two (2) sub-projects)
- M-410290 (two (2) sub-projects)
- N-000386 (four (4) sub-projects)
- N-000784 (two (2) sub-projects)
- N-000806 (two (2) sub-projects)
- N-100011 (two (2) sub-projects)
- N-100017 (three (3) sub-projects)
- N-100022 (two (2) sub-projects)
- N-100023 (two (2) sub-projects)
- N-100029 (two (2) sub-projects)
- N-210004 (two (2) sub-projects) - was presented. Council Members Davis and Christie absent.

After discussion, Council Member Pennington stated that he would withdraw Line 21 – Pennington Exhibit 11. Council Members Davis, Boykins and Christie absent.

Line 22 – Laster Exhibit 15

I move to amend the budget to provide that a minimum baseline of not less than one percent (1%) annual CIP budget be allotted for each Council District. (Districts A-K) – was presented. Council Members Davis, Boykins, Martin and Christie absent.

After discussion by Council Members Laster and Pennington, Mayor Parker stated that since they were already in compliance they would support this. Council Members Davis, Boykins, Martin and Christie absent.

A vote was called on Line 22 – Laster Exhibit 15. All voting aye. Nays none. Council Members Davis, Boykins, Martin and Christie absent. MOTION 2014-0679 ADOPTED.

Mayor Parker stated that the next four items were from Council Member Pennington and had to do in which Council districts they showed projects, this was an artifact of having TIRZ projects that were done at a different time than their own CIP book, they recognized that it did not have the right district shown, but they left it that way for transparency purposes so if they compared it to the TIRZ CIP projects they would line up, that it was their intention to fix this with the next cycle, that if Council Member Pennington would withdraw Line 23 – Pennington through Line 26 – Pennington, Exhibits 7, 8, 9 and 10, they were absolutely going to fix that, the TIRZs did not make the change over on the new Council districts when they should have; that Line 27 – Pennington Exhibit 6, was the administration's mistake and they were fixing that one so if Council Member Pennington would withdraw that one as well, that they fixed it with the redline. Council Members Davis, Boykins and Martin absent.

Line 23 – Pennington Exhibit 7

I move to amend WBS # T-0512A in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H” – was presented, and withdrawn by Council Member Pennington. Council Members Davis, Boykins and Martin absent.

Line 24 - Pennington Exhibit 8

I move to amend WBS # T-0512B in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H” – was presented, and withdrawn by Council Member Pennington. Council Members Davis, Boykins and Martin absent.

Line 25 – Pennington Exhibit 9

I move to amend WBS # T-0513 in the TIRZ No. 5 Memorial Heights Redevelopment Authority CIP by changing the City Council District Location to “C, H” – was presented, and withdrawn by Council Member Pennington. Council Members Davis, Boykins and Martin absent.

Line 26 - Pennington Exhibit 10

I move to amend WBS # T-1917 in the TIRZ No. 19 Upper Kirby Redevelopment Authority CIP by changing the City Council District Location to “C” – was presented, and withdrawn by Council Member Pennington. Council Members Davis, Boykins and Martin absent.

Line 27 - Pennington Exhibit 6

I move to amend CIP Item #N-240001 (Westerland Dr. Bridge at HCFCD Ditch) by changing the City Council District Location to “F” – was presented, and withdrawn by Council Member Pennington. Council Members Davis, Boykins and Martin absent.

Mayor Parker stated that they were back to Line 11 – Martin Exhibit 5, that the answer to the question was that they did not have a list of pending projects, they had a queue in the Safe Sidewalk Program, just as they did in the Speed Hump Program and so forth, there was a lot of demand for the projects, that this would not kill a project that had already been promised to a neighborhood, it just meant that the backlog would not be addressed. Council Member Davis absent.

Mayor Parker requested that Council Member Martin restate his amended motion to Line 11 – Martin Exhibit 5. Council Member Davis absent.

Council Member Martin moved to amend his original motion, Line 11 – Martin Exhibit 5 as follows, “\$500,000 in Fiscal Year 2015, to be allocated to the Design and Construction of the Hiking, Walking and Bike Trail improvements at Freeway Manor Park, it would exclude his original amendment of asking for the park benches and the funding source would be the Safe Sidewalk Program, N-320610”, seconded by Council Member Costello. Council Member Davis absent.

After further discussion by Council Members Kubosh, Stardig, Gonzalez, Martin and Bradford, Mayor Parker stated that they spent \$5 million last year in the Safe Sidewalk Program. Council Members Davis and Boykins absent.

Council Member Bradford offered a friendly amendment of “\$250,000”, and Council Member Martin stated that he would accept that friendly amendment. Council Members Davis and Boykins absent.

A vote was called on Council Member Martin’s Line 11 – Martin Exhibit 5 as amended, to amend Item No. 42a, as amended. Mayor Parker, Council Members Stardig and Cohen voting no, balance voting aye. Council Members Davis and Boykins absent. MOTION 2014-0680 ADOPTED.

42a. RECOMMENDATION from Director Finance Department to approve the Fiscal Year 2015-2019 Capital Improvement Plan (CIP) and establish a charge of \$75.00 plus postage for the adopted CIP documents and a charge of \$5.00 plus postage for a CD version – **(This was Item 1 on Agenda of June 25, 2014, TAGGED BY COUNCIL MEMBER GONZALEZ)** – was presented. Council Members Davis and Boykins absent.

Mayor Parker stated that before City Council was the amended the CIP, and recognized Council Member Pennington for a motion to amend Item No. 42a.

Council Member Pennington offered a written motion to amend Item No. 42a as follows:

“I move to request a committee report within 90 days to detail the charter cap limitation of DDSRF use on Operation and Maintenance and discuss the potential to increase maintenance from the currently reported 15% up to 25% over the 5 years of the proposed FY15 – FY 19 CIP.

Justification:

This motion is based on the July 2, 2014 memo from the Rebuild Houston Advisory Committee to the Mayor which states that Public Works and Engineering is currently only spending 15% of DDSRF on maintenance and their recommendation is that this amount be increased to 25%.” – Council Members Davis and Boykins absent.

Council Member Pennington stated that this was drafted before the City Council meeting began, but in light of the other approvals that had been made already, the other amendments, his suggestion was that they ask Public Works to make a report at the end of each 90 days during the year so that they could make a decision on the CIP next year about whether to increase the maintenance amount. Council Members Davis and Boykins absent.

Mayor Parker stated that the administration was happy to make that report, working with the Chair of the TTI Committee, if he would schedule that, that as they knew they did move

\$10 million recently over toward maintenance and frankly the Service Request Budgets for Council Members, most of that was probably going to fall under the maintenance category, so they would have an ongoing tally, and Council Member Pennington stated that was why he thought a report over time would be better, and Mayor Parker stated that Council Member Pennington could amend his motion that they come back every 90 days and report.

Council Member Pennington moved to amend his motion to amend Item No. 42a as follows:

“I move to request a committee report ~~within~~ every 90 days to detail the charter cap limitation of DDSRF use on Operation and Maintenance and discuss the potential to increase maintenance from the currently reported 15% up to 25% over the 5 years of the proposed FY15 – FY 19 CIP.”

Council Member Costello stated that he fully supported the amendment and thanked Council Member Pennington for bringing it forward, that what he would like to see as a presentation from Public Works to the Committee would be a highlighted discussion about how they were spending the money and where they were spending the money throughout the City, in terms of the overall maintenance dollars, how much money was being spent in each district, whether it was potholes, panel replacement or asphalt overlays. Council Members Davis and Boykins absent.

A vote was called on Council Member Pennington motion to amend Item No. 42a. All voting aye. Nays none. Council Members Davis and Boykins absent. MOTION 2014-0681 ADOPTED.

A vote was called on Item No. 42a as amended, moved by Council Member Stardig, seconded by Council Member Cohen. All voting aye. Nays none. Council Members Davis and Boykins absent. MOTION 2014-0682 ADOPTED.

43. Consideration of proposed amendments to Item 43A below, submitted in writing on June 25, 2014 by Council Members Davis, Green, Costello and Bradford, as set forth in the attached Exhibits 18-22 – **(TAGGED BY COUNCIL MEMBERS GREEN and COSTELLO)** – was presented. Council Member Boykins absent.

Mayor Parker stated that they had previous motions to amend Item No. 43a by Council Members Davis, Bradford, Green and Costello. Council Member Boykins absent.

43 - Exhibit 18 – Green

“I move to amend the proposed agreement to Section B, entitled “P3 Plans” by adding subsection G:

G: A comprehensive utilization plan that defines the methodology that will ensure MWBE and Hire Houston First maximum opportunity to participate in the City of Houston P3 Programs. The Plan shall include, but not limited to the following:

- 1) Establishing a monitoring system to ensure that all contractors, sub-contractors, consultants, and vendors comply with the City of Houston Hire Houston First MWSBE programs.
- 2) Develop an availability/capability matrix for local firms and MWSBEs.
- 3) Identify skills and areas of expertise that are likely to be needed but do not appear to be available currently for local firms and MWSBE enterprises.

- 4) Conduct targeted outreach programs to assure that all local firms, MWSBEs and all interested parties are aware of the P3 opportunity.
- 5) Encourage the formation of business alliances among MWSBEs, Hire Houston First firms, and larger firms which provide opportunities.
- 6) Assisting local firms and MSWBE's with bonding, insurance, and financing needs; conducting in depth assessments of local firms and MWSBEs to determine technical, financial, and managerial capabilities and provide assistance based on needs through identification through mentor firms." Council Member Boykins absent.

After discussion by Council Member Green, Mayor Parker stated that they fully intended to comply with this, it was already in their thoughts and were happy to support his amendment. Council Member Boykins absent.

A vote was called on Council Member Green motion to amend Item No. 43a, Exhibit 18. All voting aye. Nays none. Council Member Boykins absent. MOTION 2014-0683 ADOPTED.

43 - Exhibit 19 – Davis

"I move to amend Exhibit A (City of Houston, Texas Guidelines For Public-Private Partnerships) Article VIII (City's P3 Oversight Committee) paragraph A, by adding the following language:

Position 8: A representative designated in writing by City Council.

And amending paragraph C, by adding the underlined language as follows:

C. Members of the Committee do not serve for specific terms. Subject to Section VIII(B) immediately above, new members may be designated to the above Positions by the Mayor, by City Council, or by the respective Department Director as needed. Names of the members of the Committee and any changes in th Committee's membership will be announced at the City's Procurement Website as promptly as circumstances allow." – was presented. Council Member Boykins absent.

Council Member Davis offered the following written substitute motion to 43 - Exhibit 19, which had been distributed around the Council table:

"I move to amend Exhibit A (City of Houston, Texas Guidelines For Public-Private Partnerships) Article VIII (City's P3 Oversight Committee) as follows:

First, to add the following language at the conclusion of Paragraph A of Article VIII:

Position 8: A non-voting, ex officio representative designated by the City Council, as evidenced by a resolution approved by a majority vote.

C. Members of the Committee do not serve for specific terms. As needed, but subject to Section VIII(B) immediately above, new members may be designated to Positions 1 through 7 by the Mayor or by the respective Department Director. A new member by be designated to Position 8 by the City Council, as evidenced by a resolution approved by a majority vote.

Third, to add a new Paragraph E of Article VIII to read in its entirety as follows:

E. Except for disclosure specifically authorized by these Guidelines or required by law, no member of the Committee (whether voting or ex officio) shall communicate to anyone other than another Committee member any facts, opinions, or other information known to the member solely as a result of his or her service on the Committee. Notwithstanding the immediately preceding sentence, members of the Committee may appear before lawfully noticed public meetings of the City Council (or a Committee of the City Council) to report generally on the P3 Oversight Committee's scheduling, workload, and procedures, as long as no such report communicates information specific to a particular proposal, plans for a proposal, or response to a proposal.

Fourth, to re-letter the current Paragraph E of Article VIII as Paragraph F and to re-letter the current Paragraph F of Article VIII as Paragraph G." – Council Member Boykins absent.

Mayor Parker stated that she wanted Council Members to understand that since it was a non-voting ex officio member, she did not believe it was an undue insertion into the procurement process, however once the procurement actually started that person could not communicate with them and they had to realize that, they could come and talk to them before hand, they could give them instructions and advice as a Council appointee, but once the procurement started they could not communicate with them, that she wanted to make sure everyone understood that. Council Member Boykins absent.

After discussion by Council Members Nguyen, Davis, Bradford, Kubosh, Pennington, Laster and Bradford, Council Member Bradford asked Council Member Davis if he would accept an amendment as follows, "a voting representative designated in writing by City Council" and just leave it as that.

After further discussion, Council Member Davis stated that he would withdraw his substitute motion to amend Exhibit 19 and 43 - Exhibit 19. Council Member Pennington absent.

43 - Exhibit 20 – Bradford

"I move to amend Article VIII by adding Position 8.

ARTICLE VIII. CITY'S P3 OVERSIGHT COMMITTEE

A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing "independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal" The members of the Committee are as follows:

- Position 1 (Chair): The P3 Representative.
- Position 2: A representative designated in writing by the Director of the City's General Services Department.
- Position 3: A representative designated in writing by the Director of the City's Public Works & Engineering Department.
- Position 4: A representative designated in writing by the Director of the City's Finance Department.
- Position 5: An attorney licensed to practice law in Texas designated in writing by the City Attorney.
- Position 6: A representative designated in writing by the Director of the City's Planning & Development Department.
- Position 7: A representative designated in writing by the Mayor.

Position 8: A representative designated in writing by City Council. – was presented. Council Members Davis and Martin absent.

After discussion by Council Member Bradford, Council Member Cohen asked if the designated representative could be a Member of City Council, and Council Member Bradford stated no, and Council Member Cohen stated that his motion did not say that a representative could not be a Council Member. Council Members Davis and Martin absent.

Council Member Cohen offered a friendly amendment “a representative could not be a Council Member”, and Council Member Bradford stated that he would accept her friendly amendment to his 43 - Exhibit 20 – Bradford. Council Member Martin absent.

Mr. Feldman stated that he thought for purpose of clarification it should be clear that it would be a citizen appointee, it could not be an employee of the City either, it had to be somebody who was independent of the City. Council Member Martin absent.

Mayor Parker requested that Council Member Bradford amend his motion 43 - Exhibit 20 – Bradford. Council Member Martin absent.

Council Member Bradford stated that “Position 8 must be a citizen appointee in writing by City Council.” Council Member Martin absent.

After further discussion by Costello, Bradford, Pennington, Stardig, Laster and Boykins, a vote was called on 43 - Exhibit 20 – Bradford, as amended. Mayor Parker voting no, balance voting aye. Council Member Martin absent. MOTION 2014-0684 ADOPTED.

43 - Exhibit 21 – Bradford

“I move to amend Article VIII by adding Position 8 and 9.

ARTICLE VIII. CITY'S P3 OVERSIGHT COMMITTEE

A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing "independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal" The members of the Committee are as follows:

- Position 1 (Chair): The P3 Representative.
- Position 2: A representative designated in writing by the Director of the City's General Services Department.
- Position 3: A representative designated in writing by the Director of the City's Public Works & Engineering Department.
- Position 4: A representative designated in writing by the Director of the City's Finance Department.
- Position 5: An attorney licensed to practice law in Texas designated in writing by the City Attorney.
- Position 6: A representative designated in writing by the Director of the City's Planning & Development Department.
- Position 7: A representative designated in writing by the Mayor.
- Position 8: A representative designated in writing by City Council.
- Position 9: A representative designated in writing by City Council. – was presented, and withdrawn by Council Member Bradford. Council Member Martin absent.

Mayor Parker stated that 43 - Exhibit 21 – Bradford, had been withdrawn. Council Member Martin absent.

43 - Exhibit 22 – Costello

“I move to amend Guidelines For Public-Private Partnerships as follows:

Article V. Overview of P3 Program

H. Absent an ordinance passed by the City Council, the City may not enter into more than ~~five~~ three Comprehensive P3 Agreements (defined in Article XI below) in the same fiscal year.

I. Absent an ordinance passed by the City Council, the City may not enter into a Comprehensive P3 Agreement unless the Proposer is reasonably likely to expend more than ~~\$5~~ \$50 million to provide the Qualifying Project.” – was presented. Council Member Davis absent.

After discussion, Council Member Costello stated that he wanted to propose an amendment to Exhibit 22 – Costello, “to reduce the threshold from \$50 million to \$25 million”.

After discussion by Council Members Green, Boykins, Kubosh, Costello and Pennington, a vote was called on Exhibit 22 – Costello, as amended. All voting aye. Nays none. Council Members Davis, Cohen and Boykins absent. MOTION 2014-0685 ADOPTED AS AMENDED.

43a. RESOLUTION adopting guidelines for the City’s participation in public-private partnerships – **(This was Item 21-1 on Agenda of June 25, 2014, TAGGED BY COUNCIL MEMBERS GREEN and COSTELLO)** - was presented. Council Members Cohen and Gonzalez absent.

After discussion by Council Members Kubosh, Bradford, Stardig and Stardig, Council Member Stardig moved to amend Item No. 43 to “anytime after the first and before the second”, seconded by Council Member Boykins. Council Member Cohen absent.

A vote was called on Council Member Stardig motion to amend Item No. 43a. All voting aye. Nays none. Council Member Cohen absent. MOTION 2014-0686 ADOPTED.

After discussion by Council Member Kubosh, a vote was called on Item No. 43a as amended. Council Member Kubosh voting no, balance voting aye. Council Member Cohen absent. RESOLUTION 2014-0027 ADOPTED AS AMENDED.

44. ORDINANCE appropriating \$2,195,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for E. Coli Compliance–Chlorination Systems for Turkey Creek, Westway, and Kingwood West Wastewater Treatment Plants; setting a deadline for the bidder’s execution of the contract and delivery of all bonds, insurance, and other required documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; E - MARTIN and G - PENNINGTON – (This was Item 52 on Agenda of June 25, 2014, TAGGED BY COUNCIL MEMBER MARTIN)** - was presented. All voting aye. Nays none. Council Members Cohen and Gonzalez absent. ORDINANCE 2014-0706 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Boykins stated that he wanted to remind everyone to keep Mr. Tony Morris in their prayers; and stated that he wanted to thank Mayor Parker and Congresswoman Lee, Council Member Costello and the Vaughn Families for bringing Pipeburns to District D, they needed it and were excited about the 25 jobs coming to that area; and stated that State Senator Rodney Ellis's wife, Lisa Green, lost her mother last week and he wanted to keep them in their prayers; and announced events he attended or would be attending. Council Members Stardig, Cohen, Pennington, Green and Bradford absent.

Council Member Costello stated that they lost Ms. Diana Hobby and knew a number of them attended the services yesterday, and he wanted to give his condolences to the Hobby Family. Council Members Stardig, Cohen, Pennington, Green and Bradford absent.

Council Member Gonzalez asked for a moment of silence for Judge Angel Fraga, who passed away on July 3, 2014, and would extend his deep condolences to the Fraga Family and to the District H Community; and asked for another moment of silence for the passing Ms. Vanessa Morales, that on Friday, July 4, 2014, Ms. Morales tragically passed away in a car accident, that his thoughts and prayers were with Ms. Morales family and friends, as well as her colleagues at Telemundo Houston, that shortly before her passing she had set up a fund raising campaign via "One Days Wages" to help build a school in Guatemala for children in need, that her initial goal of raising \$500 had now been reached and exceeded, the total raised to date was over \$13,000; and announced events he attended or would be attending. Council Members Stardig, Davis, Cohen, Boykins, Martin, Pennington, Laster, Green, Costello, Robinson and Bradford absent. NO QUORUM PRESENT

Council Member Gallegos stated that he had a point of clarification, earlier there was discussion in regards to the 30 day review period and holding the \$10 million from Metro, Council Member Costello asked him about this, that the request to hold back the \$10 million was due to the fact that they asked for a 30 day review period, for a third party engineer to have 30 days to research and review information regarding a possible remediation of the contaminated soil along Harrisburg, depending on the findings there was a possibility of using some of these funds for the cleanup of the contaminated soil; that his office received calls from residents at Broadway Square Apartments on Monday regarding issues with management and not keeping up with their dumpsters, he wanted to thank Ms. Nancy Brewer, Public Works and Engineering and the Houston Permit Center for being responsive and working diligently with staff to address this concern, it was important that they held privately owned apartment accountable; and announced events he attended or would be attending; that he too wanted to extend his condolences to the Fraga Family for the loss of Judge Angel Fraga, he was a friend and fellow LULAC 402 member and he would truly be missed; that he wanted to thank his colleagues for voting for Item No. 17, approving \$265,000 for animal transport operations, that this program had save thousands of homeless animals by finding loving homes for them. Council Members Stardig, Davis, Cohen, Boykins, Martin, Pennington, Laster, Green, Costello, Robinson and Bradford absent. NO QUORUM PRESENT

Council Member Kubosh stated that he had enjoyed this past week and enjoyed being a City Council Member, he never dreamed that it would be this much fun and wanted to thank the voters and he enjoyed his colleagues. Council Members Stardig, Davis, Cohen, Boykins, Martin, Pennington, Laster, Green, Costello, Robinson and Bradford absent. NO QUORUM PRESENT

Council Member Nguyen stated that he wanted to thank Director Krueger and Public Works for helping them with several overgrown esplanades, and thank you to HPD and the Westside Station, they had been very helpful to assist their community's request for increased

visibility and thanks to Director Tipton and the Department of Neighborhoods, her staff members had been wonderful and had accompanied him to meet some Super Neighborhood members and appreciated all of the help that he got in serving and helping his community, that all of the City Departments had been very helpful and responsive, the City had thousands of great employees and he appreciated each and every one of them. Council Members Stardig, Davis, Cohen, Boykins, Martin, Pennington, Gallegos, Laster, Green, Costello, Robinson and Bradford absent. NO QUORUM PRESENT

Council Member Christie announced events he attended or would be attending. Council Members Stardig, Davis, Cohen, Boykins, Martin, Pennington, Gallegos, Laster, Green, Costello, Robinson and Bradford absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 3:37 p.m. Council Members Stardig, Davis, Cohen, Boykins, Martin, Pennington, Gallegos, Laster, Green, Costello, Robinson and Bradford absent. NO QUORUM PRESENT

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary