

City Council Chamber, City Hall, Tuesday, August 5, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 5, 2014, with Mayor Pro Tem Edward Gonzalez presiding with Council Members Brenda Stardig, Jerry Davis, Dwight Boykins, Ellen R. Cohen, Dave Martin, Richard Nguyen, 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. Mayor Annise Parker out of the city on city business. Council Member Oliver Pennington absent on personal business.

At 1:47 p.m. Mayor Pro Tem Gonzalez called the meeting to order and stated they would start with Council presentations and recognized Council Member Christie for the first presentation. Council Members Stardig, Davis, Cohen, Laster, Green and Robinson absent.

Council Member Christie invited Mr. Tony Morris's son, Yosef, and former Mayor Lee Brown, to the podium, and presented a proclamation for Mr. Tony Morris, who was watching them on his laptop, he had been a photographer for the City of Houston through four Mayors, and he wanted one of his most admired Mayors to accept the proclamation for him, Mayor Lee Brown, and Mayor Pro Tem Gonzalez stated that they all missed Mr. Morris very much and maintained him their thoughts and prayers, and stated therefore, on behalf of Mayor Annise Parker, his colleagues on Council and more than 2.1 million people that called their City home, it was his honor to proclaim today as Anthony "Tony" W. Morris Day in Houston, Texas . Council Members Stardig, Cohen and Laster absent. Council Member Martin presiding.

Mayor Lee Brown stated that it was his first time at Council since he left office, he was present because of Tony, he had the opportunity, along with his wife Frances, to visit Tony and met his son Yosef, and Tony told him that the Council was going to recognize him with a proclamation today and asked if he would accept it on his behalf, that he was very delighted to do so because there was no one in the City that knew more about the history of Houston in recent years than Tony, that he wanted to thank the Council for making this happen, it certainly was appreciated. Council Members Stardig, Laster and Costello absent. Council Member Martin presiding.

Mr. Yosef Morris stated that he wanted to thank all those who had helped him honor his father, not just with the proclamation, but with all of the helping hands in this time, he was in his last stages of battling Cancer, but his spirits were up, that he wanted to thank all who had helped him and his father. Council Member Laster absent. Council Member Martin presiding.

Mr. Morris, through a cell phone communication, thanked them all for everything. Council Member Laster absent. Council Member Martin presiding.

Council Members Martin, Boykins, Bradford, Kubosh, Stardig, Gallegos and Nguyen stated that they wanted to thank Tony for all of his support and that they were thinking about him and he was in their prayers. Council Member Laster absent. Council Member Martin presiding.

Council Member Martin recognized Mayor Pro Tem Gonzalez for the next presentation. Council Member Laster absent. Council Member Martin presiding.

Mayor Pro Tem Gonzalez presented a proclamation to Dr. Hans Stockton, Director of the Center of International Studies at the University of St. Thomas, who had done an amazing job maintaining the strong ties between Houston and Taiwan, and Dr. Chia-Hsiung Chiang, Professor at the National Chengchi University in Taipei, they were coming together with

students in Houston as part of the Youth Global Perspectives Program which was run in partnership with the Ministry of Education in Taipei and the Center for International Studies at the University of Saint Thomas. Council Member Boykins absent. Council Member Martin presiding.

Dr. Stockton and Dr. Chiang, expressed appreciation to Mayor Pro Tem Gonzalez and the City Council for the proclamations. Council Member Boykins absent. Council Member Martin presiding.

Council Members Christie, Laster and Robinson congratulated Dr. Stockton and Dr. Chiang for receiving their proclamations and thanked them for their service to the City of Houston. Council Member Davis absent. Council Member Martin presiding.

At 2:14 p.m. Council Member Martin recognized Council Member Bradford for the invocation and pledge of allegiance, and Council Member Bradford invited Reverend John C. Gibbs, Bethany Missionary Baptist Church, for the invocation, and Council Member Bradford led all in the pledge of allegiance.

At 2:17 p.m. the City Secretary called the roll. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business.

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

Mayor Pro Tem Gonzalez stated that the total minutes had gone beyond 150, which triggered one of the rules of Council and asked the City Secretary to read the rule.

The City Secretary stated that under Chapter 2 of the Code of Ordinances, Rules of Council 2-2, notwithstanding the provisions of various subsections, if the total time requested by speakers, at any Council meeting, was greater than 150 minutes, it shall be announced and each speakers time shall be one minutes, furthermore when the provisions of this section were invoked the question time for City Council Members should be limited to a cumulative total of 1 minute for each speaker, so for all the speakers, it did not matter whether they reserved one, two or three minutes, all of the speakers would be one minute today and the combined time for Council Members to ask questions was one minute total.

Council Member Costello moved to suspend the rules for the purpose of hearing from Mr. Kenton Andrews out of order, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business. MOTION 2014-0746 ADOPTED.

Council Member Green moved to suspend the rules for the purpose of hearing from Reverend William Lawson out of order, and add Mr. Joe Okapuko to the speakers list, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business. MOTION 2014-0747 ADOPTED.

Council Member Davis moved to suspend the rules for the purpose of adding Dr. Samuel A. Smith to the speakers list, and to hear from Congressman Craig Washington out of order, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business. Council Member Laster absent. MOTION 2014-0748 ADOPTED.

Council Member Stardig moved to suspend the rules for the purpose of hearing from Mr. Tony Jones out of order, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business. Council Members Davis and Laster absent. MOTION 2014-0749 ADOPTED.

Mayor Pro Tem Gonzalez stated that he wanted to remind the audience to please keep the doors clear, and if they wanted to support a speaker they could stand up in support or wave both hands as a demonstration of support, no cheering, yelling or screaming; that they wanted to wish Mr. Russell and Council Member Costello a Happy Birthday. Council Member Laster absent.

Mr. Kenton Andrews, 3900 Essex, Ste. 800, Houston, Texas 77027 (713-850-4200) appeared in opposition to Item No. 31. Council Member Laster absent.

After questions by Council Member Davis, Mr. Andrews stated that the policy was not clear. Council Members Gallegos and Laster absent.

Council Member Cohen moved to suspend the rules for the purpose of hearing from Mr. Tim Ross out of order, seconded by Council Members. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business. Council Member Laster absent. MOTION 2014-0750 ADOPTED.

Mr. Timothy Ross, 3900 Essex, Ste. 800, Houston, Texas 77027 (713-850-4200) appeared in opposition to Item No. 31. Council Members Gallegos and Laster absent.

Mr. Ross was questioned at length by Council Members Costello, Boykins, Kubosh, Martin and Bradford. Council Members Davis and Gallegos absent.

Mayor Pro Tem Gonzalez stated that Council Members should have received a memo outlining the department's response to the MWBE requirement.

Reverend William Lawson, 4042 Glen Clove Dr., Houston, Texas 77021 (713-741-0444) had reserved time to speak, but was not present when his name was called.

Mr. Okapuko appeared and stated that he was the Director of Public Policy for Lyft and urged the City Council not to pass the 24/7 insurance request. Council Members Boykins, Martin and Gallegos absent.

Mr. Okapuko was questioned at length by Council Members Kubosh, Dais, Bradford and Laster. Council Members Boykins, Martin, Gallegos and Costello absent.

Mr. Gabriel Valadez, 3000 Sage Rd., No. 1203, Houston, Texas 77056 (832-465-5403) appeared in support of both Uber and Lyft. Council Members Boykins, Martin, Gallegos and Costello absent.

Council Member Laster asked Mr. Valadez if he understood that he was driving for a company that was not legally licensed to operate in the City, and Mr. Valadez stated that he was not aware, but had become aware of it now. Council Members Boykins, Martin, Gallegos and Costello absent.

Ms. Katina Jones, 1 Signature Dr, No. 501, League City, Texas 77573 (979-374-7423) appeared in support of Uber. Council Members Davis, Boykins, Martin, Gallegos and Costello absent.

Mr. Scott Rayner 12231 Beauregard, Houston, Texas 77024 (832-296-3414) appeared in support of Uber. Council Members Boykins, Martin, Gallegos, Costello and Christie absent.

Dr. Samuel Smith, Pastor of Mount Horem Missionary Baptist Church, appeared with a plea that they adhere to what was being said about the bricks in the Fourth Ward area in general; and asked what he needed to do to get a permit to preach on the streets. Council Members Boykins, Martin, Gallegos, Costello and Christie absent.

Council Member Green stated that his understanding was that a meeting was formed by the Mayor, as well as the stake holders in the area, that that they wanted to know what the strategic plan looked like. Council Members Boykins, Martin, Gallegos, Costello and Christie absent.

Mayor Pro Tem Gonzalez asked that he speak with the Mayor's Citizens Assistance Office, representatives who were present in the audience. Council Members Boykins, Martin, Gallegos, Costello and Christie absent.

Mr. Charlie LaBlanc, 8430 Kirk Sage Dr, Houston, Texas 77089 (212-920-7885) appeared in support of Transportation Network Companies. Council Members Davis, Boykins, Martin, Costello and Christie absent.

Mr. Brian Frances, 13702 Cannon Fall Ln., Houston, Texas 77044 (305-439-7960) appeared in support of Uber. Council Members Davis, Martin, Costello and Christie absent.

Mr. Alex Ortega, 8152 Grafton, Houston, Texas 77017 (832-660\*4066) appeared in support of Yellow Cab. Council Members Davis, Cohen, Martin, Costello and Christie absent.

Mr. Tracy Brown, 3814 Pebble Garden Ln., Katy, Texas 77479 had reserved time to speak, but was not present when his name was called. Council Members Davis, Cohen, Martin, Costello and Christie absent.

Mr. Alfred Owens, 11402 Mulholland, Stafford, Texas 77477 (832-896-2376) appeared in support of Yellow Cab. Council Members Davis, Martin, Costello and Christie absent.

Congressman Craig Washington, 2323 Caroline, Houston, Texas 77004 (713-659-9090) appeared in opposition to TNCs and in support of Yellow Cab. Council Members Martin, Costello and Christie absent.

Council Member Laster moved to suspend the rules to hear from Mr. Ken Newberry out of order, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business. Council Members Martin, Costello and Christie absent. MOTION 2014-0751 ADOPTED.

Mr. Ken Newberry, 705 E. 19th, Houston, Texas 77008 (713-205-4318) appeared and stated that he was a licensed architect in the State of Texas and stated that he was in opposition to Item No. 35 as the house was relocated in 1970 to the present site. Council Members Davis, Martin, Green and Christie absent.

After discussion and questions by Council Member Robinson, Mr. Heilman, Legal Department, stated that they could only focus on the record before them. Council Members Davis, Martin, Green and Christie absent.

Mr. Conti Francesco, 3110 Greenbriar, Houston, Texas 77098 (832-316-3080) appeared in support of TNCs. Council Members Davis, Martin, Green and Christie absent.

Mr. Matthew Garcia, 14418 Brownsville St., Houston, Texas 7705 (832-781-7983) appeared in support of the Greater Houston Transportation Company. Council Members Davis, Martin, Green and Christie absent.

Ms. Amanda Lopez, 2115 Gold Spring Ln., Spring, Texas (210-420-4202) appeared in support of Yellow Cab. Council Members Davis, Cohen, Martin and Christie absent.

Ms. Cindy Hamann, 6623 Lindayann, Houston, Texas 77088 (281-413-1187) appeared presented information and stated that she was in support of TNCs. Council Members Davis, Martin, Laster, Kubosh and Christie absent.

Ms. Hamann was questioned by Council Members Boykins, Stardig and Cohen. Council Members Davis, Martin, Laster, Kubosh and Christie absent.

Mr. Benji Valadez, 3416 Yorktown, Houston, Texas 77056 (832-748-0069) appeared in support of Lyft. Council Members Davis, Martin, Green, Kubosh and Christie absent.

Mr. Ebrahim Ulu, 5750 Gulfton Dr, Houston, Texas (713-367-8303) had reserved time to speak, but was not present when his name was called. Council Members Davis, Martin, Green, Kubosh and Christie absent.

Mr. Richard Reyes, 509 New Haven Dr., Houston, Texas 77076 (713-208-0606) appeared and stated that he was the Director of the Pancho Claus Art Education Program and was in support of Yellow Cab. Council Members Davis, Martin, Green, Kubosh and Christie absent.

Mr. Hassan Doualeh, 13807 Magnolia Lake Ln., Houston, Texas 77083 (832-423-5294) had reserved time to speak, but was not present when his name was called. Council Members Davis, Martin, Green, Kubosh and Christie absent.

Mr. Steven Titch, 815 Springs Mist Ct., Sugarland, Texas 77479 (832-314-7504) appeared in support of Uber and Lyft. Council Members Davis, Martin, Green and Christie absent.

Mr. Robert Obayuwana, 1627 Willow Mill Dr., Missouri City, Texas 77489 (832-329-2598) appeared in support of Yellow Cab. Council Members Davis, Martin, Green and Christie absent.

Mr. Chris Nakutis, 1360 N. Sandburg Terrace, Chicago, Il, 60610 appeared in support of Uber. Council Members Davis, Martin, Green and Christie absent.

Mr. Curtis A. Scott, 1455 Market St., 4th Floor, San Francisco, CA 94104 appeared and stated that he was Senior Counsel of Insurance for Uber and was in support of TNCs. Council Members Davis, Martin, Green and Christie absent.

Mr. Robert Miller, 600 Travis, Ste. 2800, Houston, Texas 77002 (713-226-1186) appeared in support of Council Members Stardig and Costello amendments and to vote down the others. Council Members Davis, Boykins, Martin, Green and Christie absent.

Mr. Peter Carrizales, 7922 Glen Vista, Houston, Texas 77061 (713-857-3399) appeared in support of Yellow Cab. Council Members Davis, Martin, Green and Christie absent.

Mr. Tony Jones, 1950 Spenwick Dr., No. 318, Houston, Texas 77055 (no phone given) appeared in support of Council Member Stardig's amendments. Council Members Davis,

Martin, Green and Christie absent.

Mr. J. W. Masseh, Post Office Box 742713, Houston, Texas 77274 (713-545-4777) appeared and stated that he was President of the Association of Taxi Cab Owners and Drivers and was present to support Yellow Cab. Council Members Davis, Cohen, Martin, Green and Christie absent.

Ms. Florence Meyers, 10111 Bissonnet St., Houston, Texas 77036 (832-439-3573) appeared in support of Yellow Cab. Council Members Davis, Cohen, Martin, Green and Christie absent.

Mr. Mengistu Demessie, 1004 Emmanuel, Houston, Texas 77003 (713-649-4145) appeared and stated that he was the owner of National Cab Company and stated that Houston did not need TNCs at all. Mayor Pro Tem Gonzalez, Council Members Davis, Cohen, Martin, Green and Christie absent. Council Member Costello presiding.

Mr. Ed Cummins, 2929 Buffalo Speedway, Unit 908, Houston, Texas 77098 (713-294-9306) appeared, presented information in which he stated that he was in opposition of Item No. 33, the sale of CWA Gillette Street. Mayor Pro Tem Gonzalez, Council Members Davis, Cohen, Martin and Christie absent. Council Member Costello presiding.

Mr. Charles Cook, 6900 Foxwaith, Humble, Texas 77338 (832-233-9097) appeared and stated that in order to realize their goals of maintaining, preserving and restoring the historic Olivewood Cemetery they the decedents of Olivewood had a vested interest in what happens around the cemetery, that they appreciated that they had an open dialog in the past with the City regarding plans for the development of the area surrounding Olivewood Cemetery, in the past they had been involved in some communications regarding abandonment and sale of Court Street, however they had not been privy to any discussion on this subject recently, furthermore, they had not been privy to any discussion at any time regarding the abandonment and sale of Whitman Street or the proposed extension of Summer Street, that they would like that the Council postpone any vote on Item No. 7 regarding these street closers until such time that the decedents of Olivewood could review. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Upon questions by Council Member Kubosh, Mr. Cook stated that presently the 15 acres that adjoined the cemetery sold in December to Grocers Supply, the extension of Summer Street, as he read, was still going to have some of Court Street open to the north, and they wanted to know what the plans looked like, and Council Member Kubosh stated that he would give Mr. Cook his card and as soon as he knew something he would know. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello 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 Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Ms. Twanda Powers, 1415 W. Gulfbank, Houston, Texas 77088 (713-784-7479) had reserved time to speak, but was not present when her name was called, Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Ms. Deborah Elaine Allen, 12000 MLK, No. 2059, Houston, Texas (713-264-0127) appeared and voiced her personal opinions regarding teacher's salaries and taxpayers money until her time expired. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie

absent. Council Member Costello presiding.

Ms. Rosa Montoya, (did not wish to give information) appeared and stated that she wanted to direct her citizen concern to the Chief of Police, she forwarded a fax to his personal secretary, it was in regard to a twofold issue concerning HPD regarding an employee and the security measures that did not go by protocol, she had yet to receive a response from anybody, she did address the mediation aspect of it, but she had not received any response in reference to a status update regarding the security measure, which was of concern to her, that she did not know how to communicate with him, that she had addressed the issue with a number of people. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Council Member Costello stated that he wanted to make Ms. Montoya aware that Council Member Bradford was no longer Chief of Police. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Council Member Bradford stated that he had welts on his back and bore pain and burden and he thought he was still in that role sometimes, if she would get with him he would do all that he could to get information from HPD through the current Police Chief to help resolve her issue, that he was not aware of it because it did not come to him, if she could get with him he would see what he could do. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Council Member Costello stated that he would refer Ms. Montoya to Sargent Herndon, who was present in the audience and would also have her contact Council Member Bradford's office. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Mr. Jonathan Weigand, 3717 Fannin, Houston, Texas 77004 (713-483-8216) had reserved time to speak, but was not present when his name was called. Mayor Pro Tem Gonzalez, Council Members Davis, Martin and Christie absent. Council Member Costello presiding.

Mrs. Kuei Villa, 14700 Woodson Park Dr, No. 412, Houston, Texas 77044 (281-676-1459) appeared and stated that she was present to talk about the lack of sidewalks in Houston, her husband was disabled and used a wheelchair, he was forced onto Beltway 8, at the intersection of Westlake Houston, in the Summerwood Development Center because of lack of sidewalks, that they were asking for help and ADA compliance, they were asking for funds, she was told by Senator Whitemire's office that Harris County and Houston had the money to put in sidewalks and she was asking the City to please look at all of the major areas where handicap people could not access, like the hospital that her husband was trying to reach, Memorial Hermann Summer Creek Medical Center. Mayor Pro Tem Gonzalez, Council Members Davis, Martin, Laster, Green and Christie absent. Council Member Costello presiding.

Council Member Costello stated that Ms. Villa was not located in the City of Houston, and although the City did have a Safe Sidewalk Program and they gave priority access for the handicap, the Summerwood area was not in the City limits. Mayor Pro Tem Gonzalez, Council Members Davis, Martin, Laster, Green and Christie absent. Council Member Costello presiding.

Council Member Stardig stated that they cared very much about this at the City of Houston and staff explained to her that she could also consult with County Commissioner Kagel, she was sure he would be interested in supporting her as well. Mayor Pro Tem Gonzalez, Council Members Davis, Martin, Laster, Green and Christie absent. Council Member

Costello presiding.

Ms. Villa stated that handicap people traveled throughout Houston, and she voted for the Mayor of Houston. Mayor Pro Tem Gonzalez, Council Members Davis, Martin, Laster, Green and Christie absent. Council Member Costello presiding.

Mr. Alberto Villa Corona, 14700 Woodson Park Dr, No. 412, Houston, Texas 77044 (281-676-1459) appeared and stated that they had problems, he lived in an unincorporated area, but he paid taxes in Houston, so please change the law because they needed sidewalks and they needed respect, integrity and justice. Council Members Davis, Martin, Laster, Kubosh and Christie absent.

Council Member Costello stated that they did have a Safe Sidewalk Program, which had priority for access for the handicap, the problem was citywide and they had issues with sidewalks. Council Members Davis, Martin, Laster, Kubosh and Christie absent.

Mr. Albert Brewer, 7723 Willow St., Houston, Texas 77088 (281-447-6125) had reserved time to speak, but was not present when his name was called. Council Members Davis, Martin, Laster, Kubosh and Christie absent.

Ms. Bertha Hyman, 4931 Ventura Ln., Houston, Texas 77021 (713-747-0617) had reserved time to speak, but was not present when her name was called. Council Members Davis, Martin, Laster, Kubosh and Christie absent.

Mr. Andy Wiltshire, 12210 Wood Bayou Dr., Houston, Texas 77013 (713-455-8875) appeared and stated that he was a disabled veteran that had not been treated for his PTSD for 36 years, that he had an accident and was not treated for that either, he had torn ligaments in his right leg in the military, and did not get treated for all of that, that he needed numbers for his Congress people, senators, the Governor, the White House, addresses and phone numbers of all the Council Members, that he needed all of the help he could get with the senior center services, and appreciated any help they could get him, that he did not know Tony but hoped he was doing all right; that he had a police report, he was attacked Saturday by a gang member. Council Members Martin, Green, Kubosh and Christie absent.

Mayor Pro Tem Gonzalez stated that they would get information on the Veterans Affairs. Council Members Martin, Green and Christie absent.

Mr. Robert Kane, 8807 Grape, Houston, Texas 77036 (no phone) appeared and stated that he was present about neighborhood violations, basically when someone leaves a trash can or heavy trash out before or after the trash schedule, that he was out of the Country and got a couple of violations, that he was concerned about the fine schedule and the procedure to go through and have a hearing, he lived in southwest Houston, Council Member Laster's District, that they had to go to court by Hobby Airport on Mykawa, and it did not matter where they lived in the City if they gave you a ticket you had to go down there to have the hearing, he was present today for his hearing and there were a couple of old ladies on Social Security having their case heard, that they could imagine that \$200 to \$250 was kind steep, that he thought the fine schedule had to be revisited because there were a lot of people struggling just paying for rent or their mortgage or whatever, if they make a mistake and leave it out, it was kind of steep. Council Members Martin and Christie absent.

Council Member Laster stated that he understood that Mr. Kane had concerns about the fee schedule and the location, that his office had attempted to reach out to the Court administrators to see if they could find some alternative locations for those kind of hearings across the City. Council Members Martin and Christie absent.



Ms. Bridget Alexander McDaniel, (no address given) had reserved time to speak, but was not present when her name was called. Council Members Martin and Christie absent.

Pastor John Bates, 9626 Seeker, Houston, Texas 77078 (713-631-1587) appeared and stated that he was Pastor of the New Zion Temple in Fourth Ward, Freedmen's Town, that he was present to address the bricks in Freedmen's Town, that he hoped they would consider the work and sweat that ex-slaves put together to have those bricks placed on the streets, where the City of Houston could not afford to do that, they paid their nickels, dimes and quarters to have that place looking it's best, now they seemed to have forgotten, that he did hope they would consider those individuals that cared enough and wanted their community to look it's best. Council Members Martin and Christie absent.

After discussion by Council Member Davis, Mayor Pro Tem Gonzalez stated that they had an estimate that dated back to 2011 on the underground micro tunneling, so Public Works was updating that estimate so they could get more current numbers and they would get that information out as soon as they could. Council Members Martin and Christie absent.

Ms. Doris Ellis Robinson, 1520 Isabela St., Houston, Texas 77004 (713-443-9774) appeared, presented information, and stated that she was the Publish Editor of the Houston Sun Newspaper and President of the Freedmen's Town Preservation Coalition, read from a handout titled "Legacy of Leadership" regarding the Freedmen's Town Brick Streets of Wilson and Andrews Streets. Council Members Martin, Laster, Costello and Christie absent.

Council Member Boykins asked Ms. Robinson that based on the research that she had come up with what were some of the concerns she had that needed to be addressed, and Ms. Robinson stated that the specific impact of the agreement that the City had signed was in complete violation of Section 106 and Section 110 of the National Historic Preservation Act and their organization was trying it's best to make sure they got it right because once the streets were destroyed they could not have a do over, they were asking them to preserve the streets and they were offering them information so that they could use the best available technology, which was micro tunneling. Council Members Martin, Laster, Costello and Christie absent.

Ms. Sissy Farenthold, 2929 Buffalo Speedway, Houston, Texas 77019 (713-621-5608) appeared and stated that she was present to ask that they consider the role of the Fourth Ward in the National Register of Historic Districts and what that meant and how it had been handled over the years, that she could remember the first time she became involved with Fourth Ward, hearing that the bricks had actually been taken and moved to other parts of town, she could not understand that and still did not, so respect that district and what it stood for in its place in Houston's history and the need for posterity to know of it, and the brick streets were a vital part of that. Council Members Martin, Laster, Costello and Christie absent.

Council Member Cohen stated that she thought it was important for people to come and testify who did not necessarily live in the areas they were talking about, that they were responsible for their City, that she wanted to thank her for her concern about it, and asked Ms. Farenthold if she had seen the brick streets recently, and she stated yes, she knew what shape they were in, and Council Member Cohen stated that the bricks were literally breaking every day and people were taking the bricks for historical purposes, they had great concerns about establishing and keeping those bricks and making sure they were treated in such a way that they would last for decades to come, and at the same time they had to be concerned about the underground water, the sanitary sewer, storm sewer piping, all of the things that were presently a problem in that area, that was the balance they faced. Council Members Martin, Laster, Costello and Christie absent.

Ms. Christine Diaz, 1304 Andrew Street, Houston, Texas 77019 (713-739-9970) appeared and stated that she was present to speak about the brick streets located in Freedmen's Town in the Fourth Ward where she lived, that the Freedmen and their decedents, with their sweat and hard labor, made, installed and paid for the bricks 100 years ago, the City had nothing to do with building the brick streets, frankly she did not think it was fair for the City to destroy historical brick streets that they had no part in making, she was asking for them to please stop the removal of the undisturbed bricks, engage in micro tunneling trenchless design and install new infrastructure for sewer lines, water and electrical lines under sidewalk easements and reinstate the Federal 106 Review Process, which involved community input which was not done, that she would email everyone her full speech. Council Members Stardig, Martin, Laster, Costello and Christie absent.

Council Member Boykins read a statement from Congresswoman Lee regarding Freedmen's Town Historical Preservation Agreement, that she wanted to be on record in support of doing what she could in support of keeping those bricks there if possible. Council Members Stardig, Martin, Laster, Costello and Christie absent.

Council Member Davis stated that Ms. Diaz mentioned a 106 violation and asked if they were familiar with that, and Mr. Heilman stated that as they were aware, this had been ongoing for a number of years and believed there had been a number of hearings and meetings with stake holders, he was not intimately familiar with the 106, but believed everything had been complied with. Council Members Stardig, Martin, Laster, Green, Costello and Christie absent.

Council Member Bradford requested the City Attorney to do a written memo on Section 106 of the National Historic Preservation Act of 1966 because there were two speakers testifying that the City was in violation, that he would like an opinion on that, and Mr. Heilman stated that they would review that. Council Members Stardig, Martin, Laster, Green, Costello and Christie absent.

Mr. Tyrus Bacon, 9402 Winter Bloom Ln., Houston, Texas 77088 (832-640-8592) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Martin, Laster, Green, Costello and Christie absent.

Mr. Jay Garrison, 12728 Hollandale, Houston, Texas 77082 (202-999-6779) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Martin, Laster, Green, Costello and Christie absent.

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

Mr. Joseph Ballard, 6302 Rocky Nook, Humble, Texas 77396 (281-850-0388) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Martin, Laster, Green, Costello and Christie absent.

Mr. George Brian Vachris, 7718 Magnolia St., Houston, Texas 77023 (713-926-2304) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Martin, Laster, Green, Costello and Christie absent.

Mr. John Stipetich, 2001 Holcombe Blvd., No. 2105, Houston, Texas 77030 (713-385-7825) had reserved time to speak, but was not present when his name was called. Council Members Stardig, Martin, Laster, Green, Costello and Christie absent.

Mr. Tracy Brown, 3814 Pebble Garden Ln., Katy, Texas 77479 appeared in opposition to

Uber. Council Members Stardig, Davis, Martin, Laster, Costello and Christie absent.

Ms. Josephine Garcia, 711 Majestic, Houston, Texas 77020 (832-507-4113) had reserved time to speak, but was not present when her name was called. Council Members Stardig, Davis, Martin, Laster, Costello and Christie absent.

Ms. Illa Joines, 3901 Center St., No. 333, Deer Park, Texas 77536 appeared and stated that she was in support of Yellow Cab. Council Members Stardig, Davis, Boykins, Martin, Laster, Costello and Christie absent. NO QUORUM PRESENT

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was the official President of the United States, and continued to express his personal opinions until his time expired. Council Members Davis, Boykins, Martin and Christie absent.

Mr. Tyrus Bacon, 9402 Winter Bloom Ln., Houston, Texas 77088 (832-640-8592) appeared and stated that he had a work van that was stolen, he used to live on the west side of town, it was the process of getting the van back that was actually the problem, that Harris County was where the van was stolen from, the City found the van four days later and when he got the phone call that the van was found basically over a month had gone by, they charged him \$1,042 to get the van back, that he found out that this had been happening to a lot of people. Council Members Davis, Boykins, Martin and Christie absent.

Council Member Green asked Mr. Bacon what he was asking of the Council, and did his insurance cover the storage fee at that time, and Mr. Bacon stated that the problem was that he just had basic insurance on the vehicle, it was not fully insured, that a lot of people in his situation were basically trying to make a living and had basic insurance, but when stuff like this happened there was no full money recovery to buy another vehicle, that he had gotten the run around from various departments, that he felt like he got robbed twice. Council Members Davis, Martin and Christie absent.

Council Member Bradford stated that this should not happen, the Sheriff's Department notifies HPD, the storage lot should have notified him in a timely manner and asked if Mr. Bacon had changed his mailing address, and Mr. Bacon stated that he had not too long ago, and Council Member Bradford stated that storage lots were required to send a letter to the registered address within 24 hours and they probably did that, but if changed his address it probably went to the wrong address and that was probably where the breakdown occurred, but nonetheless he got a phone call so somebody could have called him, but they were not required to call him, just to send that letter, that he thought they needed an investigation to make sure there was not some collaboration going on in the way he was not notified in a timely manner and the \$1,000 that was paid out, he thought that Mr. Bacon needed to file a complaint with the department's internal affairs division. Council Members Davis, Boykins, Martin, Green and Christie absent.

Mayor Pro Tem Gonzalez stated that Sargent Herndon, HPD, did reach out and speak with Mr. Bacon and stated that it could be possible to have Auto Dealers conduct a follow up investigation on the storage lot to see if proper protocol was followed, that Sargent Herndon was present to touch base with him. Council Members Davis, Boykins, Martin, Green and Christie absent.

Mr. Mario Villarreal, 3108 Hutchins, Houston, Texas 77004 (956-372-7615) appeared in support of Uber. Council Members Davis, Boykins, Martin, Green and Christie absent.

Mr. Kevin Claypool, 4618 Park, Bellaire, Texas 77401 (713-471-1734) appeared and

presented information in support of the Cab Industry. Council Members Davis, Boykins, Martin, Green and Christie absent

Mr. Duane Kamins, 5825 Kelley St., Houston, Texas 77026 (281-685-7166) appeared in support of Lone Star Cab. Council Members Davis, Boykins, Martin, Green and Christie absent

Mr. Ricky Kamins, 5825 Kelley St., Houston, Texas 77026 (713-880-9002) appeared in support of Yellow Cab. Council Members Davis, Boykins, Martin, Green and Christie absent

Ms. Nicki Frank, 2626 Holly Hall, Houston, Texas 77054 (832-279-0677) appeared in support of the Taxi Cab Industry. Council Members Davis, Boykins, Green and Christie absent

Mr. Eric Ochoa, 2319 Hialeah, Houston, Texas 7708 (281-685-5267) appeared in support of the TNCs. Council Members Davis, Boykins, Green and Christie absent

Ms. Lauren Barrash, (no address given) (713-863-9283) appeared in opposition to the TNCs. Council Members Davis, Boykins, Green and Christie absent

Mr. Bissong Bissong, 8002 Bellaire Blvd., No. 1149, Houston, Texas 77036 (281-235-3448) appeared in support of the Cab Industry. Council Members Davis, Boykins, Green and Christie absent

Mr. Dennis Jones, 5116 Hershe, Houston, Texas 77020 (713-410-4921) appeared in support of the Cab Industry. Council Members Davis, Boykins, Martin, Gallegos, Green and Christie absent.

Mr. Rong Zeng, 12709 Leader St., Houston, Texas 77072 (832-916-0188) appeared in support of Uber and Lyft. Council Members Davis, Boykins, Martin, Gallegos, Green and Christie absent.

Mr. Corbett Parker, 1415 Louisiana, Houston, Texas 77002 (713-951-0160) appeared in support of the Taxi Cab Industry. Council Members Davis, Boykins, Martin, Gallegos, Green and Christie absent.

Mr. Marty Hill, 1415 Louisiana, Houston, Texas 77002 (713-951-0160) appeared in support of the Taxi Cab Industry. Council Members Davis, Boykins, Martin, Green and Christie absent.

Mr. William McLeod 1314 Texas St., Ste. 525, Houston, Texas appeared in opposition TO Uber and Lyft. Council Members Davis, Boykins, Martin, Green and Christie absent.

Mr. Roland Reyna, 5925 Grape St., Houston, Texas 77074 (832-661-8702) had reserved time to speak, but was not present when his name was called. Council Members Davis, Boykins, Martin, Green and Christie absent.

Note: During the public session many motions were offered to extend time for questions of various speakers, and votes taken, which were not prepared in written form and may be viewed on HTV Houston or on disc.

At 4:44 p.m. Mayor Pro Tem Gonzalez stated that the City Council was recessed until 9:00 a.m., Wednesday, August 6, 2014. Mayor Parker out of the city on city business. Council Member Pennington absent on personal business. Council Members Davis, Boykins, Martin, Green and Christie absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, August 6, 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; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present.

At 8:31 a.m. Ms. Anna Russell, City Secretary, read the descriptions or captions of items on the Agenda.

At 9:12 a.m. Mayor Parker called the meeting to order and recognized Council Member Cohen for a procedural motion. Council Members Davis and Gallegos absent.

Council Member Cohen moved that the rules be suspended for the purpose of considering Item Numbers 1 and 2 out of order before the consent agenda, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Davis and Gallegos absent. MOTION 2014-0752 ADOPTED.

Council Member Stardig moved that the rules be suspended for the purpose of considering Item Numbers 35, 35a and 35b out of order after the consent agenda, and take amendments up in the order listed on the matrix, seconded by Council Member Green. All voting aye. Nays none. Council Members Davis and Gallegos absent. MOTION 2014-0753 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON MEDIA SOURCE (Formerly known as HOUSTON CABLE CORPORATION) BOARD OF DIRECTORS**, for terms to expire December 31, 2015:

- Position Two - **MANISHA N. MEHTA**, reappointment
- Position Four - **PHAN DUY**, reappointment
- Position Six - **JASON M. WITCHET**, appointment
- Position Eight - **NOËL C. BEZETTE-FLORES**, reappointment

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Gallegos absent. MOTION 2014-0754 ADOPTED.

Mayor Parker stated that they had just affirmed appointees to the Houston Media Source Board of Directors, and asked if anyone was present to please come forward, and recognized Mr. Jason Witchet and stated that she appreciated his willingness to serve the City of Houston. Council Member Gallegos absent.

Council Member Boykins congratulated Mr. Witchet on his appointment and thanked him for his service to the City of Houston. Council Member Gallegos absent.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **MONTROSE MANAGEMENT DISTRICT (Formerly HARRIS COUNTY IMPROVEMENT DISTRICT NO. 6 and NO. 11) BOARD OF DIRECTORS**:

- Position One - **CLAUDE F. WYNN**, reappointment, for a term to expire 6/1/2017
- Position Two - **DANA G. THORPE**, appointment, for a term to expire 6/1/2017
- Position Three - **RANDY MITCHMORE**, reappointment, for a term to expire 6/1/2017

- Position Four - **CASSIE B. STINSON**, reappointment, for a term to expire 6/1/2017
- Position Five - **DEBRA "LANE" LLEWELLYN**, appointment, for a term to expire 6/1/2017
- Position Six - **ROBERT RAMIRO JARA**, appointment, for a term to expire 6/1/2015
- Position Seven - **RYAN B. HALEY**, appointment, for a term to expire 6/1/2015
- Position Eight - **STEPHEN L. MADDEN**, appointment, for a term to expire 6/1/2015
- Position Nine - **ANN KATHERINE "KATHY" HUBBARD**, reappointment to, for a term to expire 6/1/2017
- Position Ten - **MICHAEL V. GROVER**, reappointment, for a term to expire 6/1/2017
- Position Eleven - **BOBBY HEUGEL**, appointment, for a term to expire 6/1/2017
- Position Twelve - **BRADLEY (BRAD) NAGAR**, reappointment, for a term to expire 6/1/2017
- Position Thirteen - **DAN B. LEVERETT**, appointment, for a term to expire 6/1/2015
- Position Fourteen - **TODD A. EDWARDS**, appointment, for a term to expire 6/1/2015
- Position Fifteen - **RANDALL K. ELLIS**, appointment, for a term to expire 6/1/2015

- was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0755 ADOPTED.

Mayor Parker stated that they had just affirmed the appointment or reappointment of Members of the Montrose Management District Board of Directors, and asked if anyone was present to please come forward, and recognized Mr. Randall Ellis and stated that she appreciated his willingness to serve the City of Houston.

Council Members Robinson, Gonzalez, Cohen and Gallegos congratulated Mr. Ellis and thanked him for his willingness to serve.

Mayor Parker stated that they would move to the consent agenda.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 31**

#### **MISCELLANEOUS** - NUMBERS 1 through 4

3. RECOMMENDATION from Director Planning & Development Department to designate an Honorary Street Marker to read "**Honoring P. E. BISHOP, SR. 2013**", to be located at the intersection of Gregg and Orange Street - **DISTRICT B – DAVIS** – was pulled from the agenda by the administration and was not considered.
4. RECOMMENDATION from Director Department Public Works & Engineering to accept the July 2014 Semiannual Report of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$15,279,425.55 to the Combined Utilities System Operating Fund for Revenue Bond Debt Service as recommended in the Report – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2014-0756 ADOPTED.

**ACCEPT WORK** - NUMBERS 5 and 6

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,633,572.13 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION, L.P.** for 48-inch/42-inch Water Line along existing easement, West Orem, Chimney Rock, River Bluff, Summit Ridge, Wood River, and Coachcreek from Sims Bayou Pump Station to Hillcroft and Southwest Pump Station Chlorine Building Improvements - 7.09% under the original contract amount - **DISTRICTS G - PENNINGTON and K - GREEN** – was presented, moved by Council Member Martin, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0757 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,855,737.10 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, CO.**, for Intersection Construction Contract (Work Order Project) City Wide and Railroad Crossing Quiet Zone Improvement Program - 7.88% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; E - MARTIN; G - PENNINGTON; H - GONZALEZ; I - GALLEGOS and K - GREEN** – was presented, moved by Council Member Martin, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0758 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 through 17

9. **CNA** for Hazard Analysis and Emergency Planning Support - \$178,314.49 - Grant Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0759 ADOPTED.
10. **MOBILE CONCEPTS TECHNOLOGY, LLC** for Computers and Installation Services through the Texas Department of Information Resources for the Houston Fire Department - \$277,785.52 Grant Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0760 ADOPTED.
11. **HENRY SCHEIN, INC** for Tuberculosis Digital Imaging System through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for the Houston Department of Health & Human Services - \$72,576.00 - Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0761 ADOPTED.
12. **AMEND MOTION #2011-573, 7/20/11, TO INCREASE** spending authority from \$380,000.00 to \$558,600.00 for Recreational, Educational, and Miscellaneous Supplies for the Parks & Recreation Department, awarded to **S&S WORLDWIDE, INC** - \$178,600.00 - General Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0762 ADOPTED
13. ORDINANCE appropriating \$174,225.49 out of Woodlands Regional Participation Fund for Construction Services to Furnish and Install a Pre-Fabricated Restroom/Shower Facility for the General Services Department on behalf of the Houston Parks & Recreation Department - was presented. All voting aye. Nays none. ORDINANCE 2014-0745 ADOPTED

- 13a. **CXT INCORPORATED** for Construction Services to Furnish and Install a Pre-Fabricated Restroom/Shower Facility (Lake Houston Wilderness Park) from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the General Services Department - \$169,976.09 and contingencies for a total amount not to exceed \$174,225.49 - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0763 ADOPTED
14. **NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS** and their **BOAT OPERATIONS AND TRAINING PROGRAM** for Training Courses for the Houston Police Department - \$77,500.00 - Grant Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0764 ADOPTED
15. **AMEND MOTION #2009-610, 8/12/09, TO EXTEND** the expiration date from August 18, 2014 to December 31, 2015 and **TO INCREASE** spending authority from \$2,801,947.00 to \$3,486,869.00 for Personal Protective Gear for Various Departments, awarded to **MORNING PRIDE MFG dba HONEYWELL FIRST RESPONDER PRODUCTS** - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0765 ADOPTED
16. **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** for Light-Duty Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Department of Public Works & Engineering - \$1,441,104.00 Enterprise and Dedicated Drainage & Street Renewal Funds - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0766 ADOPTED
17. **BOUND TREE MEDICAL, LLC** - \$684,360.65, **EMERGENCY MEDICAL PRODUCTS, INC** - \$705,153.65 and **ATTENTUS MEDICAL SALES, INC** - \$347,926.00 for Emergency Medical Equipment, Supplies and Pharmaceuticals for Various Departments - General and Grant Funds - was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-0767 ADOPTED

**RESOLUTIONS AND ORDINANCES** - NUMBERS 18 through 29

18. RESOLUTION expressing No Objection to an application from **NHH at REED, LTD.** to the Texas Department of Housing and Community Affairs for tax credits for a proposed development for affordable rental housing to be located at 2620 Reed Road in the City of Houston, Texas **DISTRICT D - BOYKINS** - was presented. All voting aye. Nays none. RESOLUTION 2014-0030 ADOPTED
19. ORDINANCE appropriating \$6,000,000.00 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Grant Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** to provide the appropriated funds to assist with the acquisition and construction of a 140 unit housing community, to be located in the vicinity of 2620 Reed Road in Houston, Texas, that will provide affordable housing to low and very low income persons - **DISTRICT D - BOYKINS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0746 ADOPTED
20. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BAYCOR INTERNATIONAL, LLC** for certain premises at George Bush



Intercontinental Airport/Houston - **DISTRICT B - DAVIS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0747 ADOPTED

22. ORDINANCE approving and authorizing submission of an application for grant assistance to the **U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS)**, for the FY2014 COPS Hiring Program for the Houston Police Department; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. ORDINANCE 2014-0748 ADOPTED
23. ORDINANCE approving modification to the service area described in exhibit a of City of Houston Ordinance No. 98-15 as amended by City of Houston Ordinance No. 2002-458 and assigned to **CEQUEL III COMMUNICATIONS I, LLC, ("SUDDENLINK")**, by Ordinance No. 2003-621, granting the right, privilege and franchise to own, operate and maintain a cable television system within the City of Houston - **DISTRICT E - MARTIN** - was presented. All voting aye. Nays none. ORDINANCE 2014-0749 ADOPTED
26. ORDINANCE establishing the north and south sides of the 2400-2500 block of Binz Street, between Highway 288 and Live Oak Street, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT D - BOYKINS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0750 ADOPTED
27. ORDINANCE establishing the north and south sides of the 2400-2500 block of Binz Street, between Highway 288 and Live Oak Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT D - BOYKINS** - was presented. All voting aye. Nays none. ORDINANCE 2014-0751 ADOPTED
28. ORDINANCE establishing the north and south sides of the 500-700 blocks of Caplin Street, between Irvington Boulevard, Lloyd Street and Helmers Road, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. ORDINANCE 2014-0752 ADOPTED
29. ORDINANCE awarding a contract to **SABER POWER SERVICES, LLC** for maintenance and repair services of 138KV Substations for the Public Works and Engineering Department; providing a maximum contract amount - \$6,708,145.50 - 3 years with two one-year options - Enterprise Fund - was presented. All voting aye. Nays none. ORDINANCE 2014-0753 ADOPTED
35. Consideration of proposed amendments to Item 35B below, submitted in writing on July 30, 2014 by Council Members Stardig, Costello, Laster, Davis, Kubosh and Martin, as set forth in the attached Exhibits 1-16 – **(DELAYED BY MOTION #2014-742)** – was presented.
- 35a. Consideration of proposed amendments to Item 35B below, submitted in writing on June 11, 2014 by Council Members Laster and Kubosh, as set forth in the attached Exhibits 17 & 18 – **(DELAYED BY MOTION #2014-743)** – was presented.

Mayor Parker stated that they had distributed a matrix earlier in the week and the motion

was that they follow the matrix as presented, if they needed another copy they would be happy to distribute those, otherwise they would be starting with the first page of the matrix.

After discussion, Council Member Stardig moved her Amendment #1, and Mayor Parker stated that it did not require a second.

After further discussion by Council Members Bradford and Stardig, Council Member Stardig moved to consider her Amendments #1 through #6 as a whole package, seconded by Council Member Green.

Note: Amendments 1 through 6 were proposed amendments to the ordinance, not Chapter 46 1 and Chapter 46.

#### Amendment #1

**WHEREAS**, the City is committed to collecting and analyzing data and other relevant information, including but not limited to anecdotal evidence, concerning the provision of vehicle for hire transportation services to persons with disabilities, in an attempt to develop regulatory controls that promote and incentivize permittees and registrants to make available wheelchair accessible vehicles to passengers with disabilities in furtherance of the City's aspirational goal that within ~~five-three~~ years not less than five percent of the ~~of the~~ vehicles for hire operated in the City or a different percentage as determined and recommended by the Task Force, and that an appropriate percentage within the diverse vehicle for hire categories, are wheelchair accessible vehicles; and

#### Amendment #2

**Section 8.** That City Council, having considered the input of industry stakeholders and special interest groups, coupled with observations and trends from other jurisdictions and relevant data and anecdotal evidence provided by representatives of the Houston disabilities community, has determined that by the first anniversary of the effective date of this ordinance not less than ~~two-three~~ percent of all vehicles for hire, including but not limited to taxicabs, limousines, sightseeing or charter vehicles, school vehicles, jitneys, low speed shuttles, transportation network vehicles, and all new entrants, operating in the City and available to the riding public must consist of ramp or lift-equipped wheelchair accessible vehicles or vehicles constructed and designed or redesigned, modified, or equipped to provide vehicle for hire transportation services to persons with disabilities who require the use of a wheelchair as a means of movement or ability to move from one place to another. Each permittee and registrant has the responsibility to provide consistent and equivalent service to persons with disabilities. This section shall not be construed to allow a single vehicle for hire category to fulfill the three percent requirement on behalf of the entire vehicle for hire fleet. This section shall become effective at 12:01 a.m. on the 90<sup>th</sup> day next following the effective date of this ordinance. Permittees and registrants that do not provide consistent and equivalent service to persons with disabilities shall be subject to suspension or revocation pursuant to a hearing conducted according to the process outlined in Chapter 46.

#### Amendment #3

**Section 9.** That the Mayor hereby authorizes the creation of the Houston Transportation Accessibility Task Force ("Task Force") to:

- (1) study all aspects of transportation needs of persons with disabilities, including but not limited to available and emerging technologies related to adaptive devices such as wheelchairs and their use and integration in all vehicles, including vehicles constructed and designed or redesigned, modified, or equipped for to provide transportation services to persons with disabilities;
- (2) assess and make recommendations to City Council concerning the number of wheelchair accessible vehicles for hire currently operating and available for use in Houston, including the analysis of available data and information reflecting the number and percentage of wheelchair accessible vehicles operated by permittees and registrants authorized to provide vehicle for hire transportation services in Houston;
- (3) assess vehicle for hire response times for persons requesting a wheelchair accessible vehicle and make recommendations to City Council concerning minimum training requirements to ensure consistent and equivalent vehicle for hire transportation services to everyone, including but not limited to passengers with disabilities and passengers who request a wheelchair accessible vehicle; and
- (4) provide recommendations, supported by empirical facts and anecdotal evidence, to work with the Director of ARA in crafting future recommendations for City Council's consideration concerning the availability of wheelchair accessible vehicles within permittees' and registrants' respective vehicle for hire fleets and targeted

recommendations aimed at ensuring that the City's requirement in Section 8 that a portion of the overall vehicle for hire fleet available to the riding public consist of wheelchair accessible vehicles or vehicles constructed and designed or redesigned, modified, or equipped to provide vehicle for hire transportation services to persons with disabilities who require the use of a wheelchair as a means of movement or ability to move from one place to another is an accurate reflection of the demand for wheelchair accessible vehicles for hire in the City; and

(5) study and provide recommendations concerning the necessity, feasibility, and practicability of requiring permittees and registrants to ensure a minimum percentage of their vehicle fleets consist of wheelchair accessible vehicles as a condition of receiving a permit, certificate of registration, or other authorization from the City to operate a vehicle for hire.

#### **Amendment #4**

**Section 10.** That City Council directs the Director of ARA to work with the Task Force to assess the necessity, feasibility, and practicability of requiring permittees and registrants to submit annual accessibility plans as a condition of permit or certificate of registration issuance or renewal and any Task Force recommendations concerning the minimum requisites for the accessibility plans aimed at ensuring that permittees and registrants provide a means of demonstrating that the vehicles and licensees operating within their respective vehicle for hire transportation services are equipped and trained to provide consistent and equivalent transportation services to the riding public, including persons with disabilities and persons who request a wheelchair accessible vehicle including but not limited to providing accessible means to request service, real time resolution and support, and complaint escalation procedures.

#### **Amendment #5**

**Section 12.** That within 60 days, the administration shall appoint, subject to City Council approval, ~~the appropriate number of no less than five and no more than 11 individuals-regular members~~ to serve on the Task Force ~~sufficient to ensure that with~~ a majority of its membership ~~are comprised of~~ representatives from the Houston disability community. The Houston Commission on Disabilities may recommend individuals to the administration to serve on the Task Force. The Task Force shall convene its first meeting no later than 60 days after all members have been appointed and approved by City Council. Additionally, the Task Force shall consist of not less than two representatives from each of the vehicle for hire categories currently regulated by the City pursuant to Chapter 46 of the City of Houston Code of Ordinances. The City Attorney shall designate a representative from the Legal Department to render legal advice and attend Task Force meetings, but such person shall not be a member of the Task Force. The administration shall designate the appropriate number of nonvoting ex officio representatives to render advice and assist the Task Force in conducting research. These ex officio representatives shall not be members of the Task Force. Three successive unexcused absences from the regularly scheduled meetings, after due notice served by telephone, mail, or electronic mail of the time and place of such meetings, shall automatically terminate membership on the committee. Absences may be excused only by a majority of the Task Force members present and voting at any scheduled meeting. The Task Force shall adopt administrative procedures applicable to its own governance as are necessary to accomplish the purposes set out in this ordinance.

#### **Amendment #6**

**Section 13.** That the Director of ARA shall evaluate and report the findings and recommendations of the Task Force to City Council as soon as practicable but not sooner than six months after the effective date of this Ordinance and not later than the first anniversary of the effective date of this Ordinance.”

Amendments #1 through #6 were presented and before the City Council.

After discussion and questions by Council Members Stardig, Bradford, Boykins and Kubosh, Ms. Tina Paez, Director, ARA was questioned at length and a vote was called on Council Member Stardig's written Amendments #1 thru Amendment #6 to amend Item No. 35b. All voting aye. Nays none. MOTION 2014-0768 ADOPTED.

Council Member Laster moved to substitute the mutually agreed by Council Member Laster and Ms. Tina Paez, ARA, to amend Section 46-18 of Item No. 35 as follows:

**“Sec. 46-18. General prerequisites to putting vehicle into service.**

(a) Before any permittee may put a taxicab into service or replace a taxicab, he shall submit, for the director's approval, the vehicle, the certificate of title showing the current true ownership of the vehicle, his public liability insurance policy, insurance endorsement or evidence of self-insurance and, in the case of a leased vehicle, the written lease contract.

(b) The director shall not authorize a vehicle to initially be placed into service unless it is equipped with an air conditioning system that was factory-installed by the vehicle manufacturer and has sufficient interior passenger space to qualify in the United States Environmental Protection Agency's annual fuel economy guide as a mid-size car, a large car, a mid-size station wagon, a large station wagon, a sport utility vehicle, or a van, passenger type, provided that the director may also allow vehicles classified for purposes of the fuel economy guide as special passenger vehicles if the vehicle has passenger seating and space accommodations at least equivalent to those of a vehicle rated as a mid-size car. To the extent that the fuel economy guide has not yet been published for the model year of the vehicle at the time that a vehicle is presented for placement into initial service, then the director may utilize the previous year's guide entry for the same or most equivalent make and model of vehicle.

In addition to the foregoing, unless a permittee holds at least five percent (5%) of its fleet of taxicabs as wheelchair accessible vehicles, either lift- or ramp-equipped, any taxicab initially vehicle to be placed into service or operated pursuant to any permit distribution occurring on or after January 1, 2015 \_\_\_\_\_<sup>4</sup>January 1, 2008, must meet one or more of the following criteria:

- (1) Be powered by a 4-cylinder engine;
- (2) Be a hybrid-electric vehicle;
- (3) Be a wheelchair accessible vehicle, either lift- or ramp-equipped; or
- (4) Be a vehicle that meets a minimum combined fuel economy rating of 20 miles per gallon based on the most recently published United States Environmental Protection Agency's annual fuel economy guide for the year in which the vehicle is presented for placement into initial taxicab service. To the extent that the fuel economy guide has not yet been published for the model year of the vehicle at the time that a vehicle is presented for placement into initial service, the director may utilize the most recent fuel economy guide entry for the same or most equivalent make and model of vehicle.”

5.) Be a sport utility vehicle (“SUV”), including but not limited to large SUVs, as said vehicles are defined or described by size, shape, specification, make or model according to commonly accepted industry standards.

A vote was called on Council Member Laster's written substitute motion to amend 46-18 of Item No. 35b. All voting aye. Nays none. MOTION 2014-0769 ADOPTED.

Council Member Costello moved to adopt his written motion to amend Section 46-508 of Item No. 35b as follows:

1. Strike Sec. 46-508(c)(1) and substitute the following:

(c) The insurance required in subsection (a) shall be in the form of:

- (1) Commercial automobile liability insurance with a combined single limit for bodily injury and property damage of \$1,000,000 per accident covering liability resulting from any

occurrence arising out of or caused by the operation of a transportation network vehicle for incidents involving a driver from the time a driver is matched with and accepts a trip request through the transportation network company until the completion of the trip including of the drop off of passenger(s) at their final destination, regardless of whether the driver maintains personal insurance adequate to cover any portion of the claim and regardless of whether a driver is logged onto the transportation network company's internet-enabled application or digital platform at any point following the acceptance of the trip request; and

After questions and discussion by Council Members Costello, Martin, Pennington, Bradford, Gonzalez, Davis, Kubosh, Boykins and Laster, Ms. Paez was questioned at length and a vote was called on Costello Amendment No. 1. All voting aye. Nays none. MOTION 2014-0770 ADOPTED.

Council Member Laster stated that he would withdraw his prior written motion to amend Section 46-508 of Item No. 35b.

Council Member Laster moved to approve the written motion submitted for Council Member Martin to Section 46-508.1 of Item No. 35b as follows:

**Sec. 46-508.1 Transportation network vehicle -- Insurance as prerequisite.**

(a) Before any vehicle shall be allowed to operate as a transportation network vehicle, the licensee shall file an insurance demonstrating insurance coverage on any transportation network vehicle utilized to perform transportation network services by licensee for a transportation network company complying with the requirements contained in subsection (b) below.

(b) The insurance required in subsection (a) shall be in the form of commercial auto liability coverage in no less than the minimum coverage amounts specified in the Texas Motor Vehicle Safety Responsibility Act issued by a company listed as an authorized auto liability lines carrier on the Texas Department of Insurance's List of Authorized Insurance Companies. The policy must provide for coverage 24/7. Additionally, the insurance policy must include an endorsement requiring 30 days' written notice of termination or cancellation to the director and to the permittee with which such vehicle is affiliated. In the event that a policy terminates or is cancelled without replacement, then the licensee and permittee shall immediately cease utilizing such vehicle under this chapter until a replacement policy is provided to the director. Proof of insurance coverage shall be maintained at all times and shall be accepted only in the authorized form approved by the Texas Department of Insurance for that purpose.

After questions and discussion by Council Members Laster, Martin, Costello, Pennington, Bradford, Davis, Gonzalez, Green and Stardig, Ms. Paez was questioned at length and a roll call vote was called on Council Member Martin' amendment to Section 46-508.1 of Item No. 35b.

ROLL CALL VOTE

Mayor Parker voting no	Council Member Gallegos voting aye
Council Member Stardig voting no	Council Member Laster voting aye
Council Member Davis voting no	Council Member Green voting no
Council Member Cohen voting no	Council Member Costello voting no
Council Member Boykins voting no	Council Member Robinson voting no
Council Member Martin voting aye	Council Member Kubosh voting aye
Council Member Nguyen voting no	Council Member Bradford voting aye
Council Member Pennington voting aye	Council Member Christie voting no
Council Member Gonzalez voting no	MOTION 2014-0771 FAILED

Council Member Costello moved to approve his written motion to amend Section 46-516(d) of Item No. 35b as follows:

2. Strike Sec. 46-516(d) and substitute the following:

(d) ~~It shall be unlawful for a~~ transportation network driver ~~shall to~~ accept or respond to passengers' or potential passengers' requests for service via traditional street hail, including hand gestures and verbal statements. It shall be unlawful for a transportation network driver to provide his or her direct phone number or email address to passengers or potential passengers to enable requests for service. A TNC shall immediately notify the department of administration and regulatory affairs and provide any evidence in its possession if it obtains actual knowledge of any violation of this subsection.

After discussion and questions by Council Members Costello, Bradford, Davis, Pennington, Boykins, Nguyen and Kubosh, Ms. Paez was questioned at length and a roll call vote was called on Council Member Costello's written motion to amend Section 46-516(d) of Item No. 35b.

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 aye
Council Member Boykins voting aye	Council Member Robinson voting aye
Council Member Martin voting aye	Council Member Kubosh voting no
Council Member Nguyen voting aye	Council Member Bradford voting aye
Council Member Pennington voting aye	Council Member Christie voting no
Council Member Gonzalez voting aye	MOTION 2014-0772 ADOPTED

Council Member Costello moved to approve his written motion to amend Section 46-516(l) of Item No. 35b as follows:

3. Strike Sec. 46-516(l) and substitute the following:

(l) All licensees operating a transportation network vehicle shall at all times: (1) carry proof of the insurance policies required in section 46-508 of this Code covering the vehicle; (2) carry an electronic or paper copy of the agreement or terms of service between the driver and the TNC; and (3) display the certification decal and distinctive signage or emblem required by this article. A transportation network driver shall log onto the transportation network company's internet-enabled application or digital platform showing that the driver is available to pick up passengers immediately upon entering his or her transportation network vehicle with the intent to provide service."

After discussion by Council Members Costello, Bradford and Christie, a vote was called on Council Member Costello's Amendment No. 3. Council Members Martin, Laster, Kubosh, Bradford and Christie, voting no, balance voting aye. Council Member Boykins absent. MOTION 2014-0773 ADOPTED.

Council Member Davis moved to substitute a written motion to amend Section 46-7 of Item No. 35b as follows: Council Member Boykins absent.

**Sec. 46-7. Criminal history check.**

(a) Upon initial application for a license, ~~upon the filing of an amended application adding one or more new drivers,~~ and at license renewal intervals stated in this chapter, the director shall cause the criminal history of each person designated as a driver in an application for a license to be researched.

Each person designated as a driver in an application shall complete any forms required for the director to obtain the report, and the applicant shall present the required completed forms to the director and shall bear the cost, ~~along with funding in a manner specified~~ to cover any fees imposed by state or federal agencies for the report. The provision of this requirement shall not be construed to preclude the director from obtaining interim reports at the expense of the city.

(b) An applicant may be provisionally permitted to drive for a permittee if the permittee has caused the criminal history of the applicant to be researched by, and such search discloses that the applicant has no convictions of any applicable offense listed in section 1-10 of this code. Such a search shall include a national criminal history database and a national sex offender database. Drivers provisionally approved pursuant to this subsection shall be required to comply with the requirements of section 46-6(c) within 30 days of being provisionally approved by the licensee.”

After discussion by Council Member Davis a vote was called on Council Member Davis's substitute motion. Council Members Stardig, Martin, Laster, Green and Kubosh voting no, balance voting aye. MOTION 2014-0774 ADOPTED.

Council Member Kubosh moved to approve his written motion to amend Section 46-501 of Item No. 35b as follows:

Proposed Language

Revise Section 46-501 as follows:

"Sec. 46-501. Scope.

~~The provisions of this article shall not apply to the transportation of two or more persons between their home and work locations or of persons having a common work related trip purpose or leisure trip purpose in a vehicle used for the purpose of ridesharing when ridesharing is incidental to another purpose of the driver. The provisions of this article shall not apply to transportation which qualifies as ridesharing.”~~

After discussion by Council Members Kubosh and Bradford a vote was called on Council Member Kubosh's written motion to amend Section 46-501 of Item No. 35b. All voting aye. Nays none. Council Member Davis absent. MOTION 2014-0775 ADOPTED.

Council Member Laster stated that he would withdraw his motion to amend Section 46-501 of Item No. 35b. Council Member Davis absent.

Council Member Kubosh stated that he would withdraw his written motion to amend Section 46-2 of Item No. 35b, which was listed on the Matrix as Section 46-1. Council Member Davis absent.

Council Member Kubosh moved to approve his written motion to amend Section 46-501.1 of Item NO. 35b. Council Member Davis absent.

“Article IX. Transportation Network Companies  
**Proposed Language**

Revise Section 46-501 as follows:

Sec. 46-501.1 Transportation Network Vehicles Tax Equivalency With Taxicabs.

All Transportation Network Companies and Transportation Network Drivers shall render the transportation network vehicles to Harris County Appraisal District as commercial transportation vehicles in to enable all applicable taxing districts to collect the same taxes as would be collected if such for hire vehicles were operating as taxicabs." – was presented.

After discussion by Council Members Kubosh and Stardig, a vote was called on Council Member Kubosh Amendment No. 3. Council Members Martin and Kubosh voting aye, balance voting no. Council Members Davis and Boykins absent. MOTION 2014-0776 FAILED.

Council Member Laster stated that he would withdraw his written motion to amend Section 46-517 of Item No. 35b. Council Members Davis and Boykins absent.

The proposed written amendment to Section 46-505 of Item No. 35, presented by Council Member Laster for Council Member Martin was before City Council.

After discussion by Council Member Laster, Mayor Parker stated that they were going to take a 5 minute break to change the recording tapes and would continue conversation of the item when the Council reconvened. Council Member Boykins absent.

At 11:36 a.m. the City Council took a 5 minute break. Council Member Boykins absent.

At 11:46 a.m. Mayor Parker reconvened the meeting of the City Council. Council Member Boykins absent. Council Members Gonzalez, Gallegos and Green absent.

Council Member Martin offered a motion that he be allowed to substitute a motion to amend Section 46-505 of Item No. 35b, seconded by Council Member Laster. Council Member Green absent. MOTION 2014-0777 ADOPTED.

**Sec. 46-505. Transportation network permit term.**

(a) Permits shall be issued for a term of one year. Permittees desiring to have reissuance of their permit shall, at least 30 days prior to the expiration of the permit, file with the director a written application for a renewal of their permit. Except as otherwise expressly stated, renewals shall be subject to the same requirements set forth in this article for issuance of new permits.

(b) A permit is specific to the permittee to whom it is issued and may not be transferred or otherwise assigned. Any change of ownership, partnership interests, corporate officer or director as shown on the permit application shall render a permit void, unless an application for an amendment is filed within ten days following the effective date of the change. The director shall promulgate procedures for the processing of amendments and may suspend the permit pending the completion of the processing if any additional person who has acquired an interest in the business is determined to have been convicted of an offense listed in section 1-10(c) of this Code.

~~(c) Each permit is nonexclusive, and no limits or restrictions shall exist upon the number of transportation network vehicles that may be operated provided that each must be operated pursuant to a permit and in accordance with all applicable requirements of this article. No transportation network company shall have more than one transportation network company~~



permit. A transportation network company permit shall entitle the permittee (including all affiliates of permittee) to engage under written agreement with no more than 150 transportation network drivers to operate transportation network vehicles.

(d) On the first anniversary after the effective date o this ordinance, based on the data collected and analyzed and other relevant information related to the newly created transportation network company category of the hire transportation, the City shall assess and make recommendations to City Council concerning the number of transportation network drivers authorized pursuant to paragraph 46-505(c), and such recommendations shall be submitted to the City council for consideration.

A transportation network company permittee may acquire any existing taxicab permits from a taxicab permit holder and convert such taxicab permit to a transportation network license, thereby increasing the number of permissible transportation network licenses on a one for one transfer basis. Such transfer shall be upon application to the director upon procedures as the director may implement.

(e) No transportation network vehicle shall be shall be operated by anyone except a transportation network licensee under written agreement with the transportation network company permittee specifically incorporating the obligations under Chapter 46 into such written agreement. Such permittee shall be responsible for compliance by such transportation network licensee with Chapter 46. – as follows:

After discussion by Council Members Martin, Stardig, Davis and Pennington, Council Member Pennington offered a friendly amendment to Council Member Martin's substitute amendment, to change 150 to 250, seconded by Council Member Davis.

Council Member Martin stated that he would accept the friendly amendment.

After further discussion by Council Members Davis, Costello and Boykins, Mayor Parker recognized Council Member Gonzalez for a procedural motion.

Council Member Gonzalez moved to stay in session until the scheduled noon recess, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2014-0778 ADOPTED.

After further discussion by Council Members Laster, Stardig, Cohen, Green, Bradford, Pennington, Davis, Nguyen and Kubosh, Mayor Parker stated that her staff informed her that the Mundy Report did not have a cap of 150 in it, and the makers of the motion had all indicated that there was not a magic in that number

A vote was called on motion to amend. All voting aye. Nays none. Council Members Boykins and Green absent. MOTION TO AMEND CARRIED.

A roll call vote was called on the main motion to as amended.

ROLL CALL VOTE

Mayor Parker voting no	Council Member Gallegos voting no
Council Member Stardig voting no	Council Member Laster voting aye
Council Member Davis voting aye	Council Member Green voting aye
Council Member Cohen voting no	Council Member Costello voting no
Council Member Boykins voting no	Council Member Robinson voting no
Council Member Martin voting aye	Council Member Kubosh voting aye

Council Member Nguyen voting no  
Council Member Pennington voting aye  
Council Member Gonzalez voting no

Council Member Bradford voting aye  
Council Member Christie voting aye  
MOTION 2014-0779 FAILED

Council Member Martin stated that he would withdraw his written motion to amend Section 46-515(b), and would move that they remove the caps on taxicabs.

Mayor Parker stated that he could withdraw his motion and if he wanted to make that new motion he would have to wait.

Mayor Parker stated that she had ruled that the proposed to Section 46-516(b) out of order, as it was actually not before them.

After discussion by Council Members Laster and Bradford, Mayor Parker stated that they dispensed with the prior amendments, and they would bring up the main item so they could attach new amendment to it.

35b. ORDINANCE **AMENDING CHAPTERS 1 AND 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to regulation of vehicles for hire; creating a regulatory framework for the operation of mobile dispatch services and transportation network companies; declaring certain conduct to be unlawful and providing penalties therefor; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer – **(This was Item 25A on Agenda of July 30, 2014, DELAYED BY MOTION #2014-742)** - was presented as amended.

Council Member Davis offered the following written motion to amend Section 46-6 of Item No. 35b.

"I move to amend Chapter 46 Section 46-6 to read as follows:

**Sec. 46-6. Physician's certificate of medical examination; fingerprints; drug screening.**

(a) Each applicant for a license issued pursuant to this chapter shall ~~provide a certificate from a duly licensed physician~~ provide or cause to be provided a notarized affidavit that he or she is not, at the time of application or within the 30-day period preceding the date of the filing of the license application, suffering from or being treated for any serious medical condition, ~~showing that the physician has examined the person within the 30-day period preceding the date of the filing of the license application~~ and that the person has no disability or ailment that would prevent the person from safely operating the vehicle for hire for which the applicant has sought a license. The director shall have the authority to require a medical examination and the provision of a an unsworn declaration from the a duly licensed physician ~~replacement certificate~~ at any time upon five days' notice in writing to a licensee or driver if the director has cause to believe that the driver's medical condition has materially changed or that the previously filed ~~certificate~~ affidavit is otherwise no longer accurate.

(b) Additionally, each applicant for a license issued pursuant to this chapter shall provide or cause to be provided a notarized affidavit stating that the applicant shall agree to: (1) adhere to a zero tolerance policy that forbids any consumption of, or intoxication by, drugs or alcohol while providing services or within 24 hours of providing services; and (2) submit to a drug test if a complaint is made that such driver was under the influence of drugs or alcohol while providing transportation services. ~~evidence that the applicant has passed a drug screening test within the 30-day period preceding the date of filing of the application for issuance or renewal.~~ The director shall promulgate rules and regulations relating to the drug screening test. The test procedure shall be equivalent to that prescribed by the mayor for pre-employment drug screenings for city employees. The director shall authorize laboratories and facilities that meet nationally recognized standards to obtain samples

and perform the tests. The responsibility for obtaining the test and all costs associated therewith shall rest with the applicants.

(c) All applicants for a permit, certificate of registration, or license issued pursuant to this chapter shall submit himself to be fingerprinted at the location indicated by the director to determine if the applicant has been convicted of any applicable offense(s) listed in subsection (a) of [section 1-10](#) of this Code. The applicant shall complete any forms required for the director to obtain the report and shall bear the cost to cover any fees imposed by state or federal agencies for the report. The provision of this requirement shall not be construed to preclude the director from obtaining interim reports at the expense of the city.”

After discussion by Council Members Davis, Laster, Christie, Bradford and Stardig, a vote was called on Council Member Davis motion to amend Section 46-6 of Item No. 35a. Council Members Davis and Costello voting aye, balance voting no. MOTION 2014-0780 FAILED.

Council Member Davis offered the following written motion to amend Section 46-423 of Item No. 35b.

This amendment keeps the exact language of current \$70 minimum fare n Section 46-243

### **Proposed Language**

“Sec. 46-243. Schedule of fares.

- a) The minimum fare of \$70.00 shall be charged to the person renting or leasing the chauffeured limousine service, and if the limousine is under hire for two hours or less, this sum shall be treated as the rental for such period of hire. For the third hour, and all hours thereafter, the minimum fare shall be not less than \$15.00 per hour. Fares shall be pro-rated for all times in excess of two hours. The minimum fares specified in this section may include obligatory gratuity, tolls, parking fees and fuel surcharges. Provided further, per capita charges are specifically prohibited.
- b) Permittees shall file with the director a schedule of fares, ~~or rates to be charged. Permittees shall advise the director of any change in its schedule of fares or rules within five calendar days of the change on a form prescribed by the director~~ which schedule must be approved or denied within 15 days after receipt by the director. Failure of the director to act on the request shall be deemed to be a denial by him/her.
- c) It shall be unlawful for any person to operate a chauffeured limousine service, or to offer or agree to provide chauffeured limousine service, or to rent or lease motor vehicles, including the service of a driver, for chauffeured limousine service, for less than the minimum fare prescribed in subsection (a) of this section.”

After discussion by Council Members Davis, Mayor Parker stated that he had handed out two amendments and needed to decide which one he was going to stand behind, and Council Member Davis stated that he wanted to consider the \$70 dollar motion to amend, and Council Member Costello stated that he would tag Council Member Davis motion to amend and would release his tag for purposes of discussion.

After further discussion by Cohen, Stardig, Bradford and Pennington, Mayor Parker stated that Council Member Costello would remove his tag on Council Member Davis motion to amend Section 46-243 of Item No. 35b. (\$70.00)

After further discussion by Christie, Davis and Stardig, a roll call vote was called on Council Member Davis written motion to amend Section 46-243 of Item No. 35b.

**ROLL CALL VOTE**

Mayor Parker voting no	Council Member Gallegos voting aye
Council Member Stardig voting no	Council Member Laster voting aye
Council Member Davis voting aye	Council Member Green voting no
Council Member Cohen voting no	Council Member Costello voting no
Council Member Boykins voting no	Council Member Robinson voting no
Council Member Martin voting aye	Council Member Kubosh voting aye
Council Member Nguyen voting no	Council Member Bradford voting aye
Council Member Pennington voting aye	Council Member Christie voting no
Council Member Gonzalez voting no	MOTION 2014-0781 FAILED

Council Member Davis offered a written motion to amend Section 46-243 of Item No. 35b to provide for a minimum fare of \$55.00 and Council Member Stardig offered a friendly amendment, "to incorporate \$55 for one year", seconded by Council Member Stardig. Council Member Pennington absent.

After discussion by Council Members Laster and Davis, Council Member Stardig stated that she would not second Council Member Davis motion, and Mayor Parker stated that she would proceed to Council Member Gonzalez motion to amend Item No. 35b and come back to Council Member Davis motion to amend Item No. 35b. Council Member Pennington absent.

Council Member Gonzalez offered the following written motion to amend Section 46-353 of Item No. 35b, as follows: Council Member Pennington absent.

I move to amend Chapter 46-353 to read as follows:

**Sec. 46-353. Age of vehicle.**

(a) No licensee or permittee ~~person~~ shall drive or operate or cause to be driven or operated any jitney that is more than ten years old. For purposes of this requirement, a jitney is considered to be ten years old on the 31st day of May of the tenth year following the manufacturer's model year of the jitney, regardless of the date of its original purchase or the date it was first placed into service.

~~(b) Notwithstanding the age limitation prescribed in subsection (a) of this section, a licensee or permittee may drive or cause to be driven a jitney for an additional one year period. A permittee or licensee may drive or cause to be driven a jitney beyond the age limitations prescribed in subsection (a) of this section provided:~~

~~(1) The licensee or permittee submits the jitney for inspection at a location authorized and identified by the director prior to the expiration of the permit issued authorizing the operation of the jitney; and~~

~~(2) The vehicle is determined to be in compliance with the provisions of section 46-337 of this Code and any other conditions of operation prescribed by the director.~~

After discussion by Council Member Gonzalez, a vote was called on his written motion to amend Section 46-353 of Item No. 35b. Council Member Christie voting no, balance voting aye. Council Member Pennington absent. MOTION 2014-0782 ADOPTED.

Council Member Davis moved to approve his written motion to amend Section 46-243 of Item No. 35b for one year and then it would terminate, seconded by Council Member Gallegos, as follows: Council Member Bradford absent. (Same as \$70.00, except \$55 for one year.)

**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 no
Council Member Cohen voting no	Council Member Costello voting no
Council Member Boykins voting no	Council Member Robinson voting no
Council Member Martin voting aye	Council Member Kubosh voting aye
Council Member Nguyen voting no	Council Member Bradford voting aye
Council Member Pennington absent	Council Member Christie voting no
Council Member Gonzalez voting no	MOTION 2014-0783 FAILED

Council Member Martin offered a written motion to amend Section 46-31 of Item No. 35b as follows: Council Member Pennington absent.

**Sec. 46-31. Rates prescribed**

- (a) Except for taxicabs dispatched through a mobile dispatch service, aAll taxicab permittees and licensees shall comply with and abide by the rates established in this section:

[fare structure remains as drafted by the ARA, except adding an additional provision as (f):]

(f) All taxicabs dispatched through a mobile dispatch service shall display their fare rate and provide a fare rate estimator on their website, internet-enabled application, or digital platform used by the permittee to connect drivers and passengers.

After discussion by Council Members Martin, Mayor Parker asked Council Member Martin only if they went through an AP, and Council Member Martin stated only if they went through a mobile dispatch service could there be price surging. Council Member Pennington absent.

After further discussion and questions by Council Members Laster, Bradford, Green, Davis, Nguyen and Cohen, Ms. Paez was questioned at length and a vote was called on Council Member Martin written motion to amend Section 46-31 of Item No. 35b. All voting aye. Nays none. Council Member Pennington absent. MOTION 2014-0784 ADOPTED.

Council Member Kubosh moved to remove caps on all of the cabs, seconded by Council Member Bradford, and after further discussion by Council Member Bradford, Council Member Kubosh stated that he would remove his motion. Council Members Martin, Pennington and Gallegos absent.

Mayor Parker stated that there were no more amendments to Item No. 35b, and after discussion, Council Members Boykins, asked for a commitment from Mayor Parker that ARA would come and present options to this Council regarding how these drivers would have an opportunity and a shot under their own permits before the City distributed new taxi permits, and

Mayor Parker stated that she believed that the next round of permits would be in November 2014, and Ms. Paez stated that yes, they would be publishing the number that would be distributed later this the month and November would be the distribution, and Mayor Parker asked if they could accommodate Council Member Boykins request, and Ms. Paez stated yes, they could come back, if they wanted, with a non-codified ordinance that would delay the distribution and then go into a process of determining how that process should be made. Council Members Martin and Pennington absent.

After further discussion by Council Members Laster, Davis, Bradford and Kubosh, a roll call vote was called on Item No. 35b as amended.

ROLL CALL VOTE

Mayor Parker voting aye	Council Member Gallegos voting aye
Council Member Stardig voting aye	Council Member Laster voting no
Council Member Davis voting no	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 absent	Council Member Kubosh voting no
Council Member Nguyen voting aye	Council Member Bradford voting no
Council Member Pennington absent	Council Member Christie voting no
Council Member Gonzalez voting aye	ORDINANCE 2014-0754 ADOPTED

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

**PROPERTY**

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lyle Henkel, Terra Associates, Inc., on behalf of Studemont Venture, L. P., [Capcor Studemont, LLC, (Josh Aruh, Managing Partner) General Partner], and Carlos R. and Maria A. Harvey, for abandonment and sale of 1) Court Street, from Hicks Street north to the south right-of-way line of proposed Summer Street and 2) Wichman Street, from Hicks Street north to the south right-of-way line of proposed Summer Street, in exchange for conveyance of a 60-foot-wide right-of-way easement for and construction of the extension of Summer Street, all located within the C. F. Court Subdivision, out of the John Austin Survey, A-1, Parcels SY14-079A, SY14-079B, SY14-132 and AY14-116 - **DISTRICT C – COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. Council Members Boykins, Martin and Pennington absent.

Council Member Cohen moved to delay Item No. 7 for two weeks, seconded by Council Member Davis. All voting aye. Nays none. Council Members Martin and Pennington absent. MOTION 2014-0785 ADOPTED,

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Erica Sanchez, Walter P. Moore and Associates, Inc., on behalf of Conoco Phillips Company (Stephen Matthews, Attorney-in-fact), for abandonment and sale of Old Katy Road right-of-way, from the I-10 frontage road north to Dairy Ashford Road, and the conveyance to the City of a 20-foot-wide water line easement, all located within the Woodcreek Park Subdivision, Section Two, out of the William Hardin Survey, A-24, Parcels SY14-082 and KY14-313 - **DISTRICT A – STARDIG** - was presented, moved by Council Member Gonzalez, seconded by Council Member Costello, and tagged by Council Member Stardig. Council Members Cohen, Martin and Pennington absent.

## **RESOLUTIONS AND ORDINANCES**

21. ORDINANCE amending Ordinance No. 2013-1013, as amended, to increase the maximum contract amount for a contract between the City of Houston and **CONNELLY BAKER WOTRING LLP** for legal services for representation of the City in negotiations with the United States Environmental Protection Agency - \$1,420,000.00 - Enterprise Fund – was presented, and tagged by Council Member Costello. Council Members Cohen, Martin and Pennington absent.
24. ORDINANCE approving and authorizing an agreement between the City of Houston and **SEARCH HOMELESS SERVICES** to provide a \$1,353,014.00 grant of Texas Homeless Housing and Services Program Funds for costs associated with the acquisition of property located in the 2000 Block of Franklin Avenue to be used as an Employment Services and Care Hub for the homeless and for the purchase of vehicles to be used in connection with Homeless Program Services - **DISTRICT I – GALLEGOS** – was presented. All voting aye. Nays none. Council Members Cohen, Martin and Pennington absent. ORDINANCE 2014-0754 ADOPTED
25. ORDINANCE approving and authorizing contract between the City of Houston and **SAP PUBLIC SERVICES, INC** for Software Licenses and Services related to an Enterprise Resource Planning System; providing a maximum contract amount - \$18,000,000.00 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Council Members Cohen, Martin and Pennington absent. ORDINANCE 2014-0755 ADOPTED
30. ORDINANCE approving the amendment to Certificate of Formation of Houston First Corporation – was presented. All voting aye. Nays none. Council Members Cohen, Martin and Pennington absent. ORDINANCE 2014-0756 ADOPTED
31. ORDINANCE appropriating \$1,564,850.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INDUSTRIAL TX CORP.** for Riverwood Estates No. 1 Lift Station Replacement; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B – DAVIS** – was presented, and tagged by Council Members Kubosh and Costello. Council Members Cohen, Martin and Pennington absent.

## **MATTERS HELD** - NUMBERS 32 through 36

32. RESOLUTION approving the creation of the Stadium Park Redevelopment Authority; approving the Certificate of Formation and the bylaws thereof; confirming the appointment of the initial directors and chairperson - **DISTRICT K – GREEN – (This was Item 11 on Agenda of July 30, 2014, TAGGED BY COUNCIL MEMBERS COSTELLO and STARDIG)** – was presented.

After discussion Council Member Stardig moved a written motion to amend Item No. 32 as follows:

“Section 8. No later than five (5) years from the date the ordinance establishing the Authority is passed and adopted, the Authority shall be brought before the Mayor and City Council for a vote to renew the Authority.” Council Members Martin and Pennington absent.

After discussion by Council Members Christie, Green and Bradford, Council Member Bradford stated that he had a written amendment to Item No. 32, but was not going to offer it because he tended to support Council Member Stardig's written motion and stated that that if it was for the Super Bowl in 2017 why did it have to run for five years after the Super Bowl if they were even going to take another look at it, that was the concern he had, and asked Council Member Stardig why the five years. Council Members Martin and Pennington absent,

Council Member Stardig stated that she did speak with Mr. Ed Wolfe, and he was concerned that some of the contributions that came in may be for large sums and over a period of time, and Mr. Wolfe felt that five years would allow for the breakdown in payments of the donations, that it also gave the City Council the authority to come back and renew it or not, and if not then it would dissolve.

Mayor Parker stated that the City Secretary had pointed out that Section 7 was actually the last section of the ordinance, so Council Member Stardig would just be adding this amendment to the end of Section 7, rather than inserting a new of Section 8, if that would be acceptable, they would consider this as an amendment to Section 7. Council Members Martin and Pennington absent.

A vote was called on Council Member Stardig's motion to amend Item No. 32. All voting aye. Nays none. Council Members Martin and Pennington absent. MOTION 2014-0786 ADOPTED.

Note: The motion submitted by Council Member Stardig was not changed so the motion was written as Section 8.

A vote was called on Item No. 32 as amended. All voting aye. Nays none. Council Members Martin and Pennington absent. RESOLUTION 2014-0032 ADOPTED.

33. ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, and **COASTAL WATER AUTHORITY**, Seller, and **ALLIANCE REALTY PARTNERS, LLC**, Purchaser, to sell CWA Gillette Street, a subdivision in Harris County, Texas **DISTRICT C - COHEN – (This was Item 15 on Agenda of July 30, 2014, TAGGED BY COUNCIL MEMBERS PENNINGTON, BRADFORD and KUBOSH)** – was presented. All voting aye. Nays none. Council Members Martin and Pennington absent. ORDINANCE 2014-0757 ADOPTED
34. REVIEW on the record and make determination relative to the appeal to the City of Houston from a vote by the Houston Planning Commission to uphold the decision of the Houston Archaeological and Historical Commission's denial of a certificate of appropriateness to relocate a structure at 1815 Cortlandt Street (Historic District: Houston Heights East), filed by Timothy Kirwin, Attorney at Law, on behalf of Jeremy McFarland, Brick Moon Design (Applicant) for Laura Menafee (Owner) **DISTRICT C - COHEN- (This was Item 24 on Agenda of July 30, 2014, TAGGED BY COUNCIL MEMBER COHEN)** – was presented. Council Members Martin and Pennington absent.

Council Member Costello moved to uphold the decision of the Houston Planning Commission, seconded by Council Member Green. Council Members Martin and Pennington absent.

After discussion by Council Members Davis, Bradford, Stardig and Cohen, Council Member Costello stated that he would resend his motion to uphold the decision of the Houston



Planning Commission, and Council Member Green withdrew the second. Council Members Martin and Pennington absent.

Council Member Cohen moved to overrule the decision of the Houston Planning Commission, seconded by Council Member Costello. Mayor Parker, Council Members Robinson and Gonzalez voting no, balance voting aye. Council Members Martin and Pennington absent. MOTION 2014-0787 ADOPTED.

Note: The motion was written as to overrule the decision of the Planning Commission and the appeal granted.

36. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BLACK FOREST VENTURES AVIATION RE, LLC, operated by WING AVIATION CHARTER MANAGEMENT SERVICES LLC**, for certain premises at 8410 Larson Street at William P. Hobby Airport - **DISTRICT I - GALLEGOS – (This was Item 27 on Agenda of July 30, 2014, TAGGED BY COUNCIL MEMBER BRADFORD)** - was presented. Council Members Martin and Pennington absent.

After discussion by Council Member Gallegos, a vote was called on Item No. 36. All voting aye. Nays none. Council Members Martin and Pennington absent. ORDINANCE 2014-0758 ADOPTED.

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

Mayor Parker stated that she was in Austin yesterday and missed the festivities around and wished Ms. Anna Russell a belated Happy Birthday, and Council Member Costello, that her wife had a really significant birthday on Monday and she wanted to wish everyone a Happy Birthday. Council Members Martin and Pennington absent.

Council Member Gonzalez announced events he attended or would be attending; and stated that he knew they just got through with a lot of dialog on Chapter 46 and wanted to make sure that beyond just ARA and the administration and all who had already been thanked, he wanted to thank City Attorney Feldman and the Legal Department, in particular Mr. Rashaad Gambrell, who put in a lot of work; that he wanted to extend congratulations to Pastor David Smith and First Lady Linda Smith on Sunday they celebrated their 22nd pastoral anniversary at the new Bethlehem Church; that he wanted to notify District H residents that the highly anticipated development of the Union Pacific Rail Yard, the Hardy Yards, was finally underway, that as part of the project Main Street, at the Judge Alfred Hernandez Tunnel, would go under temporary closure, expected in mid-August, drivers please keep an eye out for the reroute signage, the District H team would be distributing flyers and information at University of Houston, nearby clinics and to residents, this project would bring improved access to Burnett Street from Main Street, total reconstruction of Burnett Street to Fulton Street, much needed improvements to the Hernandez Tunnel and infrastructure improvements that would increase the water and sewage capacity in the neighborhood and would address flooding concerns and grow water capacity, that they had been working with the community to make sure they convened stake holders to make sure this was as smooth as possible. Council Members Davis, Martin, Pennington, Laster, Robinson, Kubosh and Bradford absent.

Council Member Cohen announced events she attended or would be attending; and stated that she wanted to thank Vera Raniff, who had been an intern in her office, she was from Rice. Council Members Davis, Martin, Pennington, Gonzalez, Laster, Robinson, Kubosh and Bradford absent.

Council Member Green announced events he attended or would be attending; and stated

that he also wanted to express birthday greetings to Council Member Costello and Ms. Anna Russell on their birthdays. Council Members Davis, Martin, Pennington, Gonzalez, Laster, Robinson, Kubosh and Bradford absent.

Council Member Gallegos announced events he attended or would be attending; and stated that he wanted to extend a happy belated birthday to Ms. Anna Russell, Council Member Costello and to Ms. Kathy Hubbard and to wish a Happy Birthday to his Council Secretary Ms. Diana Munoz. Council Members Davis, Martin, Pennington, Gonzalez, Laster, Green, Robinson, Kubosh and Bradford absent. NO QUORUM PRESENT

Council Member Stardig stated that she wanted to thank all who gave up their vacation time to work on the stake holders for the Vehicle for Hire Ordinance that passed today, and to thank her staff who maintained the office and all of the additional work, she really appreciated them; and announced events she attended or would be attending. Council Members Davis, Martin, Pennington, Laster, Green, Robinson, Kubosh and Bradford absent.

Council Member Nguyen announced events he attended or would be attending; and stated that he wanted to wish a belated happy birthday to Council Member Costello, Ms. Russell and his scheduler Tan. Council Members Davis, Cohen, Martin, Pennington, Laster, Green, Robinson, Kubosh and Bradford absent. NO QUORUM PRESENT

Council Member Boykins announced events he attended or would be attending; and stated that he wanted to wish a Happy Birthday to Ms. Russell and Council Member Costello; and stated that he wanted them to keep Mr. Tony Morris in thoughts and prayers as he continued to battle his illness; that the Sunbeam Neighborhood Depository and Recycling Center was finally reopening and was located at 5100 Sunbeam, that he wanted to thank Mayor Parker and Mr. Harry Hayes for committing to get this re-opened; that he wanted to congratulate Reverend James Nash and First Lady Stella Nash on their 65th church anniversary this past Sunday; that he wanted to congratulate Mr. Michael Strahan, who was conducted in the Football Hall of Fame. Council Members Davis, Cohen, Martin, Pennington, Laster, Green, Robinson, Kubosh and Bradford absent. NO QUORUM PRESENT

Council Member Costello stated that last Wednesday the Public Works Department had a public hearing for the rollout of the start of construction on Shepherd, from Westheimer to Buffalo Bayou, it was sponsored by Council Members Cohen and Pennington, that Public Works did an outstanding job of that presentation, that he went over and congratulate Deputy Director Menendez and stated that this was how they needed to communicate to the public. Council Members Davis, Cohen, Martin, Pennington, Laster, Green, Robinson, Kubosh and Bradford absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 2:33 p.m. Council Members Davis, Cohen, Martin, Pennington, Laster, Green, Robinson, Kubosh and Bradford absent. NO QUORUM PRESENT

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary