

City Council Chamber, City Hall, Tuesday, September 9, 2014

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 9, 2014, with Mayor Annise Parker presiding with Council Members Brenda Stardig, Jerry Davis, Dwight Boykins, Ellen R. Cohen, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David W. Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C., Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; and Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office, present.

At 1:45 p.m. Mayor Parker called the meeting to order and stated they would start with the presentation portion of the City Council meeting, and recognized Council Member Costello for the first presentation. Council Members Stardig, Boykins, Gonzalez, Gallegos, Laster, Green, Costello and Robinson absent.

Council Member Costello invited those present from the Silver Eagle Distributors to the podium and Mayor Parker presented a proclamation designating September 9, 2014 as Anheuser Busch Global Beer Responsibility Day which reminds people to drink responsibly. Council Members Stardig and Robinson absent.

Council Member Davis stated that they were recognizing the Center for Literacy and the month of September as prevent illiteracy month. Those present from various organizations were recognized. Council Member Stardig absent.

Ms. Hughes thanked Mayor Parker, Council Member Martin and the City Council for the proclamation. Council Members Laster and Robinson absent.

Vice Mayor Pro Tem Davis recognized Council Member Gonzalez for the next presentation. Council Member Stardig absent.

Council Member Gonzalez invited Mr. Juan Carlos to the podium to present a proclamation and stated that Juan was the Montrose Rollerblade Dancer.

At 2:14 p.m. Mayor Parker recognized Council Member Costello for the invocation and pledge of allegiance. All present.

At 2:16 p.m. the City Secretary called the roll. Council Member Pennington absent on personal business. All present.

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

The City Secretary began calling the list of speakers.

Dr. Alkebu Motapa, 5022 Cosby, Houston, Texas 77021 (713-741-5150) had reserved time to speak, but was not present when his name was called. Council Member Stardig absent.

Ms. Emily Seldonridge, 17330 Hwy. 3, Webster, Tx, 77598 (281-332-3381) appeared presented statement on behalf of the Galveston Bay Foundation which she read and stated that the foundation offered the following comments: 1. Although the current water conservation goals are improved from the first draft of the plan, there is still no clear roadmap on how the City plans to achieve these goals. A few programs are listed within the Plan, but an additional implementation timeline would help solidify future steps to accomplishing the projected targets and goals. 2. A water conservation plan is a guiding document for the next 5 to 10 years and

outlines best management practices to try to meet identified targets and goals. Houston is to be commended for focusing on water loss to meet water conservation goals; however, the remaining portion of the goals hinge on involvement from the public or end user. Implementation therefore needs to target water use behaviors; and the foundation was glad to assist the water conservation planning and implementation process in any way needed.

Mr. John Cieslewicz, 1250 Dubarry Ln., 77018, (713-906-1725) appeared and presented and read statement relative to drainage swales established for his subdivision in which he stated the City's position is "My way or the highway". No one from the Mayor's Office, Legal Department, or my Council Member has or is willing to sit down and discuss with me this issue that I have brought up for the last 10 months. Again the Legal Department has not addressed the point I have brought up today. I am not getting a fair shake here.

Mr. Michael Hiner, 1100 Smallwood Dr., 77023 (713-677-4295) appeared and presented information in which he requested consideration a motion for the City Council to appoint a committee under the direction of the Inspector General to review deed restrictions of record, for subdivisions within the Houston city limits, with the intention to remove offensive racial commentary from documents of record for the City of Houston.

Mr. Robert Fenlon, 5938 Belarbor, 77033 (713-701-1881) had reserved time to speak, but was not present when his name was called.

Mr. William Beal, No Address, No Phone had reserved time to speak, but was not present when his name was called.

Ms. Tomaro Bell, 3248 Charleston, 77021 (713-825-8449) had reserved time to speak, but was not present when her name was called.

Ms. Debra Walker, 5022 Edfield, 77033 (713-733-9029) appeared and stated that she was present because of the CES Environmental Dump which needs to be cleaned up in an urgent manner as it is close to their neighborhood and causes illnesses. Council Member Boykins stated that the EPA was doing an on sight clean up and read information on an update of the EPA progress and the efforts by the City and the bankruptcy filed by CES in 2010. Council Members Stardig, Martin, Gonzalez and Green absent.

Ms. Roselyn Johnson, 4608 Kingsbury, 77021 (832-236-9861) appeared and stated that she was present with those from the Texas Department as she had a problem in North Houston because of the toxic chemicals and something needs to be done with CES and was asking the City to take action as CES was an environmental hazard.

Mayor Parker stated that as Council Member Boykins pointed out the EPA was on site the company was in bankruptcy, the City was assisting the EPA in the clean up. Council Member Stardig, Davis, Martin and Gonzalez absent.

Mr. Pervis Hall, 9700 Leawood, 77099 (281-673-7650), (281-673-7650) appeared and stated that he was with the preservation coalition to preserve the Freedman Town Bricks and request alternative method be used so the bricks could be preserved. Council Member Stardig, Martin, Pennington and Gonzalez absent.

Ms. Loretta Brock, 3001 Cleburne, 77004 (832-572-2521) appeared and stated that she was present representing the Freedmans Town Coalition Committee to request that the removal of the bricks be stopped.

Mr. John Noflin, 12903 Brent Rock Dr., 77082 (832-208-1498) had reserved time to speak, but was not present when his name was called.

Mr. James Partsch-Galvan, 1611 Holman, 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was requesting more time, and continued to voice his personal experiences until his time expired. Council Members Stardig, Martin, Pennington and Gonzalez absent.

Council Member Boykins/Seconded by Council Member Robinson that Ms. Judy Jones be added to the list of speakers. Council Members Stardig, Martin, Pennington and Gonzalez absent. MOTION 2014-0836 ADOPTED.

Ms. Judy Jones appeared and stated that the CES facility be cleaned up as soon as possible as when it rains the water runs under her house as they were less than 15 feet from her home and it was a matter of life and death. Council Member Boykins stated that he would visit her home to observe the conditions. Council Members Stardig, Martin, Pennington and Gonzalez absent

At 3:02 p.m. Mayor Parker stated that the City Council was recessed until 9:00 a.m., Wednesday, September 10, 2014. Council Members Stardig, Martin, Pennington and Gonzalez absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, September 10, 2014, Mayor Annise Parker presiding with Council Members Brenda Stardig, Jerry Davis, Ellen R. Cohen, Dwight Boykins, Dave Martin, Richard Nguyen, Oliver Pennington, Edward Gonzalez, Robert Gallegos, Mike Laster, Larry V. Green, Stephen C. Costello, David W. Robinson, Michael Kubosh, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. Dave Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present.

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

At 9:04 a.m. Mayor Parker called the meeting to order and stated that the first item was the Monthly Financial Report. Council Members Davis and Cohen absent.

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

Mayor Parker recognized Mr. Ronald Green, City Controller, and Mr. Kelly Dowe, Director, Finance Department, for the Monthly Financial and Operations Report. Council Members Stardig, Davis, Gallegos and Bradford absent.

Mr. Green and Mr. Dowe reviewed the Quarterly Financial Report ending June 30, 2014 and Mr. Green reviewed the Quarterly Investment Report and SWAP Report, copies of which are in the City Secretary's office for review. Council Member Gallegos absent.

Council Member Costello stated on the web on his site there were all of the department presentations and list of their core services which could be reviewed to determine the official list of core services and Mayor Parker stated there were no recommendations of Council to discontinue any of those core services during the budget discussion.

After discussion by Council, Council Member Costello moved to receive the report.
MOTION 2014-837. ADOPTED

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 22

PROPERTY - NUMBERS 3 and 4

3. RECOMMENDATION from Director Department of Public Works & Engineering on request from David Brewer, Brewer Escalante, on behalf of F. L. Tucker, Ltd. (Kurt M. Hanson, Vice President) and Crown Business Park, Inc. (M.J. Iqbal, Owner), for abandonment and sale of Millport Street, from Belmore Street to Bingle Road, located within the Rosslyn Addition, out of the Joseph Box Survey, Parcels SY14-109 and SY14-133 - **DISTRICT A - STARDIG** - was presented, moved by Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. All present. MOTION 2014-838 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering on request from Richard Werner, Drake Custom Homes, for abandonment and sale of a prescriptive sanitary sewer easement, between Peden Street and Damon Court, from the western property line of Block 13, Lot 1 to the eastern property line of Block 13, Lot E, in exchange for conveyance of a 10-foot-wide sanitary sewer easement, all located within the Replat of Rosemont Heights Extension, out of the Obedience Smith Survey, Parcels SY14-112 and DY14-050 - **DISTRICT C - COHEN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. All present. MOTION 2014-839 ADOPTED.

ORDINANCES - NUMBERS 5 through 22

5. ORDINANCE approving and authorizing contract between the City and the **TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES (DADS)** for the Development and Implementation of an Aging and Disability Resource Center (ADRC) for Transitional Housing Assistance and other ADRC Services for older adults; declaring the City's eligibility for the contract grant funds; authorizing the Director of the Health & Human Services Department to accept and expend such grant funds, and accept all subsequent awards, if any, pertaining to the ADRC Services - \$511,899.00 - Grant Fund - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-821 ADOPTED.
6. ORDINANCE approving and authorizing ninth amendment reinstating and extending the CDBG - Disaster Recovery Grant Contract, GLO Contract No. 09-6852-000-5275, Formerly referred to as the Texas Department of Housing and Community Affairs Community Development Program Contract No. 70090001, between the City of Houston and the **TEXAS GENERAL LAND OFFICE** for Hurricane Ike/Dolly Funding under the Consolidated Security Disaster Assistance and Continuing Appropriations Act of 2009 - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-822 ADOPTED.
8. ORDINANCE approving and authorizing the City of Houston, Texas, as Grantor, to convey to the **HOUSTON DOWNTOWN PARK CORPORATION**, as Grantee, an easement in certain real property located within the Convention District Garage across from George R. Brown Convention

Center, Houston, Texas - **DISTRICT I - GALLEGOS** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-8823 ADOPTED.

10. ORDINANCE relating to the Fiscal Affairs of the **SOUTH POST OAK REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER NINE, CITY OF HOUSTON, TEXAS (SOUTH POST OAK ZONE)**; approving the Fiscal Year 2015 Operating Budget for the Authority - **DISTRICT K - GREEN** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-824 ADOPTED.
12. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for Professional Civic Art and Conservation Administration Services for the Houston Airport System; providing a maximum contract amount; providing funding for contingencies - 1 Year - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS** was presented. All voting aye. Nays none. All present. ORDINANCE 2014-825 ADOPTED.
13. ORDINANCE amending Ordinance 2012-684 to increase the maximum contract amount to the Pension Actuarial Consulting Services Agreement between the City and **RETIREMENT HORIZONS INC** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-826 ADOPTED.
14. ORDINANCE establishing the north side of the 500 block of Caplin Street, between Lazaras and Helmers Streets, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-827 ADOPTED.
15. ORDINANCE establishing the south side of the 1600 block of Fairview Street, between Yupon and Windsor Streets, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-828 ADOPTED.
16. ORDINANCE establishing the south side of the 1600 block of Fairview Street, between Yupon and Windsor Streets, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN** was presented. All voting aye. Nays none. All present. ORDINANCE 2014-829 ADOPTED.
17. ORDINANCE establishing the north and south sides of the 300 block of Teetshorn Street, between Sabine and Florence Streets, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-830 ADOPTED.
19. ORDINANCE appropriating \$5,000.00 out of Metro Projects Construction DDSRF; approving and authorizing Advanced Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Installation of Traffic Signal Control Software at Signalized Intersections within the City of Houston - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-831 ADOPTED.
20. ORDINANCE approving and authorizing Cooperative Development Agreement between the City of Houston, **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 498, PB COMMERCIAL, LLC, GGA/REDDY FAMILY LIMITED PARTNERSHIP, HRRT MANAGEMENT SERVICES, LLC, INTERNATIONAL BANK OF COMMERCE, MALLADI S. REDDY & PRAVANI REDDY, DOLEX INVESTMENTS, INC** for Buffalo Speedway Design Modification; finding and determining that public convenience and necessity no longer require the continued use of (1) a portion of

Buffalo Speedway, from the northern boundary line of the Wildcat Park Subdivision South approximately 2,100 feet, and (2) a portion of Wildcat Park Drive, from the western boundary line of the Wildcat Park Subdivision East approximately 1,264 feet, both within the Wildcat Park Subdivision, Harris County, Texas; vacating and abandoning the street rights-of-way to PB Commercial, LLC ("abutting owner"); approving and authorizing payment for related title services not to exceed \$100,000.00; approving and authorizing the execution and recording of a Memorandum of street abandonment - **DISTRICT K - GREEN** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-832 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS - NUMBERS 1 and 2

1. RECOMMENDATION from Director of Parks & Recreation Department to approve revised rental rates for the Kingwood Community Center and the renovated and expanded Moody Park Community Center - **DISTRICTS E - MARTIN and H - GONZALEZ** – was presented, moved by Council Member Pennington, seconded by Council Member Gonzalez. All voting aye. Nays none. All present. MOTION 2014-840 ADOPTED.
2. RECOMMENDATION from Director of Finance to place the proposed 2014 tax rate of \$.631080/\$100 of value on the Tuesday October 21, 2014 Council Agenda, or such other date that meets the requirements of the Texas Property Tax Code, call three public hearings at which interested persons will be given the opportunity to be heard on the proposed tax rate and provide for the publication of the notice of such hearings and other related information
SUGGESTED HEARING DATES:
 6:00 P.M. - Tuesday - September 23, 2014;
 6:00 P.M. - Tuesday - September 30, 2014; and
 9:00 A.M. - Wednesday - October 8, 2014
 was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. MOTION 2014-841 ADOPTED

ORDINANCES - NUMBERS 5 through 22

7. ORDINANCE appropriating \$6,180,594.00 out of Parks Consolidated Construction Fund to fulfill the obligations of the City in the Interlocal Agreement for Bayou Greenways 2020 between the City of Houston and **THE HOUSTON PARKS BOARD LGC** approved by Ordinance 2013-635, passed on June 26, 2013 - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; I - GALLEGOS and K - GREEN** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-833 ADOPTED.
9. ORDINANCE relating to the Fiscal Affairs of the **CITY PARK REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE)**; approving the Fiscal Year 2015 Operating Budget for the Authority - **DISTRICT C - COHEN** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-834 ADOPTED.
11. ORDINANCE relating to the Fiscal Affairs of the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (SAINT GEORGE PLACE ZONE)**; approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvements Budget for the Zone

DISTRICTS G - PENNINGTON and J - LASTER - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-835 ADOPTED.

18. ORDINANCE approving Water Conservation Plan for municipal uses and an Updated Drought Contingency Plan for the City of Houston - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-836 ADOPTED.
21. ORDINANCE appropriating \$7,564,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INDUSTRIAL TX, CORP.** for Sims Bayou South Wastewater Treatment Plant Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - GALLEGOS** - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-837 ADOPTED.
22. ORDINANCE appropriating \$2,767,566.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; 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 and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (WW4235-74) - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-838 ADOPTED.

MATTERS HELD - NUMBERS 23 and 24

23. ORDINANCE relating to the Fiscal Affairs of **LAKE HOUSTON REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Year 2015-2019 Capital Improvement Projects Budget for the Zone - **DISTRICT E - MARTIN - TAGGED BY COUNCIL MEMBER MARTIN**
This was Item 23 on Agenda of September 3, 2014 - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-839 ADOPTED.
24. ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER SIX, CITY OF HOUSTON, TEXAS (EASTSIDE ZONE)**; approving the Fiscal Year 2015 Operating Budget for the Zone - **DISTRICTS E - MARTIN and I - GALLEGOS**
TAGGED BY COUNCIL MEMBER MARTIN
This was Item 25 on Agenda of September 3, 2014 - was presented. All voting aye. Nays none. All present. ORDINANCE 2014-840 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

There being no further business before Council, the City Council adjourned at 10:09 a.m. Council Member Pennington absent on personal business. Council Member Bradford out of the city on personal business.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary