

City Council Chamber, City Hall, Tuesday, September 17, 2013

A Regular Meeting of the Houston City Council was held at 2:00 p.m. Tuesday, September 17, 2013, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. Harlan Heilman, Legal Department, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director, Ms. Stella Ortega, Agenda Office, present.

At 1:38 p.m. Mayor Parker called the meeting to order and stated they would begin with Council presentations. Council Members Brown, Davis, Adams, Martin, Hoang, Pennington, Rodriguez, Laster, Green and Noriega absent.

Mayor Pro Tem Gonzalez recognized Mayor Parker for the first presentation. Council Members Brown, Davis, Adams, Martin, Hoang, Pennington, Rodriguez, Laster, Green and Noriega absent.

Mayor Parker stated that this was Hispanic Heritage Month and as they did every year during Hispanic Heritage Month they recognized some of the outstanding community leaders, so today and over the next two weeks she would be signaling out some outstanding members of the community who were nominated by other community leaders and then formally selected by the Mayor's Hispanic Advisory Committee and invited Mr. Mario Martinez and Mr. Macario Ramirez to the podium and stated that they recognized honorees in different categories, and first recognized Mr. Mario Martinez and stated that the City of Houston saluted and commended Mr. Mario Martinez for his outstanding support as a community activist and extended best wishes for continued success in all of his future endeavors, and therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby honored Mr. Mario Martinez with the Mayor's Hispanic Heritage Community Activist Award for the City of Houston and proclaimed today as Mario Martinez Day in Houston, Texas. Council Members Davis, Adams, Martin, Hoang, Rodriguez, Green and Noriega absent.

Mayor Parker recognized Mr. Macario Ramirez, and stated that he was a dedicated community activist and promoter of Latino Art, Music and Culture, as the recipient of the 2013 Mayor's Hispanic Heritage Art in the Community Award, that his support in educating Houstonians and tourists about Latino History and Culture had played a major role in shaping Houston's future, that Mr. Ramirez, along with his wife, Chrissy Ramirez, owned and operated the Casa Ramirez Folk Art Gallery, that the City of Houston saluted and commended Mr. Macario Ramirez for his outstanding support as a community activist for the arts and wished him continued success in all future endeavors, therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby honored Mr. Macario Ramirez with the Mayor's Hispanic Heritage Art in Community Award for the City of Houston, and proclaimed today as Macario Ramirez Day in Houston, Texas. Council Members Davis, Adams, Martin, Hoang, Rodriguez, Green and Noriega absent.

Mr. Martinez and Mr. Ramirez thanked Mayor Parker and the City Council for the award. Council Members Davis, Adams, Martin, Hoang, Rodriguez and Green absent.

Mayor Pro Tem Gonzalez and Council Members Pennington, Burks and Noriega congratulated Mr. Martinez and Mr. Ramirez for their service to their communities and the City of Houston. Council Members Davis, Hoang, Rodriguez and Green absent.

Mayor Parker invited Mr. Harry Masterson, President, GHBA and other GHBA members present in the audience to the podium. Council Members Davis, Rodriguez and Green absent.

Mr. Masterson stated that they were present to present the Mayor and City Council with a proclamation from the National Association of Home Builders, that Mayor Annise Parker, her administration and the 2012-2013 Houston City Council led the way in finalizing and passing the amendments to Chapter 42, that the National Association of Home Builders promoted such partnerships and advocacy and recognized this accomplishment and commended the Greater Houston Builders Association, the Honorable Annise Parker and the Houston City Council on their diligence and willingness to work together for the citizens and home ownership in Houston, Texas, and presented Mayor Parker with the proclamation signed by Rick Judson, Chairman of the Board, National Association of Home Builders and Gerald M. Howard, Chief Executive Officer, National Association of Home Builders. Council Members Davis, Rodriguez and Green absent.

Mayor Parker stated that she would gladly accept the proclamation on behalf of all of the Members of the Houston City Council and the stake holders who put a lot of hours into this effort, it was a compromise and as in all compromises folks had to give, but the great thing about Houston was that they made it work and she wanted to thank the Council Members who rolled up their sleeves and got into the middle of it and made it happen as well. Council Members Davis, Rodriguez and Green absent.

Mayor Pro Tem Gonzalez, Council Members Noriega, Pennington, Laster, Bradford and Adams thanked the National Association of Home Builders for the proclamation and the Greater Houston Builders Association for presenting the proclamation. Council Members Davis, Rodriguez and Green absent.

Mayor Pro Tem Gonzalez recognized Council Member Costello for the final presentation. Council Members Davis, Rodriguez, Green and Noriega absent.

Council Member Costello stated that he was joined by representatives from Silver Eagle and stated that Friday, September 20, 2013, was Anheuser-Bush Be(er) Responsible Day, that this day was set aside to remind everyone who planned to drink beer and alcohol to drink responsibly, that for 35 years Anheuser-Bush and Silver Eagle had promoted responsible drinking, that to honor the day and further promote the use of designated drivers they were asking adults across the Country to "take the pledge" to be a responsible drinker, that everybody could go on line to the Anheuser-Bush site and take the pledge, and Mayor Parker stated therefore, she, Annise D. Parker, Mayor of the City of Houston, hereby proclaimed September 20, 2013 as Anheuser-Bush Be(er) Responsible Day in Houston, Texas. Council Members Davis, Rodriguez and Green absent.

Ms. Roxanne Neumann thanked Mayor Parker and Council Member Costello for the third year of recognizing this important day, they would be out in the market reminding people to be responsible on Friday, as they were every day, but thank you to City Council for giving them the opportunity to get the word out to an even broader audience, thank you for being a great partner. Council Members Davis, Martin, Rodriguez and Green absent.

Mayor Parker stated they appreciated the fact that Silver Eagle/Anheuser-Bush had been a great corporate sponsor of many of their activities and would always want to give the other side of that message in that be safe and be responsible as they consumed alcohol; that Mayor Pro Tem Gonzalez made a reference to samples, she thought it was worth noting that she spoke to the Lewisville, Kentucky Chamber of Commerce Delegation they were in town and on Sunday night the speakers gift was a bottle of Bourbon, the City of Houston did not give away alcohol, so different cities, different traditions. Council Members Davis, Martin, Rodriguez and Green absent.

At 2:09 p.m. Mayor Parker recognized Council Member Pennington for the invocation and pledge of allegiance, and Council Member Pennington requested a moment of silence for the terrible tragedy in Washington yesterday, and stated he knew everyone was aware of the terrible events and asked that they bow their heads for a moment.

At 2:11 p.m. the City Secretary called the roll. All present.

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

Mayor Parker stated that she appreciated Council Member Pennington referencing the tragic shooting yesterday, it was a good opportunity to remind Council Members that their Run, Hide, Fight Video had received national recognition, it had been distributed all over the world, but the message in it was worth sending out again and was available for download on the City's website and also available on CD for those who request it, that even some of their federal partners had begun using it as a training video, these incidents could happen very rapidly in unexpected places and she saluted those on the City staff who created the video and thanked those who had helped spread the message.

Council Member Laster moved that the rules be suspended for the purpose of hearing from Mr. David Smolensky at the top of the speakers list, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2013-0633 ADOPTED.

Council Member Burks moved that the rules be suspended for the purpose of hearing from Ms. Tomaro Bell after Mr. David Smolensky, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2013-0634 ADOPTED.

The City Secretary began calling the list of public speakers.

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

Ms. Laurie Hallmark, 6815 Academy, Houston, Texas 77025 (832-789-9420) and stated that she was on staff at Saint Joseph Club House, which was a rehabilitation program for people with serious mental illness and were based on the clubhouse model for mental illness rehabilitation, that MHMRA had recognized their unique service to the community by partnering with them through an 11-15 Waiver to expand their program at their current site and open a new clubhouse, that over 40% of their members were employed in the community, their monetary contribution to the community was over \$200,000 per year and their diversity of life experience and perception contribution was immeasurable, so they would like to invite Mayor Parker and the City Council to their Celebration of Success Event on October 10, 2013 from 5:00 p.m. to 7:00 p.m., where they would honor the employers who had helped the clubhouse to help their members accomplish their employment goals and work towards a better future. Council Members Hoang and Burks absent.

Ms. Connie Mullins, 5420 Sherman, Houston, Texas 77011 (713-523-5958) had reserved time to speak, but was not present when her name was called. Council Members Hoang and Burks absent.

Mr. Robert Downs, 506 W. Cottage, Houston, Texas 77009 (713-862-4684) appeared and stated that he had been involved with Magnificent Houses since 1997 and they did great work, that Saint Joseph's Club House and the success they had with placing folks with actual employment, that they hoped the City Council would take the time to review the brochures they had handed out to them and spay special attention to the invitation. Council Members Hoang

and Burks absent.

Mr. Clay Kibler, 3306 LaBranch, Houston 77004 (281-773-8395) appeared and stated that he was present representing Saint Joseph's Club House also and had brought the City Council a gift of homemade preserves that were produced on their property from fruit trees and grapevines and made in their kitchen by their members and staff, that it was a small example of what people with serious mental health illness could do when given the opportunity and would invite them to their success party on October 5, 2013. Council Members Hoang and Burks absent.

Mayor Parker thanked Mr. Kibler for the preserves and stated she believed they raised vegetables as well and they had brought those down in the past. Council Members Hoang and Burks absent.

Mr. David Cavin, 1421 Marshall, No. 5, Houston, Texas 77006 (832-352-0972) appeared and stated that he would like to invite any person with mental disability or capability to join, that Saint Joseph had helped him gain employment through the rehabilitation program, that it had helped him build his self confidence. Council Members Hoang and Burks absent.

Mayor Parker, Council Members Adams, Hoang, Costello and Noriega congratulated Mr. Cavin on his success. Council Member Burks absent.

Mr. Dexter Handy, 5213 Feagan St., No. C, Houston, Texas 77007 (713-862-1171) appeared and stated that he was Chairman of the Houston Citizens Transportation Coalition, an advocate of complete streets and livable centers and was the reason he was present to express his concern about a proposed amendment to Chapter 9 of the Infrastructure Design Manual, that as he understood there was a potential to change that to allow the builders to provide a fee in lieu of detention ponds, as they knew Houston did flood, and the Council Members had worked hard to get a dedicated amount of money every year to rebuild Houston and fix the streets, sidewalks and drainage, that the fee in lieu of detention ponds did not appear to address that, it appeared to just go to maybe the General Fund, that within the CTC and other groups they were prepared to present viable alternatives, some at even lower costs potentially to what had been presented. Council Members Adams and Burks absent.

Council Member Pennington stated that they appreciated input on how to solve problems, that he knew that as he was president of the transportation group and if they had some ideas he knew that the Mayor and Director of Public Works and all of them would be glad to hear what they had to say. Council Members Adams and Burks absent.

Mr. David Smolensky, 8110 Wateka Dr., Houston, Texas 77074 (832-282-9262) had reserved time to speak, but was not present when his name was called. Council Members Adams and Burks absent.

Ms. Tomaro Bell, 3214 Charleston, Houston, Texas 77021 (713-825-8449) appeared and stated that one of the things they had asked repeatedly was if they had deed restrictions they did not need the prevailing lot designation, that last night Ms. Marlene Gafrick came to their Super Neighborhood Alliance meeting and said that not only did they not need it, they could not get it, that 99% of the Super Neighborhood presidents who were there last night did not know that, they had been repeatedly told that they did not need it if they had deed restrictions, they had never been told they could not get it, that the reason they wanted to do the two year phase in was to make sure every neighborhood would have the opportunity if they wanted to be a part of the prevailing lot limits, if they could not have it that was a totally different statement. Council Members Adams and Burks absent.

Mayor Parker stated that they tried to be very clear, if their deed restrictions already covered set backs and lot sizes their ordinance could not trump their deed restrictions, which was a private contract already existing, if their deed restrictions did not cover set backs and lot sizes, yes, they could fall under these ordinances, if it was already covered they did not need it, it was covered, if it was silent on these issues yes they could take advantage of it, the City could not trump their deed restrictions, if their deed restrictions were going to expire in a certain period could they impose the minimum lot size and minimum building line to take effect post deed restrictions, she would was going to ask the Legal Department to research that. Council Members Adams and Burks absent.

Ms. Bell stated she appreciated that they were not there yet, their dialog continued with the builders on Chapter 9, they were not there but would have something to give them hopefully by Friday. Council Members Adams and Burks absent.

After discussion by Council Members Laster, Brown, Green, Mayor Parker stated that the ordinance was not going away, it was not time limited, if their deed restrictions expired in 5 years they could apply at that time, that she understood they were interested in protections now, but the ordinance would still be available, it had been on the books for a number of years now and would be there in the future. Council Members Adams, Rodriguez and Burks absent.

Council Member Brown moved that the rules be suspended for the purpose of extending time for questions of Ms. Tomaro Bell, seconded by Council Member Green. All voting aye. Nays none. Council Members Adams, Rodriguez and Burks absent.

After further discussion by Council Members Brown and Laster, Mayor Parker stated that the minimum lot size and the minimum building ordinance were already applied inside the loop, so neighborhoods that were inside the loop already had the ability and had been using that for some time, they were just talking about stepping out between the loop and the borders of the City, the grace period was now for those neighborhoods, that the phase in period was just for the developers before they could come in, they had not changed the Minimum Lot Size or Minimum Building Line Ordinance, they were as they had been and were able to be used today and in the future. Council Members Adams, Rodriguez and Burks absent.

Ms. Karla Montecinos, 15534 Pilgrim Hall Dr., Friendswood, Texas 77546 (713-469-2424) appeared and stated that she was working for HPD on October 21, 2011 when she was injured in a major vehicle accident, a large truck struck her on the drivers side, that it was the other drivers fault, that she had four herniated disks and something torn in her shoulder, that Workers Compensation said her injuries were exclusive because she was 35 years old when the accident happened, that she had never received a doctor before and since the accident she had experienced Workers Compensation, HPD, lawyers and doctors, that she had been discriminated, mistreated and lied to by people she trusted and no one provided any help, Workers Compensation stopped paying her since February 13, 2012 because the Workers Compensation doctor, without any tests, according to him she was good to come back to work on light duty, that she had two doctors say she was not able to come back to work yet, that for six months she had to burn her own time in order to get paid, that some people from work were calling her doctor and harassing her to release her to work light duty, that another doctor wanted to do surgery but he was tired of dealing with Workers Compensation, that Assistant Chief Montalvo provided her with a medical questionnaire to take to her doctor to fill out, that the doctors filled it out, but in August 2012 Assistant Chief ordered her to take it to the doctor and she told her that she did not have a doctor at that point. Council Members Davis, Adams, Hoang and Burks absent.

Mayor Parker stated that what she had indicated that yes, she received an on the job injury in a motor vehicle accident and after recovery from those injuries she was examined and

according to the arbitrators record by at least four different physicians that indicated that she could and should return to work, but that she failed to do that, as well as failing to provide evidence that she was not capable of working and was subsequently and indefinitely suspended and that had already been through the arbitration process and upheld, and asked Ms. Montecinos if that was correct, and Ms. Montecinos stated yes, and Mayor Parker asked what was her request to them today. Council Members Davis and Adams absent.

Ms. Montecinos stated that she needed help. Council Members Davis and Adams absent.

Council Member Bradford asked if she was capable of returning to work, could she perform those functions of a police officer, did she ever complete and return the medical questionnaire, and Ms. Montecinos stated yes, but by the time Chief Montalvo was asking for it she did not have a doctor and nobody wanted to see her, that it was a process that she had to go through Workers Compensation, that she was denied her changing doctors and that was when she failed to turn in the medical questionnaire by the deadline, that she was not capable to return to work, she was taking five medications and could pretty much not function. Council Members Davis and Adams absent.

Ms. Dazie Williams, 322 Southbrook Circle, Houston, Texas 77060 (No Phone) appeared and stated that her son, Joshua Woods, on December 21, 2012 was followed from Willowbrook Mall to a residential area where he was killed over his Air Jordan Tennis Shoes, it was approximately 8 months ago, from that time she had a petition and an organization called lifeoverfashion.org, where she was trying to make awareness and she was asking for their support and help in making awareness of how people were being killed, that the first killing happened in 1995, that when these shoes come out they just wait until someone else was killed, a pair of shoes would be coming out this coming Saturday, thousands of people wanted these shoes, but they were only bringing 37 to Houston, that on December 21, 2013 they could go online and see the shoe that was coming out so that gave people ample time to figure out what they were going to do to get these shoes, that in her son's case there were four individuals, the youngest was 16 years old, so it was not just her losing her son to death, they had four kids from 16 years of age to 19 years of age who were charged with capital murder, that she had been going to court every month on the 16 year old to get him served as an adult and on September 4, 2013 he was served as an adult, that she wanted them to remember her so when December 21, 2013 comes how many people would lose their lives. Council Members Davis and Adams absent.

Mayor Parker stated that she wanted to express on behalf of the City Council their sorrow on the loss of her son, particularly in those circumstances. Council Members Davis and Adams absent.

Council Members Noriega and Burks advised Ms. Williams that they were sorry for her loss, and Council Member Burks stated that he was going to ask Houston not to buy those shoes, and Ms. Williams stated that she was not banning the shoes, just a better way of selling and releasing the shoes. Council Members Davis, Adams and Gonzalez absent.

Council Member Burks moved that the rules be suspended for the purpose of questions of Ms. Dazie Williams, seconded by Council Member Noriega. Council Members Davis, Adams and Pennington absent.

Mayor Parker stated her son was 22 years old and old enough to make those decisions, and he worked for it, and bought those shoes with his own money, no one should be able to take that away from her. Council Members Davis, Adams and Pennington absent.

Upon questions by Council Member Green, Ms. Williams stated that on February 14,

2013, during the All Star Game, Mr. Michael Jordon contacted her and expressed his condolences and stated that he would contact her again, and Council Member Green stated that if she needed a letter of support saying that they request more shoes be rolled out or done in a more responsible way she definitely had his support. Council Members Davis, Adams, Hoang, Pennington and Gonzalez absent.

Mayor Parker stated that Council Member Green had a good idea and they would support him. Council Members Davis, Adams, Hoang, Pennington and Gonzalez absent.

Mayor Parker stated that as a reminder to Council Members they had a mandatory State required public hearing at 6:00 p.m. so please make plans to come back to the Council Chamber. Council Members Davis, Adams, Hoang, Pennington and Gonzalez absent.

Ms. Ashley Wilkerson, Post Office Box 558, Houston, Texas 77001 (832-304-4293) appeared and read from written statement regarding a high tech criminal organization operating in the City and using some type of military grade energy weapon, and asked what the Council Members were going to do about this, that she had passed out a flyer of pictures she had taken with her cell phone camera, and continued to voice her opinions until her time expired. Council Members Brown, Davis, Adams, Hoang, Gonzalez and Noriega absent.

Ms. Marilyn Pickaree-Champagne, 12353 Kingsride Ln., Houston, Texas 77024 (Private) appeared and stated that she wanted to discuss the safety obligations that Metro personnel had failed to address in light all commuters that boarded the Metro Light Rail System on a daily basis, that she was one of Metro's victims in that there was an incident that occurred on August 14, 2013 on the Metro Light Rail to which there was liquid on the floor of the Metro Light Rail and it caused a slip and fall injury to which she was taken to the hospital and treated for multiple foot and ankle injuries, that she currently had a broken foot and ankle fractures due to the incident, that in closing she did not make it a habit to go into any place of business or board any form of transportation to have an injury like this, that it was incumbent upon Metro to seek some kind of resolution as to having a safety evaluation done on the Light Rail System. Council Members Brown, Adams, Hoang, Green and Noriega absent.

Mr. Andy Wiltshire, 12210 Wood Bayou Dr., Houston, Texas 77013 (No phone) appeared and read from a prepared statement regarding having gambling at the Astrodome and turn it into a casino, and continued to voice his personal opinions regarding the Astrodome until his time expired. Council Members Brown, Adams, Hoang, Green and Noriega absent.

Mr. Brandt Mannchen, 5431 Carew, Houston, Texas 77096 (713-664-5962) appeared and stated that on February 17, 2013 he sent a letter of complaint to Mr. Joe Turner, Director, Houston Parks and Recreation Department about an illegal mountain bike trail in Memorial Park, that two months later he had heard nothing so he sent a second letter by certified mail, with return receipt requested on April 26, 2013 and still he had heard nothing, so on June 27, 2013 he contacted Council Member Cohen and her office said on July 1, 2013 that they had contacted Houston Parks and Recreation about his complaint, that on August 13 and August 15, 2013 he received phone messages from Council Member Cohen's office saying first that that there was a letter in the Directors Department, and second that they had tried to get movement going and that it had not succeeded and if he wanted to contact them he could, so his question was what did it take to get Mr. Joe Turner to seriously address a citizens complaint, how long did it take, what was the procedure to log it in, investigate and respond to a citizens complaint at the Houston Parks and Recreation Department, and when would his complaint be taken seriously, investigated and when would he could get a response that adequately addressed his complaint, that today at about 11:00 p.m. Ms. Lucy Correa, Parks Department, called him about this and they talked a while about it, but seven months waiting for a response and getting none was poor government and he did not see any reason for it and he was very

upset and angry about it. Council Members Brown, Adams, Hoang, Green and Noriega absent.

Mayor Parker agreed that he should have had a response, he may not have liked the response, but he should have had a response, that one of the challenges on these illegal mountain bike trails was that they block them, the bikers went in and dragged the stuff out of the way and go back down them again, but he should have had a response, there was no excuse for that. Council Members Brown, Adams, Hoang, Green and Noriega absent.

After further discussion by Council Members Cohen and Pennington, Mayor Parker stated there were designated trails, but what happened was that they made their own, which had a negative environmental impact, that they would not like to clutter up the park with signs every where saying to not do this, what they tried to do was work with the mountain biking community to police their own and to keep the rouge riders from going out and creating new trails, that she would request that the Parks Department take a look at the old signs. Council Members Brown, Adams, Hoang, Green, Noriega and Christi absent.

Mr. Fank Lovoi, 1734 N. Mac Gregor Way, Houston, Texas 77023 (713-923-7557) appeared and stated that he was a resident of the East End in the Idelwood Addition, they had a golf course in their area known as Gus Wortham, that a botanical garden wanted to come in and take the golf course over, there was 150 acres there and the botanical gardens wanted 85 acres, that would leave 65 acres that would not be able to be used for any kind of golf course or anything else, if it happened it was going to throw the property into limbo and they did not like the way the future looked for the 65 acres if this happened. Council Members Brown, Davis, Adams, Hoang, Green, Noriega and Christi absent.

Mayor Parker stated that this was not a City proposed project, the botanic garden was a private nonprofit that had looked at a number of different land sites, a botanic garden would not increase flooding, it would not reduce green space, the botanic garden was about plants, that the proposal was out there in the public, it was not coming from the City, and would take half the site as a botanic garden and reconfigure the rest of the site as a nine hole golf course, so it would not eliminate the golf course, the City was not going to remove Gus Wortham as a park, whether it remained as a golf course was another question, but they were not planning on selling it for redevelopment or anything like that. Council Members Davis, Brown, Adams, Hoang, Green, Noriega and Christi absent.

After discussion by Council Members Rodriguez and Burks, Mr. Lovoi stated that the Houston Botanical Society was a social club, it was not qualified to manage a hundred million dollar capital project, they did not have a master plan. Mayor Parker, Council Members Davis, Brown, Adams, Hoang, Green, Noriega and Christi absent. Mayor Pro Tem Gonzalez presiding.

Mr. Armando Diaz, 6674 Rockbridge, Houston, Texas 77023 (713-923-1814) appeared and stated that he was a resident of the East End and Idlewood, that he was present on behalf of the friends of Gus Wortham, they represented hundreds of citizens that loved Gus Wortham Golf Course and were concerned that it would be destroyed by the members of the Houston Botanical Gardens, that they had come to the neighborhoods and had found mixed responses from the area residents, that last Tuesday at a local super neighborhood meeting it was attended by 40 to 50 concerned citizens that appreciated and valued Gus Wortham Golf Course, that no minutes were taken, no vote was taken as advertised, that Houston Botanical Garden president met strong opposition to his proposal and it appeared that they wanted to ignore the citizens and proceed forward by not recognizing the heavy support for Gus Wortham Golf Course, that a lot of citizens expressed legitimate concerns and issues that were not answered, that over \$200,000 was spent on the plans to upgrade Gus Wortham, an extensive investment to the golf course would be wasted, that Gus Worth Golf Course was flourishing with

golfers from all over the City using the golf course, that there was a program, Magnolia Junior Golf, that had taught over 100 junior high students from KIPP Academy and area schools to play golf, that University of Houston and Texas Southern Students and golf teams practiced there. Mayor Parker, Council Members Davis, Brown, Adams, Hoang, Green, Burks, Noriega and Christi absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Council Member Rodriguez stated that he and Representative Carol Alvarado had a meeting with Ms. De La Fuente and they planned to meet with her and the community to solicit more input and hear the concerns, that again it was not a City project, they were not initiating it, they were private citizens that were looking at it, that they as a community needed to protect their gems and greenspace. Council Members Davis, Brown, Adams, Hoang, Green, Burks, Noriega and Christi 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 Davis, Brown, Adams, Hoang, Green, Burks, Noriega and Christi absent.

Mr. Joseph Ballard, 6302 Rocknook Dr., Humble, Texas 77396 (281-850-0388) had reserved time to speak, but was not present when his name was called. Council Members Davis, Brown, Adams, Hoang, Green, Burks, Noriega and Christi absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called. Council Members Davis, Brown, Adams, Hoang, Green, Burks, Noriega and Christi absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and requested more time and they were obligated to do so, and asked what it was that they did not understand, the oath of office that they had taken was to enforce policies, and continued to express his personal opinions until his time expired. Council Members Davis, Brown, Adams, Hoang, Green, Burks, Noriega and Christi absent.

At 3:24 p.m. Mayor Parker stated the City Council was recessed until 6:00 p.m., Tuesday, September 17, 2013. Council Members Davis, Brown, Adams, Hoang, Green, Burks, Noriega and Christi absent.

The Houston City Council reconvened at 6:00 p.m., Tuesday, September 17, 2013, with Mayor Annise Parker presiding and with Council Members Dave Martin, Al Hoang, Edward Gonzalez, James G. Rodriguez, Mike Laster, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega and Jack Christie, D. C.; Ms. Sameera Mahendru, Legal Department; Ms. Marta Crinejo, Agenda Director, present. Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Oliver Pennington, Larry V. Green and C. O. "Brad" Bradford absent.

HEARING – 6:00 P.M.

At 6:00 p.m. Mayor Parker called the meeting of the City Council to order. Council Members Brown, Davis, Cohen, Adams, Pennington, Green and Bradford absent.

The City Secretary stated that no one had reserved time to appear or speak at the public hearing. Council Members Brown, Davis, Cohen, Adams, Pennington, Green and Bradford absent.

Mayor Parker stated they were determining that there was a quorum of Council Members in the Chamber, they were not changing their tax rate in any way, this was a required public

hearing, no one had signed up to speak, and asked if there was anyone present who wished to speak. Council Members Brown, Davis, Cohen, Adams, Pennington, Green and Bradford absent.

The City Secretary read the following required written statement. "The vote to adopt a property tax rate for the City of Houston for 2013 will be considered at the City Council meeting to be conducted in City Council Chambers, 2nd floor, City Hall, 901 Bagby on October 16, 2013 convening at 9:00 A.M." Council Members Brown, Davis, Cohen, Adams, Pennington, Green and Bradford absent.

Council Member Laster moved to close the public hearing, seconded by Council Member Burks. All voting aye. Nays none. Council Members Brown, Davis, Cohen, Adams, Pennington, Green and Bradford absent. MOTION 2013-0637 ADOPTED.

At 6:02 p.m. the City Council recessed until 9:00 a.m., Wednesday, September 18, 2013. Council Members Brown, Davis, Cohen, Adams, Pennington, Green and Bradford absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, September 18, 2013, with Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D. C.; Mr. David Feldman, City Attorney; and Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office, present.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:05 a.m. Mayor Parker called the meeting to order and recognized Council Member Green for a point of personal privilege. Council Members Brown, Davis, Adams, Hoang and Noriega absent.

Council Member Green stated that they had some students joining them today from Texas Southern University, Public Budgeting Course and asked that they stand and be recognized, they were doing this as part of their course credit. Council Members Brown, Davis, Adams, Hoang and Noriega absent.

Mayor Parker requested the City Secretary to call the consent agenda.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 31

MISCELLANEOUS - NUMBERS 2 through 4

2. REQUEST from Mayor for confirmation of the appointment of the following to the **ELECTRICAL BOARD**:
ELIOT L. DOUCET, appointment, to serve as Chair
Position Five -**REGINALD W. COMFORT**, for an unexpired term ending 1/2/2015
- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown, Davis and Adams absent. MOTION 2013-0638 ADOPTED.
3. REQUEST from Mayor for confirmation of the appointment of the following to the **INDEPENDENT POLICE OVERSIGHT BOARD**:

- Panel B4 - **BERTHA BROWN**, for an unexpired term ending 3/28/2014
Panel D1 - **CAROLINA WOLK**, for an unexpired term ending 10/26/2014

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown, Davis and Adams absent. MOTION 2013-0639 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **MIDTOWN MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for terms to expire 6/1/2017:

- Position Ten - **EILEEN J. MORRIS**, reappointment
Position Eleven - **JULIE FARR**, appointment
Position Twelve - **JOHN G. CASTILLO**, reappointment
Position Thirteen - **MARYLENE CHAN**, appointment
Position Fourteen - **WILLIAM R. (BILL) FRANKS**, reappointment and as Chair
Position Fifteen - **DEBRA A. MARTINE MCGAUGHEY**, appointment
Position Sixteen - **GARY W. NOBLE**, reappointment
Position Seventeen - **CHARLES WASHINGTON**, appointment

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown, Davis and Adams absent. MOTION 2013-0640 ADOPTED.

ACCEPT WORK – NUMBER 5

5. RECOMMENDATION from Director Department of Public Works and Engineering for approval of final contract amount of \$3,279,208.06 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods 0.43% over the original contract amount and under 5% contingency amount (4257-108) - **DISTRICTS B - DAVIS, C - COHEN, D - ADAMS, G - PENNINGTON, I - RODRIGUEZ and J - LASTER** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown, Davis and Adams absent. MOTION 2013-0641 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 and 7

6. **INTERNATIONAL BUSINESS MACHINES (IBM) CORPORATION** for Purchase of Professional Information Technology Services and Maintenance from the State of Texas Building and Procurement Commission, Texas Multiple Award Schedule Contract for the Houston Police Department - \$68,289.04 - General Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown, Davis and Adams absent. MOTION 2013-0642 ADOPTED.
7. **LETGO GROUP, LLC** - \$148,292.00, **RAY GARIETH DON, INC** - \$170,454.03, **HANSON AGGREGATES** - \$258,000.00, **THE GREEN SHOVEL, INC dba CHAMPION LANDSCAPE SUPPLIES** - \$71,000.00 for Top Soil, Bank Sand, Clay-Filled Dirt and Conditioners for Various Departments - \$647,746.03 - General, Parks Golf Special Fund and Enterprise Fund - 3 years with two one year options - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown, Davis and Adams absent. MOTION 2013-0643 ADOPTED.

Mayor Parker stated that they had made appointments to the Electrical Board and believed the one of the appointees, Mr. Reginald Comfort, was present and thanked him for his willingness to serve, this was one of those boards that people did not know about but provided important service to the City of Houston. Council Members Brown, Davis and Adams absent.

Council Member Noriega stated that having oversight and folks willing to volunteer to pay attention to this issue was so important and thanked him for being willing to do it. Council Members Brown, Davis and Adams absent.

Mayor Parker stated that they had confirmed another member of the Independent Police Oversight Board, Ms. Carolina Wolk, who was present in the audience, and thanked her for her willingness to serve, that this was one of the boards that did take a lot of time, regular reading of files, having to travel into the Police Department to do that and one that that they had the opportunity to see inside the Houston Police Department in a way that many others did not, and thanked her for her service to the City of Houston. Council Members Brown and Adams absent.

Mayor Parker stated that they also appointed Members of the Midtown Management District Board of Directors and did not believe there were any one present from Midtown, and thanked them for their service. Council Members Brown and Adams absent.

Council Member Burks moved that the rules be suspend for the purpose of considering Item Numbers 20 and 22 out of order at this time, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Brown and Adams absent. MOTION 2013-0644 ADOPTED.

20. ORDINANCE approving and authorizing an agreement for legal services between the City of Houston and **SUSMAN GODFREY L.L.P.** for Representation of the City in Pending Litigation against Xerox State and Local Solutions, Inc. A/K/A and F/N/A ACS State and Local Solutions, Inc. in the United States District Court for the Southern District of Texas Case No. 4:13-CV-026532; providing a maximum contract amount - \$475,000.00 - General Fund - was presented. Council Member Adams absent.

Council Member Burks stated that he had spoken to the City Attorney on the MWBE participation of this particular ordinance, that they had come to an agreement that they would go out to the different bar associations, Hispanic and African American bar associations, and try to get them to certify themselves with the City, so they would have more minorities, and any other minority, in the area of legal work for the City. Council Member Adams absent.

Mayor Parker stated that she appreciated that and would inquire of Mr. Feldman, City Attorney, that when she appointed him one of the first things he did was to reach out and push out into law firms and bar associations for those attorneys who wished to do work for the City of Houston, and that had been about three years now, and Mr. Feldman stated that it was over three years, the intent was that it would be good for three years. Council Member Adams absent.

Council Member Pennington stated that he believed they also discussed the minority component in the recruiting for this particular firm, and Mr. Feldman stated yes, that it was a diverse firm that was becoming even more diverse. Council Member Adams absent.

A vote was called on Item No. 20. All voting aye. Nays none. ORDINANCE 2013-0809 ADOPTED.

22. ORDINANCE appropriating \$13,500,000 out of Equipment Acquisition Consolidated Fund for the purpose of Professional Services and Equipment for the Houston Information Technology Services Department - was presented, and tagged by Council Member Burks.

ORDINANCES - NUMBERS 8 through 31

8. ORDINANCE authorizing issuance of City of Houston, Texas, subordinate Lien Hotel Occupancy Tax and Parking Revenue Flexible Rate Notes, Series A, in an aggregate principal amount not to exceed \$75,000,000; prescribing the terms and conditions thereof; providing for the payment thereof; approving and authorizing certain authorized officers and employees to act on behalf of the city in the selling and delivery of such flexible rate notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, security and delivery of such flexible rate notes, including the approval of a paying agent/registrant agreement and a note purchase agreement; making other provisions regarding such flexible rate notes and matters incident thereto; authorizing a bond counsel agreement and declaring an emergency - was presented. All voting aye. Nays none. ORDINANCE 2013-0810 ADOPTED.
11. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **NATIONAL INSTITUTE OF JUSTICE**, pursuant to the FY2013 DNA Backlog Reduction Program, to fund training, technical review and technology to build capacity in the area of DNA testing; 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 - had been pulled from the Agenda by the Administration, and was not considered.
15. ORDINANCE approving and authorizing amendment three to a contract between the City of Houston and the **TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES (DADS)** to extend the DADS Area Plan approved under Ordinance No. 2010-558 through FY 2014 on behalf of the Harris County Area Agency on Aging ("HCAAA"); Declaring HCAAA's eligibility for the plan funding for FY 2011-2014; authorizing the Director of the Health & Human Services Department of the City of Houston ("The Director") to act as the HCAAA's Representative for purposes of the DADS Area Plan for FY 2011-2014; authorizing the Director to apply for, accept and expend the DADS Area FY 2011-2014 Plan funds, if awarded, and to apply for, accept and expend all subsequent DADS area plan awards, if any, pertaining to the above DADS area plan - was presented. All voting aye. Nays none. ORDINANCE 2013-0811 ADOPTED.
16. ORDINANCE approving and authorizing revised Mutual Aid Agreement between the City of Houston and local government entities within the Gulf Coast State Planning Region through the Houston-Galveston Area Council - was presented. All voting aye. Nays none. ORDINANCE 2013-0812 ADOPTED.
17. ORDINANCE approving and authorizing second amendment to an agreement for the Support, Advancement and Promotion of the Arts between the City and **HOUSTON ARTS ALLIANCE, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, MILLER THEATRE ADVISORY BOARD, INC., AND THEATER DISTRICT IMPROVEMENT, INC** - was presented. All voting aye. Nays none. ORDINANCE 2013-0813 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City and **DEARBORN NATIONAL LIFE INSURANCE COMPANY** for Professional Services, premium payments and administration of Employee Group Life Insurance Coverage; providing a maximum

contract amount - \$3,904,218.00 - 3 years with two one-year options - Health Benefit Fund - was presented. All voting aye. Nays none. ORDINANCE 2013-0814 ADOPTED.

19. ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Station and Voting Precincts for the City of Houston General Election to be held on November 5, 2013, and any required Runoff Election; prescribing the maximum number of election clerks for each voting precinct - was presented. All voting aye. Nays none. ORDINANCE 2013-0815 ADOPTED.
21. ORDINANCE approving and authorizing 1) contract for Westlaw Computer-Assisted Legal Research Services and Clear Services and 2) Library Maintenance Agreement for Print Products, between the City of Houston and **WEST, A THOMSON REUTERS BUSINESS** for the Legal Department; providing a maximum contract amount - \$720,318.00 - 3 years - General and Property & Casualty Funds - was presented. All voting aye. Nays none. ORDINANCE 2013-0816 ADOPTED.
23. ORDINANCE approving and authorizing contract between the City and **OCHIN, INC**, for a Clinical Management Information System for the Health & Human Services Department; providing a maximum contract amount - \$1,647,303.50 - 3 years with two one-year options - Equipment Acquisition Fund - was presented. All voting aye. Nays none. ORDINANCE 2013-0817 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City of Houston and **NIGHTINGALE REHABILITATION, INC**, for Interpreter and Closed-Captioned Services for the Deaf and Hearing Impaired for the Houston Police Department and the Department of Neighborhoods; providing a maximum contract amount - \$440,900.00 - 3 years with two one-year options - General Fund - was presented. All voting aye. Nays none. ORDINANCE 2013-0818 ADOPTED.
25. ORDINANCE appropriating \$2,790,000.00 out of General Improvement Consolidated Construction Fund; approving and authorizing first amendment to the Design Build Agreement between the City of Houston and **PIN OAK INTERESTS, LLC** (approved by Ord. No. 2013-0161) for Miller Outdoor Theater Structural Canopy and Other Improvements - **DISTRICT D – ADAMS** - was presented. All voting aye. Nays none. ORDINANCE 2013-0819 ADOPTED.
27. ORDINANCE consenting to the addition of 2.597 acres of land to **NORTH FOREST MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. ORDINANCE 2013-0820 ADOPTED.
31. ORDINANCES granting to the following listed as A through V, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions and making certain findings related thereto - **FIRST READING** – was presented. All voting aye. Nays none. ORDINANCES 2013-821 to 2013-842 PASSED FIRST READING IN FULL.
 - A. **HERITAGE-CRYSTAL CLEAN, LLC**, an Indiana Limited Liability Company – 2013-821
 - B. **LIQUID ENVIRONMENTAL SOLUTIONS OF TEXAS, LLC**, a Texas Limited Liability Company – 2013-822
 - C. **INLAND ENVIRONMENTS LTD.**, a Texas Limited Liability Company – 2013-823
 - D. **CONSOLIDATED WASTE LLC DBA LIQUID WASTE SOLUTIONS**, a Texas Limited Liability Company – 2013-824

- E. **TREE EXPERTS INC. DBA DEMOLITION EXPERTS**, A Texas Corporation – 2013-825
- F. **ANTONIO VALVERDE JR., DBA SOUTHERN DISCOUNT VACUUM SERVICE**, a Texas Sole Proprietorship – 2013-826
- G. **A. G. RADCLIFF DBA I.G.S. ENVIRONMENTAL**, a Texas Sole Proprietorship – 2013-827
- H. **PAMELA BUSSEY DBA 1ST CHOICE GREASE SERVICE**, a Texas Sole Proprietorship – 2013-828
- I. **CHIEF SOLUTIONS, INC.**, a Texas Corporation – 2013-829
- J. **HUFF & MITCHELL, INC.**, a Texas Corporation – 2013-830
- K. **POT-O-GOLD RENTALS, LLC**, a Louisiana Limited Liability Company – 2013-831
- L. **EZ WASTE INC.**, a Texas Corporation – 2013-832
- M. **SONJA BERTRAN DBA ANITA’S VACUUM SERVICE**, a Texas Sole Proprietorship – 2013-833
- N. **PORTLAND UTILITIES CONSTRUCTION COMPANY, LLC**, a Tennessee Limited Liability Company – 2013-834
- O. **TEXAS DISPOSAL SYSTEMS**, a Texas Corporation – 2013-835
- P. **CAMINO SERVICES, LLC**, a Texas Limited Liability Company – 2013-836
- Q. **WASTE MANAGEMENT OF TEXAS, INC.**, a Texas Corporation – 2013-837
- R. **SUPERIOR SEPTIC SERVICES, LLC**, a Texas Limited Liability Company – 2013-838
- S. **PROGRESSIVE ENVIRONMENTAL SERVICES, INC. D/B/A SWS ENVIRONMENTAL SERVICES**, a Texas Corporation – 2013-839
- T. **TEXAS GREASE ACQUISITIONS, LLC DBA A-AFFORDABLE VACUUM SERVICE**, a Texas Limited Liability Company – 2013-840
- U. **HOUSTON WASTE SOLUTIONS, LLC**, a Texas Limited Liability Company – 2013-841
- V. **EXCEL WASTE PARTNERS, LLC**, a Texas Limited Liability Company – 2013-842

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ORDINANCES

- 9. ORDINANCE appropriating \$2,142,133.00 out of Homeless & Housing Consolidated Bond Fund; approving and authorizing a grant agreement and a loan agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** to provide, respectively, the appropriated funds and \$1,475,600.00 of Federal “HOME” Funds to assist with the rehabilitation of a single room occupancy facility, located in the vicinity of 320 Hamilton Street in Houston, Texas, that provides affordable housing to low and very low income households **DISTRICT I - RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. ORDINANCES 2013-0843 ADOPTED.
- 10. ORDINANCE approving and authorizing a lease agreement between **UCM/GP-1301 FANNIN, L.P.** as Landlord and the City of Houston, Texas as Tenant, at 1301 Fannin Street, Houston, Texas for Ten Years; for use by City of Houston Information Technology Services - ten-years with option for renewals - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCES 2013-0844 ADOPTED.
- 12. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the STEP Comprehensive Motor Vehicle Grant; 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. ORDINANCES 2013-0845 ADOPTED.

13. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the STEP Comprehensive Commercial Motor Vehicle Grant; 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. ORDINANCES 2013-0846 ADOPTED.
14. ORDINANCE approving and authorizing various contracts between the City and the **DEPARTMENT OF STATE HEALTH SERVICES** for 11 Various Health & Human Services Programs for Fiscal Year 2014; approving the acceptance and disbursement of funds thereunder – was presented. Council Member Brown voting no, balance voting aye. ORDINANCES 2013-0847 ADOPTED.
26. ORDINANCE consenting to the addition of 3.77 acres of land to **FORT BEND COUNTY ASSISTANCE DISTRICT No. 2** – was presented. All voting aye. Nays none. Council Member Costello absent. ORDINANCES 2013-0848 ADOPTED.
28. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Bringham Pedestrian Bridge over UPRR Project; authorizing the acquisition of fee simple title interest in or easement to 2 parcels of land required for the project and situated in the Darius Gregg Survey, Abstract No. 385 and being out of, and the remainder of, Lot 9, Block 33 of Chapman's 3rd Addition to the City of Houston, in Harris County, Texas, by gift, dedication, purchase and/or the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of fee simple title interest in or easement to the 2 parcels of land required for the project - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCES 2013-0849 ADOPTED.
29. ORDINANCE appropriating \$1,431,037.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services contract between the City of Houston and **TEXAS AMERICAN ENGINEERING, LLC** for Engineering Services Associated with the Design of Water Line Replacements in Antoine Forest Area and Imperial Valley Area Package II; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - BROWN and B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCES 2013-0850 ADOPTED.
30. ORDINANCE appropriating \$45,538,562.92 out of Houston Airport Improvement Fund and awarding construction contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Reconstruction of Taxiway NB at George Bush Intercontinental Airport/Houston (Project No. 647); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by such funds – **DISTRICT B – DAVIS** – was presented, and tagged by Council Members Green and Davis.

32. **SET A PUBLIC HEARING DATE** on the proposal to take approximately 4,584 square feet of the Cullen Sculpture Garden for an underground vehicular and pedestrian crossing - **DISTRICT C - COHEN - SUGGESTED DATE, Wednesday 10/16/13 at 9:00 a.m.** – was presented.

Council Member Gonzalez moved to set 9:00 a.m., Wednesday, October 16, 2013, for a public hearing on the proposal to take approximately 4,584 square feet of the Cullen Sculpture Garden for an underground vehicular and pedestrian crossing, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2013-0645 ADOPTED.

MATTERS HELD – NUMBER 33

33. ORDINANCE amending Exhibit “A” of City of Houston Ordinance No. 2013-722 by adding one Deputy Chief position; adding three District Chief positions; adding four Senior Captain positions; adding one Assistant Arson Investigator position; and deleting four Captain positions; substituting the amended Exhibit as part of the current Fire Department Classified Personnel Ordinance (**This was Item 15 on Agenda of September 11, 2013, TAGGED BY COUNCIL MEMBER HOANG**) – was presented, and tagged by Council Member Rodriguez.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Bradford stated that as the political season heated up, and knew that Mr. Feldman reissued the correspondence reminding all of them as candidates to be mindful as to where their staff people posted their signs and made sure they did the sign postings at locations that they were permitted to do so, that in that particular correspondence there was a proviso which indicated that the campaign or candidate could be given notice of the violation and given x amount of time to remove the sign, that he would say that they should be mindful that there were people out there that did not work for the campaigns and were not the candidates and put the signs up to get people like “Bradford” and others in trouble, so he would appreciate a notice, and would commit to respond almost immediately to remove any sign that someone had put up at a location, because he did not want someone to erect a sign just so he and his campaign could be cited, that he knew the ordinance did not require the notice, but he would simply request that all candidates be given ample notice and the notice be documented, that he had ordered all of the people who worked on his campaign that they were to follow the law and make sure they did not post signs on property, except private property and they have proper authorization from the property owners. Council Members Hoang, Pennington, Burks and Noriega absent.

Mayor Parker stated that it was their policy to recognize the difference between campaign signs and commercial signs and they made every effort to give notice, the only correction she would make was that he said it was never appropriate to put them on public property, the only time they were allowed on public property was when a polling place, an early vote location, was in a City facility and they were allowed in certain designated areas, such as the West Gray Multi Service Center on the grassy right-of-way, they were never on the medium of a public street, were never allowed on bridges and certainly, while those were not public property, it was private property, they were never allowed on telephone poles, but they would and did make every effort to notify the campaigns so they could be removed before citations were issues, that she wanted to thank him for raising the issue. Council Members Hoang, Pennington, Burks and Noriega absent.

Council Member Martin stated that two weeks ago he had a great opportunity, along with a number of federal and State and local officials, to take a tour of the Coastal Protection System

in New Orleans, \$17 billion that was spent by the Federal Government, and looking at Hurricane Season, it had been very quite, which was a good thing, but also a scary thing, and when they looked at the dramatic effect that a category four or five hurricane could have on the City of Houston, the Port of Houston or Galveston Bay, where the vast majority of petro chemical plants were located, the vast majority of jet fuel originates out of, the vast majority of gasoline, that what started here in Houston did affect the world, and if there ever was an incident where a category four or five came into the Port and basically shut down the Port of Houston it would have a dramatic effect on the economic system in the United States and the world, so he would ask as they had a quite Hurricane Season it seemed like the world they lived in was very reactive instead of proactive, they needed to study the Ike Dike and Project Speed and look for a solution before they had a category four or five affect what they were doing in Houston. Council Members Brown, Hoang, Pennington, Burks and Noriega absent.

Mayor Parker stated that it was a point well taken, it was timely to think about the impact of hurricanes. Council Members Brown, Hoang, Pennington, Burks and Noriega absent.

Council Member Gonzalez announced events he attended or would be attending; and stated that his thoughts and prayers were with those impacted by the Navy Yard shooting that took place on Monday, this type of senseless violence had no place in their society, that he commended the Mayor for reminding folks about their nationally acclaimed "Run, Hide, Fight" video that talked about responding to an active shooter scenario. Council Members Brown, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Council Member Adams announced events he attended or would be attending. Council Members Brown, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Pennington announced events he attended or would be attending. Council Members Brown, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Green announced events he attended or would be attending; and stated that he wanted to congratulate Fire Station No. 22 on their new pumper truck, it was in the Braes Oaks area. Council Member Adams announced events he attended or would be attending. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Davis stated that on Item 28 they passed an ordinance for a project to design the construction of a pedestrian bridge in the Fifth Ward area, it was very much needed, that it was a step in the right direction and wanted to make sure they were being contacted through Public Works as they designed and constructed it and made sure it was a Class A project in the Fifth Ward. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Brown stated that at one of their super neighborhood meetings Jack Valenski reported that they had tested all of the backlog of untested rape kits, would there be a report coming out, what was the status of all of the processed kits, had all of the information been entered into KODIS and had that led to any new rapist being found, they needed some type of report based on the findings. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Mayor Parker stated that it was scheduled for next Tuesday at the Public Safety Committee and hopefully she already received an invitation and an agenda for that, that not all of the kits had been tested, they were all at the labs and all had the preliminary look, but there was still work to be done, the full report would be given next Tuesday. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Brown further requested a report on the status of efforts to work towards a joint crime lab, and asked if they had anything going on in that regard. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Mayor Parker stated that would be up to the Independent Crime Lab Board, they just hired a new director so nothing to report at this time, that they would tell them what they had and where they were, but she would again repeat that any action on the additional cases or additional charges would come later in the process, this was still going on and looking at what they had and laying out what the next steps were, but they would update them. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Cohen stated that she too was looking forward to that information, but was enthusiastic and encouraged that they had gotten through so many already and wished they did not have to plan for the ones that were coming; and announced events she attended or would be attending. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Christi stated that the Mayor and Council Member Davis had excellent coverage on illegal dumping and the cameras and thought it was going to help them solve an eyesore in the City, that in politics it did not matter how good of a project they had somebody was going to criticize it and in the paper this morning he thought they were criticizing more cameras; that Mario Diaz, Director, Houston Airport System, presentation of the Spaceport was in NASA and they had private enterprise promoting their spacecraft to replace the space shuttle, that it was so inspiring that they had such intelligence in the space engineering, and they would do it less than the government to pay for the space shuttle and it was reusable, there were five options and he hoped that Houston would be the leading spaceport in the Nation. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Mayor Parker stated that although they had to work hard to make sure that private enterprise wanted to locate in Houston and knew that she, Ms. Caraway, Mr. Icken and Mr. Diaz had been involved in engaging with the private sector companies which were already scattered across the United States and had the ability to locate anywhere, so they were in the market and working hard to convince them that the infrastructure that the Federal Government had already created in the greater Houston area was an asset that they wanted to be close to. Council Members Martin, Hoang, Rodriguez, Burks and Noriega absent.

Council Member Adams stated that she wanted to commend Council Member Davis for being on the Illegal Dumping Task Force, that she knew they did a press conference of rolling out the monies that were appropriated for this year's budget, that some of the constituents had been calling her office and saying this was a good thing and were excited about and asked how were they going to roll out to the other districts that were listed on the amendment to receive those cameras. Council Members Davis, Martin, Hoang, Rodriguez, Burks and Noriega absent.

Mayor Parker stated that they were starting with District B and the total purchase was 25 cameras, but they had to be able to handle the data, so they were going through it systematically and were piloting it in District B, that it was not like they were going to have 6 months of District B she had to get the schedule, but they were going to be rolled out in a systematic manner across the City, that it was not like there was going to be 5 cameras in District B, 5 in District D or 5 in District K, it was that they would identify the top illegal dumping sites and target those, and she would also say that while cameras were great, citizens eyes were just as good, take down the license plate numbers, take down information and call the Police Department with data if they saw someone dumping illegally. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Council Member Adams stated that she wanted to congratulate a City of Houston employee, Mr. Eric Dargen, was an honoree by National Forum for Black Public Administrators for all of the work that he had done in the community; that she wanted to congratulate Dr. Thomas Freeman, who was honored on Friday at Texas Southern University Founders Day on his retirement; that she wanted to thank Mr. Don Pagel, Attorney, Legal Department, for the update that he sent out for Bins for All, and Mayor Parker stated that Mr. Pagel was not a member of the Legal Department or an attorney, as far as she knew, but he was heading up that effort. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

There being no further business before Council, the City Council adjourned at 9:44 a.m. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary