

City Council Chamber, City Hall, Tuesday, April 23, 2013

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 23, 2013, Mayor Pro Tem Edward Gonzalez presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, 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, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office present. Mayor Annise D. Parker out of the city on city business.

At 1:38 p.m. Mayor Pro Tem Gonzalez stated that they would begin the presentations, and called on Council Member Pennington for the first presentation. Council Members Brown, Davis, Adams, Hoang, Rodriguez, Green, Burks and Christi absent.

Council Member Pennington recognized Judge Barbara Hartle who was present in the audience, as well as Judge David Fraga and Ms. Kay Sim, Director of the Houston Bar Association, and presented proclamations to the Houston Bar Association, the Houston Bar Foundation and the Houston Bar Association Auxiliary, and Mayor Pro Tem Gonzalez stated that therefore on behalf of Annise Parker, Mayor of the City of Houston, they proclaimed today as Houston Bar Association, Houston Bar Foundation and Houston Bar Association Auxiliary Day in Houston, Texas. Council Members Davis, Adams, Hoang, Rodriguez and Green absent.

Vice Mayor Pro Tem Bradford stated to the Bar Association, Foundation and Auxiliary that he wanted to thank them for what they did to help a civilized society navigate through some of the complex issues. Council Members Davis, Adams, Hoang, Rodriguez and Green absent.

Vice Mayor Pro Tem Bradford recognized Council Member Cohen for the next presentation. Council Members Davis, Hoang, Pennington and Rodriguez absent.

Council Member Cohen stated this was National Crime Victims Rights Week, and presented a proclamation to about 24 groups, 13 of which were present, and invited Bay Area Turning Point, Children's Assessment Center, Coalition Against Human Trafficking, Crime Stoppers of Houston, Family Time, Greater Houston Concerns of Public Survivors, Harris County Domestic Violence Coordinating Counsel, Houston Area Women's Center, The Ogg Law Firm, Parents of Murdered Children, Heights Chapter, Parents of Murdered Children, Houston Chapter, Police and Clergy Alliance and Victims Rights Division of the Harris County District Attorney's Office, and Mayor Pro Tem Gonzalez stated that on behalf of Annise Parker, Mayor of the City of Houston, they hereby proclaimed the week of April 21 through April 27, 2013, as National Crime Victim's Rights Week in Houston, Texas. Council Members Davis, Hoang, Pennington and Rodriguez absent.

Mr. Andy Kahn, Victim Advocate in the City of Houston, stated his position was the only one of it's kind of the Country, that he had been honored to do what he did for 21 years, that in the light of recent events and tragedies in the Country just take a look at all of these organizations and they realized how truly blessed they were in the City of Houston to have all of these wonderful non profits and governmental entities that were present to help rebuild crime victims lives, put them back together again, make sure their rights and due process were being looked out for because the reality was that crime victims were the only unwilling participants in the criminal justice system and it was the least they could do in government was to make sure that those who were victimized by others were looked after and get a chance to heal and go on with their lives. Council Members Davis, Pennington, Hoang and Rodriguez absent.

Vice Mayor Pro Tem Bradford, Council Members Adams and Burks thanked everyone present for the service they provided. Council Members Davis and Rodriguez absent.

Vice Mayor Pro Tem Bradford recognized Council Member Noriega for a presentation. Council Members Davis and Adams absent.

Council Member Noriega invited Dr. Charles and Connie Meisgeier to the podium and stated that today they were honoring a 58 year education advocate, that he was her father and he would tell them that his family was his biggest accomplishments, that along with his wife, Connie Meisgeier, they were blessed with four children, and Mayor Pro Tem Gonzalez stated that on behalf of Annise D. Parker, Mayor of the City of Houston, they hereby proclaimed April 23, 2013 as Dr. Charles Meisgeier Day in Houston, Texas. Council Members Davis, Hoang, Rodriguez, Green and Christi absent.

Council Member Noriega stated that she learned to be a partner from her mother, and of those 150 manuals she bet at least half of them were typed, edited or partly written by her mother, Connie Meisgeier and presented her with a bouquet of flowers. Council Members Davis, Hoang, Rodriguez, Green and Christi absent.

Dr. Meisgeier stated that he wanted to thank them for the honor and appreciated the work that they did and was happy to be present to receive the proclamation and hoped everybody in Houston had a lot of fun celebrating Charles Meisgeier Day. Council Members Davis, Hoang, Rodriguez, Green and Burks absent.

Vice Mayor Pro Tem Bradford and Council Member Adams thanked Dr. Meisgeier for the things he had done for children, particularly for children with special needs. Council Members Davis, Hoang, Rodriguez, Green and Burks absent.

At 2:13 p.m. Vice Mayor Pro Tem Bradford recognized Council Member Noriega for the Invocation and Pledge of Allegiance, and Council Member Noriega invited Dr. Charles Meisgeier to give the invocation and Council Member Noriega led all in the pledge. Council Members Davis and Green absent.

At 2:14 Mayor Pro Tem Gonzalez requested the City Secretary to call the roll. Mayor Parker out of the city on city business.

Vice Mayor Pro Tem Bradford and Council Member Burks moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION ADOPTED.

Mayor Pro Tem Gonzalez recognized Council Member Adams for a point of personal privilege. Council Members Davis and Noriega absent.

Council Member Adams welcomed students in the audience and thanked Ms. Argentina James for coordinating Day of Government for the East End Academy, and highlighted Mr. Brandon Ortega whose mother was Ms. Stella Ortega, Agenda Office, and asked Valedictorian, Ms. Joanna Flores, and Mr. Ryan Noles, Salutatorian, to stand and be recognized, and asked the students from District D to stand and be recognized. Council Members Davis and Noriega absent.

Council Member Green welcomed the East End Academy students from District K and asked them to stand and be recognized, and Valedictorian, Ms. Jennifer Sanchez, and Salutatorian, Ms. Denidria Cornego, to stand and be recognized, that they appreciated the great

work that they were doing. Council Members Davis and Noriega absent.

Council Member Green moved to suspend the rules to move Mr. Eduardo Santana, Ms. Joanna Flores and Ms. Kiana Roberson to the top of the three minute non agenda speakers list, seconded by Council Member Adams. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2013-0257 ADOPTED.

Council Member Brown moved to suspend the rules to move Ms. Lois Myers, Ms. Christina Walsh, Ms. Casey Morgan and Ms. Tomora Bell to agenda one minute list, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Member Davis absent. Mayor Pro Tem Gonzalez presiding. MOTION 2013-0258 ADOPTED.

Mr. Joshua Sanders, 3006 Lake St., No. 1, Houston, Texas 77098 (713-299-1387) appeared and stated that he was present representing Houstonians for Responsible Growth and they were in support of the two amendments that Council Member Laster had offered for Chapter 42. Council Member Davis absent,

After discussion by Council Members Burks, Laster and Brown, Mayor Pro Tem Gonzalez stated that the administration was already working on Chapter 9, and Mr. Sanders was simply advocating on Chapter 42 and specifics. Council Members Davis, Martin and Pennington absent.

Mr. Roger Farrow, 4613 Creekbend, Houston, Texas 77035 (832-618-3691) appeared and stated that he lived in Willowbend, and was present in support of Chapter 42.

After discussion by Council Members Green, Laster and Burks, Mayor Pro Tem Gonzalez stated that Beltway 8 was no longer being used as a boundary, that it was the whole City, and Mr. Farrow stated one set of rules for everybody in the whole City. Council Members Davis, Martin, Pennington, Rodriguez and Green absent.

After further discussion by Council Members, Council Member Brown moved to extend time to continue questions of Mr. Farrow, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Hoang, Pennington, Rodriguez and Green absent. MOTION 2013-0259 ADOPTED.

After further discussion by Council Members, Mayor Pro Tem Gonzalez stated as a reminder, this was an opportunity for public speakers so if they had specific questions of the speakers they would appreciate it if they could give them an opportunity to address their concerns. Council Members Davis, Hoang, Pennington, Rodriguez and Green absent.

Ms. Lois Myers, 9701 Westview, Houston, Texas 77055 (713-775-2443) appeared and presented a packet for the Council Members, and stated that she was not present in support of Chapter 42. Council Members Davis, Hoang, Pennington, Rodriguez and Green absent.

Ms. Christina Walsh, 10434 Brinwood St., Houston, Texas 77043 (713-827-0975) appeared and stated that the question was whether Chapter 9 should be left to be resolved until after Chapter 42 was voted on. Council Members Davis, Hoang and Rodriguez absent.

Ms. Casey Morgan, 9511 W. Sam Houston Pkw. N., Houston, Texas 77064 (281-970-8970) appeared and stated she represented the Greater Houston Builders Association and was present to offer the GHBA's support for the passage of Chapter 42. Council Members Davis, Hoang and Rodriguez absent.

Council Members Laster and Adams thanked Ms. Morgan for all of her work. Council Members Davis, Hoang and Rodriguez absent.

Ms. Tomaro Bell, 3214 Charleston, Houston, Texas 77021 (713-825-8449) appeared and stated that she agreed with the amendments to Chapter 42 and without them she would tell them to decline Chapter 42. Council Members Davis, Hoang and Rodriguez absent.

Council Members Adams and Burks thanked Ms. Bell for all of her hard work. Council Members Davis, Cohen, Hoang, Rodriguez, Noriega and Christi absent.

Mr. David Robinson, 2519 Elmen, Houston, Texas 77019 (713-907-8241) appeared and stated that the Super Neighborhood Alliance was in support of the amendments to Chapter 42 as suggested by Council Member Laster. Council Members Davis, Martin, Hoang, Rodriguez, Noriega and Christi absent.

Council Members Laster and Green thanked Mr. Robinson for all of his work. Council Members Davis, Martin, Hoang, Rodriguez and Noriega absent.

Mr. Tom Dornbush, 6110 Tyne, Houston, Texas 77007 (713-869-1185) appeared and stated that he was the current President of the Washington Avenue Coalition Memorial Park Super Neighborhood No. 22 Council and they were in support of Chapter 42. Council Members Davis, Adams, Martin, Hoang, Rodriguez, Laster, Green, Noriega and Christi absent. (No Quorum Present)

Council Members Cohen and Brown thanked Mr. Dornbush for all of his work. Council Members Davis, Adams, Martin, Hoang, Rodriguez, Laster, Green and Noriega absent. (No Quorum Present)

Ms. Carol Caul, 685 N. Post Oak Ln., Houston, Texas 77024 (713-680-2500) appeared and urged that any action on Chapter 42 be postponed until completion and adoption of Chapter 9 and if necessary Chapter 19 ordinances. Council Members Davis, Adams, Martin, Hoang, Rodriguez, Green and Noriega absent.

Ms. Jane Cahill-West, 2114 Lubbock, Houston, Texas 77007 (832-721-9080) appeared and stated that she was Vice President of the Super Neighborhood Alliance and Chair of the Regulatory Affairs Committee for the Alliance, and past President of the Washington Avenue Super Neighborhood No. 22, and requested that amendments to Chapter 42 be delayed and taken back to committee and reviewed what were the good things in the amendments. Council Members Davis, Adams, Martin, Hoang and Rodriguez absent.

Council Members Green and Christi thanked Ms. Cahill-West for all of her work. Council Members Davis, Adams, Martin, Hoang and Rodriguez absent.

Mr. Ed Browne, 41 Rolling Wood Dr., Houston, Texas 77080 (713-365-9902) appeared passed out and reviewed a spread sheet of the detention requirements to the City Council. Council Members Davis, Adams, Martin and Hoang absent.

Ms. Evelyn Merz, 7095 Santa Fe Dr., Houston, Texas 77061 (713-644-8228) appeared and stated that she was present on behalf of the Houston Sierra Club on Item No. 1, the expansion of TIRZ 16, and stated she had sent a letter to the Mayor and City Council Members stating that the Sierra Club was very concerned about Item No. 1 mainly because it bypassed completely the issues of openness and transparency in government, the entire amount of public information available to the public was a one page press release dated April 11, 2013 and it

dealt with the annexation of Memorial Park and part of Buffalo Bayou that ran through the park to TIRZ 16, they were asking that they defer a decision on Item No. 1 and hold a true public meeting, not a hearing on 9:00 a.m. on a workday that very few people knew about, and inform the public what was planned and how the financing would work. Council Members Davis, Martin and Hoang.

Mayor Pro Tem Gonzalez stated that to be clear they could not defer Wednesday's action because it was just a public hearing and the proper posting procedures had already taken effect, that there was no Council action at that point. Council Members Davis, Martin and Hoang.

After further discussion by Council Members Rodriguez, Christi and Cohen, Council Member Costello moved to extend time for questions of Ms. Merz, seconded by Council Member Rodriguez. All voting aye. Nays none. Mayor Parker out of the city on city business. Council Members Davis, Martin, Hoang and Noriega absent. MOTION 2013-0259A ADOPTED.

After further discussion by Council Members Costello and Brown, Council Member Costello asked Ms. Merz if she had an opportunity to visit with the conservancy to talk about their specific role and how they operated and managed the park, and Ms. Merz stated she had not met with them. Council Members Davis, Martin, Hoang and Noriega absent.

Mr. Mike Knox, 1433 Freedonia, Houston, Texas 77055 (713-516-1358) appeared and stated that he was President of the Yupon Estates Homeowners Association and a 23 year resident of the Spring Branch area, and stated that he and his homeowners association and others throughout the area had voiced concerns regarding the pending infrastructure issues created by revisions to Chapter 42 and would ask the City Council to postpone the vote on Chapter 42 to listen to the voices of the neighborhoods and work first to address the foundational infrastructure issues before moving forward with Chapter 42 changes. Council Members Davis, Cohen, Martin, Hoang and Noriega absent.

Council Member Brown asked Mr. Knox if his recommendation was to send this back to the administration and have a delay and Mr. Knox stated yes, until after the issues that needed to be addressed in Chapter 9 and 19, and Council Member Brown asked if that measure did not pass was he supportive of her amendment to basically opt District A out, and Mr. Knox stated no, he did not think that District A needed to be separated from the rest of the City, that they would have to go with the rules that had been voted on by the City Council. Council Members Davis, Cohen, Martin, Hoang and Noriega absent.

Mr. Clyde Bryan, 10802 Pepper Ln., Houston, Texas 77079 (713-545-4878) appeared and stated that he understood they had collected a lot of money but did not think the drainage issue had been solved yet, but now they wanted to double or quadruple the amount of impervious cover all over the City of Houston, that he wanted them to explain to him how adding more density inside the Beltway and all the way out to the City limits was going to help the problem with Buffalo Bayou. Council Members Davis, Martin, Hoang and Noriega absent.

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 Members Davis, Martin, Hoang and Noriega absent.

Ms. Kiana Roberson, 9220 Jutland, Houston, Texas 77033 (713-641-1630) appeared and stated she was a graduated senior of Energized Systemic Academy Southeast Campus, a premier Houston Independent School District Charter School located in Sunnyside and represented the graduating class of 2013, which represented 46 students from two campuses who had received \$2.6 million in scholarships and awards to over 25 tier one colleges and

universities across America, and expressed the importance of academic experiences. Council Members Adams, Christi, Green and Brown commended Ms. Roberson on her service and volunteerism. Mayor Pro Tem Gonzalez and Council Members Davis, Martin, Hoang and Rodriguez absent. Vice Mayor Pro Tem Bradford presiding.

Mr. Eduardo Santana, 6201 Bissonnet, Houston, Texas 77081 (713-773-3600) appeared and stated he was a proud senior of the inaugural Class of 2013 of the southwest campus, that he was concerned about youth in Houston, when they were outside of the classroom, that he wanted to suggest recreational development after school was done, mainly during the summer, that he thought they could propose a youth center, not just the Y.M.C.A., a place where students of all Houston schools could go to engage in anything that could keep them busy while their parents were working, to expand it to careers for everyone. Mayor Pro Tem Gonzalez and Council Members Davis, Martin, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Bradford presiding.

Council Members Bradford, Green, Adams and Burks congratulated Mr. Santana and thanked him for letting them know what the true problem was among the youth of his age. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Ms. Joanna Flores, 9220 Rutland, Houston, Texas 77033 (713-641-1630) had reserved time to speak, however Council was advised that the students had to leave and she would not be able to speak. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Ms. Jeffrey Smith, 4915 Sandydale Ln., Houston, Texas 77039 (832-322-6123) had reserved time to speak, but was not present when her name was called. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Mr. Christian Seger, 4522 Ivanhoe, Houston, Texas 77027 (713-850-7892) appeared and stated that he lived in Afton Oaks and a major multi use development was underway inside the Loop at 4444 Westheimer and had received a \$19 million tax rebate from the City of Houston, that the developers of the project met with Afton Oaks to discuss potential impacts on their neighbors across the street and the most critical impact they deemed to be was cut through traffic that would come from the project and they agreed with the developers on a way to mitigate traffic exiting south from the development, and had distributed a drawing so they could see, but unfortunately their solution was denied by the Public Works and Engineering Department and he wanted to say they probably did not look into it to carefully, that they were very concerned that their common sense approach was being denied. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Mayor Pro Tem Gonzalez stated to be clear, it was a 380 Agreement which was based on the increment of the taxes after they were received, which was a little bit different from a tax rebated. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

After further discussion by Council Members Bradford, Christi and Pennington, Mayor Pro Tem Gonzalez stated the developer did submit a traffic impact analysis and it was accepted, the subsequent alternative traffic proposal that was submitted by community members was declined, so that was where it currently stood, that Mr. Gary Norman was present to try and address any questions. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Ms. Rhonda Terracini, 4537 Oakshire, Houston, Texas 77027 (713-627-2213) appeared and stated that she was the current President of the Afton Oaks Civic Club, that they were very much a pedestrian neighborhood and did not have sidewalks and shared the road with cars,

trucks, motorcycles and bicycles, the structures there were residential and what was being erected was a lot of commercial, apartments, bars and a movie theater, the speed cushions had definitely slowed traffic in Afton Oaks, but this development was going to pour vehicles into their neighborhood, that they were looking for a simple way to direct traffic to the main thoroughfares. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

After discussion by Council Member Bradford, Mayor Pro Tem Gonzalez asked Ms. Terracini if they had any contact with the McMillian Company and Ms. Terracini stated yes and had met several times over the past year and the handout they had was a McMillian production, not the civic club's, and Mayor Pro Tem Gonzalez stated they should continue the discussion, including Public Works, to further understand why the second proposal was declined. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Ms. Mary Ward, 4526 Ivanhoe, Houston, Texas 77027 (281-686-2543) appeared and stated that she had been an 18 year resident of Afton Oaks and was present to express her concern with her fellow neighbors about the increased traffic as a result of the new development at 4444 Westheimer and to encourage the City Council to support them in the traffic mitigation proposal that they had developed in partnership with Oliver McMillian. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Mr. Andrew Patterson, 6207 Fondren, Houston, Texas 77036 (832-276-1712) appeared and stated that the Texas Department of Public Safety demanded that each out of State vehicle be listed on their insurance policy, that currently he could not get the Department of Public Safety to give him any rationale to justify their decision, that in the law, Texas Responsibility and Liability Act, there was no requirement for the Department of Public Safety to do what they did and there was no way to get around it. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Mayor Pro Tem Gonzalez stated they appreciated Mr. Patterson's input, but as he stated the State was the one who regulated the vehicle registration and those type of matters. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Rev. Robert M. Gilmore Sr., 3232 Winbern, 77004 (281-546-8168) appeared and stated he thought half his presentation was taken up by the young people who expressed their concern about summer jobs, that he thought they sent the City Council some information relative to the National Call To Action for Recovery Health and Wellness, that May was Mental Health Awareness Month, and knew all of them knew what happened when they did not have summer guidance and said to the Commissioners meeting that they had to have the same kind of investment with their young people whether they were chartered school, special or not, because as Sheriff Garcia had already stated in reducing the population to some degree from 11,000 to 9,000, still about one third of those incarcerated had behavior and mental health problems, that he did not think anybody would disagree that today they had a national crisis, that he said to himself that with Houston being one of the largest developing cities in the Country were they telling him that Exxon, Mobile, Shell and the rest of those companies could not invest \$30 million or \$40 million in a revolving fund for youth development, that corporations in the City could get \$19 million to \$20 million in tax write offs and could not put \$40 million or \$50 million for youth development, that if they did not make a commitment the civic and economic stability of America was at stake and all of them were responsible for that. Council Members Brown, Davis, Martin, Hoang, Rodriguez and Noriega absent.

Vice Mayor Pro Tem Bradford and Council Member Green thanked Pastor Gilmore for all he did. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Ms. Deborah Allen, Post Office Box 263252-3252, Houston, Texas (713-264-0127) had reserved time to speak, but was not present when her name was called. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Ms. Sandra Massie-Hines, 4421 Alvin, Houston, Texas 77051 (832-374-5585) appeared and presented information and stated that the Houston African Community International, Inc., under the direction of Dr. Gracie Chukwu wished to extend an invitation to Mayor Parker and all Council Members to assist in welcoming the arrival of Akran Oba of Badagry, his Royal Majesty and Monarch from Lagos, Nijeria, to the City of Houston on April 27, 2013 at the Crowne Plaza Hotel; that they wished to extend a formal invitation to Mayor Parker to attend an African Nations Achievement Award Gala, in which she would be honored by the organization for her contributions toward the betterment of the City of Houston. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Mayor Pro Tem Gonzalez stated they would definitely relay her invitation to Mayor Parker and her team. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Dr. Gracie Chukwu, 6776 SW Freeway, Ste. 535, Houston, Texas 77074 (281-772-5548) appeared and stated that she was the founder and President of the Houston African Community International, also known as All African Nations, comprised of 59 African countries, that they had programs to assist businesses of African Nations to become more diverse and expanding and bringing US connections with Africa, and introduced their group present in the audience. Council Members Brown, Davis, Martin, Hoang, Rodriguez, Burks and Noriega absent.

Mayor Pro Tem Gonzalez and Council Members Green, Adams, Laster and Bradford thanked Dr. Chukwu for the invitation to their event. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Ms. Doris Pennington, 5727 Flamingo, Houston, Texas 77033 (713-733-9554) appeared and stated she had gotten a citation on December 12, 2012 and had gone to court and was late, that she had to do a federal background check and it was on her record and was wondering why they put it on her record, that she had done community service, but it was still on her record, that she wanted her background check cleared. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Mayor Pro Tem Gonzalez stated that the matter was researched and Mr. Soto, Municipal Courts, was present and would be glad to explain in greater detail, that it was his understanding that it was in the process of being corrected. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Mr. Raul Edwards, 1302 Waugh, No. 553, Houston, Texas 77019 (832-880-4065) appeared and stated that he was present to present the health initiative they were doing in the month of September and October and asked the Council offices who vouched to help if their staff could return their phone calls and emails, they would launch the pre events on May 5, 2013 with a big fundraiser at a restaurant. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Council Member Christi asked what was the purpose of the health initiative, and Mr. Edwards stated the health initiative was to present educational programs for communities,

especially the minority communities that were facing high percentages of obesity, it was a health initiative through dance. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Ms. Emma Leverier, 3311 Cactus St., Houston, Texas 77026 (832-602-0049) appeared and stated that she was subcontracting with the City, that on Wednesday when she left work there was a pocket knife in a drawer, the pocket knife walked off and she was the person being accused, she was not a thief and had worked at the Sunnyside Multi Service Center for almost two years, opening and closing and dealing with money, that she had done bail bonding around hundreds of thousands of dollars, that she was told by her co-worker that the captain asked her to put in her report that she had seen her put the knife back in the drawer, that she did not want to do it but she felt for her job, that she did not know what was going on with that, that she wanted to clear her name and would like a thorough investigation. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Mayor Pro Tem Gonzalez stated that obviously there was an investigation and the recommendation was to allow that process to take place, there were protocols to go through, that Sergeant Herdon, who was present in the Chamber, could give her more information and hopefully she would have due process to give her side of it and work through this issue. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Council Member Adams asked Ms. Leverier is she was terminated, and Ms. Leverier stated she did not know, that she contacted her office and had to wait for an appointment. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (no phone) had reserved time to speak, but was not present when his name was called. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Mr. Bob Robertson, 1806 W. Alabama, No. 5, Houston, Texas 77098 (832-984-2469) had reserved time to speak, but was not present when his name was called. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Ms. Cindy Araujo, 6201 Bissonnet, Houston, Texas 77081 (713-773-3600) had reserved time to speak, but was not present when her name was called. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the official U. S. President; and continued expressing his personal opinions until his time expired. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Ms. Bridget Alexander McDaniel, Post Office Box 53993, Houston, Texas 77052 (713-987-3754) appeared and stated she was present to speak about Metro and continued expressing her personal opinions until her time expired. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Council Member Adams stated she wanted to wish her sisterhood and Mash Unit 76 a Happy Anniversary. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

At 4:48 p. m. Mayor Pro Tem Gonzalez stated that City Council was recessed until

9:00 a.m., Wednesday, April 24, 2013. Mayor Parker out of the city on city business. Council Members Brown, Davis, Martin, Hoang, Pennington, Rodriguez, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

The Houston City Council reconvened at 9:00 a.m., Wednesday, April 24, 2013, with Mayor Annise D. Parker presiding and 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, present.

At 8:23 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:13 a.m. Mayor Parker called the meeting to order and stated that she wanted to salute the many City employees and others who participated in the MS150 this weekend, Antoinette Jenkins, Library, Christopher Gonzales, Finance, CP Yang, Health, Heidi Bane, Human Resources, James Koski and Janice Evans, Mayor's Office, Malcolm Eisenberg, HR, Mark Kirschke, Council, Michael Cambell, Human Resources, Neil Rackleff, Director, Housing and Community Development, Omar Reid, Director, Human Resources, Pete Garcia and Pete Palermo, Public Works, Steve Girardi, General Services, Thomas Eaton, Library, Tiffany Edwards, HR, Travis Hooper, Housing and Community Development and William Paul Thomas, Mayor's Office and Council Member Costello, that they had a very large City of Houston contingent in the MS150 and understood that it went very well and a good ride, that she saluted those employees and staff that completed the ride and even those who attempted the ride. Council Members Davis, Adams, Martin and Burks absent.

Council Member Noriega stated that her husband had drill this weekend at Camp Mayberry in Austin, so she drove to Austin and had the chance to see the first and second day groups, that it was an astounding number of people that were involved, that it was a great cause and impressive accomplishment, that she knew a lot of people who the marathon and that ride were on their bucket list, that they were all heroes and congratulations on completing the ride. Council Members Davis and Adams absent.

Mayor Parker stated that she wanted to wish Council Member Gonzalez a Happy Birthday, and recognized Council Member Gonzalez. Council Members Davis and Adams absent.

Council Member Gonzalez moved to suspend the rules to consider Item Numbers 2 thru 9 prior to the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis and Adams absent. MOTION 2013-0260 ADOPTED.

2. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **HOUSTON PARKS BOARD LGC, INC:**

- Position One - **DON STEPHEN ARON**, for a term to expire 1/1/2016
- Position Two - **JOHN ODAM**, for a term to expire 1/1/2016
- Position Three - **DINA ALSOWAYEL**, for a term to expire 1/1/2016
- Position Four - **DAVID D. FITCH**, for a term to expire 1/1/2015
- Position Five - **JILL JEWETT**, for a term to expire 1/1/2015
- Position Six - **S. REED MORIAN**, for a term to expire 1/1/2015
- Position Ten - **HERMAN LUIS STUDE**, for a term to expire 1/1/2016
- Position Eleven - **ANN LENTS**, for a term to expire 1/1/2015
- Position Thirteen - **ALEX MARTINEZ**, for a term to expire 1/1/2016
- Position Fourteen - **KAREN GARCIA**, for a term to expire 1/1/2015
- Position Sixteen - **VIVIAN R. KING**, for a term to expire 1/1/2016
- Position Seventeen - **BENITO GUERRIER**, for a term to expire 1/1/2015

- Position Nineteen - **W. CHARLES "CHUCK" CARLBERG**, for a term to expire 1/1/2016
Position Twenty - **THOMAS G. BACON**, for a term to expire 1/1/2015

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0261 ADOPTED.

Mayor Parker stated that they had reaffirmed a number of appointees to the Houston Parks Board and asked those in the audience to please come forward, Mr. John Odam, Mr. Chuck Carlberg and Mr. Thomas Bacon, and Mayor Parker and Council Member Pennington thanked and congratulated the new appointees and stated that they appreciated their service to the City and their willingness to serve.

3. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **HOUSTON ZOO DEVELOPMENT CORPORATION BOARD OF DIRECTORS**, for terms to expire June 30, 2015:

Position One - **DEANNA PENA GARCIA**
Position Four - **BARBARA (BOBBI) G. SAMUELS**
Position Eight - **E. WILLIAM BARNETT**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0262 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment of **WINELL HERRON** to Position Five to the **HOUSTON ZOO, INC BOARD OF DIRECTORS**, for a term to expire June 30, 2015 - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0263 ADOPTED.

5. REQUEST from Mayor for confirmation of the reappointment of **SYLVIA G. CASTILLO** to serve as **MUNICIPAL COURT ADJUDICATION HEARING OFFICER**, for a two year term - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0264 ADOPTED.

6. REQUEST from Mayor for confirmation of the reappointment of the following individuals as **Municipal Court Judges** for two year terms:

SHERILYN DAVIS EDWARDS
MIMI BERKOWITZ
KIMBERLY MAURA GAMBLE
MARGARET MUNOZ HARKINS

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Burks absent. MOTION 2013-0265 ADOPTED.

7. REQUEST from Mayor for confirmation of the reappointment of the following as **Municipal Court Associate Judges** for two year terms:

TRACIE J. JACKSON
TOLA ORESUSI
GERARDO S. MONTALVO
KATHRYN DIAZ GARCIA
NJERI MATHIS RUTLEDGE
ANTONIA INGVERSEN
JOE VILLARREAL

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Burks absent. MOTION 2013-0266 ADOPTED.

Mayor Parker stated that they had just confirmed the reappointment of some judges and asked Judge Barbara Hartle if some of the judges were in the room. Council Member Burks absent.

Judge Hartle stated they had a special guest today, Justice of the Peace Joann Delgado was visiting and welcomed her; that with her today were Associate Presiding Judge Maria Casanove, Administrative Judge Elaine Marshall, and reappointed today were Hearing Officer, Sylvia Castillo, Judge Sherilyn Edwards, Judge MiMi Berkowitz and Judge Njeri Mathis Rutledge. Council Member Burks absent.

Mayor Parker and Council Member Adams congratulated the new appointees and thanked them for their service to the City of Houston and the citizens of Houston. Council Member Burks absent.

8. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET MARKET SQUARE ZONE)**:

- Position One - **F. XAVIER PEÑA**, reappointment, for a term to expire 12/31/2013, and to serve as Chair
- Position Two - **CURTIS V. FLOWERS**, reappointment, for a term to expire 12/31/2014
- Position Three - **MICHELE J. SABINO**, reappointment, for a term to expire 12/31/2013
- Position Four - **DEBORAH KEYSER**, reappointment, for a term to expire 12/31/2014
- Position Five - **MICHAEL J. MOORE**, appointment, for a term to expire 12/31/2014
- Position Eight - **HAROLD A. "AL" ODOM, III**, reappointment, for a term to expire 12/31/2014
- Position Nine - **BARRY MANDEL**, reappointment, for a term to expire 12/31/2013

- was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0267 ADOPTED.

Mayor Parker stated they had affirmed the Board of Directors of the Main Street Market Square Reinvestment Zone, and believed that Ms. Michele Sabino, Ms. Deborah Keyser, Mr. Michael Moore and Mr. Barry Mandel were present in the audience and asked that they come forward, and thanked them for their service and for their willingness to continue, the Main Street Market Square Zone was really important to the vitality of downtown Houston.

Council Members Noriega and Rodriguez thanked the newly appointed and reappointed Members of the Board for their willingness to give their service to the City of Houston.

Mayor Parker stated that earlier they had confirmed the reappointed of members to the Houston Parks and Board LGC and the Houston Zoo Board of Directors, they were a companion organization, and did not believe any of them were in the audience.

9. REQUEST from Mayor for confirmation of the appointment of **VICTORIA CROSS** to Position Two of the **BOARD OF DIRECTORS OF CITY OF HOUSTON REINVESTMENT**

ZONE NUMBER TWENTY-TWO (LELAND WOODS ZONE), for an unexpired term ending December 31, 2014 - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Burks absent. MOTION 2013-0268 ADOPTED.

Mayor Parker stated that they would move to the public hearings.

HEARINGS - 9:00 A. M.

1. **PUBLIC HEARING** regarding the fourth amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER SIXTEEN (UPTOWN ZONE) - DISTRICTS C - COHEN; G - PENNINGTON and J – LASTER** – was called.

The City Secretary stated that a list of speakers had been distributed and a number of speakers had reserved time to speak.

Mayor Parker recognized Mr. Ralph De Leon, Office of Economic Development.

Mr. De Leon stated that on February 27, 2013, the Board of Directors of the Uptown TIRZ approved amendments to the TIRZ Project and Financing Plan and forwarded them to the City for consideration, that in accordance with Section 311.003 and 311.011 of the Texas Tax Code a Municipality must hold a public hearing when proposed amendments to a project plan included changes that increased the total estimated project cost stated in the project plan or reduced or enlarged the boundaries of the zone, that the public hearing today was in regards to the proposed fourth amendment to the Uptown TIRZ Project and Financing Plan, each Council office had been given a copy of the proposed plan for the zone and an official City statement had been distributed to each of them, that in brief the proposed amendment to the zone plan would increase the project plan non educational project costs by approximately \$613 million from previous plans, that the proposed amendment restated the goals and objectives included in prior plans, including provisions for the design and construction of public infrastructure improvements, mobility and pedestrian infrastructure improvements, parks, affordable housing and educational facilities, that new project goals included in the proposed amendment included provisions for cultural and public facility improvements and public transit improvements, that the proposed amendment also included provisions for an eleven year extension of the stated term of the zone from December 31, 2029 to December 31, 2040, that in closing City staff had worked with the Uptown Development Authority on the proposed fourth amendment and would later bring forward a recommendation for City Council to approve the amended plan. Mayor Parker and Council Member Cohen absent. Mayor Pro Tem Gonzalez presiding.

Council Member Noriega asked if they had any kind of discussion on what the specifics were of the plan, and Mr. De Leon stated that he had stated the goals and objectives that were included in the prior plan and goals and objections that were included in the amended plan, and Council Member Noriega stated that they had to have a copy of the plan to know what that was, and Mayor Pro Tem Gonzalez stated that the plan was forthcoming, it was still being developed, and Mr. De Leon stated that the draft plan was included the advanced materials that were distributed last week to Council, and included the Memorial Park transaction, and Council Member Noriega stated that she wanted to mention that the original maps that went out with the draft plan had the Memorial Park area listed as undeveloped land and thought there had been some confusion about what the intent was because of that, that those maps had been corrected, apparently HCAD had Memorial Park incorrectly listed as undeveloped land rather than park land, there were some other pieces of it that were currently being addressed, so if there was any concern in the audience about what that meant she wanted to assure folks that they were fixing that and that was not any kind of intent, and Mr. De Leon stated if they looked at the City statement that he had passed at the table, the correct map was the last sheet in their

packets. Mayor Parker and Council Member Cohen absent. Mayor Pro Tem Gonzalez presiding.

Council Member Pennington asked if someone was going to speak about the proposed transit project, about the need for that, and Mayor Parker stated that this public hearing was about the annexation of new territory and really did not have a direct role in that, and Council Member Pennington asked if that would be discussed at some point, he guessed when they presented a budget for that project, and Mayor Parker stated yes. Council Member Cohen absent.

Mayor Parker stated they had a number of speakers signed up from the public and requested Ms. Russell to call the first speaker.

Mr. Kendall Miller, 1661 Tanglewood Blvd, Houston, Texas 77056 (713-819-9009) appeared and stated he was Chair of Harris County Improvement District No. 1, which worked closely with TIRZ 16, he was also with Tanglewood Corporation, which owned the 15 acre shopping center at the corner of Post Oak and Westheimer, that he was present in support for the extension and expansion of the TIRZ. Council Members Brown and Adams absent.

Mayor Parker stated as they may know she had been looking hard at all of their tax increment reinvestment zones and desirous of winding some of them down, but the Greater Galleria and Uptown areas were really unique economic drivers for the City and what they were doing here was stepping out the borders a little bit and spreading the revenue generated out to a wider area, they wanted it to be a seamless haul, that park was an entry way to the Uptown area and was a vital connector between Uptown and downtown Houston and asked if he agreed, and Mr. Miller stated yes, that it was a great asset for the area and thought the Uptown TIRZ had always worked very hard at not only taking care of itself but it's neighbors. Council Members Brown, Adams and Burks absent.

Council Member Gonzalez stated he thought this proposal had a lot of potential good in it, and knew there were a lot of mobility changes in the area and also a lot of businesses and corporations that depended on workers being able to get in and out of the area and thought it was important because they wanted to make sure they remained in that area and not go somewhere else where it was easier to get in and out, that he also believed the expansion of the park could also be very beneficial. Council Members Brown and Burks absent.

Ms. Regina Garcia, 2425 University Blvd., Houston, Texas 77005 (713-303-6054) appeared and stated that she was a Board Member of Bike Houston and the Memorial Park Conservancy and was present to express her support for the expansion of the TIRZ. Council Members Brown and Burks absent.

Council Member Christi asked Ms. Garcia what was the average citizens input into the whole plan for the TIRZ in Memorial Park, what was the citizens ability to input how it was done and how the tax dollars were expended, and Ms. Garcia stated she thought these things always were an ongoing process, but they had to knock on doors and ask questions and that was how she found out about all of this. Council Members Green, Burks and Noriega absent.

Mayor Parker stated she wanted to make sure everybody understood that they as a Council voted on the project plans for the tax increment reinvestment zones, and this public hearing was about annexing more territory but the project plan had to be voted upon, the actual Park Master Plan, which the TIRZ would help fund, would also have to be voted upon and accepted by Council, that all meetings were public meetings, and Council Member Christi stated he wanted to make sure that of the 1,768 acres that citizens had direct input on what was done in the addition to Memorial Park, and Mayor Parker stated yes. Council Members Green, Burks

and Noriega absent.

Mr. Tom Compson, 3515 Ridge, Houston, Texas 77025 (281-222-4450) appeared and stated that he was also a member of Bike Houston and worked in the Galleria/Uptown area, and was present in support of the proposed expansion of TIRZ 16. Council Members Adams, Green, Burks and Noriega absent.

Council Member Pennington stated that hopefully he would follow the development of the plan and they would try to do so as well, and any suggestions that he may have to improve the plan by a bicyclist standpoint he would be interested in looking at that, and Mr. Compson stated they would certainly appreciate an opportunity to provide input into the planning process, that it was important. Council Members Adams, Green, Burks and Noriega absent.

Ms. Karen Kleypas, 10203 Chatterton, Houston, Texas 77043 (281-610-4610) had reserved time to speak, but was not present when her name was called. Council Members Adams, Green, Burks and Noriega absent.

Mr. Martin Debrovner, 6007 Deerwood Rd., Houston, Texas 77057 (no phone) appeared and stated he Chaired the Uptown TIRZ 16 and was present in support of the amendment. Council Members Adams, Green, Burks and Noriega absent.

Council Member Pennington stated he thought this was a very forward thinking project. Council Members Adams, Green, Burks and Noriega absent.

Council Member Davis asked what were the positives for extending it for eleven years, and Mayor Parker stated that she thought it was because they were going to be doing more capital projects so they were extending the time, and Mr. De Leon stated there were two things that would be happening, one they would have eleven more years of additional increment revenue, and second, if debt were to be issued they could achieve a better interest rate if they were going to issue a 20 year note, that they would have additional time to issue debt and pay it back. Council Members Adams, Green, Burks and Noriega absent.

Mr. Brandt Mannchen, 5431 Carew, Houston, Texas 77096 (713-664-5962) appeared, distributed information, and stated he would encourage the Council to take a little more time with regard to the process, he thought there were two separate things they were talking about, one, how would they fund implementation, and the other was the Master Plan process, and would suggest they take a look at what the Master Plan was first before they thought about funding that Master Plan, and would encourage the City of Houston Parks Department take a more active role, that he believed spending a million dollars or two million dollars for a plan when the City of Houston could do a lot of that planning itself, that he was also concerned that this plan may include the Memorial Park Demonstration Project regarding erosion control and thought that was a particular project that required more attention on the Council and Mayor's part and urged them to do that, that the plan was very important and he thought it needed more public input and presently there was no opportunity for the public to serve on the committee that was going to make all of those decisions. Council Members Adams, and Burks absent.

Mayor Parker stated that the Memorial Park Master Plan would go through the Memorial Park Conservancy, which was composed of members of the public, then be blessed by the Parks Board, which were members of the public, many of whom they just reconfirmed today, then any master plan would have to be approved by the Parks Department and the full Council, so there were members of the public who were involved in this process, that Mr. Mannchen referenced an Erosion Control Demonstration Project. Council Member Burks absent.

Mr. Mannchen stated it was an over 7,000 foot project dealing with the River Oaks Country Club, and Mayor Parker stated that had nothing to do with this particular item, it was approved by the Houston City Council as a budget amendment offered by Council Member Pennington last summer and was not involved in this project, and Mr. Mannchen stated he would respectfully disagree since the Council could always re look through the planning process whether it should fund that, and in addition when Mayor Parker mentioned the Memorial Park Conservancy, it was a private entity and he did not have any ability to do a Texas Public Information Act request to look at their records, so that was not the same as he going to the Parks Department and saying he would like to look at their planning records or that sort of thing, and Mayor Parker stated her point being that there were multiple layers of citizen input, perhaps not his input directly, but citizen input, that the Erosion Control Project was not contemplated being funded in this area, it was previously approved by City Council by an amendment by Council Member Pennington. Council Member Burks absent.

After discussion by Council Members Gonzalez and Christi, Mr. Mannchen stated that it would be great to have some of the information made public so that the public could look at it and provide input. Council Members Pennington, Rodriguez, Laster, Green and Burks absent.

Mr. Frank Salhandler, 1813 Missouri, Houston, Texas 77006 (832-868-3037) had reserved time to speak, but was not present when his name was called. Council Members Pennington, Rodriguez, Laster, Green and Burks absent.

Ms. Olive Hershey, 2415 Youpon, Houston, Texas 77006 (713-529-0095) appeared and stated that she was deeply worried about the prospect of the City allowing Memorial Park and Buffalo Bayou to be annexed to TIRZ 16 without a thorough public education campaign to explain the advantages and disadvantages to the plan, instead there had been virtually no disclosure of the real details of the scheme and the public stood to lose any meaningful control of an irreplaceable part of their public lands and waterways, that if the City needed money to reforest the draught damaged landscape it seemed ashamed to basically turn the park over to TIRZ 16 because the City could not afford to protect the remaining trees, that as to the wisdom of allowing the Memorial Park Conservancy to become a partner in this development plan, to improve Memorial Park and connect it to Uptown and Post Oak, she wondered about the logic of this proposal, that she had copies to distribute to the Council Members. Council Members Pennington, Rodriguez, Laster and Burks absent.

After discussion by Council Members Noriega and Christi, Mayor Parker stated this was an expansion of the boundaries of the Uptown TIRZ so that they could help increase the connectivity with Uptown, and they were going to provide some funding for a Parks Master Plan to be developed, that Master Plan had to be approved by the Houston Parks Department, has to be approved by the Houston City Council and a full public hearing, so there were not going to be any surprises. Council Members Davis, Pennington, Rodriguez and Burks absent.

Ms. Claire Caudill, 578 Westminster, Houston, Texas 77024 (713-932-8933) appeared and stated that she was a life member of the Memorial Park Conservancy Board of Directors and reviewed the history of Memorial Park and stated that the draught of 2011 hit and the lush, tall forest of Memorial Park that they all thought was pretty permanent had disappeared and they were faced with a restoration problem, the proposal for the TIRZ 16 to annex Memorial Park would play a critical role in the ecological restoration process by helping insure that they had the funds that would be required to tackle the enormous task, the Memorial Park Conservancy was committed to partner with the City of Houston Parks and Recreation Department and TIRZ 16 to restore the natural eco systems of the park and to create an accessible, sustainable and recreational landscape for Houstonians while honoring the historical legacy of the native Texas forest. Council Members Davis, Rodriguez and Burks absent.

Mayor Parker stated that Memorial Park could be used for park purposes only, and Ms. Caudill stated correct, and Mayor Parker stated there was a question about whether if it were to be used for non park purposes that there might be revert issues and so forth so they had always been very protective of the park so the idea that this was a land grab by developers or billboards and neon signs in the park was kind of far fetched, and Ms. Caudill stated that Ms. Ima Hogg turned down over 100 different proposals for the park, and over the years that had been the role of the life members, to keep stuff that was not a park purpose out, and Mayor Parker stated that the conservancy was larger than the life members, a larger citizen input board and Ms. Caudill stated yes. Council Members Davis, Rodriguez and Burks absent.

After discussion and questions by Council Members Costello and Pennington, Ms. Caudill stated they had three big public hearings and she learned that it did not matter what she wanted for the park, that the citizens really cared what happened to their park, so she had become a nag on the board to make sure that the new Master Plan got at least what public participation they had before and hopefully a lot more because this was the citizens park; that the conservancy would raise private funds for the Master Plan with the help from the TIRZ and with the implementation of the Master Plan the conservancy would be raising lots of money from private sources and hopefully match that with public dollars from the TIRZ. Council Member Davis absent.

Ms. Shellye Arnold, 859 Azalea St., Houston, Texas 77018 (713-299-0237) appeared and stated she was the Executive Director of the Memorial Park Conservancy, that Memorial Park was 1,500 acres, twice the size of New York's Central Park, that it was unique given it's size, urban setting and really unusual composition of being on one hand programmed with golf and running and on the other hand wild, that half of the park was a forest and natural and they wanted to protect and maintain that, they had to raise a million dollars and spend a million dollars to take trees out of the park that had died, but today they were focused on the future and reclaiming the natural ecology and restoring the natural ecology, that they had planted 15,000 trees in the park in the last six months and had cleared 300 acres of evasive non native plants, and that was important because those plants competed with the trees for water and had exacerbated and accelerated the effects of the drought and in doing this they had brought in 1,300 volunteers in the past few months and they had logged 3,000 hours of volunteer time, these were big numbers but this was not enough, they needed help, the TIRZ and City's help, to restore the park that Houston deserved and reclaim the park and bring it back to it's natural ecology and that was why they were asking for their help today. Council Member Burks absent.

Upon discussion and questions by Council Members Cohen, Christi and Hoang, Ms. Arnold stated that the plan had not been done, together they would create a Master Plan and had asked for appointments with each Council Member and had met with several of them and would like to ask them to involve their constituents, they would be a part of crafting the Master Plan and would like their constituents to be involved, other stake holder groups, that process had not started yet, but was baked into the concept. Council Members Adams, Green, Burks and Noriega absent.

Council Member Brown moved to suspend the rules to add Ms. Tomaro Bell at the end of the speakers list, seconded by Council Member Christi. All voting aye. Nays none. Council Members Adams, Green, Burks and Noriega absent. MOTION 2013-0269 ADOPTED.

Mr. Jim Porter, 3507 N. Braeswood Blvd., Houston, Texas 77025 (713-791-8293) appeared and stated that he was Chairman of the Memorial Park Conservancy and was present in support of the expansion of the boundaries of TIRZ 16 for the benefit of Memorial Park. Mayor Parker and Council Members Davis, Adams, Burks and Bradford absent.

Mr. Tom Havron, 1901 Post Oak Blvd., Houston, Texas 77050 (713-446-3200) appeared

and stated he was a resident of the Lofts on Post Oak, they were neither supportive or opposed to the plan at this time, understanding there was a need for the funding and an opportunity to make the area and quality of life better they were 100% for, but they were made aware of the plan less than two weeks ago in the Chronicle, and they had not been a part of the overall project plan, they found out that their property faced Post Oak and there was going to be approximately 8 feet of the front of their property that could be taken away from them and they would like to be stake holders in the process because it could affect 351 homeowners and over 1,000 residents on their property alone on Post Oak Boulevard. Council Members Adams and Burks absent.

Mayor Parker stated she knew the issue of a dedicated transit lane on Post Oak needed a lot more public discussion and public understanding of what was going on and a lot of the principles of the TIRZ were in the audience today and it was a great time to make that connection. Council Members Adams and Burks absent.

Mayor Parker asked Members of the Board and TIRZ 16 to stand and be recognized. Council Members Adams and Burks absent.

Ms. Tomaro Bell, 3214 Charleston, Houston, Texas 77021 (713-825-8449) appeared and stated that she was the Chairman of the Super Neighborhood Alliance for the City of Houston and wanted to thank Ms. Hershey and the other decedents who helped protect the natural bayous that they all enjoyed in the City, that she was glad to see the passion displayed for Memorial Park and was glad to see the citizens come out who were concerned about it, that she understood the thought that somebody would have jurisdiction over Memorial Park would scare people, that she understood the reassurance that was given that no decisions would be made unless they agreed to them, and knew they all understood how much Hermann Park, Memorial Park and MacGregor Park and all parks meant to the citizens. Council Members Adams and Burks absent.

Mayor Parker stated that she was glad Ms. Bell mentioned Hermann Park because it also had a conservancy of citizens who were entrusted with making sure that the City acted in the best interest of the park, that there had been a lot of work in Hermann Park over the last few years, all of that work had been ultimately approved within this Chamber, so they had a system that worked. Council Members Adams and Burks absent.

Council Member Martin stated that within the material they received for the hearing there was a letter of intent from Memorial Park Partnership and within that there was a task force committee with the City's three designated appointees and understood the appointees and was probably a little premature, but was there not consideration for either Council Members Cohen or Pennington to be a representative on the committee as they would be the eyes and ears of their constituent base, and Mayor Parker stated it was not generally the policy of the administration to appoint Council Members to outside boards and commissions because ultimately all the decisions would come to the Council Chamber, but all Council Members were welcome if they wanted to participate as members they were able to apply. Council Members Adams, Burks and Noriega absent.

Mayor Parker asked if there was anyone else in the Chamber who wished to address this issue, and seeing none requested a motion to close the public hearing. Council Members Adams, Burks and Noriega absent.

Council Member Costello moved to close the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. MOTION 2013-0270 ADOPTED.

At 10:26 a.m. Mayor Parker stated that they would move to the Mayor's Report. Council Members Adams, Burks and Noriega absent.

MAYOR'S REPORT - Homelessness

Mayor Parker stated there had been a lot of moving parts lately about the issue of homelessness in the City of Houston and wanted to make sure that all Council Members were brought up to speed, as they knew they hired and entrusted Ms. Mandy Champion-Simple with overseeing their initiatives dealing with homelessness and was present to offer a brief presentation, along with Mr. Andy Icken. Council Members Adams, Costello, Burks and Noriega absent.

Mr. Andy Icken, Chief Executive Officer and Ms. Mandy Champion-Simple, Homelessness, reviewed a video presentation titled "Houston's Plan to End Chronic Homelessness", a copy of which is on file in the City Secretary's Office.

Mayor Parker thanked them for the presentation, and stated that she had announced in January 2012 that they needed to do something, that homelessness had been an issue and a lot of work had been done in Houston, but as she had stated in a number of occasions, outside of the Chamber, there were a lot of great organizations doing great work, everybody moving in parallel, never converging and never adding value to other peoples work, agencies moving forward but not together, that immediately after that they brought in HUD for technical assistance and believed that was how they found out about Mandy, and in August they had a sharette with experts from around the Country to look at what they were doing in Houston and the good news, as was presented in the report, was that they had a lot of assets here, they had potential and also a big problem that they had been working hard on but not working well necessary, and now they had an opportunity to move it forward, the timing of today's presentation was in conjunction with registration week, the first week of June where they went out and began to do a full assessment but there were multiple initiatives that had to do with homelessness that were ongoing, that many of them remembered last summer when they began the work with the VA and began to assess the dollars for veterans support of housing and they joined the competition for Housing 100 in 100 Days, which went really well, every agency worked together specifically focused on veterans, and after that 100 days they started another 100 days, and had continued the process, that they could not do a comprehensive presentation of all of the various initiatives that they engaged in but wanted to give them the overall overview and to get a chance to see Mandy and understand both the challenges and the really big opportunities they had going forward, that there were a number of the stake holder organizations that were represented in the audience and asked those with homeless agencies, housing agencies and supportive services to stand and be recognized and she thanked them for being a part of the presentation.

Ms. Champion-Simple and Mr. Icken were questioned by Council Members and Mayor Parker stated that they were spending a hundred million dollars annually on issues around homelessness, it was a lot cheaper to figure out a solution and put them in housing; that she appreciated the presentation and looked forward to continue working with them, that Ms. Champion-Simple would continue to contact the Council Members offices and seek to have a more in depth discussion as possible.

Council Member Davis moved to suspend the rules to consider Item Numbers 35, 35a, 35b and 35c out of order at this time, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2013-0271 ADOPTED.

35. WRITTEN Motion by Council Member Laster to amend proposed Sec. 42-201 of Item 35C as follows:

"I move to amend proposed Sec. 42-201. *Additional procedures for a special minimum lot size area application.*

(f) After the deadline for returning response forms mailed in accordance with subsection (e) has passed, the director will determine if owners of 55 percent of the lots in the proposed area support the designation of the special minimum lot size area. If so, the application will be considered complete. If the director is unable to make the determination, the director shall:

(1) Modify the boundaries of the proposed area by removing one or more blockfaces if the modification will result in boundaries where the owners of 55 percent of the lots support designation of the proposed area. If the director modifies the boundaries in a way that achieves 55 percent support, the application will be considered complete; or **(TAGGED BY COUNCIL MEMBER LASTER)** – was presented.

After discussion by Council Members Laster, Bradford, Green, Davis and Adams, a vote was called on Item No. 35. Council Member Bradford voting no, balance voting aye. MOTION 2013-0272 ADOPTED.

35a. WRITTEN Motion by Council Member Laster to amend Section 5 of Item 35C as follows:

Section 5. Upon passage and approval of this Ordinance, the provisions of Sections 42-145, 42-146, and 42-147, relating to shared driveways, Sections 42-153, 42-154, and 42-157, relating to building lines, and Sections 42-181, 42-182, 42-184, and 42-185, relating to lots and reserves, as amended by this Ordinance, shall apply to a subdivision plat or development plat that includes land outside the boundaries of Interstate Highway 610, but within the corporate boundaries of the City, in accordance with the following:

- (1) A subdivision plat or development plat that includes one acre of land or more shall be treated as though it is located within the extra-territorial jurisdiction of the City if it is submitted before one year after the effective date of this Ordinance;
- (2) Except as provided in Item 3 below, a subdivision plat or development plat that includes less than one acre of land shall be treated as though it is located within the extra-territorial jurisdiction of the City if it is submitted before two years after the effective date of this Ordinance;
- (3) A subdivision plat or development plat that includes less than one acre of land shall be treated as though it is located within the City if it is submitted one year after the effective date of the Ordinance, and:
 - (a) The property that is the subject of a subdivision plat or development plat is not in use for or restricted to single-family residential use on the effective date of this Ordinance; and
 - (b) 51% or more of the combined area of the blockface and opposing blockface of the property, as those terms are defined in Chapter 42, is not in use for or restricted to single-family residential use on the effective date of this Ordinance; and
- (4) A subdivision plat or development plat shall not be treated as though it is located within extra-territorial jurisdiction of the City if it is filed two years after the effective date of this Ordinance and is located within the corporate boundaries of the City. – **(TAGGED BY COUNCIL MEMBER LASTER)** – was presented.

After discussion by Council Member Laster, Mayor Parker stated that she wanted to thank the stake holder groups who worked on this after the initial public hearing, she thought they would have improved on the ordinance by the adoption of this and appreciated all involved.

A vote was called on Item No. 35a. All voting aye. Nays none. MOTION 2013-0273

ADOPTED.

35b. WRITTEN Motion by Council Member Brown to amend Exhibit "A" of Subsection 42-2 of Item 35C to read as follows:

"Sec. 42-2. Scope

- (a) This chapter shall apply to all development and subdivision of land within the city and its extraterritorial jurisdiction. This chapter establishes the general rules and regulations governing plats, subdivisions and development of land within the city and its extraterritorial jurisdiction to promote the health, safety, morals and general welfare of the city and the safe, orderly and healthful development of the city
- (b) The rules and regulations of this chapter shall apply to all development and subdivision of land that is less than one acre in size within City Council District A, as established pursuant to Article V of the Charter of the City of Houston, Texas, as though City Council District A is part of the extraterritorial jurisdiction of City. – (TAGGED BY COUNCIL MEMBER BROWN) – was presented.

Council Member Brown stated that she had a substitute amendment for Item No. 35b, which she had distributed, as follows:

. 42-2. Scope

- (a) This chapter shall apply to all development and subdivision of land within the city and its extraterritorial jurisdiction. This chapter establishes the general rules and regulations governing plats, subdivisions and development of land within the city and its extraterritorial jurisdiction to promote the health, safety, morals and general welfare of the city and the safe, orderly and healthful development of the city
- (b) The rules and regulations of this chapter shall apply to all development and subdivision of land that is less than one acre in size within the area bounded by Interstate Highway 10 on the south, Interstate Highway 610 on the east, United States Highway 290 on the north, and the corporate boundary of the city on the west, as though that area is part of the extraterritorial jurisdiction of City."

Mayor Parker stated that all Council Members had the proposed substitute amendment and stated that she was not present last week when this was put forward and asked Mr. Feldman if it was permissible to carve out specific exceptions to an ordinance and would that not in essence constitute a form of zoning.

Mr. Feldman stated that the basic problem was, and they had a brief discussion last week when Mayor Parker was not present, was that any time they carved out a portion of the population or a geographical area from the application of a given law in order for that to pass equal protection analysis, and obviously equal protection clause, both Texas and the Constitution, required that citizens be treated equally, that in order to pass equal protection standards they had to be able to demonstrate that there was a rationale basis for the distinction for carving out the particular class of population or area, and as he indicted to the Council Member last week, when she offered the amendment of carving out District A, that she could not see a rationale basis on face of the carving out based on political lines, that he did not see any real distinction here with this amendment, unless it could be shown that this particular geographical area, as defined in the amendment, was somehow unique from the remainder of the City of Houston such as there was a specific reason to treat it differently and thusly a rationale basis, and that was obviously not a paragon space.

Mayor Parker stated that since the main amendment was accepted last week and it had the same issue as the proposed amendment here, it was already before them and she could not rule the amendment out of order, so the most expeditious thing was to vote the amendment down, and Mr. Feldman stated yes.

After further discussion by Council Members, Council Member Adams asked what would be the downfall of a neighborhood opting out of the process, and Mr. Feldman stated that the consequence would be that the entire ordinance could be struck down as being unconstitutional, because any person residing within the area would have a cause of action and extensively one residing outside the area would also have a cause of action. Council Member Rodriguez absent.

Council Member Adams further asked if this would be the mechanism that it would be done, they would have to have full disclosure of all civic clubs listed in District A, not just submitting a list, and Mr. Feldman stated that was not how the government operated, it was the vote of the Council that determined what the law was, and Mayor Parker stated that the mechanism they had used was the super neighborhood council and the process of asking civic associations, because there were hundreds of civic associations, to band together to work on their super neighborhoods and then through the super neighborhood council, and so they as a body had empowered the super neighborhood council, and the reason they delayed this for a year and a half was to allow the super neighborhood council to work, that in essence they were saying that they did not care what the super neighborhood council said they wanted to go their own way. Council Member Rodriguez absent.

After further discussion by Council Member Brown, Council Member Martin moved to call the question on the substitute amendment by Council Member Brown. All voting aye. Nays none. Council Member Rodriguez absent. MOTION 2013-0274 ADOPTED.

A vote was called on Council Member Brown's substitute motion to Item No. 35b. Council Members Brown and Burks voting aye, balance voting no. MOTION 2013-0275 FAILED.

35c. **ORDINANCE AMENDING CHAPTERS 10 AND 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to subdivision and development; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause – **(This was Item 6 on Agenda of April 17, 2013, TAGGED BY COUNCIL MEMBER LASTER)** - was presented.

Council Member Brown stated that as a request of her constituents she would move to refer Item No. 35c back to the administration and schedule a vote at a time after Chapter 9 was revised, seconded by Council Member Burks.

Mayor Parker stated that the administration would strongly object to what had been carefully constructed compromise with multiple stake holder groups, the cake was baked, it was time to go ahead and eat it.

A vote was called on Council Member Brown motion to refer Item No. 35c back to the administration. Council Member Brown voting aye, balance no. MOTION 2013-0276 FAILED.

After further discussion of Item No. 35c by Members of Council Mayor Parker recognized Council Member Rodriguez for a procedural motion.

Council Member Rodriguez moved to suspend the rules for the purpose of remaining in session beyond the scheduled noon recess, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis, Adams and Noriega absent. MOTION 2013-0277

ADOPTED.

After further discussion by Council Members, Council Member Adams asked if there would be any discussion on Chapter 9 moving forward in the near future in relation to this, even though she knew it was not a Council vote, but at least some type of dialog and how they were listening to the community concerning Chapter 9, and Mayor Parker stated that she had publicly stated that while it was not a vote of Council it was in the design manual, it was a technical issue, that she was happy to bring to the appropriate Council committee and they would have full public input, the Chapter 42 working group, these were issues that had to be addressed going forward and she was going to ask that they stay engaged.

After further discussion by Council Members, a vote was called on Item No. 35c as amended. Council Members Brown, Davis and Burks voting no, balance voting aye. ORDINANCE 2013-0343 ADOPTED AS AMENDED.

Council Member Laster stated for those who had worked with them over the last many months they knew he had been passionate and vocal about his hope and belief that Chapter 42 would provide not only for District J and southwest Houston, but for all of Houston, an opportunity or tool to help them continue to redevelop their City and wanted to thank them for visiting with him closely on this matter, that he wanted to thank Mayor Parker and Mr. Icken for allowing him to have some limited leadership role in this effort and wanted to thank all who participated. Council Member Noriega absent.

At 12:29 p.m. Mayor Parker stated that they would move to the consent agenda. Council Member Noriega absent.

CONSENT AGENDA NUMBERS 2 through 34

ACCEPT WORK - NUMBER 10

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,716,756.96 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Neighborhood Sewer System Improvements - Sewer Improvements for AS087, Haskell Avenue and Rehabilitation of West Park Lift Station #3 - 13.90% under the original contract amount - **DISTRICTS D - ADAMS and G – PENNINGTON** - had been pulled from the Agenda by the Administration, and would not be considered. Council Member Noriega absent.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 13

12. ORDINANCE appropriating \$158,590.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Debris Removal and Disposal Services for the Public Works & Engineering Department - **DISTRICT C – COHEN** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0344 ADOPTED
- 12a. **BRH-GARVER CONSTRUCTION, L.P.** for payment in the amount of \$158,590.00 for Emergency Debris Removal and Disposal Services for the Department of Public Works & Engineering **DISTRICT C – COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0278 ADOPTED.
13. **RIMAGE CORPORATION** for Evidence Management System from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Houston Police Department - \$46,391.54 - Grant Fund – was presented, moved by

Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Noriega absent. MOTION 2013-0279 ADOPTED.

ORDINANCES - NUMBERS 15 through 34

15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement in Rossmoyne Addition, Harris County, Texas; vacating and abandoning the easement to Campanile South, LP, owner, in consideration of its conveyance to the City of Houston, Texas, of a 12-foot-wide sanitary sewer easement, payment to the City of \$300.00, and other consideration - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0345 ADOPTED
22. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **CAPITAL INVESTING IN DEVELOPMENT AND EMPLOYMENT OF ADULTS, INC** to provide up to \$247,296.00 in Community Development Block Grant Funds for the continuing administration, implementation, oversight and delivery of a Workforce Development Program - had been pulled from the Agenda by the Administration, and was not considered.
25. ORDINANCE making findings concerning the permanent taking of approximately 28,000 square feet of Shady Lane Park to widen and make other improvements to Parker Road as part of the rehabilitation and reconstruction of a portion of Parker Road from the Hardy Toll Road to U.S. Highway 59 - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0346 ADOPTED
30. ORDINANCE appropriating \$1,100,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **MWH AMERICAS, INC** for Negotiated Work Orders for Wastewater System Capacity Improvements – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0347 ADOPTED
31. ORDINANCE approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **IDS ENGINEERING GROUP, INC (Formerly PATE ENGINEERS, INC)** (Approved by Ord. No. 2011-0721) for Engineering Services associated with the Rehabilitation of Water Storage Tanks at various locations; appropriating \$2,370,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation; providing funding for CIP Cost Recovery relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; E - MARTIN; F - HOANG; G - PENNINGTON and K - GREEN** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0348 ADOPTED
32. ORDINANCE approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **KIT PROFESSIONALS, INC** (Approved by Ord. No. 2011-0688) for Engineering Services associated with the Southwest Pump Station Improvements; appropriating \$560,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation; providing funding for CIP Cost Recovery relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - COHEN and G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0349 ADOPTED

33. ORDINANCE appropriating \$1,740,000.00 out of Street & Traffic Control and Storm Drainage DDSRF; awarding contract to **T CONSTRUCTION, LLC** for FY2013 Local Drainage Project Construction Work Orders #1; 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0350 ADOPTED
34. ORDINANCE appropriating \$2,017,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **DN TANKS, INC** for Rehabilitation of Water Storage Tanks; 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, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2013-0351 ADOPTED

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

11. **CONTRACT RESOURCE GROUP, LLC** for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Health & Human Services Department - \$123,603.43 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. Council Member Brown voting no, balance voting aye. MOTION 2013-0280 ADOPTED.
14. **AERO CIRCA** for Thermoplastic Pavement Marking Compound Materials for Department of Public Works & Engineering - \$1,363,500.00 - Enterprise Fund - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2013-0281 ADOPTED.

ORDINANCES

16. ORDINANCE designating the CyrusOne LLC Reinvestment Zone for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT A – BROWN** – was presented, and tagged by Council Member Rodriguez.
- 16a. ORDINANCE approving and authorizing Tax Abatement Agreement between the City of Houston, Texas, and **CYRUSONE LLC** for certain property located within the CyrusOne LLC Reinvestment Zone - **DISTRICT A - BROWN** – was presented, and tagged by Council Member Rodriguez.
17. ORDINANCE approving and authorizing Subgrantee Agreement between the City of Houston and **HARRIS COUNTY, TEXAS**, accepting a FY 2010 Port Security Award for enhancement of the Public Safety Video Project in the Port Security Area in accordance with the FY 2010 Port Security Grant Program Investment Justification; authorizing the Director of the Mayor's Office of Homeland Security to execute all subsequent related and necessary documents - **DISTRICTS E - MARTIN; H - GONZALEZ and I – RODRIGUEZ** –

was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0352 ADOPTED.

18. ORDINANCE approving and authorizing the City of Houston to submit the 2013 Annual Action Plan to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, including the following 2013 grant applications: 1) 39th Program Year Community Development Block Grant in the amount of \$22,002,465 (which amount includes \$197,721 in Program Income); 2) Home Investment Partnerships Grant in the amount of \$7,175,910 (which amount includes \$95,056 in Program Income); 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$6,815,657; and 4) Emergency Solutions Grant, formerly known as the Emergency Shelter Grants, in the amount of \$2,131,015; to accept the aforementioned grant funds, if awarded; and to amend the Citizen Participation Plan – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0353 ADOPTED.
19. ORDINANCE approving and authorizing seventh amendment to 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. ORDINANCE 2013-0354 ADOPTED.
20. ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and the **HOUSTON HOUSING AUTHORITY**, in an amount not to exceed \$30,292,591 of Community Development Block Grant - Disaster Recovery Program Round 2 Funds, to provide State required subsidized housing for low income residents – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0355 ADOPTED.
21. ORDINANCE approving and authorizing agreement between the City of Houston and **TEJANO CENTER FOR COMMUNITY CONCERNS, INC**, to provide a Performance-Based Loan of Federal Neighborhood Stabilization Program Funds in the amount not to exceed \$160,000.00 for eligible rehabilitation costs in connection with 6 affordable single-family homes in HUD Designated Neighborhood Stabilization Program - 3 Target Areas - **DISTRICTS B - DAVIS and I - RODRIGUEZ** – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0356 ADOPTED.
23. ORDINANCE approving and authorizing agreement between the City of Houston and **4600 MAIN STREET HOUSING, LP** to provide a \$1,971,618.00 Loan of Federal Community Development Block Grant Funds for costs associated with the acquisition of property located at 4600 Main Street, Houston, Texas, to be renovated to provide affordable housing to low and moderate income persons, with a preference to veterans - **DISTRICT D - ADAMS** – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0357 ADOPTED.

After discussion by Council Members Adams and Cohen, Mayor Parker stated that this was one of the projects in progress that was referred to earlier by the Housing Director.

24. ORDINANCE approving and authorizing submission of an application for grant assistance to the **GOVERNOR'S CRIMINAL JUSTICE DIVISION** for the **Juvenile Justice and Delinquency Prevention Program**; declaring the City's eligibility for such grant; authorizing the Director of Department of Neighborhoods 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 - \$33,420.00 - Grant Fund – was presented.

After discussion by Council Member Gonzalez, a vote was called on Item No. 24. All voting aye. Nays none. ORDINANCE 2013-0358 ADOPTED.

26. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **TEXAS AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY** for the Houston Auto Crimes Task Force/22 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. ORDINANCE 2013-0359 ADOPTED.
27. ORDINANCE amending Ordinance No. 2009-1359, as amended, to increase the maximum contract amount for a contract between the City and **RON SMITH & ASSOCIATES, INC** (Contract #4600009345) for Latent Print Support Services - \$4,748,391.00 - General Fund – was presented.

Council Member Bradford stated that on this item he had submitted 8 questions and received 3 answers and 5 responses and would tag the item and ask that someone from HPD come by and answer his questions and not just send a response, that he had an issue similar to this last week with the HRA, Item No. 37 on this weeks agenda and wanted to commend Mr. Neal Radcliff and the Housing Department, who came by and gave very detailed and proper answers to his inquiries so he had no issue with their item this week, that he was looking for answers to questions or simply say there was no answer, that he would be tagging Item No. 27, and Council Member Brown stated that she would tag the item as well.

28. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **OILTANKING HOUSTON, LP** to supply untreated water to facility for industrial processes - Revenue - was presented. All voting aye. Nays none. ORDINANCE 2013-0360 ADOPTED.
29. ORDINANCE consenting to the addition of land to **BRIDGELAND MANAGEMENT DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Costello absent. ORDINANCE 2013-0361 ADOPTED.

MATTERS HELD - NUMBERS 36 through 39

36. ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City of Houston and **HOUSTON SHIP CHANNEL SECURITY DISTRICT** to support the operational costs of the Houston Police Department's Helicopter Patrol Operations (Approved by Ordinance No. 2012-0339) - \$270,600.00 - Grant Fund – (**This was Item 8 on Agenda of April 17, 2013, TAGGED BY COUNCIL MEMBER BROWN**) - was presented. All voting aye. Nays none. ORDINANCE 2013-0362 ADOPTED.
37. ORDINANCE approving and authorizing an Economic Development Agreement between the City of Houston and **HOUSTON REDEVELOPMENT AUTHORITY** providing up to \$4,000,000.00 of Community Development Block Grant Funds for Economic Development Activities – (**This was Item 9 on Agenda of April 17, 2013, TAGGED BY COUNCIL MEMBERS RODRIGUEZ and BRADFORD**) – was presented.

After discussion by Council Members Bradford, Adams and Gonzalez, a vote was called on Item No. 37. Council Member Brown voting no, balance voting aye. ORDINANCE 2013-0363 ADOPTED.

38. ORDINANCE approving and authorizing agreement between the City of Houston and **LIL AUDREY'S SAFE PLACE FOUNDATION** to provide a \$975,000.00 grant of Federal Community Development Block Grant Funds for costs associated with the acquisition of property located at 2505, 2505 A and 2507 Southmore, Houston, Texas, to be used as a Transitional Living Facility for Foster Care Alumni - **DISTRICT D – ADAMS – (This was Item 10 on Agenda of April 17, 2013, TAGGED BY COUNCIL MEMBER ADAMS)** - was presented.

Council Member Adams moved to refer Item No. 38 back to the administration, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2013-0282 ADOPTED.

39. ORDINANCE appropriating \$1,650,000.00 out of Equipment Acquisition Consolidated Fund for the Data Center Consolidation Project – **(This was Item 11 on Agenda of April 17, 2013, TAGGED BY COUNCIL MEMBER BRADFORD)** – was presented.

Council Member Bradford stated that he had submitted three questions, and would read one, what were the specific benchmark timelines and deliverables for this project, and the response was from the director, due to the untimely stage at which they found themselves in this process he was unable to provide additional information at this time, however he was providing a CD copy of the independent study performed in relation to the City of Houston's data facilities, his hope was that the study would assist in providing him greater understanding, that it was not quite responsive to his questions at all, that he tagged it last week with the hope that his three questions would get answered, that having received a response like this it was anticipated and expected that he vote no.

After further discussion by Council Member Gonzalez, a vote was called on Item No. 39. Council Member Bradford voting no, balance voting aye. ORDINANCE 2013-0364 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Cohen announced events she attended or would be attending. Council Members Brown, Martin, Hoang, Pennington and Rodriguez absent.

Council Member Christi announced events he attended or would be attending; and stated that Ms. Jenn Char, City of Houston, finished the MS150 also, and Mayor Parker thanked Council Member Christi, that she was not on her list and she appreciated his mentioning her. Council Members Brown, Martin, Hoang, Pennington and Rodriguez absent.

Council Member Burks stated that Mrs. Nina Bailey, a great icon and worker in the Acres Homes area passed away this week, that she would truly be missed in the community. Council Members Brown, Cohen, Martin, Hoang, Pennington and Rodriguez absent.

Council Member Bradford stated that he wanted to express condolences to Ms. Nina Bailey's family, that she lived in the Acres Home area, but had impacted the City of Houston and it was a terrible loss. Council Members Brown, Martin, Hoang, Pennington and Rodriguez absent.

Council Member Costello stated that he wanted to acknowledge Council Member Christi and his efforts to put together the Medical Summit, that he was scheduled to be out of the Country but would make sure his staff would attend because they were very interested. Council Members Brown, Martin, Hoang, Pennington and Rodriguez absent.

Council Member Gonzalez stated that the changes they had approved to Chapter 42 would certainly have an impact on many of their communities, that he was committed to educating District H neighborhoods about their options as they moved forward with implementing the revisions; and announced events he attended or would be attending; and he wanted to share in offering his condolences to Nina Bailey as well; that he did not recall their having an opportunity to comment about the terrible tragedy in West, Texas, the community was decimated losing their Fire Department, that he wanted to commend the Houston Fire Department because they responded as well by sending some personnel as needed, that he was grateful to see that they could offer a small lending hand to what was going to be a long recovery effort, that it spoke to interoperability, dealing with something that major, that type of incidence, that he saw much of the situation unfold via the media, and the interoperability was very critical for a response like that, making sure they were working with neighboring departments as well, and the items they passed today insured that they had enhanced Port security and those type of things were very important to protect their regional efforts beyond just Houston, as well, with a lot of the critical infrastructure they had in place, that he wanted to thank his colleagues for consistently supporting those efforts when they came before Council, that their thoughts and prayers were with the entire West, Texas community. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Laster, Burks and Bradford absent.

Council Member Noriega stated that the Chapter 42 discussion today reminded her how quickly six year went by, they were responsible for Houston in a very special way, but with term limits they were gone very quickly and an awful lot of the projects they were involved with took sometime 10 years or longer to see from the beginning to the end, so they depended on their colleagues to pick up the torch where they leave of, that at the end of the year she would be gone and so would some of her colleagues at the table, and another two years after that there would be a new Mayor, so what remained were the neighborhood folks and all of them out there and they needed to keep doing their work, keeping Council Members feet to the fire, paying attention, coming to meetings, watching on television, particularly with City municipal government, with the limit on how long people were allowed to be at Council, it was so important to have a concerned citizenry, that knew who was there and who was involved with what, what lanes people cared about and were involved with, that as new Council Members were elected they needed to get involved with their campaigns and get to know them, have the opportunity to visit with them, and insist that they pick up where they left of, that she wanted to thank all of the people who were involved with the Chapter 42 discussions, she thought any time they had these complex, difficult, multi faceted concerns, there was a lot of giving and taking and that happened with Chapter 42, she did not think it was perfect and appreciated the fact that the Mayor had agreed to continue the advisory committee, that there was going to be action on Chapter 9 and some of the flooding issues, and that they were going to continue to look at enforcement and pilot that, that she appreciated all of that and thank you all again. Council Members Brown, Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Burks and Bradford absent. (No Quorum Present)

Council Member Adams wished Council Member Gonzalez a Happy Birthday; and announced events she attended or would be attending; and stated that she wanted to thank Ms. Mandy Champion-Simple, as well as Director Icken for a great presentation on homelessness. Council Members Brown, Martin, Hoang, Pennington, Rodriguez, Laster, Burks and Bradford absent.

Council Member Green announced events he attended or would be attending. Council Members Brown, Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Burks and Bradford absent. (No Quorum Present)

Council Member Davis stated that he wanted to follow what Council Members Burks and

Bradford stated about Ms. Nina Bailey and her passing, that she would be missed, that she was a constituent of District B and his prayers would go out to her family; and announced events he attended or would be attending. Council Members Brown, Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Burks and Bradford absent. (No Quorum Present)

Council Member Green further announced events he attended or would be attending. Council Members Brown, Cohen, Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Burks, Noriega and Bradford absent. (No Quorum Present)

Mayor Parker stated there was a Houston team with another national championship, they played basketball in wheelchairs, the Houston Hot Wheels, it was the national championship for juniors, wheelchair basketball, and she wanted to salute the Houston Hot Wheels. Council Members Brown, Cohen, Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Burks, Noriega and Bradford absent. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 1:05 p.m. Council Members Brown, Cohen, Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Burks, Noriega and Bradford absent. (No Quorum Present)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary