

City Council Chamber, City Hall, Tuesday, March 1, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 1, 2011, Vice Mayor Pro Tem Edward Gonzalez presiding and with Council Members Brenda Stardig, Jarvis Johnson, Ann Clutterbuck, Mike Sullivan, Al Hoang, Oliver Pennington, James G. Rodriguez, Stephen C. Costello, and C. O. "Brad" Bradford; Mr. David M. Feldman, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Mr. Xavier Herrera, Citizens Assistance Office and Ms. Marta Crinejo, Acting Agenda Director, present. Mayor Annise D. Parker, Council Members Wanda Adams and Jolanda "Jo" Jones out of the city on city business. Council Members Sue Lovell and Melissa Noriega absent due to being ill.

At 1:40 p.m. Vice Mayor Pro Tem Gonzalez stated that presentations would begin with Council Member Rodriguez. Council Member Rodriguez invited Council Member Stardig and those present for his presentation to the podium and stated that this was Dress for Success Houston's Send One Suit Drive Week and he took over the initiative from Council Member Alvarado and was honored to work with them; that Council Member Stardig would be taking over the initiative as he was term limited and he wanted the program to stay in competent hands; that Dress For Success outfitted women with suits, self confidence and communication skills to get jobs and back on their feet; and Council Member Stardig presented them a Proclamation proclaiming the week of March 7th through March 11th as "Dress For Success Week" in the City of Houston, Texas. Council Members Johnson, Sullivan, Hoang, Pennington, Costello and Bradford absent. (NO QUORUM PRESENT)

Ms. Nancy LeVickey with Dress for Success stated that they appreciated all the support City Hall had given over many years and that they were a part of a tradition here at City Hall by launching their Dress For Success here each year and they would serve over 5,000 women this year; that Chevron this year donated \$35,000 and introduced Ms. Susie Heber with Chevron who stated that they were very proud to be a part of Dress For Success Houston; and thanked all for their work. Council Members Johnson, Sullivan, Hoang, Pennington, Costello and Bradford absent. (NO QUORUM PRESENT)

Council Member Rodriguez stated that they would be collecting at the Council's Visitor Center in the Annex; and encouraged all to bring suits. Council Members Johnson, Sullivan, Hoang, Pennington, Costello and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he wanted to thank all for their work from all those they serviced. Council Members Johnson, Sullivan, Hoang and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez invited those with his presentation to the podium and stated that it was his honor to have today AmeriCorps National Civilian Community Corps. and to say a little of what they had done, they filled many dumpsters from debris in cemeteries, participated in Habitat for Humanity, Arbor Day, etc., with 130 volunteers; and presented them a Proclamation proclaiming today as "AmeriCorps National Civilian Community Corps. Day" in the City of Houston, Texas. Council Members Johnson, Clutterbuck, Sullivan and Bradford absent. (NO QUORUM PRESENT)

A Volunteer for AmeriCorps stated that it had been a great experience for them in Houston and they loved working with the Mayor's Office; and she hoped they would get another team and they would be able to experience the same. Council Members Johnson, Clutterbuck, Sullivan and Bradford absent. (NO QUORUM PRESENT)

A Spokesperson for the Mayor's Office stated that he could not thank the AmeriCorps

Team enough; that they worked with restoring Houston's Historic Cemetery Campaign the Mayor's volunteer Initiative Program had been working on and their outreach and the fact they came in early daily and worked so hard to help preserve history they were truly appreciated. Council Members Johnson, Clutterbuck, Sullivan and Bradford absent. (NO QUORUM PRESENT)

Council Members Costello, Pennington, Rodriguez and Stardig thanked all for their time and all their hard work in helping to save Houston's history. Council Members Johnson, Clutterbuck, Sullivan and Bradford absent. (NO QUORUM PRESENT)

At 1:56 p.m. Vice Mayor Pro Tem Gonzalez called on Council Member Rodriguez who led all in prayer and pledge. Council Members Johnson, Clutterbuck, Sullivan and Bradford absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that at this time they were waiting for a quorum to begin the meeting; and Mayor Parker would be out today as she was out of the city on city business. Council Members Johnson, Sullivan and Bradford absent. (NO QUORUM PRESENT)

At 1:59 p.m. the City Secretary called the roll. Mayor Parker, Council Members Adams and Jones out of the city on city business. Council Members Lovell and Noriega absent due to being ill. Council Member Johnson absent.

Council Members Hoang and Costello moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor Parker, Council Members Adams and Jones out of the city on city business. Council Members Lovell and Noriega absent due to being ill. Council Member Johnson absent. Vice Mayor Pro Tem Gonzalez presiding. MOTION ADOPTED.

Council Member Sullivan moved that the rules be suspended for the purpose of hearing Mr. Rusty Hardin at the top of the three minute speakers, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker, Council Members Adams and Jones out of the city on city business. Council Members Lovell and Noriega absent due to being ill. Council Member Johnson absent. Vice Mayor Pro Tem Gonzalez presiding. MOTION 2011-0144 ADOPTED.

The City Secretary announced that the Rules for Public Speakers were available on the outside table if anyone wanted to review them. Council Member Johnson absent.

At 2:01 p.m. the City Secretary began calling the public speakers.

Mr. Sean Haley, 825 Bayland, Houston, Texas 77009 (713-880-1238) appeared and stated that he was present in support of historic preservation in Woodland Heights. Council Member Johnson absent.

Mr. Carlos Mora, 2822 Florence, Houston, Texas 77009 (713-458-0339) appeared and stated that he was present in support of historic preservation in Woodland Heights. Council Member Johnson absent.

Mr. Al Bettis, 504 Woodland, Houston, Texas 77009 (713-409-4700) appeared and stated that he was present in support of the Woodland Heights Historic District; that opposition had a well funded campaign, but much would be lost as deed restrictions were not enough. Council Member Johnson absent.

Mr. John Moss, 709 Wendal, Houston, Texas 77009 (713-703-1424) appeared and stated that he was present in support of historic preservation in Woodland Heights an almost 100% intact neighborhood. Council Member Johnson absent.

Mr. Larry Hall, 529 Uclid, Houston, Texas 77009 (713-753-6543) appeared and stated that he was present in support of historic designation in Woodland Heights. Council Members Johnson and Pennington absent.

Ms. Vicky Schoppe, 8122 Deleon, Houston, Texas 77061 (713-643-7643) appeared and stated that she lived in Glenbrook Valley and supported its historic designation; that they completed their petition deadline and were eager to move forward. Council Members Johnson and Pennington absent.

Council Member Bradford moved that the rules be suspended for the purpose of hearing Mr. Richard Johnson at the end of one minute speakers, seconded by Council Member Rodriguez. All voting aye. Nays none. Mayor Parker, Council Members Adams and Jones out of the city on city business. Council Members Lovell and Noriega absent due to being ill. Council Members Johnson and Pennington absent. Vice Mayor Pro Tem Gonzalez presiding. MOTION 2011-0145 ADOPTED.

Mr. Preston Clark, 7711 Lakewind, Houston, Texas 77061 (713-232-2350) appeared and stated that he was in favor of historic designation in Glenbrook Valley. Council Members Johnson and Pennington absent.

Ms. Carrie O'Brien, 8007 Glen Forest, Houston, Texas 77061 (713-880-3187) appeared and stated that she and her husband were proud to live in Glenbrook Valley; and were supporting historic designation. Council Members Johnson and Pennington absent.

Ms. Donna Bennett, 528 Harvard, Houston, Texas 77007 (713-868-6979) appeared and stated that she was present in favor of granting the application for the Heights South Historic District; that their district was subject to resurvey and 24% returned petitions; and urged a favorable vote by Council. Council Members Johnson and Pennington absent.

Mr. Tony Sanchez, 1802 N. Boulevard, Houston, Texas 770098 (713-818-4141) appeared and stated that he lived in Boulevard Oaks and the transition ordinance was well intended for a democratic process, however, without the yes/no ballot card the city now had no idea who in fact supported it and his block wanted out. Council Members Johnson and Pennington absent.

Mr. Richard Johnson, 8738 Fannette, Houston, Texas 77029 (281-541-2648) appeared and stated that he had observed discussion on public safety and would like the City to commission a study on public safety utilizing local institutions of higher learning here in Houston for new programs and data. Council Members Johnson and Pennington absent.

Upon questions by Council Member Bradford, Mr. Johnson stated that he would like data analyzed and then utilize statistical methods to provide results on public safety issues for hiring practices, keeping the young out of the criminal system, etc., Texas Southern had a long history of such; and Council Member Bradford stated that TSU had an elaborate public policy institute and University of Houston and Rice University. Council Members Johnson and Pennington absent.

Ms. Susan Prospere, 521 E. 8th, Houston, Texas 77007 (713-861-0192) appeared and stated that she lived in Heights South and her retirement income was cut in half and she had depended on the value of her lot to supplement her income, etc., preservationist had six years to barely get a consensus to the old preservation ordinance and now they were subject to a new

ordinance which did constitute the taking of their property and given two weeks, not six years, to object; and a monster was created. Council Members Johnson, Pennington and Rodriguez absent.

Ms. Angela Dewree, 505 Arlington, Houston, Texas 77007 (713-298-2081) appeared and stated that she thanked Mayor Parker and Council Members Gonzalez and Adams for efforts in historic preservation; that she was present urging Council to vote for the Heights South designation as they had met all criteria. Council Members Johnson, Pennington and Rodriguez absent.

Ms. Megan Mastal, 418 Byrne, Houston, Texas 77009 (713-884-5432) appeared and stated that she was present urging support for the Woodland Heights Historic District. Council Members Johnson, Pennington and Rodriguez absent.

Mrs. Vicky Bettis, 504 Woodland, Houston, Texas 77009 (713-397-9336) appeared and stated that historic designation provided protection of property rights and supported the community as a whole; and urged the Woodland Heights Historic District designation. Council Members Johnson and Rodriguez absent.

Mr. Rusty Hardin, 1401 McKinney, Houston, Texas 77010 (713-652-9000) appeared and stated that he was former prosecutor of over 15 years, a lawyer for close to 20 years and father of an HPD officer and was not present to bash Council Member Jones but to disagree with some of her comments and the card she distributed; it was a horrible example for any public official to foster distrust of police as a group who was challenged with protecting them; that the role of a private attorney and advising was entirely different than talking as a public official and fostering distrust and discouraging cooperation. Council Member Johnson absent.

Members of Council thanked Mr. Hardin for his work and his son's; and upon questions, Mr. Hardin stated that he had strongly disagreed with Internal Affairs on behalf of officers when he thought they were wrong and too aggressive, but this was not a black hole, they disagreed with them frequently; that even when someone was suspected of something it was to their advantage to cooperate with police and in some things their attorney would say not to speak without them present, but that was private attorneys and Council Member Jones confused the rules and fostered disrespect and discouraged trust. Council Member Johnson absent.

Mr. Willie Baker, 6523 Vera Jean, Houston, Texas 77088 (281-272-0995) had reserved time to speak but was not present when his name was called. Council Members Johnson and Bradford absent. (NO QUORUM PRESENT)

Mr. Barry Rosette, 5015 Fannin, Houston, Texas 77004 (832-483-3231) appeared, presented pictures for viewing and stated that he was facilities manager of a nonprofit childcare center and they were having a problem with Palm Street; that the end was blocked due to METRO rail and families were having a problem dropping off children; that through the CIP Program they would like improvements to the street and if possible the railway as it had not been properly completed. Council Members Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she was familiar with his amazing ministry at the Niamiah Childcare Facility, it was outstanding; that his information would be passed on to Council Member Adams. Council Members Johnson, Sullivan and Rodriguez absent.

Vice Mayor Pro Tem Gonzalez stated that his information showed Public Works Right of Way would investigate the street and drainage concerns this week and Traffic and Transportation would investigate a "No Parking Sign" which was requested and Mr. Medina was

present to speak with him. Council Members Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Mr. Mohammad Oukoui, P. O. Box 570624, Houston, Texas 77257 (832-332-9630) had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Mr. Will Hill, 924 Prosper, Houston, Texas 77088 (281-964-5388) had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Dr. Richard Hall, 519 Bayland Avenue, Houston, Texas 77009 (713-305-1991) appeared and stated that he was present asking for approval of the Woodland Heights historic designation, it was vitally important to maintain. Council Members Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Ms. Mary Ann Smith, 818 Highland, Houston, Texas 77009 (713-899-9137) appeared and stated that she was present showing support for the Woodland Heights Historic District; that it would increase property value and keep historic bungalows and quality of life. Council Members Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Mr. Raymond Blackstone, 525 Woodland, Houston, Texas 77009 (713-869-4029) appeared and stated that he was present endorsing the adoption of the historic district designation for Woodland Heights; and urged Council's approval. Council Members Stardig, Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Mrs. Margaret Blackstone, 525 Woodland, Houston, Texas 77009 (713-869-4029) appeared and stated that she was present strongly supporting the Woodland Heights being designated as a protected historic district; and urged a favorable vote from Council. Council Members Stardig, Johnson, Sullivan and Rodriguez absent. (NO QUORUM PRESENT)

Ms. Sharon Greiff, 826 Woodland, Houston, Texas 77009 (713-817-6104) appeared and asked all those in favor of the Woodland Heights preservation to stand to be recognized and stated that she was for the proposed ordinance and over 80% of the houses were contributing. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. William Stanley, 429 Bayland, Houston, Texas 77009 (713-828-4509) appeared and stated that he and his wife strongly support Woodland Heights becoming a historic district as it would limit non-compatible construction and encourage preservation of existing historic structures. Council Members Stardig, Johnson, Clutterbuck, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Mike Morse, 7843 Santa Elena, Houston, Texas 77061 (713-847-7408) appeared and stated that he had been an active participant in seeking historic designation for Glenbrook Valley and would like to address the allegations of fraud and forgeries of petitions collected; that the process of signatures was proposed by the city and they collected and verified petitions against inventory and updated the inventory and circulated the list of supporters and maps; that the effort to collect and reevaluate petitions was widely accepted and transparent process until the last months; that their opposition had collected retraction letters and they had the same defects as errors they were accused of having as fraud and forgery; that some retractions were not in Glenbrook Valley, some did not have legal descriptions, etc., and if Council had any questions he would invite them to examine the originals. Council Members Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Karen Kemper, 8219 Dover, Houston, Texas 77061 (713-641-1469) appeared and stated that she was in support of historic districts; that Houston had lost important buildings and was still losing others; that people visited other cities to see museums, fountains, historic buildings, etc., and Houston was losing more historic sites and guaranteeing not to be a visitors designation. Council Members Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Ann Collum, 7511 Glenbrook, Houston, Texas 77061 (713-645-0241) appeared and stated that she supported historic designation and there were many allegations presented by the historic district opposition, but she mailed each Council Member an envelope with all information, their responses, etc., and materials were in English and Spanish as was their news letter; that Ms. Ramos with LULAC came before Council with alleged complaints, etc., but if there really were any their civic club would have received copies and discussed information provided to Council. Council Members Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Ryan Kennedy, 7735 Glenbrae, Houston, Texas 77061 (713-855-4811) appeared and stated that he was an assistant professor at the U of H and all Council Members should have received his three page email plus much supporting documentation supporting Glenbrook Valley being historic; and it imposed restrictions but kept the neighborhood constant. Council Members Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Council Member Stardig stated that she appreciated his presentation; and upon questions, Mr. Kennedy stated that the document he sent them pointed out that Glenbrook Valley was a critical piece of Houston's history and needed preserving and no deed restrictions would facilitate that in the same way. Council Members Johnson, Sullivan, Hoang and Pennington absent. (NO QUORUM PRESENT)

Ms. Roxana Ramirez, 8111 Colgate, Houston, Texas 77061 (713-944-4990) appeared and stated that she was in favor of the Glenbrook Valley receiving historic designation and if they did not holdfast the neighborhood and Houston would loose the beauty created over 50 years ago and deed restrictions were not enough. Council Members Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Robert Searcy, 8206 Glencrest, Houston, Texas 77061 (832-279-5332) appeared and stated that he supported historic designation for Glenbrook Valley and scrutiny was a friend to proponents and it would show they were worthy of the designation; and urged support of Council. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Dena Thorpe, 7 Marilane, Houston, Texas 77007 (713-203-1999) appeared, presented information which he reviewed and stated that his information showed 12 tracts for designation and 38 against; that he did not want to not have a historic district, but wanted statistical truth; and he supported the original ordinance which was very different and he would hope they would do more analysis as some Council Members suggested. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he would direct Mr. Thorpe to Ms. Hargrove who was present with the Planning Department. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Tom Wells, 1428 Tulane, Houston, Texas 77008 (713-869-1289) appeared, presented information and stated that he wanted to speak on the ethics of the creation of the historic districts; that when things were promised and then ordinances proposed entirely different where were the ethics just as when Council manipulated the process and counted non votes as yes

votes where were ethics, etc., that basic facts from the Heights West petition for historical district was signed by approximately 46% of the property owners and of those 36% subsequently requested a no vote to the district; and urged abolishment of the Heights West District. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Terry Mahaffey, 820 Arlington, Houston, Texas 77007 (713-868-7022) appeared and stated that he was a petitioner for the Heights South Historic District and it was his desire to have his neighborhood be spared and preserved; and urged Council's approval of the district with their original boundaries. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Victor Veldekens, 504 Oxford, Houston, Texas 77007 (713-817-7724) appeared and stated that he was neutral on the historic districts, but if the process was not transparent and if non response was put into the favorable category of whoever was pushing this it did not seem right. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Rhonda Barron, 407 Arlington, Houston, Texas 77007 (713-230-7927) appeared, presented information and stated that she was in the Heights South District and the overall process was flawed; that it was poor planning to push for this during the holiday season, but believed it was planned so they could not get the correct response to repeal the nightmare; and discussed the process and the non support. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Council Member Gonzalez stated that if Ms. Barron would also present her information to Ms. Hargrove who was present and with the Planning Department. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent. (NO QUORUM PRESENT)

Mr. David Barron, 407 Arlington, Houston, Texas 77007 (713-504-0933) appeared, presented information and stated that the city wrote a transition document detailing the historic ordinance, however, they had not followed it; that it stated a card would be sent out and signed and returned indicating whether the proper owner did or did not support, but instead a survey was received and caused further confusion with some discarding instead of returning; the city then decided to count those not returned as a yes vote; and urged all data be reviewed and the ordinance repealed. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent. (NO QUORUM PRESENT)

Mr. Robert Spragg, 407 E. 5th, Houston, Texas 77007 (713-539-7194) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent. (NO QUORUM PRESENT)

Ms. Jerrie McGahan, 1643 Arlington, Houston, Texas 77008 (713-890-2535) appeared and stated that she was from Heights East where extensive development had happened and it was a tough issue; that as she listened about her family being selfish she did not see them that way; that they owned a home they tried to sell and were now held at gunpoint with people saying they had no rights to the home; that there was much talk against demolition, but all builders said their house would require too expensive repairs; that the whole process was flawed, 51% did not return the survey and it was decided they changed their mind, they liked the ordinance, but support should not be measured by the survey when it was only for opposition. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent. (NO QUORUM PRESENT)

Mr. Robert Phillips, 1418 Columbia, Houston, Texas 77008 (832-573-1035) appeared, presented information and stated that he was in Heights East and was present raising a

concern regarding the notion that Council would not have opportunity to vote on accepting the memo from Ms. Gafrick; that they were told when voting for the ordinance that Planning would try and take out people's property where there was opposition but no such effort was made; discussed his information presented which did not show support of the designation; and urged they reject the report from Ms. Gafrick and redraw the district accordingly. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent. (NO QUORUM PRESENT)

Ms. Mari Gianukos, 1514 Columbia, Houston, Texas 77008 (713-516-2282) appeared, presented information and stated that her information outlined the actual ordinance and she had three main issues, the stated purpose of the transition ordinance was supposed to provide the Council with proof of continued support, but no ballot card was sent only a survey type letter which did not allow supporters an opportunity to vote, it was only for no vote; and urged Council reject the report and say she should go back and bring information showing continued support; that just because people did not respond, it did not mean they were in support. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Calvin Simper, 1410 Thornton, Houston, Texas 77018 (713-868-5192) appeared and stated that he was against the historic ordinance for Heights East and against the voting procedures; that a non vote for a yes vote was only one of the flaws and this did step all over property rights. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Tessa Wilkins, 1120 Columbia, Houston, Texas 77008 (281-615-6632) appeared, presented information and stated that she lived in Heights East and was present to discuss the saw tooth affect the Planning Director spoke of when she gave reasons for not redrawing boundaries; and discussed the boundaries shown in her information. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Mark Standridge, 1509 Oxford, Houston, Texas 77008 (832-368-0104) appeared, presented information and stated that he lived in Houston Heights East and present against the historic preservation ordinance in its current form; that his map showed properties where owners indicated lack of support for the historic district and had asked to be removed and signed petitions, etc., and challenged Council to look and find one coherent district yet the Planning Commission said they saw no reason to modify boundaries, no one was listening to or respecting property owners; that the Mayor urged citizens to throw away ballots and not vote and now a non vote was considered support when it was just a non vote; and urged a no vote from Council and that they ask for boundaries to be redrawn. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Rebecca Standridge, 1509 Oxford, Houston, Texas 77008 (832-628-8221) appeared, presented information and stated that she was from Heights East and the 2008 report relied upon by Council to approve the Heights East Historic District was in error, it stated that no city land would be counted and yet it was; that many landowners who approved the original ordinance retracted their support; and urged Council to insist on voting on the director's report and reject it and redraw the map based on evidence of opposition. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Kathleen Powell, 1224 Columbia, Houston, Texas 77008 (713-862-5335) appeared, presented information and stated that property rights provisions were contained in the U. S. Constitution and the Texas Constitution within the Bill of Rights and mentioned right after life and liberty and it was an indication of their importance to every American; that it was unacceptable to eliminate those rights by claiming support through a non vote; and discussed the ordinance stating property owners should give evidence of continued support when none was expressed; that one quarter of the homeowners changed their minds and one quarter in her

district never voted one way or the other, could those be yes or no votes; that actual support was not measured and Council had no idea how many supported it. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

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 Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Florence Eldridge, 3502 Campbell, Houston, Texas 77026 (281-414-4628) appeared and stated that she purchased property in the Fifth Ward; that she had respect for police officers, however, she was present to say in the community there were some officers responsible for creating distrust; that in February one of her tenants was stopped and handcuffed and she questioned one of the officers as he was an elder, a good solid citizen, and she stated he was riding his bike in the middle of the street and they saw what they thought was a gun in his basket, but he made minor repairs for money and it was a hammer and there were deep ditches on each side of their streets and they had no bike lanes; that when they established the item was not a gun they should have left him alone, but instead humiliated him and made him endure a thorough search; that officers were using bogus excuses to execute searches and it was wrong and would not be acceptable in other areas of Houston and she wanted something done. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Upon questions by Vice Mayor Pro Tem Gonzalez, Ms. Eldridge stated that they did not file a complaint and her tenants said such happened all the time; and Vice Mayor Pro Tem Gonzalez stated that Lieutenant Gallier was present and could speak with her. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he encouraged them to speak with Mr. Byrd in his office and silence was not safety; that it was unacceptable in other areas of Houston because the communities held officers accountable; and they needed to show up at meetings and let their voices be the power. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Robert Goodson, 3502 Campbell, Houston, Texas 77026 (832-890-9478) appeared and stated that he wanted to make Council aware of what took place in the Fifth Ward; that he lived there fifteen years and within the last two years police had become extremely out of hand; that on certain days it was like you were on lockdown, you could not even walk the streets, if you left your home you would be stopped and searched; that police had a hit and miss tactic, they stopped everyone and eventually they caught someone dirty, but last week he came home and turned into the driveway and held his bike and one officer stopped and came running with his pistol out and said he received a report that he had a weapon; that when he saw it was a hammer he took him to the car and searched him, made him pull his shoes and socks off and looked in his pants and in his bicycle handlebars and if you were looking for a gun it would not be in the handlebars and he told the officer he was looking for drugs and the pistol was just an excuse, but what scared him was thinking of the guy a few weeks ago who was killed in the same situation, they thought he had a gun and shot him; that residents did live in fear because of some officers. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that they appreciated him making them aware and Lieutenant Gallier was present and ready to speak with him. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Council Member Johnson thanked Mr. Goodson for coming and making all aware and

encouraged him to file an IA report; that something should be in such officers records; that they should not feel like a prisoner and they should not live in fear and encouraged him to show up at fifth Ward Meetings and help build relationships between them and officers. Council Members Stardig, Sullivan, Hoang and Pennington absent. (NO QUORUM PRESENT)

Ms. Eileen Reed, 1315 Cortlandt, Houston, Texas 77008 (713-862-8882) appeared, presented information and stated that she lived in Houston Heights and present on behalf of Responsible Urban Development for Houston to make all aware of a situation which involved difficulties Responsible Urban Development for Houston had been having problems obtaining documents which should be available from the City of Houston; that they made numerous requests related to the public retail development at Yale and Kholer and it was unacceptable, records should be provided on a timely basis under the Open Records Act; and referred to her handout regarding timelines for information; and was present asking for a commitment that new drainage documents be promptly provided to them without requiring another public information request. Council Members Stardig, Sullivan, Hoang and Pennington absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he would like to get with the Legal Department as it should be timely; and upon questions, Mr. Heilman stated that each department responded to public information requests directly, they coordinated with Legal's General Counsel Section for advise on what was releasable and what was not; that he was not familiar with this request, but if the documentation was not provided to the requestor there was probably an exception under the Public Information Act which applied; and Ms. Reed stated that they asked to be told if there was an exception and never received anything. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Upon questions by Council Member Bradford, Ms. Reed stated that they did get some documents, the last page of her information showed communication from a gentleman in Public Works saying they found over 200 documents for her request, but there was nothing relating to drainage; that the information received was not responsive to their request. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Upon questions by Council Member Bradford, Mr. Heilman stated that he would like to follow-up with Public Works and Engineering as well as the section which handled the requests and see what the background information was from the City's perspective as he was not familiar with what transpired. Council Members Stardig, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Upon questions by Council Member Costello, Mr. Heilman stated that the City did accept public information requests via email. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated to Mr. Heilman if they could follow-up with Public works and Ms. Reed in a timely manner and in writing so they would have the information it would be appreciated. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent. (NO QUORUM PRESENT)

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

Members Stardig, Clutterbuck, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mrs. Barbara Simper, 811 Harvard, Houston, Texas 77008 (713-476-9417) appeared and stated that her topic today was city government; that the first rule was for the city to follow their own rules and the report from the City Planning Department did not follow its own rules and for that reason was present urging Council to reject the recommendation of the Planning Director regarding the historic designation of Houston Heights East; that the ordinance stated clear support by the majority of homeowners and it had not been shown; that what was shown was significant opposition; that they were told they would receive a ballot card to vote for or against and show by a clear majority what the will of homeowners was, but it did not take place and instead of following the clearly defined process a series of wrong actions ensued and requested that Council reject the report. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Robert Spragg, 407 E. 5th, Houston, Texas 77007 (713-539-7194), who was previously not present, appeared and stated that he was a resident in Heights South and the process for reconsideration of a historic district was not conducted as specified in the transition ordinance; and reviewed the rules as set out in the ordinance and he would like acknowledgment the ordinance was not followed and what would be done. Council Members Stardig, Johnson Sullivan and Hoang absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he was told Ms. Hargrove was in a conference room behind the Council doors if he would like to follow-up with her. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Crystal Jean, P. O. Box 16026, Sugarland, Texas 77496 (832-646-3516) appeared and stated that she was present as she was assaulted and HIV positive and it was aggravated assault because the young man knowingly and intentionally slept with her on occasion after occasion and did not mention his status; that he was out there recklessly sleeping with other women unprotected and nothing was done by HPD; that she was tired of following processes leading to no where; that she continued voicing her concerns and something needed to be done, the police were supposed to enforce the law. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Upon questions by Council Member Pennington, Ms. Jean stated that this occurred in Houston, Texas. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Upon questions by Vice Mayor Pro Tem Gonzalez, Ms. Jean stated that she had been to the Houston Police Department, Internal Affairs, the DAs Office and charges were denied three times; that assault laws stated that if you caused bodily harm to someone and put their lives at stake, it was a law and others in Texas were prosecuted for aggravated assault in this same situation, second degree; and Vice Mayor Pro Tem Gonzalez stated that he would like her to speak with Ms. Kathy Barton with the Health Department and Lieutenant Gallier with HPD who were present at this time. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Reverend Joe Angel Lopez, 13334 Wells River Drive, Houston, Texas 77041 (832-891-2724) had reserved time to speak but was not present when his name was

called. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. William Beal, 5814 Overdale, Houston, Texas 77033 (no phone) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Patricia Martin, P. O. Box 26045, Houston, Texas 77207 (832-630-3717) appeared and stated that she was visually impaired by a diabolical plot of optometrist in the City of Houston; and all knew of the diabolical plot by Mayor Parker to have her arrested; and continued expressing her personal opinions until her time expired. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was demanding a stop be put on Mayor Parker leading an assassination attempt on his life; and continued expressing his personal opinions until his time expired. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Mr. Bill Pellerin, 256 E. 5th, Houston, Texas 77007 (713-880-8061) appeared and stated that he was present asking Council to approve the recommendations for Heights South, his district, Glenbrook Valley and Woodland Heights historic districts in tomorrow's meeting as originally defined, without modifications, support was measured by petitions which created the districts in the first place and they had opportunity to establish them and leave the legacy of preservation. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Ms. Leticia Ablaza, did not wish to give address (713-320-4340) appeared and stated that she was present in opposition of the ordinance for Glenbrook Valley; that she was not against preservation, but against the process; that she was representing over 840 residents who did not want this; that they were well below the needed percent and the city had not followed their own ordinance. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

Upon questions by Council Member Pennington, Ms. Ablaza stated that she was not a real estate advisor, but it was her understanding some districts had decreased in property value and some homes could not be sold; that her opinion was if the level of demand was decreased then the property value would be decreased also. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

At 4:27 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, March 2, 2011. Mayor Parker, Council Members Adams and Jones out of the city on city business. Council Members Lovell and Noriega absent due to being ill. Council Members Stardig, Johnson, Sullivan and Hoang absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, March 2, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne

Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney; and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Melissa Noriega absent due to being ill.

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

At 9:08 a.m. Mayor Parker called the meeting to order, and called on Council Member Gonzalez for a point of order. Council Members Johnson, Sullivan and Costello absent.

Council Member Gonzalez moved to suspend the rules to consider Item Numbers 1 and 2 out of order prior to the Controllers Report and the Mayors Report, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson, Sullivan and Costello absent. MOTION 2011-0146 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment of **MUNICIPAL COURT JUDGE DANIEL J. SIMMS** to serve as Associate Judge of **MUNICIPAL COURTS** for a two-year term – was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson, Sullivan and Costello absent. MOTION 2011-0147 ADOPTED.
2. REQUEST from Mayor for confirmation of the appointment of **ASSOCIATE JUDGE KIMBERLY MAURA GAMBLE** to serve as Municipal Court for a two-year term – was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson, Sullivan and Costello absent. MOTION 2011-0148 ADOPTED.

Mayor Parker stated that they had now confirmed two judges and asked that they come forward to be recognized.

Judge Hartle stated that Judge Simms had been a judge with Municipal Court for a number of years, that he was retiring and would like to stay in service to the City as an Associate Judge, that Judge Kimberly Maura Gamble had been an Associate Judge for two years, also long term as a prosecutor for the City of Houston and she was now going to be serving the City as a full time Municipal Court Judge, that she was very fortunate to have both of them working with her at Municipal Court. Council Members Sullivan, Costello and Lovell absent.

Mayor Parker and Council Member Adams congratulated the newly appointed Judges and thanked them for their service to the City of Houston.

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – called. Council Members Sullivan, Costello and Lovell absent.

Mayor Parker recognized Mr. Ronald Green, City Controller and Mr. Kelly Dowe, Acting Director of Finance, for the Monthly Operations and Financial Report. Council Members Sullivan, Costello and Lovell absent.

Mr. Green and Mr. Dowe reviewed the Monthly Operations and Finance Report, a copy of which is on file in the City Secretary's office for review. Council Members Sullivan, Costello and

Lovell absent.

Upon discussion and questions by Council Members, Mayor Parker stated that she believed that the meeting that Council Member Stardig had requested had been scheduled, they had a number of tracts of land on the market, that clearly the bulk of the difference between Mr. Dowe and Controller Green was in the sale of real estate and she had stated repeatedly in the Chamber that they were not going to do a fire sale, if they could not get market value they would go to other avenues and the question was whether they were affectively marketing those properties. Council Members Sullivan, Costello and Lovell absent.

Upon further discussion and questions by Council Members, Mr. Dowe stated that there were three main pieces of property that remained outstanding, Main Street, which they had accepted bids on and did not anticipate any issues with closing, Center Street, as he understood they had a buyer lined up for Center Street and did not expect any issues with closing, and Gillette, they anticipated going back out to market with a second request for bids on that, but there was a good chance that it would not close this fiscal year. Council Member Sullivan absent.

Mayor Parker stated that these were all commercial real estate transactions, they had an open bid process so they had firm offers but they had not funded, that there was a third property that they had a firm offer on as well that they were moving forward on, West Dallas, but the largest and most expensive piece would be the Gillette property; that Controller Green had raised the issue at every Fiscal Affairs meeting and that was the major difference between Mr. Dowe's projection and Controller Green's, that it would actually be up to Controller Green, as he certifies the budget, to determine whether he thinks these transactions would be completed on time. Council Member Sullivan absent.

Upon further questions and discussion by Council Members, Mr. Dowe stated that as to the Center Street property, it did not have a contract on it but they had a buyer lined up as he understood, and Mayor Parker stated that as to the recycling center, they had identified an alternative location on City property near by and were working with the District Council Member and expected to bring forward to Council the proposed sale of Center Street. Council Member Sullivan absent.

Upon further questions and discussion by Council Members, Mr. Dowe stated, that for those who had not been in the Fiscal Affairs meetings, they were going with general appropriations at the start of next month and they had said for months now that they would have a plan for addressing the financial situation for the rest of the year at the time that they go to them with general appropriations so that they understand the exact level of spending they were requesting and anything they were doing to mitigate spending for the rest of the year, although as he had also said in Fiscal Affairs, Gillette was such a big issue, there was no easy alternative for dealing with that for the rest of the fiscal year, that fund balances, he thought, was the best option they had on the table for taking from fund balance for this year, but notwithstanding that they would have their plan that would come to them with general appropriations and that would layer straight into the work they were doing to prepare for FY2012, because as was articulated they had to say where they were going for FY2012 as well, that as they were all aware they were very close to releasing targets for that and then there would be an interactive process with the directors at that point and time, getting ideas from them and then hearing from Council Members as to what services might be curtailed or eliminated, they were not looking at across the board options for 2012, they were looking to have a targeted plan and they would absolutely start implementing that plan in FY2011 in advance of FY2012, because as they were all aware they wanted to have the full year affect of any reductions that they make and they were going to anticipate those in the budget; and Mayor Parker stated that the instituting of furloughs had the same effect as a pay cut for their employees but avoids issues with their negotiated contracts,

and they had already obviously implemented furloughs, they had a Layoff Ordinance in front of them today, she would urge Council to go ahead and pass the Layoff Ordinance so that it was out of the way as they move forward into the next budget cycle. Council Member Lovell absent.

Council Member Jones asked for the number of City employees that were on the furlough program, and Mayor Parker stated that they could provide her with that number, and Mr. Dowe stated that he would have that number for her shortly, and Mr. Green stated that he was taking furlough days and believed that all department directors were taking furlough days, and Mayor Parker stated all department directors and believed that all executive level employees had taken furloughs and it had been stated in the Council Chamber several times; and Mr. Green stated that as to the sale of capital assets it was apparent that the bids did not come out the way that most people expected because there would be another round and that was an issue that was being handled by the administration and he thought they had recognized some of the shortcomings in the first round and hopefully it would happen soon, but he thought the Mayor had certainly given them a precursor to probably what his actions would be when it came to certification of the budget; and Mayor Parker stated that she would encourage Council Members to continue to attend the in depth budget workshops, that for those Council Members who were interested in deciding what to cut that was their opportunity, that she had indicated that they were going to have to cut programs and she would present a balanced budget to Council for 2012 with major program cuts, that this was their opportunity to decide what they would like to see cut and all cuts in the City going forward would involve personnel. Council Member Lovell absent.

After further discussion by Council Members, Council Member Sullivan moved to accept the Monthly Operations and Financial Report, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson, Stardig, Adams and Lovell absent. MOTION 2011-0149 ADOPTED.

MAYOR'S REPORT - Pending Historic Districts

Mayor Parker stated that the Mayor's Report was on the next phase of historic preservation districts, that last week there was a presentation on the existing historic districts that had chosen to go through a reconsideration process, there were three historic districts that were in progress when that process started, they had not been voted upon by Council so they were under the protection of the ordinance but were not fully accepted as historic districts until Council votes on them, those were the districts that were going to be presented today, that there was nothing posted to vote on today, it was a presentation on those three districts, that they were fundamentally different because the others were existing historic districts that had been created by a prior City Council, that these were districts that had never been voted upon by City Council and were coming forward through the petition process, but they were caught in the shift of the ordinance.

Mayor Parker called on Ms. Marlene Gafrick, Director of Planning, for a report and Ms. Gafrick reviewed a PowerPoint Presentation titled "Pending Historic Districts", a copy of which is on file in the City Secretary's office for review. Council Members Stardig, Sullivan and Adams absent.

Upon discussion and questions by Council Members, Mayor Parker stated that the Planning Commission and the Archeological Commission did not have any power or authority over the City Council, their job was to determine whether in fact it was a historic district, and whether in fact the historic assets of the original historic district were sufficient to create a historic district, that it was a vote of Council that actually created a historic district and there was no ordinance that said that if they had x percentage they were automatically a historic district, they could have 98% of people in that district wanting to be a historic district and Council could

refuse to create it, the ultimate authority did reside with City Council, that all the Planning Commission and the Archeological Commission did was to refer forward to Council and give their professional opinion, they did not determine whether it was a historic district or not, the City Council determined if it was a historic district, that if they had stopped the process and said it was not a historic district it would not have come to the City Council, but they did not have the authority to create the district. Council Member Sullivan absent.

Upon questions by Council Members, Mr. Feldman stated that on a new district the Council could vote to modify, that it was not a taking under the U.S. Constitution; that he did not believe that the term "retraction" was used in the ordinance, that they understood what it meant when someone sought to retract their support, that was something that they could factor in in their consideration along with everything else because ultimately it would be a decision of the Council as to whether or not these three districts, or any of these three districts, were actually designated as historic districts. Council Members Stardig, Sullivan and Lovell absent.

Upon further discussion and questions by Council Members, Council Member Pennington stated that he did not know that he expected a specific description of each house but thought he expected more information than they had and at least he would like to have more information. Council Members Johnson and Adams absent.

Upon further questions and discussion by Council Members, Council Member Rodriguez asked if Council had the authority to send these pending districts back for reconsideration, and Mr. Feldman stated that it did not, that was not provided for in the ordinance, and Mayor Parker stated that it was not provided for in the ordinance, but if the majority of Council Members wanted a reconsideration for those districts it could possibly, that she wanted to give the difference between what was in the ordinance and what was within the realm of Council control, that the ordinance did not provide for the hybrid districts other than Heights South, that Heights South was specifically mentioned in the ordinance that it was in process, that these other two, the feeling was that they came in after they started the discussion of the new ordinance and they were fully informed of the process. Council Members Johnson, Adams and Lovell absent.

After further discussion by Council Members, Ms. Gafrick stated that the original boundaries were not boundaries that she created, they were boundaries that the community created based on the process that was available to them when they obtained support to create the district, that she looked at support on the block faces, she did not create donut holes, so that was kind of what she used, that the process itself was generated by community members, so now they needed to look at the boundaries based on the guidelines she had mentioned, and Mayor Parker stated that all of the odd quirks were as they were submitted to them by the citizens, that Ms. Gafrick's department did not generate this strange map, that was what was presented by those neighbors who passed their petitions to become a historic district. Council Members Johnson, Adams and Lovell absent.

Mayor Parker stated that she wanted to thank Ms. Gafrick for the report and stated that they would move to the consent agenda. Council Members Johnson, Adams and Lovell absent.

CONSENT AGENDA NUMBERS 1 through 48

Council Member Hoang moved to suspend the rules to consider Item No. 18 out of order after the consent agenda, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson, Adams and Lovell absent. MOTION 2011-0150 ADOPTED.

MISCELLANEOUS - NUMBER 3

3. RECOMMENDATION from Director Department of Public Works & Engineering to approve a refund for Water & Sewer Account for **CHASE BANK / SHA** - \$63,729.18 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson, Adams and Lovell absent. MOTION 2011-0151 ADOPTED.

ACCEPT WORK – NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,329,156.49 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.29% under the original contract amount - **DISTRICTS C - CLUTTERBUCK; E - SULLIVAN; G - PENNINGTON and H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson and Adams absent. MOTION 2011-0152 ADOPTED.

PROPERTY - NUMBERS 7 and 9

7. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and withdraw the City's objections to the Award and enter an Agreed Final Judgment in connection with eminent domain proceeding styled City of Houston v. CLKNT Corporation, a Texas corporation, et al., Cause No.962,350; for acquisition of Parcel AY8-127; for **HOMESTEAD ROAD GRADE SEPARATION PROJECT (Ley Road - Firnat) - DISTRICT B - JOHNSON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson and Adams absent. MOTION 2011-0153 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Karen Rose, Karen Rose Engineering and Surveying, on behalf of the Joy School (Shara Bumgarner, Head of School), for abandonment and sale of Louisiana Street, from Chelsea Avenue south to its terminus, in exchange for the conveyance to the City of a 17.3-foot-wide sanitary sewer easement and a 25-foot-wide sanitary sewer easement, all located within the South End Villa Tract Subdivision and/or Chelsea Place Subdivision, out of the Obedience Smith Survey, Abstract 696, Parcels SY11-016, SY11-037, SY11-038, DY11-018 and DY11-019 - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Members Johnson and Adams absent. MOTION 2011-0154 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 15A

11. ORDINANCE appropriating \$280,062.30 out of C & E Construction Fund for Interior Painting at the George R. Brown Convention Center for Convention & Entertainment Facilities Department – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Johnson absent. ORDINANCE 2011-0145 ADOPTED.
- 11a. **JNA PAINTING & CONTRACTING COMPANY, INC** for Interior Painting at George R. Brown Convention Center - \$266,726.00 and contingencies for a total amount not to

exceed \$280,062.30 Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Johnson absent. MOTION 2011-0155 ADOPTED.

12. ORDINANCE appropriating \$319,129.42 from Equipment Acquisition Consolidated Fund for SAP Consulting Services to implement the Paperless Accounts Payable Approval System Project from the General Services Administration Schedule 70 Contract for the Information Technology Department – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Johnson absent. ORDINANCE 2011-0146 ADOPTED.
- 12a. **HYLAND SOFTWARE, INC, HEWLETT PACKARD** and **DATABANK** for Purchase of SAP Consulting Services to implement the Paperless Accounts Payable Approval System Project from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Information Technology Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Johnson absent. MOTION 2011-0156 ADOPTED.
13. **TW TELECOM HOLDINGS, INC** for Purchase of Time Warner Service Agreement Renewal from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Department of Public Works & Engineering - \$104,472.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Johnson absent. MOTION 2011-0157 ADOPTED.
15. ORDINANCE appropriating \$402,342.56 out of Equipment Acquisition Consolidated Fund for Purchase of Grounds Maintenance Equipment for Various Departments – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Johnson absent. ORDINANCE 2011-0147 ADOPTED.
- 15a. **JOHN DEERE COMPANY - A Division of Deere & Company** - \$77,522.79, **LANSDOWNE-MOODY CO., L.P.** - \$168,208.61, **POSTON EQUIPMENT SALES, INC** - \$56,516.92, **JOHN DEERE COMPANY - A Division of Deere & Company** - \$33,070.40 and **PROFESSIONAL TURF PRODUCTS, L.P.** - \$243,704.12 for Grounds Maintenance Equipment through the Interlocal Agreements for Cooperative Purchasing with the Houston-Galveston Area Council and BuyBoard for Various Departments - \$579,022.84 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Noriega absent due to being ill. Council Member Johnson absent. MOTION 2011-0158 ADOPTED.

ORDINANCES - NUMBERS 23 through 48

23. ORDINANCE appropriating \$8,754,913.00 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Alameda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Twelve, City

of Houston, Texas (City Park Zone), and Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone) for Affordable Housing, payments to Houston Independent School District, and payments to certain redevelopment authorities as provided herein – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0148 ADOPTED.

26. ORDINANCE approving and authorizing submission of an application for grant assistance to the **STATE OF TEXAS THROUGH THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR**, for the Police Storefront Crisis Team Grant/19 Program; 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 - \$21,900.00 General Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0149 ADOPTED.
27. ORDINANCE amending Ordinance No. 99-0161, as amended, (Passed by City Council February 24,1999) to increase the maximum contract amount for the contract between the City of Houston and **FROST NATIONAL BANK** for Automated Filing Fee Payment Services for the Houston Police Department - \$90,000.00 - General and Dangerous Building Consolidated Funds - had been pulled from the Agenda by the Administration, and was not considered.
34. ORDINANCE to name two private streets in the CityCentre Development as Sorella Court and City Centre Way, respectively - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0150 ADOPTED.
35. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **GLENSHIRE SUBDIVISION, SECTIONS 1, 3, 5, 7 AND 9** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0151 ADOPTED.
36. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **GLENSHIRE SUBDIVISION, SECTIONS 2, 4, 6 AND 8** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0152 ADOPTED.
37. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **SPRING OAKS SUBDIVISION REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0153 ADOPTED.
38. ORDINANCE amending City of Houston, Texas Ordinance No. 2009-1393 to correct a Scrivener's Error – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0154 ADOPTED.
39. ORDINANCE appropriating \$144,965.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation for Energy Conservation Measures Contract between

the City of Houston and **SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC f/k/a TAC AMERICAS, INC** (Approved by Ordinance No. 2009-0297) - **DISTRICTS C - CLUTTERBUCK; E - SULLIVAN; G - PENNINGTON and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0155 ADOPTED.

41. ORDINANCE appropriating \$12,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston, **HARRIS COUNTY** and **TEXAS DEPARTMENT OF TRANSPORTATION** for Gellhorn Paving IH-610 to Wallisville Road - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0156 ADOPTED.
42. ORDINANCE appropriating \$754,717.00 out of Metro Projects Construction Fund, and \$16,000.00 out of Street & Bridge Consolidated Construction Fund awarding construction contract to **PFEIFFER & SONS, LTD** for CMAQ Communications with Houston Transtar Construction; setting a deadline of 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 TXDOT Direct State Cost for contingencies, and CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction Fund and Street & Bridge Consolidated Construction Fund - \$1,886,793.00 - Grant Fund - **DISTRICTS A - STARDIG; G - PENNINGTON and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0157 ADOPTED.
43. ORDINANCE appropriating \$537,394.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PIPELINE VIDEO INSPECTION, LLC**, for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0158 ADOPTED.
44. ORDINANCE appropriating \$603,599.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0159 ADOPTED.
45. ORDINANCE appropriating \$580,748.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC**, for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0160 ADOPTED.

46. ORDINANCE appropriating \$631,056.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PIPELINE VIDEO INSPECTION, LLC**, for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0161 ADOPTED.
47. ORDINANCE appropriating \$3,181,330.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0162 ADOPTED.
48. ORDINANCE appropriating \$612,288.90 out of Fire Consolidated Construction Fund; awarding construction contract to **TALON/LPE, LTD.** for Underground Storage Tank Removal and Cleanup at 28 Fire Stations; 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 project management and construction oversight, and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent due to being ill. ORDINANCE 2011-0163 ADOPTED.
18. ORDINANCE determining the population of the City and of each of the council districts; finding the population of existing council districts to be materially unbalanced; finding that the City's current population mandates the creation of two additional council districts under the City Charter – was presented, and tagged by Council Member Sullivan, Adams, Clutterbuck and Jones.

Council Member Pennington stated that he would move to refer Item No. 18 back to separate the two action items, one was to create new districts and the other was to redistrict, seconded by Council Member Adams.

Mayor Parker asked Council Members to release their tags of Item No. 18 for further discussion and would refer to the City Attorney as to whether that was an appropriate motion.

After discussion Council Member Pennington stated that he did not oppose redistricting but thought they ought to vote on whether they needed to add district seats at this point and time and would request that be considered by the administration to be reconsidered.

Mayor Parker stated that she did not believe that the Charter was a discretionary document but would refer to Mr. Feldman.

Mr. Feldman stated that the problem that existed with the idea suggested by the Council Member was that the two matters, the matter of redistricting and the matter of adding two additional seats were inexplicably intertwined in the Charter, by way of example if Council were

to say that they understood that the Charter said that they had to district if there was material imbalance or if they reached the 2.1 million trigger, in which case they would redistrict and add two seats, that obviously if the Council were to find the material imbalance, and they had both, material imbalance and the 2.1 million trigger, and enact an ordinance saying that was their determination, they would proceed with a redistricting process where they were only redistricting for the 9 existing districts and then Council would subsequently determine that they had reached the 2.1 million then all of that work would have been for naught, so it was a matter of dealing with the Charter as it was written, they had both a material imbalance and the issue of the 2.1 million trigger and that was why an ordinance was presented as it was, with the findings of the 2.1 million trigger and the material imbalance; and Mayor Parker stated that every 10 years after the Census there was a formal process for challenging what were in fact clerical errors and in Mr. Wood's memo it laid out where the City thought they simply put the boundary in the wrong place and made errors in the process; that there was also always after the Census, and she was actually on Council the last time they redistricted 10 years ago, to challenge on a statistical basis whether the numbers were accurate, that they were not suggesting that they needed to do that, they believed there were in fact more than 2.1 million residents of the City; and Mr. Feldman stated that under the procedures in federal regulation governing the Census Bureau they could not know, no entity could submit an application to the Census Bureau for reconsideration until June 1, 2011, and he could tell them from his own experience that the Census Bureau moved as fast as the rest of the Federal Government, which meant it could be years down the road, that in no event would the Census Bureau, despite the errors that might be shown, change the Census numbers, that the 2010 Census numbers were what they were, that what they would do was change their estimations and then going forward that had effect obviously on various other matters, that another point to recognize was that the Charter specifically says that Council's determination was not based purely on the Census, it considers the Census but it considers other factors as well, that it says "including but not limited to the Census data" in making the determination as to whether or not the 2.1 million had been reached.

After further discussion by Council Members, Council Member Sullivan stated that he had not released his tag on Item No. 18.

After further discussion by Council Members, Mayor Parker stated that there was very little difference whether they were immediately above or below the 2.1 million but they never wanted to try to significantly downplay their population because yes, it was in fact tied to Federal Grant dollars, that many of the Federal Grant dollars were based on population so they never wanted to do what most of them did at the Appraisal District, try to undervalue, they generally tried to hit the target or bring it up; that no, it was not going to guarantee them an additional \$5 million in grant dollars from the Federal Administration for police officers, that there may a long term benefit but it was not going to offset the short term pain.

Mr. Feldman stated that it was not a question of benefit, it was a question of complying with the law of the City, that it was in the Charter, and the Charter specifically provided that each year, during which a general election was held, the Council had to conduct an investigation and make a determination as to what the population of the City at each of its districts were, and in that connection Council was "to use the best available data, including but not limited to, the most recent Federal Census", so this Council must make a determination what the population of the City was as the analysis was defined in the Charter, that he needed to also point out to Council Members that the City was sued in 2009 by parties contenting that they had reached the 2.1 million and that they were obligated at that point and time to add two additional seats, that the Trial Court in the Fifth Circuit said wait until 2011 to make the determination, that they would be making that determination that was what the ordinance was about, they would be redistricting in any event, which incurs a substantial expense in and of itself, but the question was whether they would redistrict with 9 seats or they redistrict with 11 seats; that the Census

Bureau estimate of the City's population prior to the completion of the Census was over 2.2 million; that the litigation was virtually guaranteed, particularly if the Council were to determine that they had not met the 2.1 million threshold, that they were charged by law at looking at "the best available data" and that was what was presented to them in the report by Mr. Wood.

After further discussion by Council Members, Mayor Parker stated that she had asked for the tags to be removed, and Council Member Sullivan stated that he did not remove his tag, it was always appropriate for Council Members to make a motion to overrule a tag, but unless there was an objection from the body for an issue of this importance, they would attempt to discuss it as much as possible, that right now all she had was the tag, there was not motion to overrule the tag, that she was going to rule that all discussion was out of order unless there was a motion to overrule the tag, that she was trying to allow the appropriate debate at the Council Chamber, that discussion would cease and they would move to the next item.

Council Member Johnson moved to override Council Member Sullivan's tag of Item No. 18, seconded by Council Member Adams.

After further discussion by Council Members, Mayor Parker stated that if the tag stayed it would come back up next week, that if they override the tag and Council Member Pennington makes the motion then she would be challenged as Chair to determine whether it was a legal motion, and Mr. Feldman stated that it would depend on how it was made because Council could make an initial independent determination as to what was the population of the City and then from that point if it determined that it was 2.1 million or more they would go to the Redistricting Ordinance for 11, that if they determined it was less than 2.1 million they would go to the Redistricting Ordinance for 9; and Mayor Parker stated that the intent of Council Member Pennington's motion was to determine that they were below 2.1 million and to move forward on that basis and not redistrict, other than to materially balance Council seats.

Council Member Pennington stated that he just asked that it be submitted as two items, he did not have a motion for or against, he was not making any substantive arguments, he just asked that it be resubmitted as two items, and Mayor Parker stated that they did not need it to go back to the administration, it could be severed at the Council table into two parts, that his request was that it be referred back, that if Council Member Pennington was satisfied simply with a separate vote on the two items; and Mr. Feldman stated that the first motion would be as to the population of the City and depending upon whether Council determined it met the 2.1 million or did not meet the 2.1 million it would then go on to the matter of the Redistricting Ordinance based either on material imbalance or the 2.1 million trigger or both.

After further discussion by Council Members, Mr. Feldman stated that if it came back as two separate items then it would be subject to a tag again and it would take them into Spring Break Week and then they would have no determination of the City's population and how they redistrict until the end of March and if that was the case they could not meet the timeline of getting a preclearance request to the Department of Justice by June 1, 2011; that if they decided not to move forward in any way on redistricting, or according to the Charter if the American Community Survey, which came out on a yearly basis, determined that they were at 2.1 million next year it would trigger the Charter and they would have to move into redistricting, that it would not delay 10 years, that it would be in 2 year increments, whenever there was a general election.

Mayor Parker stated that they would still have to redistrict, she wanted to be clear on that, because there was a material imbalance among the districts, they would just not add new Council seats.

After further discussion by Council Members, Council Member Sullivan stated that if he

had an assurance of what the Mayor's ruling would be on Council Member Pennington's amendment, whether or not it was in order, then he would be more interested in releasing his tag, and Mayor Parker stated that if that was his issue Mr. Feldman and Council Member Pennington were trying to work out a legal motion.

Mr. Feldman stated that he believed if the tag was lifted and Council Member Pennington would then make a motion to divide the item into consideration first as to determination of population, and second, as to redistricting and if that motion was passed then those two items could be tagged until next week.

Council Member Sullivan stated that he had to be clear if the two new seats were in the argument.

Mayor Parker stated both, that one they must redistrict, because of material imbalance, and the determination of the appropriate population and whether it triggered the other two seats, and Mr. Feldman stated that was why he believed that it was essential that the population determination come first; and Mayor Parker stated that the two issues had to go in a certain order, they were intertwined but they could be severed or separated.

Council Member Sullivan stated that he would remove his tag for the purpose of that motion for that purpose.

Mayor Parker stated that Council Member Pennington, working with Mr. Feldman, had come up with a motion that would satisfy.

Council Member Pennington moved to separate the voting on the items to require the voting on the population determination first with the other two items to follow, and would withdraw his first motion.

Mr. Feldman stated that once the population determination was made then it was a question of how they would redistrict so it was two items.

Mayor Parker stated that she needed to make sure that the motion to override the tag had been withdrawn, so everything was off of the table other than the original agenda item, and not a substitute, but a motion to divide the question in the appropriate form as laid out by Council Member Pennington and Mr. Feldman, seconded by Council Member Stardig, to divide the question on the agenda item.

Note: Inasmuch as Council Member Sullivan withdrew his tag the motion by Council Member Johnson to override the tag was moot.

After further discussion and questions by Council Members, Mr. Feldman stated that once they determined the population had met 2.1 million or more they had no discretion the seats must be added, that if they do not add the two new seats they would be sued, just as they were in 2009, with the contention being specifically that the best evidence available to the City in 2011 demonstrated that they were at 2.1 million or above, and then they would be compelled; that they were inextricably intertwined because they both established a basis for redistricting, however it was a question of whether they redistrict with 9 single member seats or with 11 single member seats, it was how they would redistrict, that was why it was inextricably intertwined, however for procedural purposes, since the Charter stated in order that they determine the population and then after they determine the population they determine material imbalance or the 2.1 million, then it was appropriate to divide the item into two, make the population determination first, and depending on what that determination was then they knew what kind of redistricting order had to be entered.

Council Member Gonzalez moved to extend the Council meeting past the noon recess to complete the agenda, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2011-0159 ADOPTED.

After further discussion and questions by Council Members, Mr. Feldman stated that the first thing Council must do was to make a determination as to what was the population, if it was over 2.12 million or more then they would redistrict with 11 seats, that if it was under 2.1 million then they would redistrict with 9 seats because it clearly was a material imbalance; that they received the Census data less than two weeks ago, Mr. Wood immediately went to work analyzing the data and prepared the report, that as soon as that report was furnished to him he in turn furnished it Council this past Friday, that Mr. Wood had his findings and recommendation in there, that was what the Council Members could follow or not.

Mayor Parker stated that was part of what they hired Mr. Wood for, to test the data from the Census; that the Redistricting Committee was an advisory committee to her, and just as several Council Members had held their own redistricting meetings across the City they may draw on any experts that they chose and in fact several Council Members had asked how they could use apps to redraw districts, that there was a lot of information out there, that the committee had no statutory authority, they were to advise her on the process; that she was happy to call a special meeting of Council or to bring it back as a Mayor's Report at the next Council meeting, that she would poll Council and make sure that they could maximize the attendance of Council Members if she calls a meeting of the whole.

After further discussion by Council Members, Council Members Sullivan, Bradford, Jones, Clutterbuck and Stardig stated that they would tag Item No. 18.

Mayor Parker stated that she had agreed to divide the question and they would bring it back in two votes, that the item was tagged, and asked Mr. Feldman if she had to take a formal vote on the motion and he acknowledged yes.

A vote was called on Council Member Pennington's motion to divide the question. All voting aye. Nays none. Council Member Johnson absent. MOTION 2011-0160 ADOPTED.

Mayor Parker stated that it was divided and there were two items and those items were tagged by Council Members Sullivan, Bradford, Jones, Clutterbuck and Stardig.

After further discussion by Council Members, Mayor Parker stated that they would return to the agenda. Council Member Clutterbuck absent.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

ACCEPT WORK

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$5,324,322.44 and acceptance of work on contract with **GILBANE CONSTRUCTION COMPANY** for Construction of Fire Station 37 - 4.07% over the Guaranteed Maximum Price **DISTRICT C – CLUTTERBUCK** – was presented, and tagged by Council Member Jones. Council Member Clutterbuck absent.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,673,574.53 and acceptance of work on contract with **ALSAY INCORPORATED** for Rehabilitation of Existing Water Wells - 3.99% over the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; F**

- HOANG and G - PENNINGTON – was presented, and tagged by Council Member Jones. Council Member Clutterbuck absent.

PROPERTY

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ryan L. Dennard, on behalf of McGinnis Cadillac (Kevin McGinnis, Owner), for sale of ±8,840 square-foot portion out of a ±5.7-acre tract of fee-owned land, comprised of Tracts 7, 8, 8A, 9A and 10, Block 4, Sherwood Estates Section 2, out of the E. Williams Survey, A-834, Parcel SY11-028 - **DISTRICT A - STARDIG** – was presented, and tagged by Council Member Sullivan. Council Member Clutterbuck absent.

PURCHASING AND TABULATION OF BIDS

10. **FLEX-O-LITE, INC** for Spheres, Reflective Glass for Houston Airport System - \$2,333,740.80 Enterprise Fund – was presented, moved by Council Member Hoang, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2011-0161 ADOPTED.
14. ORDINANCE appropriating \$679,470.20 out of Equipment Acquisition Consolidated Fund for the Purchase of Earth Moving Equipment for Various Departments - \$729,316.78 - Enterprise Fund – was presented, and tagged by Council Member Jones. Council Member Clutterbuck absent.
- 14a. **JOHN DEERE COMPANY - A Division of Deere & Company** - \$178,367.98, **HI-WAY EQUIPMENT COMPANY** - \$615,919.00 and **DOGGETT HEAVY MACHINERY SERVICE, LLC** \$614,500.00 for Purchase of Earth Moving and Street Maintenance Equipment through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for Various Departments – was presented, and tagged by Council Member Jones. Council Member Clutterbuck absent.
16. **AMEND MOTION #2008-129, 2/13/08, TO INCREASE** spending authority from \$264,391.66 to \$370,148.32 for Chemicals, Lawn, Garden and Insecticide for Various Departments, awarded in part to **PRO ALLIANCE** - \$105,756.66 - General Fund – was presented, and tagged by Council Members Adams and Jones. Council Member Clutterbuck absent.

ORDINANCES

17. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS BY AMENDING CHAPTER 14, SECTION 140 through 149** relating to layoffs; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. Council Member Clutterbuck absent.

After discussion by Council Members, Mayor Parker stated that Item No. 17 had been tagged by Council Members Jones, Stardig and Pennington. Council Members Clutterbuck and Sullivan absent.

19. ORDINANCE amending Ordinance No. 2003-1034 relating to Special Event Temporary Information Signs – was presented, and tagged by Council Member Adams. Council Members Clutterbuck and Sullivan absent. Note: Council Member Adams released her tag later in the meeting.

20. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON SRO HOUSING CORPORATION** to provide up to \$94,500.00 in Housing Opportunities for Persons With AIDS Funds for the operation of a Single Room Occupancy/Community Residence located at 1111 McIlhenny Street - **DISTRICTS C - CLUTTERBUCK and I – RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0164 ADOPTED.
21. ORDINANCE amending Ordinance No. 2010-066 relating to Single Family Home Repair and Reconstruction; appropriating an additional \$250,000.00 out of TIRZ Affordable Housing Fund (Fund 2409) and reallocating certain Community Development Block Grant Funds and Community Development Block Grant - Disaster Recovery Funds in connection therewith; reducing the number of houses demolished and reconstructed from 33 to 28 – was presented, and tagged by Council Member Adams. Council Member Clutterbuck absent.
22. ORDINANCE appropriating \$1,556,465.80 out of Fund 1850 (Reimbursement of Equipment/Projects Fund) for payment to the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY** pursuant to Funding Agreement for Project Design and Construction approved by Ordinance No. 2011-0029 - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0165 ADOPTED.
24. ORDINANCE approving the acceptance of American Recovery and Reinvestment Act of 2009 Funds from the Texas State Library Archives and Commission for Broadband Improvement/Expansion, Hardware, and Training – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0166 ADOPTED.
25. ORDINANCE approving and authorizing submission of an application for grant assistance to the Texas Parks and Wildlife Department, Urban Outdoor Recreation Grant Fund, administered by the Texas Parks and Wildlife Department, for the expansion and renovation of Emancipation Park Phase 1; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation 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 - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0167 ADOPTED.
28. ORDINANCE approving and authorizing contract to between the City of Houston and **BURSON-MARSTELLER, LLC** for Advertising, Marketing and Public Relations Services for the Houston Airport System; providing a maximum contract amount - 1 Year with 1 one-year option \$928,500.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I – RODRIGUEZ** – was presented, and tagged by Council Members Jones and Adams. Council Member Clutterbuck absent.

Council Member Adams stated that she wanted to release her tag on Item no. 19. Council Member Clutterbuck absent.

29. ORDINANCE approving and authorizing Communication Tower Lease Agreement, for ten years with one renewal of five years, between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**, or its affiliate, and the City of Houston, Texas, for an annual rent of \$27,000.00, with annual increases, a security deposit of \$5,000.00, other ancillary costs and estimated site improvement fees of \$50,000.00, for a total cost over the initial ten year base term of \$314,524.79, to allow the Radio Communications Division of the Information Technology Department to construct a new Radio Communications Tower and a Radio

Communications Room in connection with a New Public Safety Radio System, located at 18018 Huffmeister Road, Cypress, Texas – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0168 ADOPTED.

30. ORDINANCE approving and authorizing Communication Tower Lease Agreement, for ten years with one renewal of five years, between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**, or its affiliate, and the City of Houston, Texas, for an annual rent of \$27,000.00, with annual increases, a security deposit of \$5,000.00, other ancillary costs and estimated site improvement fees of \$50,000.00, for a total cost over the initial ten year base term of \$314,524.79, to allow the Radio Communications Division of the Information Technology Department to construct a new Radio Communications Tower and a Radio Communications Room in connection with a New Public Safety Radio System, located at 1315 Mulberry Lane, Bellaire, Texas – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0169 ADOPTED.
31. ORDINANCE approving and authorizing Communication Tower Lease Agreement, for ten years with one renewal of five years, between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**, or its affiliate, and the City of Houston, Texas, for an annual rent of \$27,000.00, with annual increases, a security deposit of \$5,000.00, other ancillary costs and estimated site improvement fees of \$50,000.00, for a total cost over the initial ten year base term of \$314,524.79, to allow the Radio Communications Division of the Information Technology Department to construct a new Radio Communications Tower and a Radio Communications Room in connection with a New Public Safety Radio System, located at 12065 South Main Street, Houston, Texas - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0170 ADOPTED.
32. ORDINANCE approving and authorizing Communication Tower Lease Agreement, for ten years with one renewal of five years, between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**, or its affiliate, and the City of Houston, Texas, for an annual rent of \$27,000.00, with annual increases, a security deposit of \$5,000.00, other ancillary costs and estimated site improvement fees of \$50,000.00, for a total cost over the initial ten year base term of \$314,524.79, to allow the Radio Communications Division of the Information Technology Department to construct a new Radio Communications Tower and a Radio Communications Room in connection with a New Public Safety Radio System, located at 26415 Texas Highway 6, Alvin, Texas – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0171 ADOPTED.
33. ORDINANCE approving and authorizing Communication Tower Lease Agreement, for ten years with one renewal of five years, between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**, or its affiliate, and the City of Houston, Texas, for an annual rent of \$27,000.00, with annual increases, a security deposit of \$5,000.00, other ancillary costs and estimated site improvement fees of \$50,000.00, for a total cost over the initial ten year base term of \$314,524.79, to allow the Radio Communications Division of the Information Technology Department to construct a new Radio Communications Tower and a Radio Communications Room in connection with a New Public Safety Radio System, located at 1111 Wisterwood Drive, Houston, Texas - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0172 ADOPTED.
40. ORDINANCE appropriating \$9,300,000.00 out of Drainage Improvement Commercial Paper Series F Fund; authorizing the purchase of approximately 224 acres of land and improvements thereon, formerly known as the Inwood Forest Golf Course, in the vicinity of Antoine Drive between Victory and West Gulf Bank, for stormwater, drainage and passive

recreation purposes; approving Purchase and Sale Agreement with the owner of the land, **INWOOD FOREST PARTNERS, LP - DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0173 ADOPTED.

MATTERS HELD - NUMBERS 49 through 53

49. MOTION by Council Member Gonzalez/Seconded by Council Member Lovell to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$881,046.46 and acceptance of work on contract with **MCKINNEY CONSTRUCTION, INC** for FY09 Water Distribution System Rehabilitation and Renewal - 28% under the original contract amount – (**This was Item 3 on Agenda of February 23, 2011, TAGGED BY COUNCIL MEMBER JONES**) – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2011-0162 ADOPTED.
50. **INFOR GLOBAL SOLUTIONS** - \$605,440.44, **RFD & ASSOCIATES, INC** - \$1,694,195.37 and **GLOBALNET SERVICES, INC** - \$132,642.56 for Drainage Charge Customer Service System Software and Installation Services from the General Services Administration Advantage Contract, the State of Texas Procurement & Support Services Contract and the City's Master Agreement with the Texas Department of Information Resources for the Department of Public Works & Engineering - Stormwater Fund – (**This was Item 8 on Agenda of February 23, 2011, TAGGED BY COUNCIL MEMBERS NORIEGA, JONES and ADAMS**) - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. Council Member Jones voting no, balance voting aye. Council Member Clutterbuck absent. MOTION 2011-0163 ADOPTED.
51. ORDINANCE approving and authorizing contracts for Professional Independent Internal Audit and Consulting Services between the City of Houston and 1) **HORN SOLUTIONS, INC**, 2) **MCCONNELL & JONES, L.L.P.**, 3) **JEFFERSON WELLS INTERNATIONAL, INC**, 4) **PROTIVITI INC**, 5) **NULL-LAIRSON, P.C.**, 6) **WEAVER AND TIDWELL, L.L.P.**, 7) **MGT OF AMERICA, INC**, 8) **MFR, P.C.**, and 9) **UHY ADVISORS TX, LLC**; providing a maximum contract amount - 5 Years - \$3,000,000.00 - General, Enterprise and Grant Funds – (**This was Item 8 on Agenda of February 23, 2011, TAGGED BY COUNCIL MEMBER JONES**) – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0174 ADOPTED.
52. ORDINANCE appropriating \$28,075.00 out of Parks Consolidated Construction Fund for issuance of Purchase Order to **PAUL E. ALLEN COMPANY, INC** for Picnic Tables for Hermann Park **DISTRICT D - ADAMS** – (**This was Item 18 on Agenda of February 23, 2011, TAGGED BY COUNCIL MEMBER HOANG**) – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0175 ADOPTED.
53. ORDINANCE appropriating \$3,761,243.00 out of FY11 Equipment Acquisition Consolidated Fund as an additional appropriation to the Court System Management and Resources Technology Implementation Project for the Municipal Courts Department – (**This was Item 21 on Agenda of February 23, 2011, TAGGED BY COUNCIL MEMBERS JONES, ADAMS and HOANG**) – was presented. Council Member Jones voting no, balance voting aye. Council Member Clutterbuck absent. ORDINANCE 2011-0176 ADOPTED.
19. ORDINANCE amending Ordinance No. 2003-1034 relating to Special Event Temporary Information Signs – was again before Council. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0177 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Johnson stated that in support of the Combined Municipal Campaign the Houston Airport System would host it's Fourth Annual Mutt and Strut Runway Race Charitable Event at the Intercontinental Airport at 2800 North Terminal Road on March 5, 2011, that proceeds from the event would be donated to the Houston Society for Prevention of Cruelty to Animals; that on Friday he would be a speaker at the Divine Creations Debutante Cotillion, the 2011 Ball, at the Humble Civic Center at 8301 Will Clayton Parkway; that the District B, State of the District, would be on Saturday, May 14, 2011, from 8:30 a.m. to 10:00 a.m. at the Acres Homes Multi Service Center; that they would host their Charity Golf Tournament at Brock Park, where Mayor Parker would be the honored Chair, on May 6, 2011, that tee time was at 8:00 a.m.; that the quote of the day was "we must learn to live together as brothers or perish together as fools", that was a quote by Martin Luther King, Jr. Council Members Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that tomorrow, March 3, 2011, they would have their Neighborhood Protection and Quality of Life Committee meeting at 10:00 a.m. in the Council Chamber; that tomorrow from 6:30 p.m. to 8:00 p.m. the District D Redistricting Meeting would be at the Museum of Fine Arts Houston; that on Saturday the Make Over Mile Walk would be held at 10:00 a.m. at the University of Saint Thomas, W. T. Lewis Morgan Center; that on Saturday they would roast and toast Dr. James Douglas at Texas Southern University Student Center; that yesterday while she was in Austin they had a discussion about the benefit health plan, that they had engaged in a national dialog about the affects that insurance companies could have on the lives of their loved ones, that she thought that it would be a very important decision, a decision as important of who would provide medical insurance to the men and women who work tirelessly to provide meaningful services to the men and women of the City was a life or death decision, that it was a decision that she felt should not be rushed and thought that they should discuss the benefit health plan in detail, that before finalizing the decision she would like to consider a few important points to guarantee that health benefit vendors were not selected without suitable research from the Council Members and time allotted to compose a final decision that was best for City of Houston, that as a Council Member they had not a chance to meet with any of the vendors to discuss in detail the financial impact on the City of Houston, they would like additional time, that she would like additional time to convene with vendors, if possible, that she did not know who they were, to look at the RFP summary for all of the vendors, that as a Council Member she would like to time to meet with the vendors to insure that plans of fiduciary duties were clear about the extent of their fiduciary responsibilities to City Council and of Houston, that she would like also to review if there was any documentation or proposed hiring process for both vendors if available for both vendors, that she knew that it was a big contract, the health benefits plan, that was coming up and she would like to know if they could get full discussion on the plan before a final decision was made, that she was getting several phone calls in her office about MWBE participation, where were they and what were they doing and those questions she did not have answers to and she would like to have answers to those questions; that she would like to commend Greg Simpson who was the community liaison for the Library Department, that she was excited about the core meetings that were happening within the last several weeks under the leadership of Council Members Clutterbuck and Costello because it actually gave them an outline on what they needed to follow, that Greg had attended each of the meetings and taken back everything Council said to Dr. Lawson, that one of the things she had done was take out what she considered core and took out all of her core and on one of her matrix lines she stated "but if you remove this core service this was how it would effect services and impact", so that was one of the things they were asking, so if the directors wanted to call Greg to find out how Dr. Lawson did that because it made it simple and they did not have a whole lot of questions to ask because she had already outlined what was core and she thought that was something that was missing

from the presentation because when the directors came forward one of the questions she asked was what was core and all of them said they were all core, so she just wanted to commend the Library Department for what they did on that particular matrix. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that if there was a director that had a none core service that they were still performing to day they should be fired, that they were done to core services and what Dr. Lawson did differently was very much specified, if they stopped doing this, this was the consequence, that this was a work in progress, they had not done this before, so they had asked the previous directors to go back and add that in. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Stardig stated that yesterday she attended the Spring Spirit Baseball Breakfast for Champions event, that Spring Spirit began in 2009 as a nonprofit organization providing pathways for personal growth by developing sports and mentoring programs for the youth of the Spring Branch area, really targeting the Pittner Road area, for those that knew that area, that there were about 7,000 residents in a three quarter mile stretch for those that may not know, that she wanted to congratulate Kenny Baldwin and the Spring Spirit Baseball in their great strides to bring this type of institution to the residents of District A, that she wanted to commend the Houston Police Department officers for supporting this initiative and that entire community; that this Friday she would be attending the Greater Houston Partnership State of the County Luncheon and looked forward to hearing from Judge Emmett and other County officials; that they had a great turnout at their CIP meeting earlier this week and was requesting all good neighbors of District A to attend the redistricting townhall meeting on Tuesday, March 22, 2011 at Oak Forest Elementary School auditorium at 6:30 p.m.; that today on the agenda, Item No. 40, was a \$9.3 million drainage improvement approval, that for those who were worried about redistricting it may impact their lives to some degree but this item actually impacted people's homes and flooding issues and the things that people were really worried about for many years in this area, that they had been approved to purchase approximately 224 acres of land and improvements thereon, formerly known as the Inwood Forest Golf Course in the vicinity of Antoine Drive, between Victory and West Gulf Bank, for storm water drainage and passive recreation purposes, that she wanted to thank her colleagues and the citizens who supported this initiative and her predecessor, Toni Lawrence, and all who had been involved in this. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Pennington stated that today was Texas Independence Day, that in 1836 the Declaration of Independence was adopted at the convention of Washington on the Brazos; that the daycare tragedy that their Fire Department responded to unfortunately things were really tough when they got there and there were four children who died but the District Chief's from Stations 83 and 78 were involved, as well as Engine Units from Station's 69, 75, 76, 83 and 86 and Ladder Units from 75 and 76, as well as the Houston Fire Department Staff Psychologist, that he had been talking to Captain Broadrick, the Council Liaison about it and he had gotten a list of other similar establishments and they were going to have a look at them and see if there was anything that needed to be done, that they had a copy of the regulations and so forth and he would be working with the Mayor's staff and the relevant departments to see if they could do anything; that they had a good Thursday at Operation Westside Success, the celebration of the installation of the cameras in the Briarforest and Wilcrest area, that it was a group sponsored by Mattress Mack and his wife Linda, that the cameras were linked to Google Maps and the technology was such that any HPD office with appropriate credentials and internet access could monitor the cameras from anywhere including their cruisers, that they also had access to zoom cameras so they could monitor a large area, that he thought it was a great

beginning and knew the Mayor had been particularly interested in this, they had some good donations from private individuals, such as Mr. Greg Kubala, who was the owner of several Westside Chick-Fil-A's and also thanks to Iron Sky, the equipment vendor, who actually donated about \$100,000 of equipment and Mark Kirschke of his office who worked with them to get the locations on the private property, that HPD and the Mayor's office were very cooperative, as well as the Westchase District, that it was a community effort and he sensed that there was a momentum growing; that several elementary schools went to the HISD Barnes and Noble Kindergarten through Second Grade Name Book Contest Finals, they were from [Askew](#), Briar Grove, Bush and Emerson, that this was quite an accomplishment because there were 66 teams total and 8 made it to the finals; that he wanted to thank Mayor Parker, Andy Icken, Dan Krueger and the rest of the City staff and his staff for appearing at the Rebuild Houston CIP meeting last Wednesday night, that he thought it was a very productive meeting and informative to the citizens about the Rebuild Houston Program and also giving them an opportunity to comment on proposed CIP projects, that he thought they had a good consensus of what was needed out in the Westside and thought the City staff were all working to achieve that; that Goldman Sachs had announced the *10,000 Small Business Program* in Houston, partnering with HCC, that he had talked to Zack Hodges, the Chancellor at Westside and knew it came with \$25 million and there were a number of people involved, the Houston Community College, Houston Small Business Development Center, the Houston Hispanic Chamber of Commerce, Houston Minority Supplier Development Council and others, that it was a wonderful thing for Houston and he had tried to work on an initiative like that himself and it was wonderful that they had the opportunity to receive those funds and knew they would be put to work well with the people working on it; that their redistricting hearing would be held on March 21, 2011 at Briargrove Elementary from 6:30 p.m. to 8:00 p.m. at 6145 San Felipe; that he wanted to give special thanks to Harry Hayes and Gary Reagor of the Solid Waste Department, they met with them day before yesterday about some waste in a Piney Point neighborhood and they were out there with their team and got it cleaned up the afternoon that they met with them and the residents were very pleased. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that Texas had been very good to her and all of her children were native Texans and she was very proud of that; that she wanted to follow up on what Council Member Pennington said about the horrific fire this week and would like to send her prayers out from her family to the families of all the people that were involved in that terrible incident, that they did some research too and it was pretty astounding, that actually they were just registered, they were not licensed to operate a home and they had to have a background check and attend orientation and then they were visited by the Texas Department of Family and Protective Services, they were inspected every one to two years or unless somebody complains, that they did not require any annual fire inspections for a child care home unless they were required by local ordinance and they did not have that type of ordinance in Houston, so in looking at something that they could do as a City, that was really regulated by the State, she would ask if they could look at their Fire Department could do annual inspections to make sure they had their smoke alarms and things that should be there, or at least ask them to register as a home with the Fire Department so each of those districts knew that within that district who had a home there and could stop by and make some inspections and watch out and make sure that these homes were following the rules that they should, that she was appalled to find out that they were not licensed at all and she thought people out there did not know that; that she wanted to announce that at the Transportation Policy Council meeting last Friday they succeeded in delaying the loss of \$12.8 million in Federal Funding for alternative modes of transportation, which were bike trails and livable centers and some of their transit access, that it was a team effort of the Council Members Stardig, Noriega and Adams and she wanted to thank Director Krueger for being a part of this and to the new Metro Chairman, George Greanias, they were at least successful in a unanimous vote of delaying the vote on this until March 25, 2011, that she was hoping that they could prevail in not losing all of that \$12 million, maybe have

some of it stay for future livable centers and bike trails, that the fact that a lot of those models that were used were set back in 1995 when the price of gasoline was \$1.25, that she wanted to thank everybody for the effort, that to the 29 citizens who came down to speak she wanted to thank them also and to the elected officials who wrote letters. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Stardig stated that she failed to recognize two of the most important participants in the Inwood Golf Course, Andy Icken and the Harris County Flood Control District, without their willingness to step up and shepherd this none of it would have happened. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that Mr. Icken put the deal together and the Harris County Flood Control continues to be a great partner in all range of issues across the City of Houston. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 1:05 p.m. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Bradford and Jones 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