

City Council Chamber, City Hall, Tuesday, March 20, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 20, 2012, Mayor Annise D. Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Melissa Noriega, C. O. "Brad" Bradford and Jack Christie D. C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office present. Council Member Stephen C. Costello absent on city business. Council Member Andrew C. Burks, Jr. absent due to being ill.

At 1:50 p.m. Mayor Parker stated that the presentations today would begin with Council Member Pennington. Council Member Pennington invited those present with the Houston Tennis Association to the podium and stated that he attended the award ceremony for many young players last summer and was impressed with all; that the USTA had determined they had the best community tennis association for the year 2011; and Mayor Parker presented a Proclamation to the group proclaiming today as "Houston Tennis Association Day" in Houston, Texas. Council Members Sullivan and Rodriguez absent.

A Representative for the group thanked all for the recognition and stated that they had served the community since 1952 and they had tremendous programs. Council Members Sullivan and Rodriguez absent.

Council Member Davis stated that they provided free tennis to youth in the west Houston Community and were doing a great job. Council Members Sullivan and Rodriguez absent.

Council Member Brown asked all with the Organization of Black Aerospace Professionals to stand and stated that last month they recognized contributions African Americans had made to the nation, however, today she had the honor to introduce heroes of the present; that Red Tails was a story of the first African American military aviators in the armed forces and today she presented the fruit of their sacrifice; that today was an alliance of men and women, Black aerospace professionals, devoted to diversifying the airspace industry by introducing youth to aviation; that they visited 32 schools and spoke to over 8,000 students on what it took to succeed; and invited the group to the podium and presented a Certificate of Appreciation and a plaque for their organization. Council Member Sullivan absent.

A Representative of the group stated that the Organization of Black Aerospace Professionals was established in 1976 and their primary goal was to versify the aerospace industry by reaching out to students and let them know whatever they wanted to do they could. Council Member Sullivan absent.

Council Member Davis stated that he had the pleasure to attend one of the events in his district and it opened his eyes and the students had a great time. Council Member Sullivan absent.

At 2:00 p.m. Mayor Parker recognized Council Member Rodriguez who paid tribute to Senior Captain Thomas W. Bill Dillon assigned to Station 69B and probationary firefighter Daniel Search who was assigned to Station 16B and thanked them and their family for their courage and commitment and service to the City of Houston and in their memory recited the Firefighters Prayer and led all in the pledge. Council Members Sullivan and Pennington absent.

At 2:01 p.m. the City Secretary called the roll. Council Member Costello absent on city business. Council Member Burks absent due to being ill. Council Members Sullivan and

Pennington absent.

Council Members Gonzalez and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Costello absent on city business. Council Member Burks absent due to being ill. Council Members Sullivan and Pennington absent. MOTION ADOPTED.

The City Secretary stated that there were 208 minutes reserved for speakers today and read from the Rules of Council which allowed when the speaking time was greater than 150 minutes each speaker would be allowed one minute to speak and questioning for Council Members as a whole would be limited to one minute for each speaker. Council Members Sullivan and Pennington absent.

Mayor Parker stated that to the public each would be limited to one minute per speaker because of the volume of folks who signed up; that she had distributed to Council Members a news release she put out in consultation with Council Member Rodriguez about what they renamed the charitable food service ordinance; that they would also find a copy of amendments they were working on in the two weeks of delay; that she did not know how much of the public was involved in the process before, but when they identify a problem they discuss solutions and bring them to committee where it was vetted and then came to the full Council and that was what took place with the charitable food service ordinance, but clearly it needed more work and there was a substitute available; that they had listened to those who came and they were committed to making sure the problems provided by unregulated provision of food on private property continued to be addressed, but ordinance provisions which would be introduced as a substitute motion tomorrow morning did take the Health Department aspects and made them voluntary, because they heard over and over that if it was a part of their mission to feed the hungry they respected it and they also heard they were willing to voluntarily coordinate so they were not showing up on the same corners feeding the same people; that the new ordinance respected that but continued their protection of private property rights and under proposed revisions they had to have prior permission of the property owner and encouraged all to look at it; that they would introduce the substitute tomorrow and take time for all to understand it; and she appreciated all who constructively engaged in the issue; and Council Member Rodriguez who represented the area with most current complaints; and called on Council Member Rodriguez who commended the Mayor for her efforts and leadership and also commended his vice chair, Council Member Hoang and all committee members who worked hard on the issue with open communication with many. Council Members Sullivan and Pennington absent.

Council Member Davis moved the rules be suspended for the purpose of moving Mr. Lee Zieben to the top of the speakers list, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on city business. Council Member Burks absent due to being ill. Council Members Sullivan and Pennington absent. MOTION 2012-0171 ADOPTED.

The City Secretary began calling the public speakers. Council Members Sullivan and Pennington absent.

Mr. Lee Zieben, 4643 Devon, Houston, Texas 77027 (713-443-1134) appeared and stated that he was speaking on behalf of a Section 8 project called Gulf Coast Arms; that he was applying to the State for tax credits and it was looking favorably; that it was a 160 unit project and would be unique in that it would be the first Section 8 reconstructed project which was LEAD certified in the U. S.; and it would have job training, after school programs, etc., and would appreciate the city's support. Council Members Sullivan and Pennington absent.

Upon questions by Mayor Parker, Council Member Davis stated that yes, the city needed to

provide a letter of support and the Office of District D had done so as well as other elected officials; that the site was currently occupied and he was very supportive. Council Members Sullivan and Pennington absent.

Council Member Adams commended Mr. Zieben for what they were doing and Council Member Davis for his support. Council Members Sullivan and Pennington absent.

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (832-258-7511) appeared and stated that he was homeless from 1992 to 1998 and utilized many people who helped him; that he was disappointed that Agenda Item 51a had made it as far as it had and he wanted in the minutes that this Mayor had let him down. Council Members Davis, Sullivan, Hoang and Pennington absent.

After loud applause from the audience Mayor Parker stated that there were clearly many people present who were excited, but there was a rule of no cheering, clapping, shouting, etc., if they wished to express support they could do so by a show of hands otherwise they would be removed from the Chamber. Council Members Davis, Sullivan, Hoang and Pennington absent.

Council Member Brown stated that she had not known his history and appreciated his testimony; and another way to show support was to stand and that was a powerful statement. Council Members Davis, Sullivan, Hoang and Pennington absent.

Ms. Melissa Betts, 2400 Yorktown #29, Houston, Texas 77056 (281-584-2699) had reserved time to speak but was not present when her name was called. Council Members Davis, Sullivan, Hoang and Pennington absent.

Mr. Manuel Sanchez, 201 Welch, Houston, Texas 77006 (713-835-7460) appeared and stated that he was an outreach coordinator at church and they were opposed to asking for permission on public property to feed others in need. Council Members Davis, Sullivan, Hoang and Pennington absent.

Upon questions by Mayor Parker, Mr. Sanchez stated that they did not have a problem with asking permission on private property; and Mayor Parker stated that they really wanted coordination. Council Members Davis, Sullivan, Hoang and Pennington absent.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Mr. Manuel Sanchez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on city business. Council Member Burks absent due to being ill. Council Members Davis, Sullivan, Hoang and Pennington absent. MOTION 2012-0172 ADOPTED.

Upon questions by Council Member Brown, Mr. Sanchez stated that if the city required someone to furnish proof, he believed the property owner had the right to monitor what was going on, but it was between the owner and organization and did not see why the city should get between them; and Council Member Brown stated that they already had ordinance protecting private property rights and those ordinances in place should be used. Council Members Davis, Sullivan, Hoang and Pennington absent.

Ms. Donna Yanowski, 2319 Bartlett, Houston, Texas 77098 (713-524-3542) appeared as others showed support of hands and stated that she had not had a chance to look at the amendments to Chapter 20, but at this time wanted to reject it and stay with the original proposal of protecting voluntary feeding of the hungry; that ordinances were already in place for trash, etc., and the need of feeding the hungry needed to be addressed. Council Members Sullivan, Hoang and Pennington absent.

Mr. Michael Molnari, 514 Milwaukee, Houston, Texas 77009 (832-466-1342) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Hoang and Pennington absent.

Ms. Catherine Chassay, 114 E. 21st, Houston, Texas 77008 (281-221-2198) appeared as others showed support of hands and stated that she would also want to reject having to get permission to feed more than five people in a public area, it was a violation of religious expression, freedom of assembly, etc., this dehumanized people and when someone wanted to feed hungry people it should be allowed. Council Members Sullivan, Hoang and Pennington absent.

Mr. David Hayes, 418 Dinerstein, Webster, Texas 77598 (281-236-4328) appeared and stated that he would join all voices objecting to the proposed amendment imposing limitations to sharing food with others; and it was unjust to say food could not be shared. Council Members Sullivan, Hoang and Pennington absent.

Upon questions by Mayor Parker, Mr. Hayes stated that trespassing laws were in place for private property; and Mayor Parker stated that trespassing was a Class B misdemeanor and they were trying to reduce the penalty for doing it; there should be a balance some place. Council Members Sullivan, Hoang and Pennington absent.

Ms. Laura Elliott, 318 Hyde Park, Houston, Texas 77006 (281-900-8816) appeared as others showed support of hands and stated that there were enough useless laws on the books and she represented Food Not Bombs and they fed four times a week to those who preferred coming to them; and this law just made it more difficult. Council Members Sullivan, Hoang and Pennington absent.

Ms. Mary Arnold, 1743 Kipling, Houston, Texas 77098 (713-893-3867) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Hoang and Pennington absent.

Ms. Judith Hoffhein, 1129 W. 23rd, Houston, Texas 77008 (713-863-8708) appeared and stated that she volunteered at Food Not Bombs and a group at her church prepared food, it was a way to teach compassion and caring and it was a positive way to help; and sharing was a right she should be able to do without permission of government. Council Members Sullivan, Hoang and Pennington absent.

Council Member Brown thanked Ms. Hoffhein for her testimony and stated that she hoped she would have the ability to continue. Council Members Sullivan, Hoang and Pennington absent.

Mayor Parker stated that she would point out the public health aspects of kitchens was placed in a voluntary coordination category in the revised ordinance; and thanked Ms. Hoffhein for coming. Council Members Hoang and Pennington absent.

Mr. Art Browning, 12445 Texas Army Trail, Cypress, Texas 77429 (281-890-7089) had reserved time to speak but was not present when his name was called. Council Members Hoang and Pennington absent.

Rabbi Dan Gordon, 661 Bering Drive #110, Houston, Texas 77057 (713-278-2722) appeared and stated that he mostly worked with young people and they came together and participated with Meals on Wheels and others who fed the needy; and he did understand the need for accountability. Council Members Hoang and Pennington absent.

Upon questions by Council Member Sullivan, Rabbi Gordon stated that his synagogue was in Humble and his residence in Houston. Council Members Hoang and Pennington absent.

Mr. Lief Hayman, 317 Westoaks, Deer Park, Texas 77536 (713-471-1807) had reserved time to speak but was not present when his name was called. Council Member Hoang absent.

Mr. Neal Meyer, 2822 Briarhurst Drive, Houston, Texas 77057 (832-858-3218) appeared and stated that he was speaking on behalf of the Houston Tea Party Society and their group was coming out against the ordinance; that every law had a creeping aspect to it and continued to grow and would like Council to consider not what was to happen now, but that creeping aspect in the future. Council Member Hoang absent.

Mr. Travin Menon, 1202 Winbern, Houston, Texas 77004 (713-208-8938) appeared as others showed support of hands and stated that he was upset hearing of the ordinance especially with the economic situations and felt this ordinance unjust; that food should be shared. Council Member Hoang absent.

Ms. Chris Sustaita, 1725 Cresline, Houston, Texas 77093 (832-228-3246) appeared, quoted from the Bible and stated that people ate from trash cans for years, the problem was not solved and no research showed people ill from being fed. Council Member Hoang absent.

Mr. Matthew Trimble, 2101 Windern, Houston, Texas 77004 (832-798-8763) appeared as others showed support of hands and stated that he was involved with Food Not Bombs and it was overwhelmingly positive; that some struggling came out of their shells and small grassroots organizations were important in changing lives. Council Member Hoang absent.

Ms. Liana Lopez, 4820 Rusk, Houston, Texas 77023 (713-223-9333) had reserved time to speak but was not present when her name was called. Council Member Hoang absent.

Mr. William Igel (no address-no phone) appeared and stated that he had been homeless and in California they could get a bus pass at reduced rates to get to the food. Council Member Hoang absent.

Mr. Darin Williams, 9165 Greenvally, Houston, Texas 77064 (832-372-9290) appeared as others showed support of hands and stated that volunteers sharing food should be honored and they should work on getting homeless off the streets instead of attacking those feeding them. Council Members Davis, Adams, Hoang and Green absent.

Ms. Mariana Lowrey, 5400 Braes Valley, Houston, Texas 77096 (281-857-9398) appeared as others showed support of hands and stated that she had been homeless and if not for the loving people preparing food from their home and bringing it to them she was able to stand here today; that the sign in the Chamber said "The people are the city" and they are taking away from their people; and she did oppose this. Council Members Davis, Adams, Hoang and Green absent.

Ms. Maria Elena Castellanos, 4619 W. 34th #312, Houston, Texas 77092 (281-250-9824) appeared as others showed support of hands and stated that she was in a family of 10 children and her mother brought others in need into the family and fed them; that such a restrictive ordinance would facilitate collusion between corporate food giants and elected officials in squelching mass activity. Council Members Davis, Hoang and Green absent.

Mrs. Lee Lowe, 1844 Kipling, Houston, Texas 77098 (713-524-2682) appeared as others showed support of hands and stated that hunger hurt in many ways and during the Depression

her mother would feed some who came to their door; that here they were speaking of compassion and human dignity; and Food Not Bombs fed vegetarian meals and built health and hope; and urged a no vote on the item. Council Members Davis, Hoang and Green absent.

Council Member Adams moved the rules be suspended for the purpose of hearing Minister Robert Muhammad after Ms. Nancy Saibra-Naritomi, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Costello absent on city business. Council Member Burks absent due to being ill. Council Members Davis, Hoang and Green absent. MOTION 2012-0173 ADOPTED.

Mr. Hardy Lowe, 1844 Kipling, Houston, Texas 77098 (713-524-2682) appeared as others showed support of hands and stated that he was a public health physician and Food Not Bombs was an international organization with many years of credible activity. Council Members Davis, Hoang and Green absent.

Upon questions by Council Member Noriega, Mr. Lowe stated that the private property issue was far smaller than economic issues so many faced. Council Member Noriega asked those present associated with Food Not Bombs to raise their hands; and then upon questions, Mayor Parker stated that she was not aware of all places Food Not Bombs distributed food, generally it was public property on a plaza at the library and the city already said it would give permission and she did not think the ordinance would have any effect; that the kitchens were voluntary. Council Members Davis, Hoang and Green absent.

Ms. Nancy Saibara-Naritomi, 7702 De Moss, Houston, Texas 77036 (713-230-8455) had reserved time to speak but was not present when her name was called. Council Members Davis, Hoang and Green absent.

Minister Robert Muhammad, 4443 O. S. T., Houston, Texas 77021 (832-433-9373) appeared as others showed support of hands and stated that no mayor in this city had an affordable housing program sustained by the next administration; that problem should be solved and also all should pull together on a mental health initiative and many of the homeless were vets; and he was against the ordinance, it violated his religion. Council Members Davis, Hoang and Green absent.

Upon questions by Mayor Parker, Minister Muhammad stated that the Koran stated he must feed the poor man and did not talk of property owners, fundamentally it violated his need to feed. Council Members Davis, Hoang and Green absent.

Council Member Rodriguez stated holistically they had to do more to work on the situation and it would take partnerships and he looked forward to talking with him. Council Members Davis, Hoang and Green absent.

Ms. Noelle Mandell, 5654 Cheena, Houston, Texas 77096 (713-363-3950) appeared as others showed support of hands and stated that she was present on behalf of the Young Americans for Liberty at the Houston Community College as this nation was built on the idea government oppression was intolerable and people should be free to pursue liberty, life and pursuit of happiness; that those goals were lost to those in the cycle of homelessness; and asked their rights to give or receive food not be taken away. Council Members Davis, Hoang and Green absent.

Ms. Kamlyn Patrick, 4114 Rainwillow, Houston, Texas 77053 (209-852-6596) appeared and stated that she was present opposing the ordinance as the "word" said feed the hungry; that she understood concerns, but they were to feed the hungry. Council Members Cohen, Davis, Adams, Hoang, Rodriguez and Green absent.

Mr. Joey Davis, 6411 Bayonne, Spring, Texas 77389 (832-317-1523) appeared as others showed support of hands and stated that most everyone present saw the homeless problem as opportunity to help fellowman; that he had been on both sides of the coin and some institutional feedings were very dehumanizing and when they got with people it was more of a chance to share. Council Members Cohen, Davis, Adams, Hoang, Rodriguez and Green absent.

Upon questions by Council Member Sullivan, Mr. Davis stated that their church was all about service and helping their fellowman; and Council Member Sullivan stated that they did an extraordinary job of it. Council Members Cohen, Davis, Adams, Hoang, Rodriguez and Green absent.

Ms. Miriam Patrick, 3319 Twelve Oak, Missouri City, Texas 77459 (281-606-9179) appeared and stated that she was against the ordinance regarding feeding the hungry; that so many got pleasure from helping others and it made a difference, they should not have to ask to be able to help.

Ms. Amanda Tankersley, 11402 Ash Creek Drive, Houston, Texas 77043 (615-438-3291) had reserved time to speak but was not present when her name was called. Council Members Cohen, Davis, Hoang, Rodriguez and Green absent.

Mr. William Brown, 30 Lazy Lane, Kemah, Texas 77565 (281-334-7386) had reserved time to speak but was not present when his name was called. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Ms. Beth Miller (no address given) (901-484-0560) had reserved time to speak but was not present when her name was called. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Mr. Raj Mankad, 1743 Kipling, Houston, Texas 77098 (832-641-0703) appeared and stated that he thought his front yard and city property were different kinds of property and they had a right to gather; that sharing food was not just about food, but a way of communication. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Ms. Amy Price, 5630 Dumfries Drive, Houston, Texas 77096 (713-553-3063) appeared as others showed support of hands and stated that there was a partial list of those opposed to the amendments and they were from many different groups which showed it was a broad spread sentiment against the proposed ordinance; and asked all be allowed to continue their work. Mayor Parker, Council Members Cohen, Davis, Hoang and Rodriguez absent. Mayor Pro Tem Gonzalez presiding.

Ms. Julia Olivarez, 4306 Yoakum #3, Houston, Texas 77006 (832-396-8893) had reserved time to speak but was not present when her name was called. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Mr. Matt Brownlie, 838 Judiway, Houston, Texas 77018 (713-505-5013) appeared as others showed support of hands and stated that he could not imagine city government contemplating government restricting free sharing of food between friends in public places; that no one would ask if food at a picnic was prepared in a licensed kitchen, etc., and restriction would be in violation of his religious rights. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Ms. Sabali Mpozi, 3711 Rosedale, Houston, Texas 77004 (713-522-2993) had reserved time to speak but was not present when her name was called. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Mr. Marrio Hinkle, 2014 Calumet Drive, Houston, Texas 77004 (512-909-0892) appeared as others showed support of hands and stated that he was in opposition to the proposed ordinance as it added and perpetuated a social mental illness, seeing someone in need and not assisting and it promoted fear, etc., and was violation to freedom of expression. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Ms. Daphne Pattison, 917 Franklin, Houston, Texas 77002 (713-526-1515) appeared, presented information and stated that she was a lawyer in Houston and point person for the National Lawyers Guild and brought a copy of their brief on the proposed ordinance; that in 2005 Hurricane Katrina caused her to be homeless and she was fed by the community. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Upon questions by Council Member Noriega, Ms. Pattison stated that they may say a hurricane was an emergency situation, but anytime anyone was homeless it was an emergency for them on that day. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Upon questions by Council Member Green, Ms. Pattison stated that the ordinance they read they found to be unconstitutional and they would look at the newest proposal. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Mr. Donald Romaniello, 7979 Fannin, Houston, Texas 77054 (201-470-0006) appeared and stated that he was with Occupy Wall Street Houston and was concerned as they were in the greatest economic challenge since the great depression and they wanted to impede charity; that people were feeding the needy without government. Council Members Cohen, Davis, Hoang and Rodriguez absent.

Council Member Brown stated that homelessness had been around throughout history and there was a serious problem with it in Houston; and upon questions, Mr. Romaniello stated that many who argued against housing policies pointed out situations where it appeared there was no homelessness and that was a problem. Council Members Davis, Hoang and Rodriguez absent.

Ms. Selene Ballestas, 7926 Glenscott, Houston, Texas 77061 (713-201-0009) appeared as others showed support of hands and stated that she brought her children to understand what this meant; that they taught them to share, how could she explain a permit would be needed to share doughnuts with friends; that this was about money and for the first time in her life she was homeless, she was blessed with a sister who gave her a place to stay; that food should not be regulated. Council Members Davis, Hoang and Rodriguez absent.

Mayor Parker stated to be clear there was no registration fee, no money for anything in the ordinance, only permission of the property owner was needed. Council Members Davis, Hoang and Rodriguez absent.

Council Member Brown stated that currently there were no fees involved, but earlier they heard from a speaker about the creeping aspects of ordinances and if they were having people enforce this there would eventually have to be a fee. Council Members Davis, Adams, Hoang and Rodriguez absent.

Mr. John Kenward, 612 Bernard, Houston, Texas 77006 (832-206-9192) appeared as others showed support of hands and stated that he was a Cancer survivor twice and he had been homeless; that he received \$10.00 in food stamps monthly and homeless or not food was very important to all; that he had an emotional involvement with those he was blessed with receiving from and to impede sharing food he would have a problem with. Council Members

Davis, Adams, Hoang and Rodriguez absent.

Council Member Sullivan stated that he mentioned something he had not heard, the compassion those being fed had with those administering the ministry; and upon questions, Mr. Kenward stated that he went to Food Not Bombs all the time and it helped him beat Cancer. Council Members Davis, Adams, Hoang and Rodriguez absent.

Mr. Monte Skidmore, 3902 Lowden, Houston, Texas 77051 (832-627-9532) appeared as others showed support of hands and stated that it was his God given right to give to the needy and he wondered what Jesus Christ would think of them even discussing this; that where people were fed was where they normally gathered anyway; that to be on someone's property you should get permission, but he felt they were worried about seeing the homeless. Council Members Davis, Adams, Hoang and Rodriguez absent.

Council Member Brown stated that she was told many of the homeless wanted to speak today, but unfortunately you needed a valid ID to be placed on the list and they were unable to come; and Mr. Skidmore stated that in school they prayed and said the pledge and now that was gone and here they wanted to take the free will of giving away. Council Members Davis, Adams, Hoang and Rodriguez absent.

Council Member Noriega stated that she wanted to explain to those present that Council had to have 12 members present to extend time and it was not that others speaking were better, etc., when their time was extended. Council Members Davis, Adams, Hoang and Rodriguez absent.

Ms. Michelle Cash, 742 E. Amherst, Deer Park, Texas 77536 (832-404-8185) appeared as others showed support of hands and stated that she was a mother of two, housewife, etc., and she was mad; that Council had overstepped their boundaries telling her what she could and could not teach her children and allow them to do; that her children knew when they had more than enough it was for the homeless; that people were hurting and in need. Council Members Davis, Adams, Hoang, Pennington and Rodriguez absent.

Council Member Bradford stated that saying Council overstepped their boundary was not all, but he and others understood feeding the needy was a ministry which should not be regulated or policed and he did not support it and did intend to vote against it. Council Members Davis, Adams, Hoang, Pennington and Rodriguez absent.

Ms. Cathy Mahdoubi, Santa Rosa, 77023 (347-399-0906) appeared as others showed support of hands and stated that it did not matter that Food Not Bombs would still be able to share food as a result of the new amendments, what consumed them was the precedent of regulating volunteers in the name of protecting property owners to the detriment of the already marginalized homeless and needy populations; that regulars relied on them and they should be able to share without restraint. Council Members Davis, Adams, Hoang and Rodriguez absent.

Upon questions by Council Member Noriega, Ms. Mahdoubi stated that she did not feel this was directed at Food Not Bombs specifically, but it still set precedent; and Council Member Noriega stated that they were all extraordinary. Council Members Davis, Hoang and Rodriguez absent.

Ms. Tomaro Bell, 3248 Charleston, Houston, Texas 77021 (713-825-8449) appeared as others showed support of hands and stated that she was present regarding the proposed ordinance; that they were told it was about private property rights, but it looked like a cap on compassion; that when you saw a need you should intercede. Council Members Davis, Hoang and Rodriguez absent.

Mayor Parker stated that there was nothing in either version of the ordinance prohibiting any church from doing anything they wanted on their own property. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Ms. Ember Mandell, 5654 Cheena, Houston, Texas 77096 (713-367-3787) appeared as others showed support of hands and stated that she knew there were those who wanted to corral the homeless population out of site and controlling the food option for the homeless was neither necessary nor humane; that there were no more sick from eating than reported from restaurants and statistically speaking there was no logic in the ordinance. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Council Member Brown stated that it was being stated this was about property rights, if that was so why not just amend the trespassing laws, this was supposed to be about charitable food services so which was it about. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Ms. Emily Hill, 950 Redan #2, Houston, Texas 77009 (713-447-5254) had reserved time to speak but was not present when her name was called. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Mr. Ray Hill, P. O. Box 3624, Houston, Texas 77253 (713-523-6969) appeared as others showed support of hands and stated that something was structurally wrong for passing legislation because other cities were; that there was a procedural problem here and he hoped the City Attorney knew well enough to advise them to pass the ordinance without laying an appropriate legislative predicate would be inadequate for its sustainability in court. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Upon questions by Council Member Adams, Mr. Hill stated that he had not studied the current form of the ordinance, but was opposed to Council addressing the whole area without laying an adequate legislative predicate which meant public hearings were necessary with adequate advertisement. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Ms. Robyne Patrick, 604 Pacific, Houston, Texas 77006 (605-237-0326) appeared and stated that she was present on behalf of the Hare Krishna Temple of Houston and it was part of their mission to distribute food to the homeless; that years ago they had a truck to cook and distribute food, because they had such a positive response they were shut down by the city because they did not have permits. Council Members Davis, Adams, Hoang and Noriega absent.

Upon questions by Council Member Brown, Mayor Parker stated that you needed to have proof you were given permission to be on someone's property to distribute food, but if a members of a church were present on their site distributing food they had permission and if they did not have the proof they would be written a ticket, but not if it was your property. Council Members Davis, Cohen, Hoang and Noriega absent.

Mr. Taylor Gahm, 719 Chelsea, Houston, Texas 77006 (832-409-4246) had reserved time to speak but was not present when his name was called. Council Members Davis, Cohen, Hoang and Noriega absent.

Ms. Nancy Saibara-Naritomi, 7702 De Moss, Houston, Texas 77036 (713-230-8455) who was previously not present when her name was called was now present and appeared as others showed support of hands she and stated that Houston was number one on homeless veterans, number one in homeless families and number one in homeless school children; that

there should be a template for the whole nation and give homeless something to do like organic farming on city land, a shelter like Gandhi did in South Africa. Council Members Davis, Cohen, Hoang and Noriega absent.

Upon questions by Council Member Adams, Ms. Naritomi stated that it was a basic human right to give, that was what most were against.. Council Members Davis, Cohen, Hoang and Noriega absent.

Upon questions by Council Member Adams, Mayor Parker stated that a problem was organizations did not coordinate and it was not efficient distribution and voluntary registration was to be hoped for. Council Members Davis, Hoang, Green and Noriega absent.

Mr. Mark Rodriguez, 23 Delmar, Houston, Texas 77011 (832-816-9673) had reserved time to speak but was not present when his name was called. Mr. Mark Rodriguez, 23 Delmar, Houston, Texas 77011 (832-816-9673) had reserved time to speak but was not present when his name was called. Council Members Davis, Hoang, Green and Noriega absent.

Mr. Roger Pearson, 7007 Buoy, Houston, Texas 77062 (281-480-7881) appeared as others showed support of hands and stated that most objections he had were taken care of in the revised ordinance, but he was opposed to any limitations on people being able to go to public areas and freely associate, give food, etc.; and discussed kitchens and how an inspection could be used to shut them down. Council Members Davis, Hoang and Green absent.

Mayor Parker stated that she appreciated him taking time to look at the revised ordinance and it did not deal with the kitchen aspect, but under any circumstances any church or private property owner in the city could invite homeless to their facility and the Health Department would not be inspecting. Council Members Davis, Hoang and Green absent.

Upon questions by Council Member Adams, Mr. Pearson stated that he did not see where there would be so many times organizations would show up on top of each other that a law would be needed; and if there was a web page people could go to and put in when and where they would be they could regulate themselves; that extra regulation would take lots of administration. Council Members Davis, Hoang and Green absent.

Council Member Adams stated that was going to be her big question to the Mayor; and Mayor Parker stated that in effect that was what was in the revised ordinance. Council Members Davis, Hoang and Green absent.

Mr. Lucio Espinosa, 1921 Ridgemoor, Houston, Texas 77055 (832-881-8437) appeared as others showed support of hands and stated that he had a church on Chenevert and they fed the homeless every Sunday with no problems; that organizations came and fed them after service and they helped with jobs. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Upon questions by Mayor Parker, Mr. Espinosa stated that they fed on the site they were given permission for the last three years; and Mayor Parker stated that the ordinance would not apply to him then. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. Dean Cook, 7525 J Street, Houston, Texas 77028 (832-618-2032) appeared and stated that it was peculiar the ordinance was about the health and safety of the homeless and then it was litter and then it was property rights, then food waste; that he came to express his concern the underlying premise had nothing to do with feeding homeless and changes confirmed it to him. Council Members Davis, Hoang, Gonzalez, Rodriguez, Green and Noriega absent.

Mr. Corbin Clardy, 945 McKinney, Houston, Texas 77002 (713-614-7395) appeared and stated that he helped with Noah's Kitchen and at his church they enjoyed reaching out to the community, the homeless, to give hope, a hot meal, etc., and urged Council not deprive the community of opportunities to reach out. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. Frank Rynd, 5000 Montrose #7E, Houston, Texas 77006 (713-569-2276) had reserved time to speak but was not present when his name was called. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. King Grossman, 2307 Bartlett, Houston, Texas 77098 (832-651-0300) appeared as others showed support of hands and stated that he owned a lot next to his home and they would be opening it as a community garden; that he volunteered at the Beacon and homelessness had skyrocketed; that they were dealing here with economic injustice and there was trespassing laws, etc., he believed all could do better than this. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Upon questions by Council Member Adams, Mr. Grossman stated that people should be able to feed others; that if he did not want people on his property he called police; that nothing here was needed and feeding others should be encouraged. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. Panfilo Caballero, 1370 Aston, Houston, Texas 77055 (832-266-4777) appeared and stated that he was present imploring and demanding why poor people were being attacked by Council; that when people came to their door in need his mother fed them. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Upon questions by Council Member Brown, Mr. Caballero stated that he understood the hardship all were going through with the economy, joblessness, etc., but much was being wasted and could be recycled. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. Sam Dunning, 12419 Tambourine Drive, Houston, Texas 77477 (281-415-9743) appeared as others showed support of hands and stated that he directed the Office of Justice and Peace for the Arch Dioceses of Galveston/Houston and was present on behalf of his eminence Cardinal Daniel DiNardo; that they chose not to take a formal yea or nay stance on the issue, it was still a work in progress, but in their tradition believed public policy should promote common good, nurture human dignity and foster goodwill; and shared concerns shown today; that those present were not the problem, going out and doing what was right and just, they were a part of the solution; that the real scandal was in the wealthiest nation on earth there were still thousands upon thousands of homeless men, women and children and time could be better spent addressing that. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. T. J. Huntley, 2277 Windrock, Houston, Texas 77057 (713-384-2665) appeared and stated that his church went to feed the hungry all the time and they had certain issues with the proposed ordinance as they were treading on the first amendment and they planned on continuing whether they could or not. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Ms. Suzanne Perry-Slavens, 1201 Spring, Houston, Texas 77007 (713-226-7748) appeared and stated that she read a quote in the building, "There is no greater endowment in man than political virtue." and this legislation was the equivalent of the suffocation of political virtue and human spontaneity and compassion; and when they went out they ate with the people. Council

Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Upon questions by Council Member Sullivan, Ms. Slavens stated that after she got started it just became natural to feed and she was an environmentalist and did not litter. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Ms. Tracey Abbott, 25 North Creekside Drive, Houston, Texas 77055 (713-240-4931) appeared as others showed support of hands and stated that she was present speaking on behalf of spontaneous giving; that six years ago she was trapped in the abyss of alcoholism, depression, etc., and as a result of being able to spontaneously give of herself she found freedom from all of those and people on the street had done more for her than she could ever do for them; that it was a spiritual experience which could not be quantified or qualified or legislated or institutionalized. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Ms. Elanor Sequeira, 1707 Colquitt, Houston, Texas 77098 (832-566-3033) appeared as others showed support of hands and stated that she was representing Food Not Bombs which was a group that did not necessarily go to churches and limiting sharing of food to churches and private residences limited choices the homeless and poor had. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mayor Parker stated that they were doing nothing to limit charitable feeding to churches or private residences, but they were asking they receive permission wherever they distributed. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Ms. Busi Peters, 4410 Phlox, Houston, Texas 77051 (713-208-4376) had reserved time to speak but was not present when her name was called. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Ms. Jacquelin Bui, 1201 Spring, Houston, Texas 77007 (281-898-0703) appeared and stated that her mother came from Vietnam and like many immigrant stories she worked very hard and throughout it all she, herself, went from Wayside and Harrisburg to West University and was currently at U. T. Houston and living in District H and throughout it all her Mom taught her to share her blessings and when you were blessed you should share; and motivations were unfounded and reasoning was not well thought out and solutions failed. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Upon questions by Council Member Brown, Ms. Bui stated that she felt solutions failed because the problems were dubious, safety, trash and now property, but nowhere was food or compassion being addressed and she hoped that was what would be preserved. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. Carl Gibson, 904 Westcott, Houston, Texas 77007 (601-454-6443) appeared as others showed support of hands and stated that Jesus said feed the hungry and that was what they were doing and instead of wasting time and dollars on regulating food how about using it on productive things like ways to address root causes of homelessness, etc., and quoted verses from the Bible. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Mr. David Jones, 11600 Jones Road, Houston, Texas 77070 (713-579-9673) appeared as others showed support of hands and stated that he was a pastor and was president of Church Administered Alliance International who he was representing, it was a worldwide organization of nondenominational churches, ministries, etc., that September 11, 2001 a pastor and his followers had over 3,000 sandwiches to pass out not knowing where, but it was Time Square and all knew the event; that if this ordinance was passed at the time the law would have been

broken; did a minute, hour, day, etc., define homelessness. Council Members Davis, Hoang, Rodriguez, Green and Noriega absent.

Upon questions by Council Member Adams, Mr. Jones stated that control was the key word, anytime a government got in control of what God was telling a church to do then they could not do so and if they did not meet needs of the needy they had done nothing; and asked their hands not be tied. Council Members Davis, Sullivan, Hoang, Rodriguez, Green and Noriega absent.

Dr. Joseph Kaye, 9210 Cavel Lane, Houston, Texas 77036 (713-777-5903) appeared as others showed support of hands and stated that he was a doctor of public health and also a social worker, etc., that he had experienced hunger as many others had and he would suggest to those who did not understand that to take a week off and be homeless with no money or credit cards and experience what this was like; that he would suggest Council consider making a public declaration that this was a public health problem to be addressed by a concerted effort and request proposals to address the issue. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez, Green and Noriega absent. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Dr. Kaye stated that what was needed was a commitment to all people that they would stand behind compassion, connection and organization to allow all to live a descent life. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez, Green and Noriega absent. (NO QUORUM PRESENT)

Council Member Cohen stated to clarify she hoped he did not doubt people at the Council Table cared passionately about the quality of life for citizens, particularly those disadvantaged and homeless; that her concern was to feed the homeless and in a safe way which met needs of the children; and upon questions, Dr. Kaye stated that a problem was children and families in hunger, but what was missing was a commitment by this Council and city to address the problems. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez, Green and Noriega absent. (NO QUORUM PRESENT)

Ms. Krystal Muhammad, 7125 Reed Road, Houston, Texas 77087 (713-261-3558) appeared and stated that she was with the new Black Panther Party and present on injustice; that she had been coming about the police oversight board they believed was needed with subpoena and prosecutorial power and she was speaking on behalf of Anthony Childress who was beat by officers and teeth knocked out of his mouth, etc., they no billed the police and arrested his attorney; that she also supported those feeding the homeless. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent.

Mr. Ali Muhammad, 5012 Winnetka, Houston, Texas 77021 (832-811-0214) appeared and stated that he was with the National Black United Front and most of Council scared him because they looked so regal, like they really cared, but by what they said scared him; that he spoke against police brutality and asked for a citizens review board with subpoena and prosecutorial power and it could be done. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent.

Mr. Anthony Childress, 3017 Isabella, Houston, Texas 77044 (832-921-7326) appeared and stated that he was with the New Black Panther Party and on October 2nd he was beat by four officers who were dismissed of charges and then charges were brought on his lawyer; that there was no justice, no peace. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent.

Mayor Parker stated that she wanted him to understand the District Attorney was a county elected official independently elected and all charges went through the District Attorney. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent.

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent.

Ms. Sharon Garcia, 14307 Foxford, Houston, Texas 77015 (713-409-6699) appeared and stated that on March 10, 2012, she, her husband and three children were involved in a hit and run accident; that they contacted 911 and sat at their location an hour with no HPD assistance and she called dispatch who said they could not give her an estimated time of arrival. Mayor Parker, Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that Sergeant Baltazar was present and she could speak with him, it sounded there were a couple of issues response time and rudeness of a dispatcher; and Ms. Garcia stated that Sergeant Baltazar contacted her and said she did not need to come speak to Council; and Mayor Pro Tem Garcia stated that he was glad she came; and Ms. Garcia stated that it was very unjust. Mayor Parker, Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Farah Green, 9590 Minnesota #2104, Houston, Texas 77075 (713-378-4019) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Anna Ashmore, 7815 Windswept, Houston, Texas 77063 (713-953-9955) appeared, displayed a graph and stated that she was present to beg for help; that she had a \$950.00 water bill, \$400.00, \$600.00 bill, etc., it was astronomical and the Mayor's Office was the only one to help; that for nine years she had a very little water bill and this last year she was overcharged over \$2,900.00 and she needed help in rectifying the situation. Mayor Parker, Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Ms. Ashmore stated that the bottom line was the city never found a problem and she had plumbers out many times and replaced all kinds of things and the city was hiding behind rules and regulations. Mayor Parker, Council Members Davis, Sullivan, Hoang, Pennington, Rodriguez and Green absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Christie stated that Mr. Newport was present to respond and he would like the Administration to review this one more time; that about five years ago the city had quadrupled the water bill at his office and there was no way it could have been used and he would like flexibility shown; and Mayor Pro Tem Gonzales stated that a test for accuracy was conducted but Mr. Norman was present to assist and hopefully they could again review it. Mayor Parker, Council Members Davis, Sullivan, Hoang, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Julie Pettit, 1317 Allston, Houston, Texas 77008 (713-494-0543) appeared and stated that she was president of the Board of Director of Bayou City Art Festival and wanted to remind all this weekend was the festival, it had gone on 41 years and was a great supporter of the city in that they raised an incredible amount of tax dollars, revenue from those brought into town and the majority of funds went to support artists and art programs in the city and she hoped to see all there. Mayor Parker, Council Members Davis, Sullivan, Hoang, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions of Council Member Pennington, Ms. Pettit stated that in the Spring the festival was in Memorial Park and it would be Friday through Sunday. Mayor Parker, Council Members Davis, Sullivan, Hoang, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Cohen thanked Ms. Pettit for coming and stated that it was very inclusive, something for almost anyone and it was terrific. Council Members Davis, Sullivan, Hoang, Rodriguez, Green, Noriega and Bradford absent. (NO QUORUM PRESENT)

Reverend Kenneth Douglas Phillip Slocum, Sr., 8110 Creek Bend, Houston, Texas 77071 (281-515-0523) had reserved time to speak but was not present when his name was called. Council Members Davis, Sullivan, Hoang, Rodriguez, Green, Noriega and Bradford absent. (NO QUORUM PRESENT)

Mr. Travis Stowers, 1719 Live Oak, Houston, Texas 77003 (832-275-9464) appeared and stated that he had many homeless friends and fed them; that he owned Lone Star Bike Cabs and an ordinance was passed last year and they worked at stadiums, etc., and they were inundated by gas powered go carts and other vehicles not licensed by the state or city and they piggybacked their business and it hurt; and an HPD captain said he should ask Council to review the code on vehicles for hire so they could also tow, etc. Council Members Davis, Sullivan, Hoang, Rodriguez, Green, Noriega and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Mayor Parker, Mr. Slocum stated that ARA asked him to ask the Mayor and Council; that somehow there was lack of communication between departments and he was in the middle as he was owner; and he sent Council Member Rodriguez emails but he never did respond; and Mayor Parker stated that this was the first she heard of this and if they had illegal cars operating they needed to crack down on it; and Mr. Newport was present and they would put a meeting together. Council Members Davis, Adams, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Cyndi Gutowski, 17807 Wolfhollow, Houston, Texas 77084 (281-252-0655) appeared and stated that she was a victim of wage theft in the floral industry; that she went through 10 months trying to receive her \$7,600.00 through the Texas Workforce Commission, the employer had gone over and around the system to avoid paying her and was still conducting business; that she lost her vehicle, her means of income and was receiving government assistance. Council Members Brown, Davis, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Kim Bobo, 1805 West Alabama, Houston, Texas 77098 (713-862-8222) appeared, presented information and stated that she was executive director of Interfaith Worker Justice based out of Chicago and was present to talk about wage theft which was a national crisis; that unscrupulous employers did not pay minimum wage, stole tips, committed payroll fraud, etc., and lied about having employees by calling them independent contractors; that the proposed Houston wage theft ordinance would create a simple administrative process to help recover wages and penalize unethical employers. Council Members Brown, Davis, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Stan Marek, 2115 Judiway, Houston, Texas 77018 (832-715-5975) appeared and stated that he was a CEO with the Marek family of companies and was on the Greater Houston Partnership and many knew him for their taskforce for immigration reform advocating for a sensible immigration policy; that he was present today in support of the Interfaith Worker Justice wage theft bill; that businesses used to have employees, paid overtime, etc., and provided a career for workers, many industries today did not want employees, but independent subcontractors and pay in cash and avoid payroll taxes, workmen's comp, etc., and more than a

wage theft bill was needed, but it was a start. Council Members Brown, Davis, Hoang, Rodriguez, Green and Bradford absent.

Upon questions by Mayor Parker, Mr. Marek stated that there would be drafts of the ordinance and something was submitted. Council Members Brown, Davis, Cohen, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Laura Perez-Boston, 943 Woodland, Houston, Texas 77009 (832-755-7013) appeared and stated that she was director of the Houston Interfaith Worker Justice Center and it was a conservative estimate that \$1.2 billion of wages were stolen from workers in the City of Houston yearly and that had an impact on families, businesses and economy; that currently 28 organizations had signed on and they had 2,649 signatures from Houstonians living and working in Houston in support of city action on the issue; and presented a petition. Council Members Brown, Davis, Cohen, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Council Member Noriega stated that she could not give her time to read her petition, but several had been by Council offices laying ground work for what they were bringing forward and she thought it should be looked at. Council Members Brown, Davis, Cohen, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Annetta Spencer, 4299 San Felipe, Houston, Texas 77027 (832-715-5975) had reserved time to speak but was not present when her name was called. Council Members Brown, Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Rick Hurt, 2500 W. Mt. Houston, Houston, Texas 77038 (281-448-0959) appeared and stated that the November election was over and Eric Dick still had signs high on utility poles; that he just found out from a city representative that Center Point would not allow the city to remove them because it was unsafe. Council Members Brown, Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that maybe if they started fining Center Point; and Mr. Hurt stated that was his speech; and Mayor Parker stated that she would ask. Council Members Brown, Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Carl Marrison, 3814 Lyons Avenue, Houston, Texas 77020 (832-687-6135) had reserved time to speak but was not present when his name was called. Council Members Brown, Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Deyadira Trevino, 4918 Cochran, Houston, Texas 77009 (832-638-0768) appeared and stated that she was a member of St. Patrick's Church and she was opposed to the proposed ordinance; that their food pantry closed years ago due to lack of adequate facilities and two other organizations closed in the area; that this decision making was not inclusive of groups; that the needs could not be ignored and a coordinated effort was needed instead of placing blame. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Gonzalez, Ms. Trevino stated how would the ordinance affect tailgating and would it be implemented the same way as it was for food sharing groups; and Council Member Gonzalez stated that tailgating would not be involved as owners were authorizing the activity on their property. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Ms. Trevino, Mayor Parker stated that sidewalks and parks were public property and they had the ability to regulate to some extent what happened on public property, not entirely, but on private property that was under the control of the owner. Council Members Davis, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Randall Kallinen, 311 Broadway, Houston, Texas 77012 (713-320-3785) appeared and stated that he believed giving was a part of religion, etc., because it was good for peoples subconscious, it was good for individuals and society and it should not be regulated; that giving, sharing should remain totally free with no regulation. Council Members Davis, Cohen, Sullivan, Hoang, Gonzalez, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Dena Yanowski, 2319 Bartlett, Houston, Texas 77098 (832-693-3630) appeared and stated that at Food Not Bombs they created an environment where friends served were more than consumers in a line, no families were split-up and were invited back; that they greeted by name, etc., they served vegetarian meals to many and on their own dime. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Council Member Noriega stated that they were very extraordinary and she appreciated what they did. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Nick Cooper, 8377 Westview Drive, Houston, Texas 77055 (281-289-3569) appeared and stated that the new version of the amendment would still create insurmountable obstacles to organization such as Food Not Bombs with volunteers serving food; that they cooked at home and would be criminalized and others would eat from dumpsters, etc., that if they needed a trash bill that was what they should right, this was an anti homeless bill. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Noriega, Mayor Parker stated that they needed to read the proposal again, if they wanted to voluntarily register they could, but it was not required, it was an effort to link organizations doing this and no one would be stopped from serving food; that the fine was for trespassing on private property, feeding on private property without permission. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Mckenzie Maupin, 4200 Mount Vernon, Houston, Texas 77006 (832-890-7421) appeared and stated that she was present weeks ago on the same issue and issues of trash, Coordination and public health were discussed and she was unaware of any food illnesses due to charitable giving and with other laws in place why not just enforce them and not pass this amendment. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that she did not have to be a part of the program, but did have to have permission from a property owner, before you could serve; and they were asking for them to voluntarily work with other agencies so they could do a website and all could voluntarily work together, but if they did not want to they did not have to; that statistics on illness from charitable giving was insufficient, but they thought they should start tracking it though the homeless did not come through the Health Department so information was insufficient. Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Benjamin Craft-Rendon, 1209 Herkimer #5, Houston, Texas 77008 (832-297-8595)

appeared and stated that he was annoyed by the confusion of data, but it still did not address the need for a sociological surveying; that there were troubles from the city's own source of numbers and he had issues of roommates letting themselves inside his apartment and over enthusiastic neighbors calling police, etc., Council Members Davis, Cohen, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Mayor Parker stated that if they wanted to be part of ...; that weeks ago many said they liked working with each other and would coordinate but they were not seeing it and someone was leaving trash behind; that they were trying to put a voluntary program together and make it easy for others to coordinate and those who wanted to be a part of a coordinated effort could do so. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Thomas Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) had reserved time to speak but was not present when his name was called. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Hershell Donny, 505 Bastrop #210, Houston, Texas 77003 (713-229-0282) appeared and stated that he lived in EDO between the Dynamo Stadium and the Star of Hope Mission and he was for the ordinance; that groups came to feed and parked everywhere, street, private property, etc., even when it was dark people had to step in traffic to go around them. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that she appreciated him coming and his patience. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared, presented information and stated that he was with the Houston Property Rights Association and his group was opposed to the proposed ordinance; that a private property owner was free to put a "No Trespassing" sign; that there were management districts in Downtown with a tax based on plans including cleanup and beautification so if there was a problem with litter there was something in place to take care of it. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Jay Hamburger, 1817 State, Houston, Texas 77007 (713-302-0101) appeared and stated that he had fed homeless for 21 years weekly and some concerns at the Council Table did not exist, it was rare food was left out and numbers of groups showing up at a location did not happen. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Mr. Hamburger stated that the heart of the matter was important and many had spoken to it; and regarding litter, etc., they could find a way to deal with it. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Council Member Noriega stated that she did not think they disagreed and all efforts of people who spoke today were very extraordinary; that many changes to the ordinance came out of her ordinance, she asked for them and the Mayor graciously agreed to a lot of them and she would be voting for it; and Mr. Hamburger stated that even at Miller Theater when people walk away there was trash, it was sad and unfortunate to leave trash but it was done and laws in place could be enforced. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Council Member Christie stated that in reference to the trash he got a verbal commitment from Republic Waste they would put heavy containers at the locations they had problems at no cost to the taxpayer; and Mayor Parker stated that she appreciated that, but they would have to get permission from the owners of the lots to place them there. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Mayor Parker stated that registration was voluntary, but you needed permission to be at a location and one would assume they would maintain the property because there were nuisance ordinances which would apply. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Alice Melendez, 411 Evonne, Houston, Texas 77017 (713-429-5839) had reserved time to speak but was not present when her name was called. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Ted Weisgal, 12137 Stone West Drive, Houston, Texas 77035 (281-546-6793) appeared and stated that 32 years ago he handed out slips of paper at Miller Theater and today because of decisions made by this body unless he could find a sponsoring organization his behavior then would be illegal today; that around that same time a free speech area was authorized by Council and dedicated in Herman Park, but it was so hidden most had never seen it and it denied free speech in all other areas of the park; that today was a matter of providing food for the homeless and it was another example of Council encroaching on traditional freedoms where there was no need to do so. Council Members Davis, Sullivan, Hoang, Rodriguez, Laster, Green and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Mayor Parker stated that there was still a trespassing ordinance and as a crime it required notice, you needed to post a sign "No Trespassing", etc., before action could be taken and it was a Class B misdemeanor and what they were proposing was getting prior permission and if you did not it was a Class C, a lower violation with a maximum \$500.00 fine, it was a way to get permission and they or the property owner would be assuming the responsibility for keeping up the site; that if there was no coordination they would be right back where they started and they would have to go through the same process of posted notice, etc., to revise any ordinance, but people of goodwill and good faith said they did want to work together and they could give them a mechanism to do so. Council Members Davis, Sullivan, Hoang, Rodriguez, Green and Bradford absent.

Mr. James Eros, 2125 Yale, Houston, Texas 77008 (304-839-8150) appeared and stated that he was impressed with the progress within the last two weeks and was appreciative of the discussion; that there was much discussion on how the proposed ordinance affected day to day people and he appreciated the Mayor making this an important part of her term. Council Members Davis, Sullivan, Hoang, Rodriguez, Green and Bradford absent.

Mayor Parker stated that she was intimately familiar with issues of homelessness and probably done more personally; that their oldest child was a 16 year old street kid, living on the streets in Houston and that was 20 years ago and she knew what it was like for young people in this city. Council Members Davis, Adams, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Ms. Shere Dore, 2601 Woodland Park Drive, Houston, Texas 77077 (713-447-4527) appeared and stated that the local homeless programs in Houston were funded by the number of heads they fed and recently awarded a \$2.8 million federal grant from the Obama Administration; that the Council had still not come up with one situation where someone was

sick, etc., by Food Not Bombs or other organizations in Houston; that they said the issue was safety, then trash and now trespassing and it was concerning. Council Members Davis, Adams, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

Mr. Jamin Stocker, 1405 Andrews, Houston, Texas 77019 (706-267-0186) appeared and stated that this was a great opportunity for the City of Houston to be a great example to the rest of the nation; that in truth laws were the byproduct of insufficiency and in spite of all the ones in place to promote, etc., depravity still existed; and all could be coordinated to address problems. Council Members Davis, Adams, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373, Houston, Texas (713-928-2871) appeared and stated that he was present regarding mafia and him being attacked; and continued expressing his personal opinions until his time expired. Council Members Davis, Adams, Sullivan, Hoang, Rodriguez, Green and Bradford 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 Davis, Adams, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

At 5:03 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, March 21, 2012. Council Member Costello absent on city business. Council Member Burks absent due to being ill. Council Members Davis, Adams, Sullivan, Hoang, Rodriguez, Green and Bradford absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m., Wednesday, March 21, 2012, with Mayor Annise D. Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director present.

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

At 9:09 a.m. Mayor Parker called the meeting to order. Council Member Burks absent.

### **MAYOR'S REPORT**

Council Member Hoang moved to suspend the rules to consider Item Numbers 1, 2 and 3 out of order, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0174 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE GREATER SHARPSTOWN MANAGEMENT DISTRICT**:

Position One - **MR. KENNETH LI**, reappointment, for a term to expire 6/1/2015

Position Two - **MR. FEROZE (FRED) BHANDARA**, appointment, for a term to expire 6/1/2015

Position Three - **MR. KUN CHEE (CASEY) YOUNG**, appointment, for a term to expire 6/1/2015

Position Four - **MR. HARRY SHANI**, reappointment, for a term to expire 6/1/2015

- Position Five - **MR. DON WANG**, reappointment, for a term to expire 6/1/2015
- Position Six - **MR. PETER ACQUARO**, appointment, for a term to expire 6/1/2013
- Position Seven- **MR. RICK OGDEN**, appointment, for a term to expire 6/1/2013
- Position Eight - **MS. TONI J. FRANKLIN**, reappointment, for a term to expire 6/1/2013
- Position Nine - **MS. JUANA MADRID**, appointment, for a term to expire 6/1/2013

- was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0175 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF DIRECTORS OF HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12**:
  - Position One - **MR. WILLIAM RANDALL (RANDY) ROBERTSON**, for a term to expire 6/1/2015
  - Position Two - **MR. STEPHEN C. HELM**, for a term to expire 6/1/2015
  - Position Three - **MR. STEWART G. MASTERSON, JR.**, for a term to expire 6/1/2015
  - Position Four - **MR. KYLE R. SEARS**, for a term to expire 6/1/2015
  - Position Six - **MR. ASHTON L. TAYLOR**, for a term to expire 6/1/2013

- was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0176 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HOUSTON CENTER FOR LITERACY (Formerly HOUSTON READ COMMISSION)**, for terms to expire January 1, 2015:
  - Position Four - **MS. LEISA HOLLAND-NELSON**
  - Position Seven - **MS. LISA PREWITT LANGSTON**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Laster. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0177 ADOPTED.

Mayor Parker stated that they had now affirmed the Board of Directors of the Greater Sharpstown Management District and asked that they come forward and Mayor Parker and Council Members Laster, Adams and Hoang congratulated the Board of Directors and thanked them for their willingness to serve and really appreciated what they were going to be doing for the City of Houston. Council Member Burks absent.

Mayor Parker stated that they also affirmed the appointment of two new members of the Houston Center for Literacy and asked that they come forward and Mayor Parker and Council Members Cohen and Noriega congratulated them and stated that they appreciated their willingness to volunteer their time on behalf of the City of Houston. Council Member Burks absent.

Mayor Parker requested the City Secretary to call the consent agenda. Council Member Burks absent.

### **CONSENT AGENDA NUMBERS 4 through 48**

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 and 9

7. **GOWAN, INC** for Exhaust /Supply Fan Replacements and Associated Equipment for Department of Public Works & Engineering - \$137,396.00 and contingencies for a total

amount not to exceed \$144,265.80 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0178 ADOPTED.

9. **T. CONSTRUCTION, LLC** for Emergency Sanitary Sewer Line Repairs for Department of Public Works & Engineering - \$147,000.00 - Enterprise Fund - **DISTRICT C - COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0179 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES** - NUMBERS 13 through 48

13. RESOLUTION supporting and approving the proposed construction of the **HAMILTON**, a Multi-Family Affordable Housing Development for seniors, to be located in the 1800 block of St. Joseph Parkway in Houston, Texas and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. RESOLUTION 2012-0007 ADOPTED.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a water main easement in Lot 1, Block 13, Sunset Terrace Addition, Section 12, A. C. Reynolds Survey, A-61, Harris County, Texas; abandoning the easement to Daniel E. Rowsey, abutting owner, in consideration of his payment to the City of \$9,933.00 and other consideration - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0217 ADOPTED.
22. ORDINANCE amending Ordinance No. 2008-453 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **HARMONY HOUSE, INC** for residential facilities for Tuberculosis Patients for the Health and Human Services Department - \$272,000.00 - General and Grant Funds – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0218 ADOPTED.
23. ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Office of the Governor’s Criminal Justice Division for the Police Storefront Crisis Team Program FY 2013; declaring the City’s eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City’s representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0219 ADOPTED.
30. ORDINANCE appropriating \$4,346.00 out of Parks Special Fund; approving and authorizing first supplemental agreement to Professional Landscape Architectural and Engineering Services Contract between the City of Houston and **TALLEY LANDSCAPE ARCHITECTS, INC fka TALLEY-POPE AND ASSOCIATES, INC** for Scottcrest and Alief Parks Trail Improvements Project (Approved by Ordinance No. 2009-1133) - **DISTRICTS D - ADAMS and F - HOANG** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0220 ADOPTED.
31. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential lots in the

**PINE VALLEY SUBDIVISION, SECTIONS 1 and 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0221 ADOPTED.

33. ORDINANCE consenting to the addition of 19.677 acres of land to **GRAND MISSION MUNICIPAL UTILITY DISTRICT NO. 1 OF FORT BEND COUNTY, TEXAS**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0222 ADOPTED.
34. ORDINANCE consenting to the addition of 5.9658 acres of land to **MEADOWHILL REGIONAL MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0223 ADOPTED.
35. ORDINANCE appropriating \$725,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HALFF ASSOCIATES, INC** for Negotiated Work Orders for Pre-Engineering of Storm Water Drainage Improvements; providing funding for construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0224 ADOPTED.
36. ORDINANCE appropriating \$725,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVIL TECH ENGINEERING, INC** for Negotiated Work Orders for Pre-Engineering of Storm Water Drainage Improvements; providing funding for construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0225 ADOPTED.
37. ORDINANCE appropriating \$725,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for Negotiated Work Orders for Pre-Engineering of Storm Water Drainage Improvements; providing funding for construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0226 ADOPTED.
38. ORDINANCE appropriating \$460,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LJA ENGINEERING, INC** for Local Drainage Project Negotiated Design Work Orders; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0227 ADOPTED.
39. ORDINANCE appropriating \$460,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **UNITED ENGINEERS, INC** for Local Drainage Project Negotiated Design Work Orders; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0228 ADOPTED.

40. ORDINANCE appropriating \$575,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **GUNDA CORPORATION, LLC** for Negotiated Work Orders for Pre-Engineering of Storm Water Drainage Improvements; providing funding for construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0229 ADOPTED.
43. ORDINANCE granting to **MTI SERVICES, LLC dba ENERGY CLEAN A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0230 PASSED FIRST READING IN FULL.
44. ORDINANCE granting to **ANDERSON POLLUTION CONTROL, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0231 PASSED FIRST READING IN FULL.
45. ORDINANCE granting to **CONSOLIDATED WASTE LLC dba LIQUID WASTE SOLUTIONS A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0232 PASSED FIRST READING IN FULL.
46. ORDINANCE granting to **SET ENVIRONMENTAL, INC, An Illinois Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0233 PASSED FIRST READING IN FULL.
47. ORDINANCE granting to **ENVIROWASTE SERVICES GROUP, INC, A Florida Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Cohen and Burks absent. ORDINANCE 2012-0234 PASSED FIRST READING IN FULL.
48. ORDINANCE granting to **CLEANER EARTH GROUP, LLC A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING** – was presented. All voting aye. Nays none. Council

Members Cohen and Burks absent. ORDINANCE 2012-0235 PASSED FIRST READING IN FULL.

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

**MISCELLANEOUS**

4. RECOMMENDATION from Director General Services Department for approval of Pre-qualified Asbestos/Lead Abatement, Mold and Soil Remediation, Demolition and Petroleum Storage Tank Removal Contractors for environmental purposes only and rescind Motion #09-0928 – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0180 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds for Water & Sewer Account for **TEXAS CHILDREN'S HOSPITAL** - \$224,030.41 Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0181 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 through 10

6. **FEDERAL RESOURCES SUPPLY COMPANY** for Personal Protective Equipment from General Services Administration Schedule 84 Contract for the Houston Police Department - \$249,942.24 Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Laster. Council Member Brown voting no, balance voting aye. Council Member Burks absent. MOTION 2012-0182 ADOPTED.
8. **AMEND MOTION #2007-259, 3/7/07, TO EXTEND** the term from April 18, 2012 to April 17, 2015, for Chemicals, Inorganic Metal Salt Coagulants (Aluminum Sulfates) for the Department of Public Works & Engineering, awarded to **ALTIVIA CORPORATION** – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. Council Member Burks absent.

After discussion by Council Member Brown, a vote was called on Item No. 8. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0183 ADOPTED.

10. **J. TYLER SERVICES, INC** for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$220,444.51 - General, Enterprise and Other Funds - was presented, moved by Council Member Gonzalez, seconded by Council Member Laster. Council Member Burks absent.

After discussion by Council Members, Mayor Parker stated that the justification was attached in the RCA, that other than personally visiting the individual sites to see the condition of the furniture would be the other suggestion they had, that if they looked at the attachment to the RCA it indicated whether they were replacing damaged furniture or whether it was new furniture, that approximately well over 90% of the items were to replace existing unusable furniture, their employees did need desks and chairs; that as to buying Houston first, this did comply with Hire Houston First, they were a Houston business, that this was a State of Texas Procurement and Sports Services Contract, it was a large bulk contract which allowed a better deal for everyone, that in one contract the State Comptroller called and asked if they could come onto the City's contract, so they were always looking for opportunities to do that, that J.

Tyler Services did comply with Hire Houston First, although they were seeking to use the State Contract as the most cost effective. Council Member Burks absent.

After further discussion a vote was called for Item No. 10. Council Members Pennington and Brown voting no, balance voting aye. Council Member Burks absent. MOTION 2012-0184 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 11 through 48

11. RESOLUTION supporting and approving the proposed construction of the **JUSTICE PARK SENIOR VILLAS**, a Multi-Family Affordable Housing Development for seniors, to be located at Justice Park Drive, north of W. 43rd Street, in Houston, Texas, and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Member Burks absent. RESOLUTION 2012-0008 ADOPTED.

12. RESOLUTION supporting and approving the proposed construction of the **CAMPANILE ON BRIAR FOREST**, a Multi-Family Affordable Housing Development, to be located at the northeast corner of Briar Forest and Highway 6 in Houston, Texas and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT G – PENNINGTON** - was presented. Council Member Burks absent.

After discussion, Council Member Pennington stated that he would tag Item No. 12. Council Member Burks absent.

14. RESOLUTION supporting and approving the proposed reconstruction of the **GULF COAST ARMS**, a Multi-Family Affordable Housing Development, located at 6603 Hirsch Road, Houston, Texas, and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Member Burks absent. RESOLUTION 2012-0009 ADOPTED.

15. RESOLUTION supporting and approving the proposed construction of the **ZION BAYOU**, a Multi-Family Affordable Housing Development, to be located at 5200-5300 Airport Boulevard in Houston, Texas, and authorizing the allocation of 2012 Low Income Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT D – ADAMS** – was presented, and tagged by Council Member Adams. Council Member Burks absent.

16. RESOLUTION proclaiming April 2012 as “Fair Housing Month” in the City of Houston, Texas – was presented. All voting aye. Nays none. Council Member Burks absent. RESOLUTION 2012-0010 ADOPTED.

17. ORDINANCE **AMENDING SECTION 3-3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the public consumption or possession of an open container of alcohol in the Central Business District – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2012-0236 ADOPTED.

19. ORDINANCE accepting the proposal from **UNDERWRITERS AT LLOYDS**, approving and authorizing the purchase of Terrorism Insurance for the proposed City-wide Insurance Policy for all scheduled City of Houston locations – was presented. Council Members Rodriguez and Burks absent.

After discussion, Council Member Green stated that he thought if they competed it as opposed to having one individual firm actually going out and bringing it to the table he thought perhaps they could get a better deal for the City, that on the next two items he would be voting against them.

Mayor Parker stated that she appreciated Council Member Green thoughts and they had discussed it internally, they did on the contrary believed that it was best to pay the broker rather than having those who might actually benefit from their business pay the person who advised them to make that decision, that it was a philosophical decision and she certainly understood where Council Member Green was coming from on this. Council Members Rodriguez and Burks absent.

A vote was called on Item No. 19. Council Members Green and Brown voting no, balance voting aye. Council Members Rodriguez and Burks absent. ORDINANCE 2012-0237 ADOPTED.

20. ORDINANCE accepting the individual proposals from **WESTCHESTER FIRE INSURANCE COMPANY, LEXINGTON INSURANCE COMPANY, UNDERWRITERS AT LLOYDS, AXIS SURPLUS INSURANCE COMPANY, ARCH SPECIALTY INSURANCE COMPANY, RSUI INDEMNITY COMPANY, EVANSTON INSURANCE COMPANY, SWISS RE INTERNATIONAL SE, GREAT LAKES REINSURANCE (UK) PLC, LIBERTY MUTUAL FIRE INSURANCE COMPANY**, which are participating in the Layered Property Insurance Program and approving and authorizing the purchase of a General City Property Insurance Policy - was presented. Council Members Green and Brown voting no, balance voting aye. Council Members Rodriguez and Burks absent. ORDINANCE 2012-0238 ADOPTED.

21. ORDINANCE relating to the Retail Electric Rates of Entergy Texas, Inc within the City of Houston, Texas; ordering reimbursement of all rate case expenses incurred on behalf of all Entergy Texas, Inc ratepayers within the City of Houston, Texas; denying rate increase request and maintaining the current Entergy Texas, Inc rates in effect - **DISTRICT E – SULLIVAN** – was presented. Council Member Burks absent.

Council Member Sullivan stated that he wanted to thank Tina Paez and Director Alfred Moran for working with them on this issue that would in effect prevent energy from imposing extraordinarily high rate increases on their constituents in District E. Council Member Burks absent.

Council Member Brown stated that she would tag Item No. 21. Council Member Burks absent.

24. ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Office of the Governor's Criminal Justice Division to fund the Paroled Offenders Initiative; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2012-0239 ADOPTED.

25. ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City of Houston and **SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 5, TOMASA COMPEAN, AUSTRABERTA RODRIGUEZ**, and their attorney Jonathan

Weissglass of Altshuler Berzon; to settle a lawsuit - \$117,000.00 - Property & Casualty Fund – was presented. Council Member Burks absent.

Upon questions by Council Members, Mr. Feldman stated that this was a law suit that preceded them both, it was initiated in 2006, some of them might remember that the SEIU, Service Employees International Union, had sought parade permits for parades and rallies relative to the organization of some 5,300 janitors in the City of Houston, the City denied the request for some of the permits, a lawsuit was brought, the federal court issued a preliminary injunction against the City as to certain provisions in the Parks and Parade Ordinances, the injunction on the Parks Ordinance was as to the requirement of security, the court found that it was unconstitutionally vague and also struck down the portion of the parade ordinance which required a 10 day notice provision, concluding that was unconstitutional prior restraint, that the case went to the Fifth Circuit and the Fifth Circuit addressed the Sound, Parade and Parks Ordinances and found them over all facially valid but declared certain provisions unconstitutional, that most had also been addressed through the passage of a new Special Events Ordinance, which occurred in 2010, where there was greater flexibility on the permits; that the third portion was that they struck down the provision in their Parks Ordinance dealing with public gatherings and because, under the Civil Rights Attorney's Fees, Statute 42SE, Section 1988, it was within the sound discretion of the court to determine whether or not a party was still a prevailing party, they argued that SEIU was not because they lost on many of the issues, the court disagreed, therefore they could be awarded attorney's fees, they were looking for well in excess, he believed, \$250,000, they negotiated down to \$117,000 and that was the best deal they could get, that it was purely an injunction action; that this settlement was applicable to the total; that this item and the next item were not tied together, they were totally unrelated.

A vote was called on Item No. 25. Council Member Sullivan voting no, balance voting aye. ORDINANCE 2012-0240 ADOPTED.

26. ORDINANCE amending Ordinance No. 2009-570, as amended, to increase the maximum contract amount for contract between the City of Houston and **ROGERS, MORRIS & GROVER, L.L.P.** for Legal Services for representation of the City in Civil Action No. H-06-2650; George Rodriguez v. City of Houston, et al.; in the United States District Court for the Southern District of Texas, Houston Division - \$110,000.00 - Property & Casualty Fund - was presented. Council Member Sullivan voting no, balance voting aye. ORDINANCE 2012-0241 ADOPTED.
27. ORDINANCE approving first amendment to Lease Agreement with **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** at City Hall, 901 Bagby Street, Houston, Texas **DISTRICT I – RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2012-0242 ADOPTED.
28. ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, as Landlord, and **FIFTH WARD REDEVELOPMENT CORPORATION, as Tenant**, for approximately 2,500 square feet of space at 3301, 3303 and 3305 Lyons Avenue, Houston, Texas **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCE 2012-0243 ADOPTED.
29. ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, as Landlord, and **TEXAS SOUTHERN UNIVERSITY, as Tenant**, for approximately 8,500 square feet of space at 3301, 3303 and 3305 Lyons Avenue, Houston, Texas - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. ORDINANCE 2012-0244 ADOPTED.

Council Member Davis stated that for Item Numbers 28 and 29 it was a good thing that they were having a partnership with Texas Southern and the City, between the public and private sector, that hopefully these improvements would spark improvement on Lyons Avenue within the Fifth Ward Community and provide opportunities for others to come in and help restore that neighborhood.

Mayor Parker stated that she was excited about the opportunities, not just having the new facility but Texas Southern over there and the opportunity for kids in that neighborhood to have that connection to the college.

32. ORDINANCE approving and authorizing Affordable Homes Energy Leakage Test Reimbursement Program for three years (FY 2012–2014) to provide reimbursement for money spent on energy leakage tests for affordable new single family homes; the provision of funding up to \$60,000.00 for such program out of the Building Inspection Fund (Fund 2301); and the de-obligation of \$727,750.00 from Fund 2301 and return of such amount to the TIRZ Affordable Housing Fund (Fund 2409) – was presented. Council Member Sullivan voting no, balance voting aye. ORDINANCE 2012-0245 ADOPTED.
41. ORDINANCE appropriating \$575,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Negotiated Work Orders for Pre-Engineering of Street & Paving Improvements; providing funding for construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF – was presented. All voting aye. Nays none. ORDINANCE 2012-0246 ADOPTED.
42. ORDINANCE appropriating \$2,195,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHESTER ENGINEERS, INC** for Design of Southeast Water Purification Plant Sedimentation Basins A & B Improvements (Treatment Module 1), Flocculators Rehabilitation Basins A & B (Treatment Module 1), Rehabilitation of Transfer and Distribution Pumps & Motors and Miscellaneous Engineering Services; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – SULLIVAN** – was presented, and tagged by Council Member Brown.

**MATTERS HELD** - NUMBERS 49 through 51A

49. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$24,227,906.44 and acceptance of work on contract with **VANDERLANDE INDUSTRIES, INC** for Terminal D Fully Automated Explosive Detection System In-Line Baggage Handling System at George Bush Intercontinental Airport/Houston, Project No. 612K - 5.34% over the original contract amount - **DISTRICT B - DAVIS – (This was Item 1 on Agenda of March 7, 2012, TAGGED BY COUNCIL MEMBER HOANG)** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford.

After discussion Council Member Hoang stated that he wanted to make sure that the project manager was going to pay attention and not use this as a way to increase the project, that he wanted to make sure that the City pay attention and it not be a loophole for project managers to use this for additional expenses.

Mayor Parker stated that she agreed, that she hoped he had an opportunity to talk to the Airport Director about what happened on this particular project, they did put contingency amounts in all of their contracts, both of these two contracts that were tagged were within the

contingency, but that was the project manager's responsibility to make sure that it was a true unforeseen circumstance if it went over, that the point was well taken.

Council Member Davis asked when the bids went out initially and there was a difference between the first and second, and with the contingency portion they were talking about, what was to stop company A from being awarded the bid and company B not getting it, but if the job had been done by company B there would be the difference of the 5%.

Mayor Parker stated that they would have both had a contingency amount attached, whatever company bid, that it was up to the project manager to determine whether in fact this was a true unforeseen circumstance or whether a company was trying to slide something through on the bid, and she would read from the RCA, "during the course of the project US Customs and Border Protection made a request that we modify the structure", that it was not in the original bid, which was why they went over.

A vote was called on item No. 49. All voting aye. Nays none. MOTION 2012-0185 ADOPTED.

50. MOTION by Council Member Gonzalez/Seconded by Council Member Sullivan to adopt recommendation from Director Houston Airport System for approval of final contract amount of \$4,569,099.50 and acceptance of work on contract with **VANDERLANDE INDUSTRIES, INC** for Explosive Detection System Baggage Handling System and security enhancements at William P. Hobby Airport and Ellington Airport, Project No. 612L - 3.49% over the original contract amount **DISTRICTS E - SULLIVAN and I - RODRIGUEZ** – **(This was Item 2 on Agenda of March 7, 2012, TAGGED BY COUNCIL MEMBER HOANG)** – was presented. All voting aye. Nays none. MOTION 2012-0186 ADOPTED.

51. MOTION by Council Member Hoang/Seconded by Council Member Pennington to amend Item 51A to read as follows:  
Sec. 20-5(h) Any person who violates any provision of this section shall, after 3 written warnings, be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$50 nor more than ~~\$2,000~~ **\$500**; **(TAGGED BY COUNCIL MEMBERS BRADFORD and ADAMS)** – was presented.

Council Member Hoang moved to table Item No. 51, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0187 ADOPTED.

51a. ORDINANCE **AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to feeding those in need – **(This was Item 10 on Agenda of March 7, 2012, TAGGED BY COUNCIL MEMBERS PENNINGTON, SULLIVAN and ADAMS)** – was presented.

Council Member Rodriguez moved to substitute a revised ordinance for Item No. 51a and delay for two weeks, seconded by Council Member Gonzalez.

After discussion by Council Members, Mayor Parker stated that the goal was some voluntary coordination, they started with mandatory coordination and heard from Council Members and the public, so their goal was to try to bring people together in some form to coordinate voluntarily and that was the text of the current ordinance, that they hoped it worked, that they could provide better services to the homeless.

Upon discussion and questions by Council Members, Mr. Feldman stated that the provision in the substitute that carried with it a penal sanction was a Class C Misdemeanor, with

a fine up to \$500, was that dealing with property rights, that one engaged in what they described as a food service event had to secure the prior written permission of the property owner, that the remaining provision dealing with the participation of organizations on a voluntary basis could not be a Class C Misdemeanor or violation of any kind subject to punishment because the term "unlawful" was not used in the context of the voluntary system, in other words, if it had stated, which of course would be a contradiction of terms, that it would be unlawful not to be such an organization, then it would be subject to a penalty, but in order for the provisions to be operative the ordinance in question must state, "it is unlawful".

Council Member Bradford stated that he wanted it on the record "that if an organization or an individual opted not to get the certificate there was not sanction for not having garnered such a certificate from the City of Houston".

After further discussion by Council Members a vote was called the motion to substitute a revised ordinance for Item No. 51a and postpone the ordinance for two weeks. Council Members Brown, Bradford and Christi voting no, balance voting aye. Council Members Davis and Noriega absent. MOTION 2012-0188 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Green first

Council Member Green stated that yesterday they had the first ever District K CIP Meeting and had over 200 people at Westbury High School; that on Saturday, March 24, 2012, the South Houston Concerned Citizens Coalition, in Partnership with District K, would hold a community festival, Jamming for Educational Education at Townwood Community Center, 3403 Simmsbrook at Buffalo Speedway, the proceeds from the festival would benefit Madison High School and Dowling Middle School; on April 3, 2012 a Fort Bend Townhall Meeting at Ridgemont Community Center, 5107 East Ridgecreek Circle, from 6:30 p.m. to 8:30 p.m.; that the City of Houston Housing and Community Development Department would be having public meetings regarding it's annual funding allocations on Wednesday, March 23, 2012 at the Hiram Clarke Multi Service Center, 3810 West Fuqua; that on Saturday he attended the Quail Glen Homeowners Association; that they could contact Lynette in their office for this week's job listings at 832-393-3016. Council Members Brown, Davis, Sullivan, Hoang, Rodriguez, Costello and Noriega absent.

Council Member Cohen stated that every third Thursday of the month from 1:00 p.m. to 3:00 p.m. there was free legal assistance for people with disabilities at the West Gray Metropolitan Multi Service Center, that the Mayor's Office of Disabilities was partnering with South Texas College of Law to provide free legal assistance to anyone in need; that on March 24, 2012 would be the Shady Acres Crawfish Boil at the SPJST Lodge on Beall; that she wanted to congratulate Clifton Middle School, their school counselors received the CREST Award (Counselors Reinforcing Excellence for Students in Texas) for Excellence from the State, Dr. Belva Parish, Eight Grade, Ms. Joan Jones for the Seventh Grade and Ms. Debra Anderson for the Six Grade. Council Members Brown, Davis, Hoang, Rodriguez and Noriega absent.

Council Member Christi stated that he had a great week, went to a bunch of places, great people and good City; that how about a pilot program giving the food services six months to help with trash pickup and encouraging the homeless to put it in the trash cans and at that time if the problems were not solved then do the regulations. Council Members Brown, Davis, Hoang and Rodriguez absent.

Mayor Parker stated that she and Council Member Christi were in the Tour de Houston and he rode a lot farther than she did. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Burks stated that he hoped everyone had a safe and enjoyable Spring break; that he wanted to give a special thanks to the men and women who volunteered their time to make this year's record attendance at the Rodeo a great event; that he would like to join his fellow Council Members and the Mayor in remembering Senior Captain Thomas Dillon, one of their brave Houston Firefighters and wanted to extend his condolences to Captain Dillon's family, friends and all of the hard working men and women of his Fire Station; that Worthing High School was breaking ground on a new addition to the school, that it would bring pride to the school and neighborhood; that on Saturday the Vietnamese Festival would be at Discovery Green on March 21, 2012. Council Members Brown, Davis, Adams, Hoang and Rodriguez absent.

Council Member Bradford stated that he would hope when it was all said and done and they resolved the issue of feeding those in need that they simply did not do anything to further hamper those organizations, that there were hundreds of individuals out there who did what they believed was in fact a calling, helping those in need was a ministry and clearly as a Council Member and someone in the community he truly understood a compromise, that when it came to principles there was something inside of him that did not let him compromise, that when it came to policing and regulating ministries he could not go there, that nobody could hear all that they had heard over the last three for four weeks in the Chamber about this issue and say there was not a problem, that clearly there was a problem, that there were littering laws on the books and the bulk of what they were dealing with had to do with littering, that he agreed that the East Side Management District should not be spending hundreds of thousands of dollars doing cleanup, that they should enforce the littering laws that were on the books, that it did not give them a right to litter just because they were homeless, that if there were mental health issues involved then there was not a criminal offense anyway for someone who was homeless and suffering mental illness issues, they should help those individuals, they should use City resources to help with the cleanup work out there, that he commended Mayor Parker and all those who had worked to try to help coordinate this effort, but as he said earlier, there was one proviso in the ordinance that existed still which made it a criminal sanction as it related to the proposed ordinance, that he hoped they could work on that and work forward to help coordinate the activities, but remove any proviso that would make it a criminal sanction, that in this new ordinance if there was an enforcement proviso the police had to go out and enforce it, if they were going to enforce the littering proviso the police had to go out and enforce the littering proviso, that he knew that people had been working hard to protect their private property, but at the same time for someone to say they could not protect their front yard now, sure they could protect their front yards now, there were plenty statutes on the books to help them protect their property rights currently, but that did not say anything for the people who were suffering, they were being besieged with violations because they were not enforcing the statutes on the books already, that now it was time to slow down as they were doing, receive the input and at the end of the day cross the finish line with the best product that they could put together, that he thought they had made very significant modifications. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Laster stated that he wanted to thank the Council Members for approving the slate of appointees to the Greater Sharpstown Management District; that on Saturday, at 2:00 p.m., the Greater Sharpstown Management District would be hosting a townhall meeting for public safety in the area at the Taiwanese Cultural Center at 10303 West Office Drive; that it was his honor to join Mayor Parker and Council Members Christi, Bradford and Sullivan at the Houston Firefighters Memorial on Saturday where they remembered and honored all of their fallen firemen and firewomen, that he wanted to commend them for their service. Council Members Brown, Davis, Hoang and Rodriguez absent.

Mayor Parker stated that Council Members Gonzalez, Noriega and Adams were also there as well. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Sullivan stated that on Saturday, in Clear Lake, they would have a BOPA (Batteries, Oil, Paint and Antifreeze) Collection sponsored by the City's Solid Waste and Management Department from 10:00 a.m. to 2:00 p.m. at the Ellington Field Recycling Drop Off Center; that the Kingwood CIP Meeting was on Thursday at 6:30 p.m. at Creekwood Middle School; that he wanted to talk about Ashby High Rise, their townhall meeting was held a couple of weeks ago, there were about 500 people there, that one of the take away's from the meeting was a comment that Mayor Parker made and he would like to hear her view on it if she was so inclined, that when someone from the audience asked her if she would appoint one person as a central point of contact for the project, from where he was sitting he heard her say, "I have designated someone in Public Works to respond instead of some part time Council Member", that frankly he was a little stunned by that and did not know if he took it the wrong way or not, but 500 people at least heard that comment and he would like to know what it meant. Council Members Brown, Davis, Hoang and Rodriguez absent.

Mayor Parker stated that she did not remember the exact question or exact comment, but the thrust of her answer was that "yes" there would be a designated person, that she certainly did not intend any reflection on Council Members but there would be a designated person in Public Works to handle day to day construction questions from the neighborhood, and if she said anything in any way the way Council Member Sullivan heard it she certainly apologized. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Gonzalez stated that this week the City mourned the loss of one of their finest, Senior Captain Thomas Dillon, of the Houston Fire Department, that he wanted to thank him for his dedication and bravery over his 22 year history of service, that his thoughts and prayers were with his family, friends and the men and women of the Houston Fire Department, especially those at his home station, Station No. 69; that they lost another icon recently, Ms. Georgia Harris Jenkins, that he attended her funeral service this past weekend; that the City of Houston had received an IBM Smarter Cities Challenge Grant, that through the grant experts would work with City officials to connect their citizens to services on line, that he wanted to acknowledge Mayor Parker and her team for her commitment to making needed changes to making their City a Smarter City; that he was looking forward to kicking off the Denver Harbor Little League this Saturday at Selena Quintanilla Park, 6402 Market Street; that applications were now open for the LULAC National Scholarship Fund and would be accepted through March 31, 2012, that he wanted to encourage all students in the district to submit their applications for a chance at financial assistance for their higher education, for more information they could contact Edward Ybarra [edybarra@yahoo.com](mailto:edybarra@yahoo.com); that the Houston Bar Association's Elder Law Committee would be sponsoring a free will-a-thon, open to all Harris County low income seniors, if they needed assistance preparing their will please contact 713-228-0735 by April 6, 2012. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Noriega stated that today she was reading the paper and there was an editorial about the new film at the Museum of Fine Arts, talking about Houston data, that one of the interesting things about the article was that it talked about how compelling it was, that it went by a neck break speed and had the urgency more expected in a film with a car chase than a film about demographics, that what it talked about was Rice Sociologist Stephen Klineberg's work that he had done over the past thirty years, that it said that Houston had changed more radically and more quickly than any city in the Country, that they were a microcosm of the changes that were going on in the world, that what it also talked about was if they did not figure out how to empower the City's poor and young with twenty first century skills they were going to be left behind in the next go round, that the idea that investing in their citizens was the most important thing they could do, was conveyed in the film by the whole idea of the oil bust, a lot of them lived here when they had friends that they were not sure were going to go out windows, that they got down and figured out in Houston how to broaden their base, but really the resource

in Houston was their people and they had a responsibility to invest in the people in Houston, that she thought it was easy to spend a lot of time on things that were not important, they fought about immigration, women's health care, education and she did not know how many realized it but Senator Wendy Davis's office in Fort Worth was firebombed this week with Molotov Cocktails, that she found it so shocking that she did not even know what to say, but she also find it very anti prosperity and anti freedom and anti responsibility, that she thought that they as Houstonians had the ability and smarts to rise above their own agendas to make the City more forward in a way that was not like anywhere else, maybe on earth, and she thought they as a City had a choice and a decision right now that was sort of exemplified by the film and the work that Stephen Klineberg had done at Rice, that most of their residents were getting younger, they were getting browner, they were getting darker in every way, they were different, some of them took their shoes off when they walked in, they ate different kinds of breakfasts, that she thought all of them had a responsibility to step outside their neighborhood to understand what other people dealt with, that one of the pieces of that was that they must not short their schools, that most of the elementary schools in Houston worked very well, not all of them, but really the majority, but when they got to middle school they started to lose control of everything and they were all a part of that, if they lived in a part of Houston where kids walked across your lawn to go to high school they were your kids to, and they were your neighbors and they were going to be the folks paying your taxes and they talked about how many people it took to pay Social Security or to do that kind of thing, that really was not it, this community was interdependent and it was not that those younger kids were going to pay their Social Security, they were going to decide what their world looked like and the rest of them were going to be stuck somewhere without a lot of resources, whether they just were older or whether they found themselves needing assistance, if they did not figure out how to produce and be prosperous and productive in this next century, that the take away from Klineberg was that the only way to improve a lot of the poor was to invest in their skills, that Houston as a City needed more housing, more investment and more development, the area around them, the nine counties that consisted of their region they were inextricably linked and if the hole in the doughnut failed the doughnut failed, so she would like to challenge all of Houston to read the article, see the film and think about what they could do. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Adams stated that she wanted to give her condolences to the family and firefighter family for the home going celebration of Senior Captain Dillon on Monday; that the Houston Fire Department lost three brothers within a seven day period, Senior Captain Dillon, Retired Firefighter Joe Phillips and Firefighter Search; that they lost another icon in the community, Lonal Robinson head of the Sun Newspaper; that she wanted to thank the Houston Police Department for what they had done this past Spring Break Week, that she wanted to thank the Southeast Sub Station for their March on Crime Week; that this week there would be a reception honoring the new principle at Sterling High School, Mr. Edward Mitchell; that on Saturday she would be attending the South Central Sports Little League opening day at Sunnyside Park; that the Women Making History Luncheon, honoring women who had made outstanding contributions would be this weekend; that the Sisters Network March About Breast Cancer would be on April 14, 2012, they could visit the Sisters Network Site if they would like to participate in this outstanding event, that it would be at Discovery Green Park; that the Municipal Courts received the 2012 Traffic Safety Award for Community Efforts, that she wanted to thank Judge Barbara Hartle and her team, that the Municipal Courts were among 21 courts selected to receive an award and were being recognized also for their work with juveniles in their Juvenile Case Management Program; that kudos to the Parks Department on Friday she looked forward to celebrating with them for the opening of the Lake Houston Wilderness Park off of FM1485; that she wanted to commend everyone for attending a townhall meeting on Monday about the shooting of Ryan Spikes in the Minitex Community, that he was a student in the Cypress School System and if anyone knew the whereabouts of the killer of this young man just for having a good time at a park, to please call Crime Stoppers or the Houston Police Department, that the Police Department had closed down the mansion where they had these

parties. Council Members Brown, Davis, Hoang and Rodriguez absent.

Mayor Parker stated that she recalled that Council Members Pennington and Cohen were also present for the firefighter funeral. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Pennington stated that they could not help but be moved at the funeral on Monday for Senior Captain Dillon for the expression of gratitude to him for the leadership that he provided to Station No. 69 and also for the Fire Department as a whole; that last Monday night 300 constituents attended the District G CIP Meeting and he wanted to thank them for attending and he wanted to thank Mayor Parker for attending and giving her undivided attention to the crowd for about two and a half hours, that he wanted to thank Departments, Council Members and staff who attended; that last Wednesday he visited the East End Management District; that he attended the Houston Galveston Area Council meeting yesterday, unfortunately they did not have a quorum because of the rain; that last week he and his wife attended an event honoring former United States Representative Bill Archer, at the home of the Council General of the People's Republic of China. Council Members Brown, Davis, Hoang and Rodriguez absent.

Council Member Green stated that he wanted to thank Council Members Christi, Adams, Bradford, Noriega and Council staff for attending the CIP Meeting last night. Council Members Brown, Davis, Hoang and Rodriguez absent.

There being no further business before Council, the City Council adjourned at 10:45 a.m. Council Members Brown, Davis, Hoang and Rodriguez absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary