

City Council Chamber, City Hall, Tuesday, August 17, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 17, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Ms. Ms. Stella Ortega, Agenda Office present.

At 1:49 p.m. Mayor Parker called the meeting to order and stated that Council Member Adams would begin the meeting with a presentation and Council Member Adams invited those present for the LifeGift presentation to the podium and stated that sometimes you take things for granted until it hits close to home and she was honored today to honor this group; that last week she mentioned one of her best friends was put on a list to receive a liver and she thanked LifeGift for all they did in striving to save and enhance lives by maximizing organ and tissue donation; that August 1st was a day reserved nationally to spotlight that need; and Mayor Parker presented a Proclamation proclaiming August 1, 2010, as "National Minority Donor Awareness Day" in the City of Houston, Texas. Council Members Sullivan, Rodriguez and Lovell absent.

Mayor Parker stated that LifeGift had been present previously and many Council Members had signed up to encourage others and now there was a link to them from the City of Houston website. A Spokesperson for LifeGift stated that on behalf of LifeGift and all recipients and those waiting she thanked them for the recognition. Council Members Sullivan, Rodriguez and Lovell absent.

Council Members Clutterbuck, Jones, Johnson, Hoang and Costello thanked the group for what they did for such an important cause. Council Member Sullivan absent.

Council Members Gonzalez, Adams and Hoang thanked all who participated in the census efforts; and Council Member Adams asked those present with City Planning who participated to stand to be recognized. Council Members Sullivan and Jones absent.

Council Member Gonzalez asked Council Member Bradford to join him for the presentation and invited Lieutenant Cain to the podium and stated that one of his honors serving in the Houston Police Department was to be a member of the Hostage Negotiation Team and the team truly had the stamp of Lieutenant Robert Cain; that he drew national and international acclaim to the Houston Police Department in his pioneering field of hostage negotiation and their program was used for a model for law enforcement agencies worldwide; that after more than 35 years of service he chose to begin his retirement; and presented him a Proclamation in recognition of his dedication and service; and Mayor Parker proclaimed today as "Lieutenant Robert D. Cain Day" in the City of Houston, Texas; and thanked him for his service. Council Members Adams, Sullivan and Jones absent.

Mayor Pro Tem Clutterbuck thanked Lieutenant Cain for his service and stated that he was what legends were made of. Council Members Adams, Sullivan and Jones absent.

Lieutenant Cain stated that he did not know he was coming for this today; that there had been a hostage situation at City Hall in the early 1990s and City Hall was shutdown and they were on national television and it was resolved peacefully; that the team had been involved in many situations and they did not receive all the attention for what they did on a daily basis; that it was an honor being present and he thanked them for the recognition. Council Members Adams, Sullivan and Jones absent.

Council Member Bradford thanked Lieutenant Cain for his service and stated that no matter what it was he always did an exemplary job; that he had started the Hostage Negotiation Team and it was the first of a number of things including the FBI's National Teleconference Advanced Training Program for Hostage Negotiation; and wished him well. Council Members Adams, Sullivan and Jones absent.

Council Member Lovell invited Ms. Betty Chapman, Ms. Kelly Trammell and her family to the podium and stated that Ms. Trammell was the first recipient of the Mayor's Award for Historic Preservation and Ms. Chapman was chair of the Archeological and Historical Commission and had nominated Ms. Trammell for the award; that she was founder of the Preservation of River Oaks, a group dedicated to maintaining the historic architecture of that neighborhood and was a community volunteer working with families who had houses capable of landmark designation and assisted in keeping many historic houses and trees; and because of her hard work presented her a Proclamation; and Mayor Parker proclaimed today as "Kelly Trammell Day" in the City of Houston, Texas; and thanked Ms. Trammell for all her hard work. Council Member Sullivan absent.

Ms. Trammell thanked all for the recognition and introduced her family. Council Member Sullivan absent.

Mayor Pro Tem Clutterbuck, Council Members Pennington and Jones commended and thanked Ms. Trammell for all she did. Council Members Sullivan and Gonzalez absent.

At 2:11 p.m. Council Member Clutterbuck invited Reverend Walter August, Jr., with the Church of Bethel to lead all in the prayer and Council Member Clutterbuck led all in the pledge. Council Member Sullivan absent.

At 2:13 p.m. Mayor Parker requested the City Secretary call the roll. Council Member Sullivan absent.

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

Council Member Adams on a point of personal privilege asked the Conrad Johnson Regional Youth Orchestra to stand to be recognized and stated that they had performed at Carnegie Hall and had two standing ovations and invitation to perform at the Lincoln Center in the New York City Jazz Festival; and congratulated all and stated that there were Certificates of Recognition to be presented to all for their outstanding work. Council Member Sullivan absent.

Council Member Jones stated that Conrad Johnson would be very proud of what they did and Conrad Johnson, Jr., was present; that he was a great band leader and many had opportunities to go places they would have never imagined going; and she was not surprised to hear they received two standing ovations; and her office had Certificates of Recognition for each; that you could not just join this band you had to audition and be the best. Council Member Sullivan absent.

At 2:17 p.m. The City Secretary began calling the public speakers. Council Member Sullivan absent.

Ms. Anne Sloan, 1433 Harvard, Houston, Texas 77008 (713-869-8281) appeared and stated that she was president of the Houston Heights Women's Club and present requesting they get exemption from their property taxes on their historic club house located at 1846

Harvard, it was founded in 1900 and it was built in 1912; that ladies did not have the right to vote but borrowed the money and paid \$265.00 a year and paid it in seven years and it was still the only club house in Houston operated by women, it was a protected landmark; and urged exemption. Council Member Sullivan absent.

Council Member Gonzalez thanked Ms. Sloan for coming and sharing the rich history of the Houston Heights Women's Club; and stated that he knew they did outreach in the community and offered his support. Council Member Sullivan absent.

Ms. Janet Hess, 320 W. 15th, Houston, Texas 77008 (281-775-4919) appeared and stated that she lived in Heights Historic District West and supported strengthening historic protection as proposed in the ordinance under discussion; that across from them was a construction project where four 35 feet high town houses not more than six feet apart were being built and were not compatible with any of the two block faces; that builders did not attend the HAHC hearing because they knew they would be denied. Council Members Clutterbuck and Sullivan absent.

Council Member Lovell thanked Ms. Hess for coming and for being supportive; that they completed all district meetings and there would be one Thursday at the George R. Brown with the Archeological and Historical Commission and they should be ready by the beginning of next week to have a final document; and they had incorporated input from what they heard and felt they would now be a leader in historic preservation. Council Members Clutterbuck and Sullivan absent.

Council Member Gonzalez thanked Ms. Hess for coming and stated that she and her husband had restored a beautiful historic home and knew they and their neighbors were interested in the issue. Council Members Clutterbuck and Sullivan absent.

Mayor Parker stated that for the Council Members information they had the town hall meeting format and now they would be going into the more formal meetings with a draft and it would be discussed before the Archeological and Historical Commission, the Planning Commission, a Council Committee and they would have a public hearing before the full Council before it was ever voted on. Council Members Clutterbuck and Sullivan absent.

Mr. Robert Edness, 6221 Main, Houston, Texas 77030 (no phone) appeared and stated that he lost a book borrowed from the library and had to pay for it which he did not mind, but then had to pay a late fee, so he paid \$12.00 for the book and \$10.00 for a late fee and received a letter from a collection office and was having to pay a total of \$30.00; and was upset that he had to pay extra. Council Members Clutterbuck and Sullivan absent.

Mayor Parker stated that she agreed with him and if he paid for the book he should not have to keep paying and asked he meet with someone present in Citizens Assistance. Council Members Clutterbuck and Sullivan absent.

Ms. Alice Valdez, 1900 Kane, Houston, Texas 77007 (832-865-6157) appeared and stated that she was the founder and executive director of MECA, Multicultural Education Counseling through the Arts, it was a community based nonprofit organization committed to the underserved youth and adults through arts and cultural programming and relied on support of entities such as the Houston Arts Alliance; that HAA funding was a vital source of funding; and urged Council renew the contract with the Houston Arts Alliance and allow such organizations to provide to the underserved of Houston communities. Council Members Clutterbuck and Sullivan absent.

Council Member Gonzalez thanked Ms. Valdez for coming and sharing her support of the program and stated that she did great work all over the city and all knew of MECA. Council Members Clutterbuck and Sullivan absent.

Council Member Jones stated that on a point of personal privilege she wanted to speak on the Houston Sister City Chiba Program; that during this past June the Houston Chiba Sister City Committee of the Japan America Society of Houston conducted a student exchange program and four were selected from Johnston Middle School to be ambassadors for the City of Houston and traveled to Chiba, Japan, and stayed with host families and attended middle school and met the Mayor; that the students were Alejandra Melchor, Christopher Rodriguez, Kyle Miller and Todd Miller and their chaperone Mr. Daniel Morgan; that they represented Houston well and asked those present to stand to be recognized. Council Members Clutterbuck and Sullivan absent.

Mayor Parker and Council Member Hoang thanked them for representing the City of Houston in their Sister City of Chiba. Council Members Clutterbuck and Sullivan absent.

Ms. Angela Holder, 10575 W. Park #433, Houston, Texas 77042 (713-975-0509) appeared and stated that she was the president of the board of directors of the Buffalo Soldiers National Museum which was the only museum of its kind in the United States chronically in the African American military experience from 1770 to 2000 and use of the HOT funds were clearly demonstrated in a letter sent to the Greater Houston Convention and Visitors Bureau which she read; that they had exhibits in other state museums and fairs, etc., and they served as invitation to tour Houston's Museum District; and thanked Council Members for their support. Council Members Clutterbuck, Sullivan, Rodriguez and Jones absent.

Council Member Stardig stated that she was a supporter and big fan and attended a number of their events and it was a great way to get children involved in their rich history. Council Members Clutterbuck, Sullivan and Rodriguez absent.

Mr. Mauricio Campos, 1133 E. 11th, Houston, Texas 77009 (713-557-8022) appeared and stated that he was founder and artistic director for the Brazilian Arts Foundation, the only Brazilian culture organization in Houston; that their center was in the Heights on 11th Street and they offered several programs with their mission to promote and develop a community through the preservation and sharing of the Brazilian culture; that they had classes and outreach programs and worked with seniors and underprivileged and were recipients of the HOT funds since 2005 and thanked all for the support. Council Members Clutterbuck, Sullivan and Rodriguez absent.

Ms. Kim Stoilis, 1113 Vine, Houston, Texas 77002 (713-202-9170) appeared and stated that she wanted to thank Mr. Campos as their group performed at their festivals; that she was executive director of the Bayou City Arts Festival and present speaking on behalf of the Houston Arts Alliance as they were recipients of very needed and used HOT funding and was asking the HOT contract be renewed; that over their years their festivals raised \$2.6 million for local nonprofit organizations and was one of the top ranked festivals in the United States and all they did was a direct result of Arts Reliance funding. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Gonzalez thanked Ms. Stoilis for coming and stated that it was a wonderful festival twice a year and people came from all over; that they were rated number one by many publications and it had gone to the next level under her leadership. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Jones stated that she wanted to ditto what Council Member Gonzalez said and to say that she had an effervescent personality; that she could not imagine anyone saying no to her and looked forward to meeting her. Council Members Sullivan, Rodriguez and Noriega absent.

Mr. Raj Mankad, 1743 Kipling, Houston, Texas 77098 (832-641-0703) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Mr. Hiren Kapadia, 8282 Cambridge #1311, Houston, Texas 77054 (713-894-0995) had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent.

Ms. Theresa Gallagher, 8601 Wednesbury Lane, Houston, Texas 77074 (832-567-6498) appeared and stated that she was present because of miscommunication; that she used Metrolift services often and did not understand why they could not focus more on proactive instead of reactive; that when she called about her ride sometimes she had to call three to four times before the problem was solved and she wondered if employees could put their ID numbers in so when she called she could get the same person, there could be a reference point and then problems would be cut down; that many times reservations were not checked and when cabs were sent sometimes they were full or could not accommodate two wheelchairs and they had to wait for another bus; that she was on a full van and they could not go until after receiving the okay to go; that she understood a system was in place but people with disabilities did not know and when they had problems they found it difficult sometimes to communicate their needs; and urged that their needs not fall on deaf ears. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that her issues were not falling on deaf ears; that she knew it had been raised to a significant level to METRO and she would forward her contact information to Mr. Greanis, the Acting director there, and a representative from METRO was present and would take her information at this time. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Upon questions by Council Member Adams, Ms. Gallagher stated that she would say she experienced problems with Metrolift about two times a week and used them almost daily; and Council Member Adams stated that this was not the first time this year complaints were made on Metrolift; and upon further questions, Mayor Parker stated that the Chairman did visit with her every other week and she had a meeting with Mr. Greanis and Mr. Garcia yesterday; that the most appropriate way for these issues to come back to Council would be to address a Council Committee with a scheduled discussion; that there was new leadership at METRO and they were plowing through to fix problems they were aware of and it may be time to hear from them on their changes; and Ms. Gallagher stated she would like someone from Citizens Assistance with her when she had a meeting with someone at METRO; and Mayor Parker stated that was absolutely possible and the director of her Office of Disabilities needed to be there as well and she would expect that to happen. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Upon questions by Council Member Stardig, Ms. Gallagher stated that many with disabilities did not know of the open records request, when you complained you could see that in writing, and she would suggest putting it in the Metrolift literature which was presented to clients and during the interview process make people aware; that also when her friend did a request via computer she could not put in she had a service dog and there should be an option for the service dog; and Mayor Parker and Council Member Stardig stated that those were good suggestions and Citizens Assistance was making notes and she would make sure they

contacted the Mayor's Office of Disabilities as well. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Hoang thanked Ms. Gallagher for coming and raising awareness and stated that many with disabilities were afraid to go before a large group; and Council Member Hoang suggested at her meeting she invite them to come also and they could resolve all problems at once. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Jones stated that Ms. Gallagher was awesome and Mayor Parker talked of having a committee meeting which she thought would be in the Transportation Committee and she knew people with disabilities did have a hard time getting around and would like a meeting where people came to tell of their problems because obviously Ms. Gallagher may not be aware of all problems; that also they had multi-service centers which helped the disabled and perhaps they could go to them and handle it in a comprehensive manner. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Upon questions by Council Member Costello, Ms. Gallagher stated that she lived in Evergreen Village in Southwest Houston; that today it took her not very long, but trips varied; and Council Member Costello stated that the reason he asked about time was he had a staff member who was wheelchair bound and she used Metrolift daily and her trips varied from 20 minutes to two hours and any opportunity that his staff could help the Mayor's staff on such needs he would like to volunteer her services. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Mr. Martin Pulido, 1202 Common Park Drive, Houston, Texas 77007 (713-236-0296) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Ms. Marilyn Pickaree Champagne (did not give address or phone number) appeared and stated that she was present showing her stance against policies of the Texas Attorney General and the failure as to how the Child Support System was with her dilemma; the system was riddled with problems, she was owed \$40,000 in support payments; and continued expressing her personal opinions until her time expired. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that it was a state issue and they appreciated her discussing it, but she would suggest contacting her State Representative or State Senator and contact information could be received from Citizens Assistance. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Ms. Lucy Moreno, 615 Spell, Houston, Texas 77022 (713-692-9004) appeared and stated that she would like to have the park extended at the 4800 block of Oxford; that a school was on part of the block and it was taken down and a chain link fence placed there; that they could build nothing there because of flooding and with extension they could get a walking track and more parking as streets were narrow and soccer games were going on during weekends. Council Members Stardig, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that Mr. Dan Pederson with Parks and Recreation was present and they were certainly willing to work with her; that HISD could not give the land, but they did have option to put together an interlocal agreement and were willing to explore it. Council Members Stardig, Rodriguez, Lovell and Noriega absent.

Council Member Gonzalez stated that was a great suggestion and he would love to help facilitate meetings; that as Mayor Parker said Mr. Pederson was present to speak with her and

someone from his office would speak with her as well. Council Members Stardig, Rodriguez, Lovell and Noriega absent.

Mr. Luis Wu, 1921 Woodbury, Houston, Texas 77030 (713-797-1922) appeared, presented information and stated that he was present on behalf of Devonshire Park near the Medical Center regarding a vacant lot located at the corner of Woodbury and Cambridge, 1900 Woodbury, the lot was now owned by a bank and it was unhealthy, it was a breeding ground for rodents, etc., and it was unsightly and across from the VA and people living and working in the Medical Center; that he believed the owner was told to clean and enforcement was insufficient, it was owned by Moody National Company; and with no disrespect he would say the 311 system failed and their Council Member had not done enough. Council Members Stardig, Rodriguez and Noriega absent.

Mayor Parker stated that it was clear why he was present and that Neighborhood Protection had not done the job they should. Council Members Stardig, Rodriguez and Noriega absent.

Council Member Adams stated that she appreciated Mr. Wu coming and she believed he called their office the first time yesterday; that today her office was quick to respond and if they would join her she would go out with them and get with a private company and volunteers and cut it; that sometimes constituents needed to be proactive, everything could not be put on city government; that she did not know the problem existed but now today would try and help address this and a member of Neighborhood Protection was present; that he called 311 and a standard was in place where they notified the property owner, it took at least 45 days to get a response via certified mail and then try and contact them again and assign a contractor to cut the lot; that she appreciated him coming and her office did what they could to partner, this year they cut by volunteering over 200 to 300 lots and would have included that lot if they had known; that Mr. Norris Davis was present to get the address from him; and Mr. Wu stated that he would not be present if it was recent, but they had not received a response from 311 over six months and they had addressed her office six months also; and Council Member Adams stated that she would look in the system about him addressing her office and she did not know what happened to 311, but did want to know why Neighborhood Protection had not issued an order. Council Members Stardig, Pennington, Rodriguez and Lovell absent.

Mayor Parker stated that she appreciated volunteers but she wanted to hear from Neighborhood Protection, what they did with the property owner, it was one thing to get volunteers when they had a weeded lot and did not know the owner, but they knew who was responsible for this lot and a lien needed to be placed on it. Council Members Stardig, Pennington, Rodriguez and Lovell absent.

Council Member Johnson stated that this was a problem all over and the Mayor just sized it up nicely, but they did need to work with state legislators; as they placed liens on properties there should be foreclosable liens as many times the owners would just wait on property value to go up and then sell and left it to the City of Houston to be maintenance workers. Council Members Stardig, Pennington, Rodriguez and Lovell absent.

Council Member Johnson moved the rules be suspended for the purpose of extending the time for questions of Mr. Luis Wu, seconded by Council Member Noriega. All voting aye. Nays none. Mayor Parker, Council Members Stardig, Pennington, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding. MOTION 2010-0601 ADOPTED.

Council Member Johnson stated that it was important to look at ways to place foreclosable liens on the property and they did need to create an ordinance and have more enforcement; that if a property owner did not take care of their property it destroyed the value of it and destroyed

the esthetics and quality of life, such owners and lots and buildings were nuisances and they needed something to speak to this and they needed a legislature to put forth a strong enough piece of legislation and lower the boom on such owners who often times did not even live in the city and did not care. Mayor Parker, Council Members Stardig, Pennington, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Jerry Wade, 111 W. Little York, Houston, Texas 77076 (713-876-8485) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Pennington, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Michael Kubosh, 1701 Lubbock, Houston, Texas 77007 (281-850-0172) appeared and stated that it was important to understand that three states had already banned the red light cameras in the United States and many cities had taken them out; that he was concerned citizens who signed petitions, over 30,000, and he had about another 1,500 which came in this week, and they were saying they wanted a vote; that he was asking Council to place the item on the Agenda and get it on the ballot for November; that petitions were in the City Secretary Office and he spoke with her yesterday and heard it would probably be December before she counted the all, but to get them verified and on the ballot needed to be done; that he heard 78% of the people were for cameras so why be afraid, but the truth of the matter was if it were about safety wouldn't they be on MLK Boulevard and on Navigation and Lockwood, don't they want minorities safe, but they put them in the trails of the working class, this was about revenue gathering; that Council was the controlling factor; and urged they place the matter on the ballot and be voted in or out. Council Members Adams and Sullivan absent.

Council Member Noriega stated that she and Mr. Kubosh had a very cordial disagreement over this, but wanted to make sure he had enough time; and Mr. Kubosh stated that when Council Member Noriega was on the legislature her record showed always voting against the cameras; and Council Member Noriega stated that she did, but she was truly shocked when she realized how many incidents of red light running they were dealing with here and she did change her mind. Council Members Adams and Sullivan absent.

Mayor Parker stated that she and Mr. Kubosh had a good working relationship and someday they would agree on something; that if he did have the signatures it would be on the ballot, but they had to be certified by the City Secretary and she was working with all speed and did each petition exactly the same; that overtime was extended and he was being treated no differently. Council Members Adams and Sullivan absent.

Council Member Bradford stated that he did have a persuasive presentation; and upon questions, Mr. Kubosh stated that they started gathering signatures about February 27th and they had over 30,000; and upon further questions, Mayor Parker stated that the City Secretary would count until she had determined they crossed the threshold; that legally he could not turn more in, but she was counting what she had and was not required to count beyond the point she was assured she had the minimum number required; that the number one deadline was to place it on the ballot and was next Tuesday; that state law was 70 days prior to election and that was the hard deadline and if Ms. Russell could certify to his signatures it would be voted on next week to be placed on the ballot; that the date petitions were submitted was the date the clock started ticking, you had to have a cut off; and Mr. Heilman stated that the Election Code provided the petition could be submitted but it could not be supplemented because of the extension date continuing and next Tuesday was the deadline to get it on the ballot; and Council Member Bradford stated that he did want all done that could possibly be done; and he appreciated Ms. Russell's office working over to get it done; and Mayor Parker stated that if he passed the threshold it would be on the ballot but may not be on this ballot, but they were required to place it on the ballot and if the Charter was amended in November then it would be two years from now. Council Member Johnson absent.

Council Member Rodriguez moved the rules be suspended for the purpose of extending the time for questions of Mr. Michael Kubosh, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent. MOTION 2010-0602 ADOPTED.

Council Member Jones stated that she needed help understanding; and upon questions, Mayor Parker stated that Mr. Heilman was getting the exact cite for her, but if they had signatures they would be on the ballot, but the Election Code said they had to be timely and the date was 70 days prior to election and the Charter determined his requirement for signature; that it was filed as a Charter amendment and it was the Local Government Code and it was a combination of what was in the City Charter and State Code; that the election law was litigated upside down and sideways in Texas for a longtime and they could give her whatever site she wanted; and Mr. Heilman stated that the Election Code did not include a specific deadline, what was required was an adequate amount of time to verify the petition and be placed on the Council Agenda for action; and Mayor Parker stated that they also had the 70 day count back from the election date; and Council Member Jones stated that she would like a case when they had a chance; and Mr. Kubosh stated that the Council on its own motion could place it on there and they could do it; and Mayor Parker stated that he was correct. Council Members Johnson and Clutterbuck absent.

Upon questions by Council Member Hoang, Mr. Kubosh stated that if it were up to him he would just put cameras yes and cameras no; that if he was asking whether his lawyers could draft a petition the answer was yes, but he believed the Council would draft their version at that point and he would give input if allowed. Council Members Johnson and Clutterbuck absent.

Council Member Costello moved the rules be suspended for the purpose of extending the time for questions of Mr. Michael Kubosh, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Stardig, Johnson, Clutterbuck and Adams absent. MOTION 2010-0603 ADOPTED.

Council Member Costello stated that he could appreciate the level of effort he had to go through for petition drive because they just did the same thing and he wished them the best. Council Members Stardig, Johnson, Clutterbuck and Adams absent.

Council Member Bradford stated that he thought the City Attorney gave a second answer; and upon questions, Mr. Heilman stated that the statute dealt with the 70 days from the election; and upon further questions, the City Secretary stated that she understood the cutoff to be the 24th; that she did not work toward the timeframe, she worked to get the job completed; that what she was told by the Legal Department was under the law she had the ability to determine how she checked petitions and she could do a random sampling, but the last seven or eight petitions received in the office she chose to go for what was required by the law and felt that way she satisfied the pros and cons of the issue and if she did a sampling some would say it was not sampled right and it would delay the whole thing, so she did what she was told by Legal as being the required number of signatures and on the one Mr. Kubosh submitted, it was a Charter Amendment and required 20,000 signatures and the minute they were close to the 20,000...; that she would say her staff were experts checking petitions and they had a check sheet with what the Legal Department said was required and all was checked to determine if they were qualified voters; and Council Member Bradford stated that the referendum process was an important part of the American way of doing things; and upon further questions, Ms. Russell stated that they were working on petitions which were signed door to door, etc., they were very difficult to check; that the ones they mailed to households and were preprinted were easier; that they sent in some 10,000 pages and they were now working in the 6,000s that she hired no extra help for Renew Houston and intended to do this petition exactly the same way; that she did not like to show favoritism to anyone subject; and Council Member Bradford stated

that he thanked her and her staff for what they did and wanted to do what they could to make sure the 30,000 signatures were honored if in fact they were in a timely manner. Council Members Stardig, Johnson, Clutterbuck and Adams absent.

Mayor Parker stated that she would count 20,000 plus a margin of error and stop; that over \$9,000 was spent on the Renew Houston overtime and she authorized her \$10,000 in overtime on this petition as well. Council Members Stardig, Johnson, Clutterbuck, Adams and Hoang absent.

Council Member Rodriguez moved the rules be suspended for the purpose of extending the time for questions of Mr. Michael Kubosh, seconded by Council Member Noriega. Council Member Sullivan voting no. Balance voting aye. Council Members Stardig, Johnson, Clutterbuck, Adams and Hoang absent. MOTION 2010-0604 ADOPTED

Upon questions by Council Member Jones, the City Secretary stated that verified up to now about 14,400 out of 16,000 which were checked; that it came in on Monday a week ago and the 24th would be next Tuesday; that normally they had to number each page, but this petition had already been numbered and saved some time; and Mayor Parker stated that Ms. Russell did petitions every year and knew what she was doing and they tried to treat them the same; that they were not required, but she intended to have it posted for a Tuesday afternoon Council meeting if the count was done; and the signers did have to be Houstonians and that was part of the problem. Council Members Stardig, Johnson, Clutterbuck, Adams and Hoang absent.

Ms. Yolanda Mayers, 1523 W. Ritter Circle, Houston, Texas 77071 (832-368-9800) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson, Clutterbuck, Adams and Hoang absent.

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

Mr. Claude Brown, 3818 Hohl, Houston, Texas 77093 (832-885-9182) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Adams and Hoang absent.

Ms. Curley Mae Williams, 8106 Creekbend Drive #314, Houston, Texas 77071 (713-270-7196) appeared and stated that on July 1, 2008, she received a second chance by receiving a 17 year old boy's heart; read a poem she had written; and stressed the importance of organ donation. Council Members Johnson, Clutterbuck and Rodriguez absent.

Mayor Parker stated that she appreciated her appearing, it was very well said and they needed to spread the word. Council Members Johnson, Clutterbuck and Rodriguez absent.

Council Members Hoang and Jones thanked Ms. Williams for coming and stated that they had signed up for donation. Council Members Johnson, Clutterbuck and Rodriguez absent.

Mr. Willie Thornton, 8526 Wiggins, Houston, Texas 77029 (713-966-0896) appeared and stated that he received a heart in March of 2007 and now did volunteer work at Methodist Hospital assisting heart transplant patients and their families and had done many other things he would not have been able to do without the transplant; that organ and tissue donation was important and without it he would not be here; and urged donation. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez and Noriega absent.

Council Member Jones stated that she rode with HFD a lot and the majority of the calls were from people with dialysis and it was awful; that of all those waiting for organs most were waiting for kidneys; and people of color needed this so much and encouraged all to sign up for Life Gift. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Francisco Garcia, 3530 Green Crest Drive, Houston, Texas 77082 (832-245-3898) appeared, presented information and stated that he was a community organizer for Texans Together Education Fund and he was present as an organizer and 22 year old resident of Alief; that he like many others in Houston was raised in an apartment complex and he was exposed to unique and diverse cultures and his childhood friends were victims of domestic abuse, drug use and poverty and because he was in the gates he too was exposed to it; that many of those children were now incarcerated and victims of their own community; that with the birth of his daughter and support of his wife he was motivated to push for improvements in their community and a year and a half ago he and other young adults presented to Council the lack of resources in After School Programs in the Alief area and crime was higher and the need was dire; that through their presentation a partnership between them, communities and the Department of Health and Human Services was formed and thanks to the Mayor's Office, Steven Williams, Sally Diaz, Ada Edwards and several Council Members they were now approaching a year of being open and running successfully; that he was present today with youth workers who wanted to share their summer job experience in working with apartments as communities; that they were housed in a three bedroom apartment at the main apartments located in the heart of southwest Alief and they were just offered a second unit; that children were able to have a safe place to go, get a snack and get help with homework and were able to achieve great things through encouragement not found on the streets; that these teens and young adults had a tough life but had the heart and time to give back on what they never received. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Council Member Jones thanked Mr. Garcia for coming and stated that he came as a teenager before wanting to change the situation from where he came from and she had a brother and cousin die in apartments and the beautiful thing about Texans Together and what they were doing was some used to be in gangs, etc., and they got out and decided to take over their communities and crime had been cut down and she was encouraged to see people like Francisco and she was happy Council Member Edwards had started working with apartments; that they had something that worked and the city needed to continue to help them provide their services and she commended them and their organizations and understood where they came from. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mayor Parker stated that she did thank Mr. Garcia for coming and it was a great program, it was very successful and it was their intention to replicate it in other apartment complexes; that it was Council Member Edwards baby and she was leading the effort and unfortunately she had been very ill over the last several months and they had a temporary setback, but he did have support of the Housing Department and Health Department and they would look for a way to get it jumpstarted; and asked all keep Council Member Edwards in their prayers. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Costello, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Walter Emerson, 12707 Bellaire Boulevard, Houston, Texas 77072 (281-575-7234) appeared and stated that he was an intern with Texans Together Education Fund and present expressing the importance of apartments as communities; that where he came from if you did not do certain things you were considered soft or weak and this program helped youth come

and not be apart of such situations; that such programs would go a long way in raising a new generation knowing building your community was a key to a healthy way of living; and urged more development of such apartments in the future. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Costello, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Hoang thanked all who came today on the matter and stated that Texans Together came to his office and they realized the situation and did support the apartment as community as a whole as it gave all another chance. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Costello, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Brandon Pruitt, 6700 S. Dairy Ashford, Houston, Texas 77072 (832-475-1441) appeared and stated that he was an intern with Texans Together Education Fund through the Summer Youth Program and present expressing the importance of apartments as community; that they helped organizations and people by offering collaboration and support; and thanked the city for trusting and supporting their project and urged greater development of apartments as community in the future. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she thanked and appreciated Mr. Pruitt coming on the matter. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Miah Sonnier, 7203 Bellarive Drive, Houston, Texas 77036 (832-267-5746) had reserved time to speak but was not present when her name was called. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Courtney Sonnier, 7203 Bellarive Drive, Houston, Texas 77036 (832-267-5441) appeared and stated that she was with the Summer Youth Program and present regarding crime and violence in apartments; that children coming to the program would ask if she saw the dead body in the trashcan, etc., and she used to see such violence and they should not be seeing such; and they needed the apartment as community program to help them. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent. (NO QUORUM PRESENT)

Council Member Jones stated that she was so glad they all came today; that many were not aware of what was out there, but she remembered going home from Astroworld and seeing a dead body on the sidewalk, but kids did see such things and growing up like that and seeing drugs and prostitutes you thought it normal; and the beautiful thing about Texans Together was they taught children a lot of what they saw was not normal; and they needed to embrace Texans Together; that those children went to school with the children of others and all needed to be embraced. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Lovell and Noriega absent. (NO QUORUM PRESENT)

Ms. Myquia Lewis, 7876 West Bellfort, Houston, Texas 77071 (281-706-8934) had reserved time to speak but was not present when her name was called. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Johny Binder, 6700 S. Dairy Ashford, Houston, Texas 77072 (832-343-5133) appeared and stated that he appreciated the Council accepting the apartment as community program; that children had problems with homework, they had violence in the house and the

summer camp was an outlet, it was kind of like a "Big Brother/Big Sister Program" and they liked being there to hear their problems and help. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Mayor Parker stated that they did understand his sentiments. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Mr. Jordan Schott, 7302 Corporate, Houston, Texas 77036 (832-264-4429) appeared and stated that he was an intern at Texans Together Education Fund and present expressing the importance of apartments as community; that he was raised by one parent and saw drug use, violence and people killed; that his family always had money problems and he and his sister went to school with the same clothes as the year before and when he turned 16 he started looking for a job and started helping his mom with bills and clothes for he and his sister and if necessary he would quit school and get two jobs so they would not go through what they did in the past; that many came to the summer program because they did not have food and they saw violence and it needed to stop and they needed more job and family assistance; and urged looking into greater development of apartments as community in the future. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Council Member Stardig stated that apartments as communities was a very important part of the community and he did highlight issues she had in the past and she was proud they were present showing they were empowered and a part of the solution; and Council was present to support them. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Council Member Jones stated that she looked at faces and saw discomfort because they did not know and she was sorry they were not all present, but she thought the world was won by those who did show up; that people did not always know what appropriate value was from their biological families and Texans Together and Apartments and Communities were valued programs with people who committed their time; that she had been inspired by the show Perry Mason and because of places like the Shape Community Center she was taught what courses and choices she needed to get what she wanted; and urged Mr. Schott not quit school but continue on and her office was present to help; that for all watching children did not choose their families or to be born into poverty and all had an obligation to help. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Mr. Harold Sjogren, 7731 Wayfarer, Houston, Texas 77075 (832-563-2411) appeared and stated that he was present as he tried to save \$3.00 for parking at a local theater and parked across the street in a strip for free parking and made sure he had three feet behind him for pedestrians, but upon return he had a ticket for \$35.00 for parking 14 to 20 feet of an intersection; that he was staying with his family and taking care of his father and time passed quickly and they received a letter stating the ticket was now \$60.00 and the car may be booted; that he went to the hearing and was told it was an offence but usually the car closest to the corner was the only one ticketed; that he could not afford the ticket and wondered if Council could assist. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mayor Parker stated that the message was everyone did need to be aware of traffic rules and she had received a ticket for parking too close to an intersection also; that tickets did need to be taken care of quickly and often a visit with the hearing examiner would result in a reduced ticket, but once allowed to go past the time limit he had very little discretion and it was necessary he pay the ticket. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Mark Williams, 1710 W. JC Jester, Houston, Texas 77008 (281-788-7628) appeared and stated that he was opposed to historic district changes being proposed; that he did not like the ordinance or the taking of property rights and was disturbed with the process, he felt it was being done too quickly and the place of location of meetings was at the very end and made those who felt opposed as it was one more thing to show it was being ramrodded through; that he was a vocal person and did not appreciate people telling him to keep his mouth shut and would like to say if they did not answer the whole question; that he felt people were intimidated and it was not true opportunity for all to speak. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Council Member Jones stated that she too was frustrated; that she went to a meeting at the United Way and it was interesting; that she did not like the cards particularly and thought this was tough and before government interfered with property rights they needed to make sure there was meaningful notice in hearing and she apologized for any discomfort; that she was saddened to see the level of hate and betrayal between neighbors and hurt the government was causing it and hoped they did land in the right place as history did need protection but they did not need to trample on rights of people owning property; and upon questions, Mr. Williams stated that a member of the Mayor's staff called and said to have only one person speak; and Mayor Parker stated that if it was a member of her staff she wanted their name before he left the Chamber today. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Council Member Gonzalez thanked Mr. Williams for coming and stated that they had spoken previously and he did deserve to speak and hoped he would continue to come and all did need a fair and transparent process. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Reverend Joe Angel Lopez, 13334 Wells River, Houston, Texas 77041 (832-891-2724) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was a Harris County Volunteer Deputy; that he filed criminal charges on an officer and should be sworn in; and continued expressing his personal opinions until his time expired. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Ms. Barbara Ann Lacourse, 6363 Beverly Hill, Houston, Texas 77057 (832-880-2010) appeared, presented information and stated that she was present as she was told her case was denied, but she had a notarized statement of being picked up on a gurney; that she was arrested on disorderly conduct and she would like to know how her seizure and alcohol were considered the same; and she had asked for three minutes. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

Mayor Parker stated that if she had been present within the last month she was only allowed one minute to speak; that she had been answered now and they were not going to be able to each a resolution to her satisfactory on the issue and there would be no further action on the part of the city. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

At 4:23 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, August 18, 2010. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Pennington and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, August 18, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega and C. O. "Brad" Bradford; Mr. David M. Feldman, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Stella Ortega, Agenda Office present. Council Member Jolanda "Jo" Jones absent.

At 8:24 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:04 Mayor Parker called the meeting to order and recognized Council Members who wished Council Member Lovell a Happy Birthday.

At 9:09 a.m. Mayor Parker requested the City Secretary to proceed with the agenda.

HEARINGS

1. **PUBLIC HEARING** to consider the readoption of the Houston Youth Recreation Programs Standards of Care as codified at Article XII, Chapter 32 of the Code of Ordinances, Houston, Texas in compliance with Section 42.041(b) of the Texas Human Resource Code – was called.

The City Secretary stated that no one had reserved time to appear and Mr. Doug Earle, Parks and Recreation Department, would make comments on the hearing.

Mr. Earle stated that most everybody knew that the Houston Parks and Recreation Department conducts After School Programs in about 50 of their centers and they as a municipality were exempt from the normal State laws as long as they adopted Standards of Care so that was why he was present today to answer any questions they may have, that as long as the City adopted the Standards of Care they were exempt from the licensing requirements, that they were not a license center, they were drop in centers, children would come and go depending on their own schedules so that was why this was required.

Mayor Parker asked if there was anyone present to speak on the issue, and hearing none Council Member Gonzalez moved to close the public hearing, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Jones absent. MOTION 2010-0605 ADOPTED.

- 1a. ORDINANCE re-adopting the Houston Youth Recreation Programs Standards of Care as codified at **ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**; containing findings and other provisions related to the subject; providing an effective date; providing for severability – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-660 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 36

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON CONVENTION CENTER HOTEL CORPORATION BOARD OF DIRECTORS**, for terms to expire December 31, 2011:

- Position One - **MR. JOE TING**, reappointment
- Position Two - **MS. KATY CALDWELL**, appointment
- Position Three - **MR. THOMAS DEON WARNER**, appointment
- Position Four - **MR. RICHARD J. CAMPO**, reappointment, and to serve as Chair
- Position Five - **MR. DAVID SOLOMON**, reappointment
- Position Six - **MR. HASMUKH D. PATEL**, appointment
- Position Seven - **MS. DESRYE M. MORGAN**, appointment
- Position Eight - **MR. DAVID W. ARPIN**, appointment
- Position Nine - **MR. RICHARD A. RABINOW**, appointment

- was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Jones absent. MOTION 2010-0606 ADOPTED.

3. REQUEST from Mayor for confirmation of the reappointment of **MR. FRANKLIN D. R. JONES, JR. (HISD Representative)** to Position Six of the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY**, for a term to expire May 6, 2012 - was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Jones absent. MOTION 2010-0607 ADOPTED.

Mayor Parker and Members of Council congratulated the Board Members of the Houston Convention Center Hotel Corporation and thanked them for their service to the City of Houston.

ACCEPT WORK - NUMBERS 5 through 7

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,631,494.58 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Wastewater Collection System Rehabilitation and Renewal - 3.9% under the original contract amount - was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Jones absent. Council Member Noriega absent. MOTION 2010-0608 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,602,361.20 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Wastewater Collection System Rehabilitation and Renewal - 1.1% under the original contract amount - was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Jones absent. Council Member Noriega absent. MOTION 2010-0609 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,280,137.58 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Pump Station Upgrade at Park Glen I - 0.28% over the original contract amount **DISTRICT F - HOANG** - was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Jones absent. Council Member Noriega absent. MOTION 2010-0610 ADOPTED.

PURCHASING AND TABULATION OF BIDS – NUMBER 9

9. **C. F. MCDONALD ELECTRIC, INC** to Furnish and Install Variable Frequency Drive for the Department of Public Works & Engineering - \$198,469.00 and contingencies for a total amount not to exceed \$208,392.45 - Enterprise Fund - was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Jones absent. Council Member Noriega absent. MOTION 2010-0611 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 35

12. RESOLUTION approving and authorizing the issuance of \$1,100,000 of Bonds by the International Management District - **DISTRICTS C - CLUTTERBUCK; F - HOANG and G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Jones absent. RESOLUTION 2010-0050 ADOPTED.
13. RESOLUTION approving and authorizing the nomination of **INVESCO MANAGEMENT GROUP, INC** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Jones absent. RESOLUTION 2010-0051 ADOPTED.
14. RESOLUTION approving and authorizing the nomination of **PLAINS ALL AMERICAN PIPELINE, L.P.** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Jones absent. RESOLUTION 2010-0052 ADOPTED.
16. ORDINANCE approving and authorizing the submission of an application for grant assistance for the City's Immunization Program and contract with the Department of State Health Services to continue and expand Immunization Outreach And Service Delivery Activities from such grant funds; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate 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 Jones absent. ORDINANCE 2010-661 ADOPTED.
17. ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** to expand routine HIV Testing in Emergency Departments and Community Health Centers in Harris County from Grant Funds for the Houston Department of Health and Human Services – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-662 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City of Houston, Texas and the Texas Department of State Health Services for Bioterrorism Preparedness from Public Health Emergency Preparedness Grant Funds for the Houston Department of Health and Human Services – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-663 ADOPTED.
19. ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** to develop plans and infrastructure to provide prophylactic medications to the entire population of the Houston

Metropolitan Statistical Area in the event of a large-scale public health emergency under the Cities Readiness Initiative from Federal Grant Funds for the Houston Department of Health and Human Services – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-664 ADOPTED.

20. ORDINANCE approving and authorizing Conservation Easement Agreement between the City of Houston, as Grantor, and the Texas Historical Commission, as Grantee, for the preservation of the Julia Ideson Building - **DISTRICT I – RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered.
24. ORDINANCE appropriating \$7,200,000.00 out of Equipment Acquisition Consolidated Fund for Purchase of Information Technology Equipment from the State Department of Information Resources Contract and other sources to implement Citywide Asset Replacement Program by the Information and Technology Department – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-665 ADOPTED.
29. ORDINANCE awarding contract to **TERMINIX INTERNATIONAL COMPANY, L.P.** for Pest Control Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$657,291.50 - General, Enterprise, Stormwater and Building Inspection Funds – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-666 ADOPTED.
30. ORDINANCE appropriating \$656,255.11 out of Fire Consolidated Construction Fund and amending Ordinance No. 2007-1052 (Passed on September 12, 2007) to increase the maximum contract amount and approving first amendment to contract between the City of Houston and **SPRING EQUIPMENT COMPANY, INC** for Concrete Repair Services for Various Departments - had been pulled from the Agenda by the Administration, and was not considered.
34. ORDINANCE appropriating \$250,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for the Intelligent Transportation System – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-667 ADOPTED.
35. ORDINANCE No. 2010-0623, passed second reading on August 11, 2010
ORDINANCE granting to **OIL PATCH TRANSPORTATION, 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 - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-623 ADOPTED THIRD AND FINAL READING IN FULL.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

ACCEPT WORK

4. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$2,105,723.00 and acceptance of work on contract with **GILBANE BUILDING COMPANY** for HPD Qualification Pistol Range - 18.30% over the guaranteed maximum price **DISTRICT B - JOHNSON** - was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council

Member Jones absent. Council Member Noriega absent. MOTION 2010-0612 ADOPTED.

PURCHASING AND TABULATION OF BIDS

8. **CRYSTAL COMMUNICATIONS** - \$2,929,676.58, **INX, INC** - \$845,290.98, **JTS** - \$964,622.09, **MSC INDUSTRIAL SUPPLY** - \$217,955.00 and **MOBIUS PARTNERS** - \$37,937.30 for Purchase of Equipment, Hardware, Software, and Licenses from the State of Texas Procurement & Support Services Contract and the City's Master Agreement with the Texas Department of Information Resources for a Wi Max Radio System for Department of Public Works & Engineering - Total including contingencies \$5,000,000.00 - American Recovery and Reinvestment Act Fund - was presented, moved by Council Member Lovell, seconded by Council Member Costello. All voting aye. Nays none. Council Member Jones absent. Council Member Noriega absent. MOTION 2010-0613 ADOPTED.
10. **CDP DIAMOND PRODUCTS, INC** for Concrete Saw Blades for Various Departments \$247,308.00 - Enterprise Funds - was presented, moved by Council Member Lovell, seconded by Council Member Costello. All voting aye. Nays none. Council Member Jones absent. Council Member Noriega absent. MOTION 2010-0614 ADOPTED.
11. **AMEND MOTION #2007-471, 5/9/07, TO INCREASE** spending authority from \$2,625,161.26 to \$3,281,451.58 for Scientific Products for Various Departments, awarded to **VWR INTERNATIONAL, INC** - General, Enterprise, Grant and Stormwater Funds - was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Jones absent. Council Member Noriega absent. MOTION 2010-0615 ADOPTED.

RESOLUTIONS AND ORDINANCES

15. **ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the City Hall Preservation Committee; dissolving the committee and **AMENDING CHAPTER 33-214 OF THE CODE OF ORDINANCES** to transfer certain of the Committee's functions to the Houston Historical and Archaeological Commission; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Jones absent. ORDINANCE 2010-668 ADOPTED.

Council Member Adams stated that she knew they were combining but were there any current standing members on the previous committee, were they carrying people over, and Mayor Parker stated that all of the previous committee members had expired for some time and they were simply shifting the functions over, that she was recognizing Council Member Adams for a point of privilege, that this was created when they redid the building and a lot of the work was over and they were no longer doing active restoration on this building.

21. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **NORTH FOREST INDEPENDENT SCHOOL DISTRICT** under the American Recovery and Reinvestment Act for Installation of New Energy Efficient Roof - \$1,500,000.00 - American Recovery and Reinvestment Act Fund - **DISTRICT B - JOHNSON** – was presented.

After discussion by Council Members, Mayor Parker stated that this was worked out by the previous administration, and Council Member Clutterbuck stated that she would tag Item No. 21.

22. ORDINANCE providing for an Ad Valorem Tax Exemption on a significant historic structure located at 1846 Harvard Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Jones absent. ORDINANCE 2010-669 ADOPTED.
23. ORDINANCE approving agreement between the City of Houston, Texas and **INTOWN HOMES, LTD.** pursuant to Chapter 380 of the Texas Local Government Code for Economic Development Assistance for development of three residential subdivisions in the City – was presented.

After discussion by Council Members, Council Member Gonzalez stated that he would tag Item No. 23.

Council Member Sullivan asked if they could have someone remove whatever was hanging over the pew in the audience, that it was in violation of City rules, and Mayor Parker stated yes.

25. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Department of Justice's National Institute of Justice for FY10 Solving Cold Cases with DNA Initiative for the Houston Police Department Crime Lab; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department 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 Jones absent. ORDINANCE 2010-670 ADOPTED.
26. ORDINANCE appropriating \$1,630,432.00 out of DARLEP Fund as an additional appropriation for FY2010 costs allocated to the Digital Automated Red Light Enforcement Program including payment to State of Texas for support of Level One Trauma Centers in Houston – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-671 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City of Houston and **GT DISTRIBUTORS, INC** for Conductive Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department; providing a maximum contract amount 5 Years - \$4,452,310.25 - General Fund - was presented, and tagged by Council Member Bradford.

After discussion by Council Members, Council Member Adams stated that she had a question as to how many tasers were replaced in 5 years and would like a report as to how many officers were trained and since they had tasers in place had there been a decrease in accidents or deaths, and asked the HPD come and talk with her.

Mayor Parker stated that there would be a Public Safety Committee meeting on taser use in general and would make sure that the Chief would get a memo out to them today on answers to questions about this particular purchase.

After further discussion by Council Members, Council Member Noriega stated that they could call a Public Safety Committee emergency meeting for Monday if people wanted to talk about it.

Mayor Parker stated that Item No. 27 had been tagged.

28. ORDINANCE approving and authorizing contract between the City and **APPLIED BIOSYSTEMS, LLC** for Purchase, Implementation, Validation and Employee Training for use of Automated Robotics for Forensic DNA Analysis for the Houston Police Department Crime Lab - 3 Years with two one-year options - \$352,437.60 - Grant Fund – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-672 ADOPTED.
31. ORDINANCE appropriating \$1,250,000.00 out of Airports Improvement Fund for Supplemental Allocation to contract for Professional Engineering Services by and between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC** at George Bush Intercontinental Airport/Houston (Project No. 644; Contract No. 4600009972) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-673 ADOPTED.
32. ORDINANCE approving and authorizing contract between the City of Houston and **AWC, INC** for Purchase of Siemens related Process Control and Data Equipment/Replacement Parts, Professional Services, Training and Technical Services for Public Works and Engineering Department; providing a maximum contract amount - 5 Years - \$3,000,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-674 ADOPTED.
33. ORDINANCE appropriating \$7,470,000.00 out of Street & Bridge Consolidated Construction Fund approving and authorizing payments for land acquisition costs, appraisal fees, relocation expenses, and other services, for and in connection with finding a public necessity for various street projects including (1) Little York Paving: N. Shepherd to Alabonson; (2) Hirsch Road Paving: Kelley to Crosstimbers; (3) Parker Road: Hardy Toll Road to Eastex Freeway; (4) Fondren Road: Hillcroft to McHard (FM 2234); (5) Hughes Road Rehabilitation: Beltway 8 to City Limit (Blackhawk); (6) Airline Reconstruction: N. Main to North Loop (IH610); (7) North Main Reconstruction: 20th and Cavalcade to IH 610; (8) Broadway Reconstruction: IH 45 to Airport Boulevard; (9) Market Street Paving: McCarty to Wayside; and (10) other miscellaneous land acquisition – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-675 ADOPTED.
36. ORDINANCE No. 2010-0624, passed second reading on August 11, 2010
ORDINANCE granting to **VELEZ TRUCKING, 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 - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-624 ADOPTED THIRD AND FINAL READING IN FULL.

NON CONSENT AGENDA - NUMBER 37

MISCELLANEOUS

37. **SET A PUBLIC HEARING DATE** regarding a second amendment to the **PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN** for Tax Increment Reinvestment Zone Number Thirteen (Old Sixth Ward Zone) - **DISTRICT H – GONZALEZ** - **HEARING DATE - 9:00 A.M. - WEDNESDAY - SEPTEMBER 15, 2010** – was presented.

Council Member Gonzalez moved to set a public hearing for Wednesday, September 15,

2010, regarding a second amendment to the Project Plan and Reinvestment Zone Financing Plan, seconded by Council Member Costello. All voting aye. Nays none. Council Member Jones absent. MOTION 2010-0616 ADOPTED.

MATTERS HELD - NUMBERS 38 through 41

38. RECOMMENDATION from Interim Director General Services Department to award to **HOUSTON ARTS ALLIANCE** for Administration Services and Installation of Civic Art, entitled "Standing Vase with Five Flowers" for Parks & Recreation Department - \$360,500.00 - Parks Consolidated Construction Fund – **(This was Item 7 on Agenda of August 11, 2010, TAGGED BY COUNCIL MEMBERS NORIEGA and JONES)** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. Council Members Sullivan and Noriega voting no, balance voting aye. Council Member Jones absent. MOTION 2010-0617 ADOPTED.
39. ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor, for the Forensic Science Backlog Reduction for Marihuana Initiative; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – **(This was Item 22 on Agenda of August 11, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2010-676 ADOPTED.
40. ORDINANCE ordering a Special Election to be held on November 2, 2010, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition amending the City Charter to change the length of terms for City elective offices from two years to four years, to change term limits for city elective offices to two four-year terms in the same office, and to provide for transition from current provisions – **(This was Item 37 on Agenda of August 11, 2010, TAGGED BY COUNCIL MEMBERS LOVELL, JONES and BRADFORD)** – was presented.

After discussion by Council Members, Council Member Pennington stated that he had an interest in offering an amendment that would have applied only to the first term Council Members, that as he understood they could not do that, the vote requirement was up or down on the report, and Mr. David Feldman, City Attorney, stated yes, the way the ordinance creating the Term Limits Review Commission was written it would require that Council specifically vote on the recommendations made by the commission, that if Council were to vote that down then from a parliamentary standpoint there would be an opportunity for alternative motions, but that motion, with the specific recommendations, must be acted by Council first.

After further discussion by Council Members, a roll call vote was called on Item No. 40.

ROLL CALL VOTE:

Mayor Parker voting aye	Council Member Gonzalez voting no
Council Member Stardig voting aye	Council Member Rodriguez voting no
Council Member Johnson voting aye	Council Member Costello voting no
Council Member Clutterbuck voting no	Council Member Lovell voting no
Council Member Adams voting aye	Council Member Noriega voting no
Council Member Sullivan voting aye	Council Member Bradford voting no
Council Member Hoang voting aye	Council Member Jones absent.
Council Member Pennington voting aye	ORDINANCE 2010-677 FAILED.

Council Member Pennington asked if there was an opportunity to offer an amendment at this point and time, and Mayor Parker stated that there was, that it would be an alternative motion and was not an amendment, that parliamentary yes with the understanding that it could be tagged into oblivion.

Council Member Pennington stated that his proposed motion would be to leave the report as submitted except that as it effects persons serving his or her first year term, that they should be able to seek only one additional term of four years for that office, which hopefully would meet the concerns that Council Members had, and offered the following written motion:

"I present a motion for your consideration to amend Agenda Item 40.

Section 6a. Term of office; limitation of years.

(b) 3. A person serving his or her first two-year term shall be eligible to seek one ~~two~~ additional terms of four years during in that same office."

Mayor Parker stated that he would need to distribute it to the City Secretary, that if it was in writing it did not require a second, and Council Member Pennington distributed the motion to the Council Members.

Mayor Parker stated that as to the motion on the floor she requested that Council Member Pennington explain his motion.

Council Member Pennington stated his motion was to limit the first year members to one additional term.

Mayor Parker stated that her only question was to the City Attorney, and to clarify, this was a legal procedural motion, a substitute motion not an amendment, there were no posting issues because it was germane to what they were discussing, and Mr. Feldman stated that it still came within the scope of the item.

Upon questions by Council Member Noriega, Mayor Parker stated that they voted Item No. 40 down and it was gone, but they were amending the original text, that it was a new item with the amendment to the original text, and Council Member Pennington stated that was correct.

Mr. Feldman stated that as he understood it was the recommendation of the commission with one change and that was that individuals who were currently serving their fist term would only be able to run for one additional four year term, serve one additional four year term, as opposed to two additional four year terms as set forth in the recommendation, that was the only change that was included in the alternative motion to the recommendation of the Term Limits Review Commission.

Mayor Parker stated that there was a Charter issue that was not addressed by this motion that needed to be considered by Council and that was the inability by Council to take action if a majority of Council Members were term limited at the same time and asked Mr. Feldman to

discuss that, that it was something that was considered by the Term Limits Commission, that it was her understanding that the reason they chose the particular transition period that they did was because of this Charter provision, and asked if Mr. Feldman could explain the Charter provision.

Mr. Feldman stated that basically what happens if they wind up in a situation where at any given point and time a majority of those on the Council were term limited then the Council could not act from the point and time of the election until the new members took office, so essentially they would be without Council for a period from November of the election date to the January date when individuals were sworn in to office, that he wanted to thank Mayor Parker for bringing that up, that was one of the reasons why the commission made the recommendation that it did, because under the motion as proposed, the alternative motion that was proposed, they would run into that situation fairly quickly, and Council Member Pennington stated that there would be ten members that would not be affected by this, and Mayor Parker stated that the five new Council Members and the second termers would all be termed out at the same period, that it actually made it happen rather rapidly, and Mr. Feldman stated that it would happen by 2015.

After further discussion by Council Members, Mayor Parker stated that she had not tried to urge Council Members to take the position on this either way, she was fairly agnostic on it, but the reason that it was on the agenda at this time was because the previous Mayor and Council created this commission and gave it a time certain to report back and a requirement that it go before a vote of City Council, so it had not just magically appeared on the agenda, that it was actually laid out in the originating ordinance for the Term Limits Commission and she wanted to be clear on that.

After further discussion by Council Members, Mr. Feldman stated that it had been brought to his attention, he was unaware that there was a rule of the City Council, Rule 18, under Motion to Reconsider, that this was different than Roberts Rules of Order, that under Rule 18 it stated that when a question had once been determined by the City Council the same question shall not again be considered until 90 days thereafter and then only by Motion to Reconsider made by a Member who voted with the prevailing side of such question, that under Roberts Rules of Order as a general rule they could make a motion to reconsider during the same meeting, so long as it was by a person who voted against, or rather, who voted for, that because of this it would be his opinion that it would not be appropriate to offer an alternative motion with respect to the matter that was on the agenda because it would be tantamount to a Motion to Reconsider and it would be in violation of Rule 18, that when he gave his advise earlier he was under the impression that Roberts Rules of Order were followed in connection with this matter, so with all due respect he would change his advice and state that an alternative motion would not be appropriate at this time.

After further discussion by Council Members, Mayor Parker stated that the City Attorney had dropped on issue on her and he had indicated that the motion was out of order.

After further discussion by Council Members, Council Member Bradford moved to call the question on the discussion, seconded by Council Member Costello, and Mayor Parker stated that he was the last one on the list so they would move the agenda and she so moved.

41. MOTION by Council Member Lovell/Seconded by Council Member Noriega to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,488,461.13 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 6 - 0.77% under the original contract amount **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** – **(This was Item 38 on Agenda of August 11, 2010,**

TAGGED BY COUNCIL MEMBER ADAMS) – was presented. All voting aye. Nays none. Council Member Jones absent. MOTION 2010-0618 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Gonzalez stated that he wanted to invite everyone to the Texas Barber College six year anniversary in providing the community with free back to school haircuts for school age children in District H, that it would be on Friday, August 20 and Saturday, August 21 from 8:00 a.m. to 5:00 p.m. at 610 West Cavalcade; that on August 21, 2010 from 10:00 a.m. to 1:00 p.m. the Independence Heights Back to School Health Fair would be occurring at Northline Commons, 4400 North Freeway; that he wanted to give a special thanks to everyone involved in the Independence Heights unveiling of their community marker on Monday; that the Northside Community Celebration, Go Neighborhoods along with Northside residents had been working together to identify key priorities and develop a Quality of Life Agreement that focused on the strengths and weaknesses of the neighborhood, that they would be unveiling the agreement to the community on August 28, 2010 from 10:00 a.m. to 1:00 p.m. at Moody Park, 9725 Fulton; that back to school free vision screening would be at the Northside Health Care Center on August 19, 2010 at 8:30 a.m., the center is located at 8504 Schuller Street; that he wanted to remind all of their citizens about the heat advisories. Council Members Sullivan, Lovell and Noriega absent.

Council Member Hoang stated that he wanted to thank Mayor Parker and Council Member Costello for speaking at the Sharpstown Back to School event, they had about 4,000 kids there and it was a great event; that he wanted to thank the Mayor's Citizens Assistance Office and the Director, Nelson Espitia for putting together a Back to School Fair in his Council District this weekend, that it would be held on Saturday, August 21, 2010 from 9:00 a.m. to 2:00 p.m. at the Southwest Multi Service Center, 6400 High Star; that they had a meeting of the City Council Committee on Public Safety and he appreciated Council Member Noriega and her staff for organizing the meeting, that it was a great meeting, many issues were raised and some of them were not resolved, but his constituents were very happy; that last week he participated in the ribbon cutting ceremony for a new water playground in Hackberry Park, that HEB donated more than \$1.1 million to the Houston Parks and Recreation Department through the Houston Parks Board to create and build water playgrounds in Houston City Parks, that he wanted to thank HEB for their continued support of their community. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Stardig stated that on Saturday she attended the Third Annual Back to School Health Fair at the Spring Branch Family Development Center, that this year a projected 6,000 people were in attendance, that she wanted to thank Ricardo Barnes, Executive Director of the Spring Branch Family Center, the Mayor's Office of Special Events and the Citizens Assistance Office for all of their hard work on this community event, that she wanted to thank everyone who chipped in at this event. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Pennington stated that he wanted to thank Council Member Johnson for introducing his constituents last week in his absence; that he had a meeting yesterday with the Police Chief to talk about cooperation with private security activities and the use of cameras, that the Chief was very interested in their ideas and he thought they were going to have additional meetings and hopefully with interested citizens supplementing HPD they could have even better crime prevention; that he passed out a memo through the City Secretary, that was available to the public, on the Historic Preservation Ordinance, that he began working on the memo after attending a hearing on July 29, 2010, where all of the residents who were presently in Historic Districts were invited, that he was concerned after that meeting that even though they who sit at Council were not having a Legislative type hearing like Council Member Costello had

on drainage issues and Council Member Noriega had on Public Safety issues, that what they had was a requirement that those present submit written questions and there were only answers to specific questions and he believed that some of the Members of Council had raised this issue already, but a Legislative hearing tried to invoke all of the information that they could possibly get to get an idea what the public thinks and to get ideas from experts, that his idea of how this ought to proceed was that they ought to invite people to say whatever they wanted to say about this matter, they also ought to invite people with specific knowledge, like the American Association of Architects or Rice University and other universities to talk about the social and economic inputs, that they all knew that Barton Smith at the University of Houston had predicted, and as the Mayor had already noted, was that they were losing the middle class in the City, they needed to be sure that this ordinance would promote economic growth rather than deter it, that there were probably opinions on both sides of that, that he thought everybody favored Historic Preservation if it was a reasonable thing to do but they ought not necessarily do it, that as a matter of fact history suggests that people wanted new and better construction rather than old construction, that he was not trying to make a judgment on whether they ought to do this, he just thought they needed more information, that he understood that some additional hearings were scheduled before the Historic Commission and the Planning Commission, that those bodies were adjudicatory bodies, they were not legislative bodies, they were not set up and had very limited input in this matter, that they may be a good forum to hear additional information but he did not think they should, that he thought that this body, the City Council, ought to hear from the public and they ought to hear from specialized groups who had specialized knowledge, they ought to receive information from other parts of the Country on what had happened on Historic Preservation, was it a good idea or bad idea in Miami or Chicago or wherever, they needed more information to make a reasonable decision on this, that the last thing, in talking with the Director, the Director or the department or the people involved in this had not looked at how this proposal affected individuals rights nor the community as a whole, they did not have any information in the record on this and before they move on this he thought that they ought to do that, that he had expanded and been very specific in his memo on this and he hoped that they would have a look at it and support him in having whatever hearings they needed to have to assure that they had all of the specialized knowledge from think tanks and public interest groups and whomever before they make a decision on this important issue, that it would certainly affect individual rights, that some people argue that it would enhance values, that it would certainly affect them and they needed to take every last measure to get the information out before they make a decision on it and he hoped they would do that. Council Members Sullivan, Hoang, Lovell and Noriega absent.

Mayor Parker stated that for the record, and for the public, they had a series of townhall meetings to seek input from the public on a rough draft of the ordinance, they were now beginning the formal hearing process, which would be conducted very differently, there would be formal hearings in front of the Archeological and Historical Commission, the Planning Commission and the City Council Committee, that there would be a public hearing in front of City Council in which everyone could come in and have their say, that they were using a number of mechanisms to gather community input, that was not the end of the process, that was the beginning of the process and she had so stated on a number of occasions and knew that Council Member Lovell had as well. Council Members Stardig, Sullivan, Hoang, Lovell and Noriega absent.

Council Member Costello stated that last Friday he welcomed home troops from the 77th Infantry Brigade Combat Team, 36th Infantry Division of the Texas Army National Guard, that there was approximately 70b soldiers that came back, they were stationed in IRAQ in the Green Zone and were part of what was called the Logistics and Security Support Team, they had been gone for over 9 months, that approximately 3,000 of the entire group would be returned back home by the end of the month; that yesterday they had a resident who was asking for some help relative to Metro Lift and he wanted to remind the administration that he had volunteered to

have his staff member help out in terms of those future discussions; that he wanted to refer his colleagues to the Chronicle today, there was an editorial article about Renew Houston and the title was "Details" and obviously they were asking what was the drainage user fee and how the City was going to structure and implement the overall plan, that these were similar questions that he had received out in the public in most of the meetings that he had attended, he wanted to remind everybody that Renew Houston was only about establishing a dedicated funding source that they as administration and Council would have the overall duty of establishing a fee and would have the overall duty of working with Public Works to implement the program, that it was common knowledge that he supported Renew Houston and he looked forward to helping the administration as they proceed in working those details out. Council Members Stardig, Sullivan, Hoang, Rodriguez and Lovell absent.

Council Member Bradford stated that he wanted to go on record as fully supporting Council Member Pennington's memo that he distributed to the Council concerning the amended proposal to amend the Historic Preservation Ordinance, as well as his public comments on record, that he thought that several of them around the table had those same concerns and he wanted to again thank Council Member Pennington for putting it in written form that outlays in quite a bit of detail the broad concern that they all should have concerning this particular amendment to the Historical Preservation Ordinance; that the Wheeler Avenue Baptist Church Boys Right of Passage Program was now enrolling boys ages 11 to 16 to begin the two year mentoring and education program, that registration was open to all boys in the Houston area, that the orientation and information session for the program would be held on Saturday, August 21, 2010 at 9:00 a.m. in the Fellowship Hall of the Wheeler Avenue Baptist Church Christian Life Center at the corner of Scott and Ruth Streets, that parents could register boys until October 22, 2010, for further information they could call 281-809-8108 and ask for Benny Jordan. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent.

Council Member Rodriguez stated that he wanted to thank District I resident and business owner, Mr. Andy Prado, for going above and beyond in their community, that his office recently received a call from a District I senior whose AC was out and they had some pretty hot weather in the last few weeks and her issue was that she could not pay for the AC to be repaired so his office reached out to Mr. Prado who quickly headed out to the seniors home, that he arrived on a Friday night at about 8:30 p.m. and did not leave until midnight and did the work and repair pro bono, that it was acts of kindness like these that truly depicted the spirit of their City and the folks of District I, that he wanted to thank Mr. Prado and his company, Prado Air Services, for his commitment to their neighbors; that he wanted to highlight a few wonderful projects that the District I office had been working on; the Second Annual East End Classic benefitting the Historic Gus Worthum Golf Course; on Friday he hosted the Second Annual District I Seniors Ball, an event organized to give their senior citizens to celebrate and mingle with their friends; on Saturday he hosted the third series of the Houston Area Latino Summit; that on Saturday September 18, 2010, he would be hosting the Third Annual District I Family Day at Discovery Green, that they were partnering with the League of Women Voters and American Society of Civil Engineers, that from 3:00 p.m. to 8:00 p.m. they would have booths ranging from colleges, higher education institutions to immunization, voter registration, face painting, the Children's Museum, the hometown sports teams and HPD and HFD; that he wanted to wish his son a happy first birthday, Jake James Rodriguez. Council Members Stardig, Sullivan and Hoang absent.

Council Member Lovell stated that she wanted to say congratulations to Jake on his first birthday; that she wanted to thank Council Member Pennington for his written comments, that was exactly what they were looking for right now as they moved forward on the ordinance, they had gotten lots of comments and were taking them seriously and on a daily basis changing the ordinance as they got more ideas, that their goal first was to simplify the language in there, that they had heard from many attorneys that it was so convoluted, they wanted it to be where

citizens could pick it up, understand it and read it for people who wanted to build or renovate their homes, that on Thursday, August 19, 2010, there would be a meeting at 6:30 p.m., at the George R. Brown Convention Center, General Assembly Hall B, third level, of HAAC, concerning the ordinance, that at the last meeting they had 500 people, that this would be the first meeting at which people would have the opportunity to speak, there would then be the Planning Commission meeting and then the DRA Committee meeting, that there would be many opportunities for people to have public comment; that the Development and Regulatory Affairs Committee, which she chaired, would meet on August 19, 2010 in the Council Chamber; that today was the 90th Anniversary of the Ratification of the 19th Amendment, which gave women the right to vote, that today in the United States more women were registered to vote than men and women held office in every level of government; that she wanted to thank all of her colleagues and staff for helping her celebrate her birthday and to everyone who had sent her email messages she was thrilled to be 60 years old, that she lived a charmed life, she had the job of her dreams, that she was well loved by her children and her partner and life was so good and she wanted it to last many more years so much so that she was trying to eat better and take better care of herself and to insure the fact that she would continue to have such a good life for hopefully another good 20 or 30 years. Council Members Stardig, Sullivan and Hoang absent.

Council Member Johnson stated that his daughter started school today, the seventh grade, that he remembered when he got on Council she was in the second grade, that time had certainly passed and for all those parents out there to cherish these moments because the time does move fast, that he wanted to wish her good luck on her first day of school and to all the other parents out there school was starting soon so he hoped they were all prepared and to get their kids prepared, and as he had always said to all of the parents, children will be what they see, so make sure that they were a good example to their children every single day; that he would be hosting his Fourth Annual Back to School Blast at Hobart Taylor Park on Saturday, that they were going to be working with many of the schools in the North Forest Independent School District, that over 20 different groups would be a part of this particular event, that it would be at 8100 Kenton between 9:00 a.m. and 1:00 p.m.; that on Saturday the Inner City Catholic Association would be having it's Summer Zydeco at 2810 Link Street, from 3:00 p.m. to 12:00 a.m. Council Members Stardig, Sullivan, Hoang and Gonzalez absent.

Council Member Clutterbuck stated that her kids also started school, that she would encourage everybody who did not have children to remember that it was the beginning of the school year and children being children did tend to dash out into traffic, that before she had children she often had to be reminded of the nature of kids and the responsibility that they had as drivers and adults in making sure that they slowed down in school zones and not to be distracted; that like Council Member Johnson she could not believe that the time had gone by, when she started in Council her kids were much younger as well and she now had a freshman and a senior in high school; that at the Back to School Coffee this morning she was greeted by a number of citizens in Houston who had praise for the City of Houston, that it was always a pleasure to have that kind of encounter as opposed to the opposite that they could often have as elected officials, that one of their outstanding Public Works employees was mentioned to her at the coffee, Mr. Gerald Wilson, Traffic and Engineering, that they may recall that he assisted them on an issue with Saint Street and also helped with an area at the corner of Buffalo Speedway and Westheimer with the River Oaks Plant House; that yesterday she and Mayor Parker attended the Houston Galveston Area Council Board meeting and she was delighted that she was serving on the board, she was the first Mayor of the City of Houston that had done so and it elevated their level of seriousness and responsibility at that particular board, that they did a lot of things at the Houston Galveston Area Council and she would be circulating a copy of the notice via the email, that it was 36 pages of what had happened in the past year through the Houston Galveston Area Council, that she looked forward to discussing it with them if anybody had any questions; that she mentioned it because for the new colleagues it had often been a frustration of some of them, they all did their own things on the different commission and rarely

had an opportunity to report back, that she would encourage colleagues who served on other commissions to do the same and use their pop off opportunity to bring them up to speed on what was happening on those commissions and how the City of Houston was being so well represented; that TML was having a big reception this weekend and knew they would be well represented there. Council Members Stardig, Sullivan, Hoang and Noriega absent.

Council Member Adams stated that she wanted to congratulate Pastor Rudy Rasmus and Co-Pastor Genetta Rasmus for their one year celebration of Bread of Life, the After Dark Program, who provide services to those individuals who were homeless overnight, at the Saint Johns Church on Gray; that the new Police Chief was really encouraging outreach, the HPD Blue Crew was going out in various communities and educating their seniors on how to be prepared during disasters and safety around their homes and their cars, that they had a workshop at the Wheeler Avenue Baptist Church on Friday; that this week there were a couple of events talking about Life Gift that they were encouraging and urging donorship and partnership, that they could contact Life Gift at 713-523-4438; that the Word of Power had their Back to School Health Fair on Saturday at the Sunnyside Multi Service Center sponsored by the brothers of Kappa Apha Si Fraternity; that she wanted to commend Mr. Sinnet for his wonderful job in his community for coming out in large numbers this past Saturday in the Don Barton Oats Civic Association at Town Wood Park; that starting today Chief McClelland was encouraging HPD to get more involved in the community so today at the Sunnyside Store Front, 3501 Reed Road, at 4:00 p.m. they would be giving away back to school supplies and backpacks; that on Saturday there would be a parade and block walk that she would be participating in at Sunnyside Park in partnership with the Blue Ridge United Methodist Church at 10:00 a.m. encouraging the safety of going back to school; that at the Shape Community Center on Saturday beginning at 10:00 a.m. there would be a huge youth rally 2010 talking about safety for back to school and school supplies; that on Friday, September 3, 2010 would be the District D Family Night at the Miller Outdoor Theater at 8:00 p.m.; that they had been talking about the Historic Preservation Ordinance and they could not assume that there was 100% support, that she had her staff do an email blast to the constituents of District D in the Near Town Montrose Community and asked that they reply to her on how they felt about the ordinance, that one of her staff members went to a meeting last night and there were still some mixed feelings so there was not a 100% support for the ordinance, that some of the concerns were once the 90 day waiver went away and what would happen, and what if a home burned down, what would happen if they could not afford to build a house back to some of the specifications that were there, that it was mixed in Montrose. Council Members Stardig, Sullivan, Lovell and Noriega absent.

Council Member Pennington stated that on the continuation of the Historic Ordinance the kind of information that Council Member Adams mentioned was just the kind of information that he thought this body needed so they would have proper information to make a final decision and he hoped that the Planning Department and the Chairman would be proactive and not just listen to testimony that came forward voluntarily because many people who were interested may not know what was going on but that they ought to seek out information, that they all had a memo from HAR dated August 16, 2010, which should be incorporated into the record, that if this kind of information could not be presented at a public hearing where there were 500 people, and he understood that there were time limitations, but it could be submitted in written form from HAR or Houston Association of Realtors or the AIA or from studies of what was going on in preservation from other cities, that he thought there was a whole body of information that they needed to have before they could make a decision on this matter, that one of the things that he particularly thought they needed was really the information like Council Member Adams mentioned, the impact on the individuals, how many conforming homes were there and how many were there not, how would individual rights be affected in this matter, they did not have any inventory on both the effect on the individuals or the effect on the community, that they were talking about historic preservation that was something that was good and he thought they could

all admit that there were good things about it, but they really needed to have specific information about what the effect was, and as he understood from conversations yesterday in the new proposed draft there was an opportunity for a revote in the areas that were in the historic districts and he thought that was absolutely necessary because there was a big difference between being in a district where they had a 90 opt out provision and in a district where they had to get City of Houston approval to change the configuration of their front door, so he believed it would be very unfair to saddle people in historic districts right now with new regulations without their approval. Council Members Stardig, Sullivan and Noriega absent.

Council Member Adams stated that she thought when they moved forward with the Historic Preservation Ordinance that they make sure they got all of the questions answered and really look at it very closely because at first she was not speaking about it because she was under the assumption that they just assumed that everyone, especially in District D, was for it, but when her staff did some extra looking and hearing some of the concerns there was still some mixed concerns that were out there, that she knew there were about four meetings left and thought that they really look at it, that one of the questions that came up last night was would there be, in addition to the ordinance, about a variance after the 90 day waiver had passed, so she did not know where that would fall in there, but that was one of the questions that was brought up last evening at one of the community meetings, that she wanted to make sure that was brought up; that she wanted to thank her staff member Jared Raven for being proactive and reaching out to all of the civic clubs, he had been working very hard; that Council Member Jones asked that she inform Council and the constituents that she was registering Geo, her son, at college at the University of Mary Harden at Baylor; that Mayor Parker was a UTube star, that everyone had been complimenting her about doing the Cupid Shuffle on Saturday, that the Ensemble Theater Gala was a wonderful event this weekend. Council Members Stardig, Johnson, Sullivan, Gonzalez, Rodriguez, Noriega and Bradford absent.

Council Member Lovell stated that she wanted to address some questions about the Historic Preservation Ordinance, that first, they were in a process at this point, that it was a process of listening to people and their concerns, whether they were written or whether they came to a meeting and voiced their concerns, that there had been five meetings now and there would be four other meetings, that they were also now in the process of, on paper, starting to incorporate all of those ideas into what would be a final draft that they would give to the Council Members as soon as they could, that she did not want to put a time on it because actually on a daily basis they were meeting with the groups that they were talking with, Council Member Pennington, such as BOMA, they had a great meeting, the Greater Houston Builders Association, Houstonians for Responsible Growth, along with constituents that lived in those districts, and she wanted to remind everyone that there had been districts there for a very long time because the people who lived there wanted them and went out and did the work, that they did not say this was a historic district and were going to vote on it, it was the product of the people who lived there, their efforts and what they wanted, that they understood that they changed some of the rules, they were going to have a mechanism, that along with the ordinance it would trigger a resurvey of the districts, the people that expressed that they wanted that done and they were working on it now, they knew, were pretty sure, that the Heights east, west and south, given the comments from them, they were going to do a resurvey when they passed a new ordinance, that the other districts they were listening to they had kept every single email that had come in from every district, that some of the districts had done their own survey and said 100% wanted the changes, so they were tracking the property owners, not the people that were opposed to this, that had mounted a campaign of misinformation, that were going out and stirring up neighbors against neighbors, they were listening to the people who owned the property and she thought they had a clear view of what to do and were going to make sure that they go out and do the resurvey, that she understood their frustration, they had been accused of trying to move this through swiftly, she thought they may slow it down just a little bit because they had gotten a lot of information they had to go through and they had other districts they had

to talk to, but at this point they were still in the listening, learning and gathering, that by next week they would be at the putting down on paper and moving forward with the final draft of which as soon as they do she would be making appointments with every single one of them to sit down and go through it, that right now there was a lot of misinformation that was flying around from a lot of people that were not doing anybody any service by spreading it, that she would ask if they had any questions to please call her, everybody had her cell number, call Marlene Gafrick and they would be able to answer or come and sit with them on a moments notice to get it through, but right now they were in the front part of the process. Council Members Stardig, Johnson, Gonzalez, Rodriguez, Costello, Noriega and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that they do take written comments from a number of organizations, they had received it and knew that Council Member Lovell had specifically reached out, that Council Member Pennington mentioned a number of organizations from ULI to others that she had reached out to, that she had asked them to weigh in and they could do it in written comment, that now that they were out of the townhall phase and into the kind of formal hearings in front of public body phase it would be a little bit different, but they were accepting all of that information. Council Members Stardig, Johnson, Gonzalez, Rodriguez, Costello, Noriega and Bradford absent. (NO QUORUM PRESENT)

Council Member Lovell stated that they had gotten a lot of comments from a lot of different groups and were looking through them and talking with them and she would say that some of those comments that they had heard had changed the way that they thought on this because it had been very clear how the citizens wanted some things to be done and a lot of really good suggestions, they were listening and were talking everyday and trying to move this forward and have a document that everybody could be happy with. Council Members Stardig, Johnson, Gonzalez, Rodriguez, Costello, Noriega and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that they wanted to have the best Preservation Ordinance they could, they were going to vote on the ordinance, then they were going to vote on what to do with the existing historic districts and whether they came under the new ordinance, they were not going to just wrap them in automatically whereon one sees it coming, ordinance, transition, that she did not know any more plain way to say that and she had said it publicly at the Chamber from this chair at least five times, just everybody needed to take a deep breath and realize that they were all trying to operate in good faith and they would never get unanimous consent on any of these things, that there were going to be about 20% of the people who were going to be really cheesed off at them no matter what they do, they were trying to give as many different opportunities for people to weigh in as they possibly could. Council Members Stardig, Johnson, Gonzalez, Rodriguez, Costello, Noriega and Bradford absent. (NO QUORUM PRESENT)

Council Member Adams stated that she had a question about Mayor Parker's final statement, that when she said they were going to vote on the ordinance first and then to the transition, in that particular order they would not know, could it not be vice versa to look at the transition to see exactly what was going to happen, and Mayor Parker stated that they needed to be able to tell people exactly what the ordinance was that they were doing to them before they moved them under the ordinance, and Council Member Adams asked if those were the ones that were already considered in the district, and Mayor Parker stated correct, that there were no surprises in this, that she lived in a historic district and had a vested interest in this and certainly thought she had a sense of what her neighbors wanted, but no, they were not writing it in such a way that if they were in a historic district today they were automatically in a historic district tomorrow, that with the new ordinance there were new rules, they had the ability to do that, but they were not going to do that. Council Members Stardig, Johnson, Gonzalez, Rodriguez, Costello, Noriega and Bradford absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:05 a.m. Council Member Jones absent. Council Members Stardig, Johnson, Gonzalez, Rodriguez, Costello, Noriega and Bradford absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary