

City Council Chamber, City Hall, Tuesday, April 3, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 3, 2012, Mayor Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, J Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie D. C. and; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office present.

At 1:55 p.m. Mayor Parker stated that the presentations today would begin with Council Member Hoang; and as the chamber was full asked all to stay clear of the doors. Council Member Hoang invited those present with his presentation to the podium and stated that today they were recognizing the American Intercontinental University and AIU had established themselves in Houston since 2003 and was an institution of higher learning; and Mayor Parker presented a Proclamation to the group proclaiming today as "American Intercontinental University Day" in Houston, Texas. Council Members Adams, Rodriguez, Burks and Noriega absent.

A Spokesperson for the group thanked all for the recognition and introduced a student present, Mr. Marvin Gary a 20 year Army veteran who stated that this was his second semester at AIU and was excited to be there as it was the best university he had ever attended; that he was trying to get his bachelor degree in criminal justice; that AIU catered to the military and he challenged every soldier seeking further education to attend AIU. Council Members Adams, Rodriguez and Burks absent.

Council Members Pennington, Green, Christie and Gonzalez thanked the facility for being in Houston and all who served our country. Council Members Adams, Sullivan, Rodriguez and Burks absent.

Council Member Green invited those with his presentation to the podium and stated that he and Council Member Cohen would be recognizing the Robert M. Beren Academy stars; that their basketball team qualified for the Texas Association of Private and Parochial 2A Basketball Championship, but nearly had to withdraw because of the semi finals being scheduled on the Jewish Sabbath, but support came to them from all over; and Council Member Cohen stated that she was presently the only Jewish member serving on Council and was the only Jewish woman who ever served, to the best of her knowledge, and she appreciated all for the understanding and learning more about her and her faith; and to the team they should remain who they were and keep the respect they had for others; and Mayor Parker presented the group a Proclamation proclaiming today as "Robert M. Beren Academy Stars Day" in Houston, Texas; and congratulated all on their season. Council Members Sullivan, Rodriguez and Burks absent.

The Head Coach of the team thanked all for their support and presented Mayor Parker with a signed basketball. Council Members Sullivan, Rodriguez and Burks absent.

Council Members Adams, Christie, Pennington and Gonzalez congratulated the team for not compromising their belief, being great examples to others and on their accomplishments. Council Members Sullivan, Rodriguez and Burks absent.

Council Member Green acknowledged Ms. Nancy Beren who was a city employee and whose Father was founder of the Beren School. Council Members Sullivan, Rodriguez and Burks absent.

At 2:15 p.m. Mayor Parker recognized Council Member Gonzalez who called on Pastor

Manson Johnson with Holman Street Baptist Church to lead all in prayer and Council Member Gonzalez led all in the pledge. Council Member Rodriguez absent.

At 2:19 p.m. the City Secretary called the roll. All present.

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

Council Member Gonzalez on a point of personal privilege recognized a visiting delegation from Hanzhou, China; thanked them for visiting and asked they stand to be recognized. Council Member Adams absent.

Council Member Gonzalez moved the rules be suspended for the purpose of hearing Ms. Katy Caldwell at the top of the speakers list, seconded by Council Member Noriega. All voting aye. Nays none. MOTION 2012-0206 ADOPTED

Council Member Brown moved the rules be suspended for the purpose of hearing Mr. Thomas Bazan after Ms. Katy Caldwell, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0207 ADOPTED

Council Member Adams moved the rules be suspended for the purpose of hearing Mr. Donovan Alexander, Ms. Annishia Anderson, Ms. Carmen Yvonne and Ms. Akua Fayette out of order and Move Mr. David Robinson to the bottom of the three minute speakers list, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2012-0208 ADOPTED

Council Member Hoang moved the rules be suspended for the purpose of hearing Mr. Stephen Sherman and Mr. James Lira out of order, seconded by Council Member Green. All voting aye. Nays none. MOTION 2012-0209 ADOPTED

Council Member Brown moved the rules be suspended for the purpose of hearing Mr. Nick Flynn following Mr. Thomas Bazan, seconded by Council Member Green. All voting aye. Nays none. MOTION 2012-0210 ADOPTED

The City Secretary began calling the public speakers.

Ms. Katy Caldwell, 1218 Stanford, Houston, Texas 77019 (281-935-9532) appeared and stated that she was executive director of Legacy Community Health Services and was in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Member Adams absent.

Mayor Parker asked the City Secretary to make the announcement regarding the time for speakers; and the City Secretary stated that there were 214 minutes reserved for speakers today and read from the Rules of Council which allowed when the speaking time was greater than 150 minutes each speaker would be allowed one minute to speak and questioning for Council Members as a whole would be limited to one minute for each speaker. Council Member Adams absent.

Mr. Thomas Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) appeared and stated that he was with the Republican Party Executive Committee and they opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Member Adams absent.

Mr. Nick Flynn, 4004 Montrose Blvd. #23, Houston, Texas 77006 (774-216-9039) appeared and stated that he was a writer and executive producer of a film "Being Flynn" and a professor

at the University of Houston; and he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Member Adams absent.

Upon questions by Council Member Brown, Mr. Flynn stated that many were struggling and the ordinance was not the way Houston should be directed, the poor should be fed. Council Member Adams absent.

Mr. Donovan Alexander who was previously added to the speakers list, was not present when his name was called. Council Member Adams absent.

Ms. Aniesha Anderson, no address (no phone) appeared and stated that she worked at Intercontinental Airport and present on behalf of airport workers; that she was a wheelchair attendant and fighting for better pay, more respect and health insurance.

Upon questions by Council Member Noriega, Ms. Anderson stated that she was paid minimum wage, had a medical condition and could not afford insurance and her employer did not offer it.

Upon questions by Mayor Parker, Ms. Anderson stated that she worked for Huntley USA; and Council Member Noriega stated that this was the issue where they were being pushed to report tips.

Council Member Burks moved the rules be suspended for the purpose of extending the time for questions of Ms. Annishia Anderson, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0211 ADOPTED.

Council Member Burks thanked Ms. Anderson for coming and for her work and stated that she had his support 100% to move from minimum wage to livable wage.

Mayor Parker stated that there was sympathy at the Council Table but no one was allowed to clap, cheer or otherwise display emotions.

Council Member Laster moved the rules be suspended for the purpose of extending the time for questions of Ms. Annishia Anderson, seconded by Council Member Rodriguez. All voting aye. Nays none. MOTION 2012-0212 ADOPTED.

Council Member Laster invited those present with Ms. Anderson to stand to be recognized.

Ms. Carmen Yvonne, who was previously added to the speakers list, appeared and stated that she was present regarding employees at the airport and wanted to make sure they had a seat at the table deciding their future.

Upon questions by Council Member Adams, Ms. Yvonne stated that their concern was they wanted jobs given to those in the neighborhood and if they needed changes as decisions should not be made without them present.

Council Member Adams moved the rules be suspended for the purpose of extending the time for questions of Ms. Carmen Yvonne, seconded by Council Member Laster. All voting aye. Nays none. MOTION 2012-0213 ADOPTED.

Council Member Adams stated the City of Houston was not the hiring agent, it was United Airlines, but one concern was for proper training and that there was economic development and growth in the community and that they were having to push the wheelchair and drag luggage behind.

Ms. Akua Fayette, who was previously added to the speakers list, appeared and stated that she was with TOP, Texas Organizing Project, with the concern they would like input on many decisions which would affect their community; that people be trained to be able to get the positions; and asking they be included in decisions to make things happen.

Council Member Sullivan stated that he appreciated Ms. Fayette's continued involvement in the community. Council Member Cohen absent.

Council Member Burks thanked Ms. Fayette for her work. Council Members Cohen and Adams absent.

Mr. Stephen Sherman, 11715 Bandlon, Houston, Texas 77072 (281-879-5688) appeared and stated that he came from Southeast Asia years ago and he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Cohen and Adams absent.

Council Member Hoang stated that the amendment was to protect individual's property rights and coordinate charitable feeding; and upon questions, Mr. Sherman stated that it was another level of regulation which should be streamlined so resources could be better used. Council Members Cohen and Adams absent.

Mr. James Lira, 11626 Hazen, Houston, Texas 77072 (713-960-4010) appeared and stated that he was homeless and just received a job and he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Cohen and Adams absent.

Mayor Parker stated that she would be happy to donate an amount equal to whatever anyone paid for the T-shirts being worn to the Coalition for the Homeless if she could get one. Council Members Cohen and Adams absent.

Council Member Hoang stated that the new version tried to protect property rights and coordinate services; and moved the rules be suspended for the purpose of extending the time for questions of Mr. James Lira, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Cohen and Adams absent. MOTION 2012-0214 ADOPTED.

Upon questions by Council Member Hoang, Mr. Lira stated that oversight and planning on Council's part would do a lot to making resources and funding go further. Council Members Cohen and Noriega absent.

Council Member Brown stated that the ordinance called for getting permission to distribute food and rules were in place; and moved the rules be suspended for the purpose of extending the time for questions of Mr. James Lira, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Cohen and Noriega absent. MOTION 2012-0215 ADOPTED.

Upon questions by Council Member Brown, Mr. Lira stated that there seemed to be no problem serving on public property which was city domain; that only organization and a little help was needed. Council Members Cohen and Noriega absent.

Ms. Jessica Crute, 2420 Calumet, Houston, Texas 77004 (903-513-5664) appeared and stated that she was a graduate of the University of Houston and voice of Homeless Awareness Project and she opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Cohen and Noriega absent.

Upon questions by Council Member Brown, Ms. Crute stated that her Father was missing months and if not for the groups who provided him food he would not be with them as he was

afraid of the shelters.

Mr. Chris Parrott, 1807 Crocket #1, Houston, Texas 77006 (713-412-8558) appeared and stated that he was a Pastor in the Montrose and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Member Green absent.

Upon questions by Mayor Parker, Mr. Parrott stated that his church handed out care packages around the Montrose/Lovett intersection; and he had no objection of protecting private property, but trespassing laws were in place; and Mayor Parker stated obviously they were not working. Council Member Green absent.

Council Member Sullivan stated that it was unfair to tell the audience the trespassing laws were not working unless you could document complaints were being filed and police were not being sent out. Council Member Green absent.

Council Member Laster moved the rules be suspended for the purpose of extending the time for questions of Mr. Chris Parrott, seconded by Council Member Burks. All voting aye. Nays none. Council Members Green absent. MOTION 2012-0216 ADOPTED.

Council Member Laster stated there was discussion about trespassing laws; and upon questions, Mayor Parker stated that there was a duty to tell people to get off so you had to be present and you could call police and say you wanted them removed, there was a series of steps and with the amendment they were trying to put organization to get permission first and the property owner not need be present. Council Member Green absent.

Council Member Davis moved the rules be suspended for the purpose of extending the time for questions of Mr. Chris Parrott, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Green absent. MOTION 2012-0217 ADOPTED.

Council Member Brown stated to clarify if a property owner was not there then they needed something showing they had permission and inhibitions should not be placed on property owners. Council Member Green absent.

Council Member Burks moved the rules be suspended for the purpose of extending the time for questions of Mr. Chris Parrott, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Green absent. MOTION 2012-0218 ADOPTED.

Council Member Burks suggested posting signs on property and registering with HPD to not allow others on their property; and upon questions, Mr. Parrott stated it sounded reasonable. Council Member Sullivan absent.

Mayor Parker ask if the Council Member was suggesting "Don't Feed the Homeless" signs be posted all over Houston; and Council Member Burks stated "No Trespassing" signs be posted. Council Member Sullivan absent.

Ms. Gloria Edwards-Mills, 5801 North Rosslyn Road #605, Houston, Texas 77091 (281-445-1935) had reserved time to speak but was not present when her name was called. Council Member Sullivan absent.

Ms. Sarah Slamen, 717 W. Alabama, Houston, Texas 77006 (713-503-4247) appeared and stated that she had a T-shirt for Mayor Parker and was present opposing Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Member Sullivan absent.

After applause from the Chamber Mayor Parker stated that this was her second warning

and she would have officers remove anyone who got carried away; and urged no one cause that to happen. Council Member Sullivan absent.

Upon questions of Council Member Davis, Ms. Slamen stated that police could enforce trespassing laws; and after further questions, Mayor Parker stated that the trespassing laws had a higher penalty; that she had property in the Montrose and registered a no trespassing affidavit with the police which allowed them to remove people, but then the homeless were targeted rather than those who came and perhaps created the problem. Council Members Sullivan, Pennington and Noriega absent.

Council Member Davis moved the rules be suspended for the purpose of extending the time for questions of Ms. Sarah Slamen, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan, Pennington and Noriega absent. MOTION 2012-0219 ADOPTED.

Upon questions of Council Member Davis, Ms. Slamen stated that she would rather they regulate what was not in place and to not get between her and her charity which was between her and God. Council Members Sullivan, Pennington and Noriega absent.

Upon questions by Council Member Hoang, Ms. Slamen stated that placing "No Trespassing" signs should be up to property owners; and if the city passed the amendment it could be placed in every yard and permits posted in windows. Council Members Sullivan, Pennington and Noriega absent.

Council Member Burks moved the rules be suspended for the purpose of extending the time for questions of Ms. Sarah Slamen, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan, Pennington and Noriega absent. MOTION 2012-0220 ADOPTED.

Council Member Burks stated that he was not saying to not feed people, he was saying property owners should be able to post a "No Trespassing" sign which would be on the books and he should not have to be present to tell them to leave; that the city had too many ordinances not being followed, they were overregulated. Council Members Sullivan, Pennington and Noriega absent.

Mayor Parker stated to be clear you could post or be there and tell them to leave to trigger the trespassing ordinance. Council Members Sullivan, Pennington and Noriega absent.

Council Member Rodriguez moved the rules be suspended for the purpose of hearing Mr. Noel Cowart, Mr. Hershel Donny and Ms. Thao Costis out of order, seconded by Council Member Costello. All voting aye. Nays none. Council Members Sullivan, Pennington and Noriega absent. MOTION 2012-0221 ADOPTED.

Ms. Marty Troyer, 2718 Lazy Spring Drive, Houston, Texas 77080 (713-835-9436) appeared and stated that he was Pastor at the Houston Mennonite Church and blogger for the Houston Chronicle and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Sullivan, Pennington and Noriega absent.

Mayor Parker stated that a lot of what they did was balance the rights and needs of groups of people and she perceived the ordinance as balancing rights; that they in no way were trying to inhibit anyone from feeding the hungry. Council Members Sullivan, Pennington and Noriega absent.

Council Member Brown moved the rules be suspended for the purpose of extending the

time for questions of Mr. Marty Troyer, seconded by Council Member Costello. All voting aye. Nays none. Council Members Sullivan, Pennington, Burks and Noriega absent. MOTION 2012-0222 ADOPTED.

Council Member Brown stated that there was a property right aspect but also the issue of feeding five or more people you needed to register and get permission and it was an inhibition to those wanting to give on impulse, etc. Council Members Sullivan, Hoang, Pennington, Burks and Noriega absent.

Mr. Noel Cowart, 2016 Main, Houston, Texas 77002 (713-757-0748) appeared and spoke in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Sullivan, Hoang, Pennington, Burks and Noriega absent.

Upon questions by Council Member Rodriguez, Mr. Cowart stated that there was a provision in the amendment where people would be fed and have washing facilities available, the current law did not allow officers to move them anywhere but jail and it was not a crime to be homeless. Council Members Sullivan, Hoang, Pennington, Burks and Noriega absent.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Mr. Noel Cowart, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan, Pennington and Burks absent. MOTION 2012-0223 ADOPTED.

Upon questions by Council Member Brown, Mr. Cowart stated that he was not suggesting the homeless disappear, but that they use resources wisely and efficiently and feed them daily and constantly. Mayor Parker, Council Members Sullivan, Pennington and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Mr. Noel Cowart, seconded by Council Member Rodriguez. All voting aye. Nays none. Mayor Parker, Council Members Cohen, Sullivan, Pennington and Burks absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0224 ADOPTED.

Council Member Brown stated that there was an issue of property rights, but it should be addressed independent of instead of bringing inhibitions upon people who help others; and Mr. Cowart stated that he was not suggesting they cure all problems by the ordinance, but was suggesting to use what there was to effectively feed those who were hungry. Mayor Parker, Council Members Sullivan, Pennington and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mr. Hershel Donny, 505 Bastrop #210, Houston, Texas 77003 (713-229-0282) appeared and stated that he lived in East Downtown and was in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Sullivan, Pennington and Burks absent.

Upon questions of Council Member Rodriguez, Mr. Donny stated that police may move people off, but they may not; that ordinances were in place, but a good portion of the time nothing happened; and it was dangerous with cars in the street, etc. Council Members Davis, Sullivan and Burks absent.

Council Member Rodriguez moved the rules be suspended for the purpose of extending the time for questions of Mr. Hershel Donny, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Davis, Sullivan and Burks absent. MOTION 2012-0225 ADOPTED.

Upon further questions of Council Member Rodriguez, Mr. Donny stated that groups should be able to feed others in a safe way and keep it clean. Council Members Davis, Sullivan and Burks absent.

Upon questions of Council Member Brown, Mr. Donny stated that things happened and sometimes people became homeless.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Mr. Hershel Donny, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Davis, Sullivan and Burks absent. MOTION 2012-0226 ADOPTED.

Upon questions of Council Member Brown, Mr. Donny stated that the homeless were welcome to their area as long as they were not sleeping, trashing the area, etc., he expected the same courtesy he would give them in their area; and Council Member Brown stated this had regulation on those helping the homeless rather than helping them. Council Members Davis, Sullivan and Burks absent.

Council Member Laster moved the rules be suspended for the purpose of extending the time for questions of Mr. Hershel Donny, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Davis, Sullivan and Burks absent. MOTION 2012-0227 ADOPTED.

Upon questions of Council Member Laster, Mr. Donny stated that he lived across from Dynamo Stadium; that a vacant lot was near them and for sale and they got a trespass affidavit in place and posted a "No Trespassing" sign. Council Members Davis, Sullivan and Burks absent.

Council Member Laster moved the rules be suspended for the purpose of extending the time for questions of Mr. Hershel Donny, seconded by Council Member Rodriguez. Council Members Davis, Sullivan and Burks absent. A vote was not called and motion number was not given.

Upon further questions of Council Member Laster, Mr. Donny stated that in spite of what had been done people still did trespass; that groups put up tables and handed out food and his issue was they did not clean up. Council Members Davis, Adams, Sullivan and Burks absent.

Council Member Laster moved the rules be suspended for the purpose of extending the time for questions of Mr. Hershel Donny, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Davis, Adams, Sullivan and Burks absent. MOTION 2012-0228 ADOPTED.

Upon further questions of Council Member Laster, Mr. Donny stated that they had meetings at Star of Hope last year with the East Downtown Management District and few groups showed and they continued to show up and leave trash. Council Members Davis, Adams, Sullivan and Burks absent.

Upon questions of Council Member Cohen, Mr. Donny stated that the ordinance amendment was a first step in dealing with issues. Council Members Davis, Adams, Sullivan and Burks absent.

Council Member Laster moved the rules be suspended for the purpose of extending the time for questions of Mr. Hershel Donny, seconded by Council Member Rodriguez. Council Members Davis, Adams, Sullivan and Burks absent. A vote was not called and motion number

was not given.

Upon further questions of Council Member Cohen, Mr. Donny stated that he would like more enforcement, he felt they continued to do what they did as they were compelled to do so, but as a citizen in the area he felt there was a need for them to follow the rules. Council Members Davis, Adams, Sullivan and Burks absent.

Council Member Green moved the rules be suspended for the purpose of extending the time for questions of Mr. Hershel Donny, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis, Adams, Sullivan and Burks absent. MOTION 2012-0229 ADOPTED.

Upon questions of Council Member Green, Mr. Donny stated that he saw no language in the amendment prohibiting feeding the hungry. Council Members Davis, Adams, Sullivan and Burks absent.

Upon questions of Council Member Rodriguez, Mr. Donny stated that nothing would prohibit feeding the hungry; that in the past they took pictures of tons of food laying around for rats, etc. Council Members Davis, Adams, Sullivan, Burks and Noriega absent.

Ms. Thao Costis, 2505 Fannin, Houston, Texas 77002 (713-276-3042) had reserved time to speak but was not present when her name was called. Council Members Davis, Adams, Sullivan, Burks and Noriega absent.

Ms. Maria Jimenez, 7105 Sherman, Houston, Texas 77011 (713-213-1678) appeared and stated that on behalf of 3,000 to 5,000 day laborers she opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Burks and Noriega absent.

Ms. Lesa Smith, 8927 Red Cloud, Houston, Texas 77064 (281-615-7765) appeared and stated that she opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Burks and Noriega absent.

Council Member Rodriguez moved the rules be suspended to hear Mr. Fredrick Cilurso, Ms. Sandra McMasters, Mr. Anton Sinkewich, Mr. Michael Boone, Ms. Marilyn Brown and Ms. Pat Goldwait out of order, seconded by Council Member Green. All voting aye. Nays none. Council Members Davis, Cohen, Adams, Sullivan, Burks and Noriega absent. MOTION 2012-0230 ADOPTED.

Ms. Judy Kay Craft, 5311 Leeland, Houston, Texas 77023 (713-757-2771) appeared and stated that she opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan and Burks absent.

Mayor Parker stated that there was no requirement anyone register as a 501c3, there was a requirement they display permission from the property owner if it was not their own property; and if a city park the city indicated willingness to designate city parks available and if less than six people no permission was needed. Council Members Davis, Adams, Sullivan, Hoang and Burks absent.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Ms. Judy Craft, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Davis, Adams, Sullivan, Hoang and Burks absent. MOTION 2012-0231 ADOPTED.

Upon questions of Council Member Brown, Mayor Parker called on Mr. Heilman who stated that with regards to public space the Parks and Recreation Director would have designated areas for parks facilities and with regard to other areas he believed the Health Department Director would designate certain areas; and upon further questions Mayor Parker stated that as soon as the ordinance passed options would be available to register with the city for permission to use public space. Council Members Davis, Adams, Hoang and Burks absent.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Ms. Judy Craft, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Davis, Adams, Hoang and Burks absent. MOTION 2012-0232 ADOPTED.

Upon further questions by Council Member Brown, Mayor Parker stated that if an individual was feeding more than six on public property they would need permission and if they knew they would be doing it every Sunday, etc., they would be given permission subject their following basic hygiene and cleaning up; that absent bad behavior it was not their intention to limit anyone; and the appeal process would be in Council as these citizens were doing today. Council Members Davis, Adams, Hoang and Burks absent.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Ms. Judy Craft, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Davis, Adams, Hoang and Burks absent. MOTION 2012-0233 ADOPTED.

Council Member Brown stated that being it was in the hands of the department to authorize someone to feed on certain property then the department if they so choose could deny; and upon questions, Mayor Parker stated that would be illegal, they would need a reason to deny such as being cited in advance for no permit, etc. Council Members Davis, Adams, Hoang and Burks absent.

Council Member Sullivan moved the rules be suspended for the purpose of extending the time for questions of Ms. Judy Craft, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Davis, Adams, Hoang and Burks absent. MOTION 2012-0234 ADOPTED.

Council Member Sullivan stated that this dialogue sounded to be more appropriate for tomorrow when the actual ordinance was in front of them; and Mayor Parker agreed. Council Members Davis, Adams, Hoang and Burks absent.

Council Member Brown moved the rules be suspended for the purpose of hearing Mr. Dave Welch out of order, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Davis, Adams, Hoang and Burks absent. MOTION 2012-0235 ADOPTED.

Mr. Fredrick Cilurso, 223 McGowen, Houston, Texas 77006 (832-858-5559) appeared and stated that he was a property owner at the corner of Congress and St. Emanuel, "Ground Zero" and he was in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Adams, Hoang and Burks absent.

Council Member Rodriguez stated that he wanted to remind colleagues they were encouraging feeding those needed, but in a safe and efficient manner. Council Members Adams, Hoang and Burks absent.

Council Member Rodriguez moved the rules be suspended for the purpose of extending the time for questions of Mr. Fredrick Cilurso, seconded by Council Member Costello. Council

Members Adams, Hoang and Burks absent. A vote was not called and motion number was not given.

Council Member Rodriguez further stated that they worked on this almost two years without real help from those saying they wanted to serve the public, they were not being cooperative in maximizing efficiency and a compromise would move all in the right direction. Council Members Adams, Hoang and Burks absent.

Council Member Sullivan moved the rules be suspended for the purpose of hearing Pastor Brian Gowan out of order, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Hoang and Burks absent. MOTION 2012-0236 ADOPTED.

Council Member Adams moved the rules be suspended for the purpose of hearing Ms. Virginia McDavid out of order, seconded by Council Member Gonzales. All voting aye. Nays none. Council Members Hoang, Rodriguez and Burks absent. MOTION 2012-0237 ADOPTED

Ms. Sandra McMasters, 901 Commerce, Houston, Texas 77002 (713-229-9715) appeared and stated that she was general manager of the Spaghetti Warehouse and was in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Hoang and Burks absent.

Upon questions of Council Member Davis, Ms. Masters stated that she spoke to multiple officers, etc., regarding problems of random feedings; that she was in support of them being fed in accordance with the charitable food service ordinance proposed. Council Members Hoang and Burks absent.

After boos were expressed along with a shout out Mayor Parker asked whoever shouted out to please leave or an officer would escort them; and after no one removing themselves she asked the officers to request the gentleman leave the Chamber. Council Members Hoang, Green and Burks absent.

Council Member Brown moved the rules be suspended for the purpose of extending time for questions of Ms. Sandra McMasters, seconded by Council Member Davis. All voting aye. Nays none. Council Members Hoang, Rodriguez, Green and Burks absent. MOTION 2012-0238 ADOPTED

Upon questions of Council Member Brown, Ms. McMasters stated that the ordinance would be structured and organized; that random feedings had positives, but on property owners it was very impacting. Council Members Hoang, Green and Burks absent.

Mr. Anton Sinkewich, 2612 McKinney, Houston, Texas 77003 (713-591-2014) appeared and stated that he was executive director of the East Downtown Management District and homeowner in the East End; and was in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Sullivan, Hoang, Laster, Green, Burks and Noriega absent.

Upon questions of Council Member Rodriguez, Mr. Sinkewich stated that his maintenance contractor informed him nearly 100% of the trash in zone one was primarily litter as a direct result of feedings going on in an unregulated manner and this was also a community rights issue and a huge cost. Council Members Cohen, Sullivan, Hoang, Laster, Green, Burks and Noriega absent.

Council Member Davis moved the rules be suspended for the purpose of extending time for questions of Mr. Anton Sirkewich, seconded by Council Member Rodriguez. All voting aye.

Nays none. Council Members Cohen, Sullivan, Hoang, Laster Green, Burks and Noriega absent. MOTION 2012-0239 ADOPTED

Upon questions of Council Member Davis, Mr. Sirkewich stated that money spent on trash could go for infrastructure improvements, park improvements, etc., if it were not spent on a needless issue. Council Members Cohen, Sullivan, Hoang, Laster, Green, Burks and Noriega absent.

Council Member Brown stated that this needless issue was a very needy issue they were speaking of the homeless; that she understood there was a problem, but putting inhibitions on those choosing to give. Council Members Sullivan, Hoang, Laster, Green, Burks and Noriega absent.

Council Member Brown moved the rules be suspended for the purpose of extending time for questions of Mr. Anton Sirkewich, seconded by Council Member Rodriguez; and Mayor Parker stated that there were not enough Council Members present to extend time. Council Members Sullivan, Hoang, Laster, Green, Burks and Noriega absent.

Mr. Michael Boone, 2919 Kevin Lane, Houston, Texas 77043 (713-628-0356) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Hoang, Laster Green, Burks and Noriega absent.

Ms. Marilyn Brown, 600 Jefferson #2050, Houston, Texas 77002 (832-531-6007) appeared, presented information and stated that she was CEO for Coalition for the Homeless and they conducted surveys of groups; and spoke in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances.. Council Members Sullivan, Hoang and Burks absent.

Upon questions of Council Member Davis, Ms. Brown stated that all groups agreed it would be successful if food groups were dependable, no complaints and inclusion of social services with safe food, etc. Council Members Sullivan, Hoang and Burks absent.

Council Member Rodriguez moved the rules be suspended for the purpose of extending the time for questions of Mr. Ms. Marilyn Brown, seconded by Council Member Costello. Council Members Sullivan, Hoang and Burks absent. A vote was not called and motion number was not given.

Upon further questions of Council Member Davis, Ms. Brown stated that all agreed the area should be cleaned so there was agreement on issues from all groups but disagreement on the degree of control of the issues with the strongest disagreement being accessibility to the property; and she felt there was opportunity to work together. Council Members Sullivan, Hoang and Burks absent.

Council Member Davis moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Sullivan, Hoang and Burks absent. MOTION 2012-0240 ADOPTED

Upon further questions by Council Member Davis, Ms. Brown stated that she was not sure how to come together, but perhaps a coordination plan and central location to sign up; and Mayor Parker stated that the coordination was the voluntary part of the ordinance. Council Members Sullivan, Hoang and Burks absent.

Council Member Rodriguez moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Laster. All voting aye. Nays none. Council Members Adams, Sullivan, Hoang, Burks and Noriega absent. MOTION

2012-0241 ADOPTED

Upon questions of Council Member Rodriguez, Ms. Brown stated that the four groups they focused on were currently and formerly homeless, business and residents in downtown Houston, representatives of Faith-based and volunteer organizations who already participated in this and service providers who offered meals and felt the ordinance was a good first step. Council Members Adams, Sullivan, Hoang, Burks and Noriega absent.

Council Member Christie, moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Laster. All voting aye. Nays none. Council Members Adams, Sullivan, Hoang, Burks and Noriega absent. MOTION 2012-0242 ADOPTED

Upon questions of Council Member Christie, Ms. Brown stated that in the four groups there was a lot of agreement in wanting to do this in a coordinated fashion. Council Members Adams, Sullivan, Hoang, Burks and Noriega absent.

Council Member Laster moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Adams, Sullivan, Hoang, Burks and Noriega absent. MOTION 2012-0243 ADOPTED

Upon questions of Council Member Laster, Ms. Brown stated that the issues which continued to come up were no different than what Council was talking about such as access to property, trash, etc. Council Members Adams, Sullivan, Hoang, Burks and Noriega absent.

Council Member Laster moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Adams, Sullivan, Hoang and Burks absent. MOTION 2012-0244 ADOPTED

Upon further questions by Council Member Laster, Ms. Brown stated that agreement was upon issues at hand and felt all groups agreed to some level of coordination. Council Members Adams, Sullivan, Hoang and Burks absent.

Council Member Cohen congratulated Ms. Brown on trying to reach focus groups and she wondered if they could be brought together again to talk about how to communicate the message; and Ms. Brown stated that the Coalition for the Homeless would be happy to do that. Council Members Adams, Sullivan, Hoang and Burks absent.

Council Member Costello moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Adams, Sullivan, Hoang and Burks absent. MOTION 2012-0245 ADOPTED

Upon questions by Council Member Costello, Ms. Brown stated that their group was transforming from an umbrella organization to the backbone support organization in bringing service providers what was needed to better serve the homeless; and she was not speaking on behalf of the homeless, but she thought this was a wonderful first step. Council Members Adams, Sullivan, Hoang and Burks absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Adams, Sullivan, Hoang and Burks absent. MOTION 2012-0246

ADOPTED

Mayor Parker stated that the previous ordinance the Coalition was in support of; that she believed all agencies dealing with the homeless had signed off on the original ordinance as presented. Council Members Adams, Sullivan, Hoang and Burks absent.

Upon questions by Council Member Gonzalez, Ms. Brown stated that she would be happy to share his question with the board as far as a commitment on the Coalition engaging in a coordinating role even if there was no ordinance, but to gather information and support, they say they support those who support the homeless. Council Members Adams, Sullivan, Hoang and Burks absent.

Council Member Bradford moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Laster. All voting aye. Nays none. Council Members Davis, Adams, Sullivan, Hoang and Burks absent. MOTION 2012-0247 ADOPTED

Upon questions by Council Member Bradford the bell rang before Ms. Brown could answer; and Mayor Parker called for another motion; and Council Member Bradford moved the rules be suspended for the purpose of extending time for questions of Ms. Marilyn Brown, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Davis, Adams, Sullivan, Hoang and Burks absent. MOTION 2012-0248 ADOPTED

Ms. Brown was then called on to answer Council Member Bradford's questions and stated that the areas of access to the property and registration were in most disagreement with the faith-based and volunteer organizations, but using the words to sign up was met with a higher degree of cooperation; that as for herself she felt you needed permission to be on someone's property. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez and Burks absent.

Mayor Parker stated that Ms. Brown did a lot of work in bringing the stakeholder groups together and compiling the information and her efforts were appreciated. Council Members Davis, Adams, Sullivan, Hoang and Burks absent.

Mr. Pat Goldwait, 1305 Gray, Houston, Texas 77002 (713-299-2641) appeared and stated that general manager of Advantage BMW Midtown and was for Agenda Item 44, amending Chapter 20 of the Code of Ordinances.. Council Members Davis, Adams, Sullivan, Hoang and Burks absent.

Upon questions of Council Member Rodriguez, Mr. Goldwait stated that as areas become more mature for unscheduled food drop-offs the criminality of elements becomes more severe; and in the last two weeks there was a murder on his property in that group. Mayor Parker, Council Members Davis, Adams, Sullivan, Hoang and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mr. Dave Welch, P. O. Box 692207, Houston, Texas 77269 (832-688-7166) appeared and stated that he was present representing the churches and was opposing Agenda Item 44, amending Chapter 20 of the Code of Ordinances.. Mayor Parker, Council Members Davis, Adams, Sullivan, Hoang and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Brown stated that during the last speakers she was uncomfortable they were discussing this as a city, they were speaking about human beings, the homeless, the needy and they were talking about feeding cattle here; that as a church leader she was sure this was near his heart and it was irrational; and Mr. Welch stated that they were deeply concerned about care of those facing such needs. Mayor Parker, Council Members Davis, Cohen, Adams,

Sullivan, Hoang, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Bradford moved the rules be suspended for the purpose of extending time for questions of Mr. Dave Welch, seconded by Council Member Pennington. All voting aye. Nays none. Mayor Parker, Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0249 ADOPTED

Upon questions by Council Member Pennington, Mr. Welch stated that requesting permission was a sensible thing to do so it protected the property owner, but the ordinance also reached onto public property in intrusive ways, there was a huge amount of regulatory authority left in the hands of small numbers and there should be a plan before this was passed. Mayor Parker, Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding.

Pastor Brian Gowan, P. O. Box 89149, Houston, Texas 77289 (713-478-7377) appeared and stated that he was an executive pastor at Grace Community Church and had concerns with the ordinance, Agenda Item 44, amending Chapter 20 of the Code of Ordinances.. Mayor Parker, Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Noriega, Pastor Gowan stated that homeless and under resource people were in communities all over Houston and restrictions would limit help; and Council Member Noriega stated that the ordinance did not forbid feeding those in need it only stated you had to get permission. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent.

Ms. Catherine White, 1356 Ebony Lane, Houston, Texas 77018 (713-851-9257) appeared and stated that she was an acupuncturist and a military veteran and owned property in the area and was opposed to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent.

Mr. Marrio Hinkle, 2014 Calumet, Houston, Texas 77004 (512-909-0892) appeared and stated that he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent.

Miss Makota Ashe, 3346 Airport Boulevard, Houston, Texas 77051 (832-859-2156) appeared and stated that she was eleven years old, a fifth grader and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent.

Council Member Noriega thanked Miss Ashe for coming and stated that she did a very good job and her input was appreciated. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent.

Mr. Joe Maracinkowski, 2215 Washington Avenue, Houston, Texas 77006 (713-473-0000) appeared and stated that he was a small business owner, executive member of Houston Peace and Justice and volunteered for Food Not Bombs and he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Burks absent.

Council Member Brown stated that she was for property rights, but when analyzing this it was more of a violation of property rights as you were having to show papers to government that you were doing what you wanted on your property; and upon questions, Mr. Maracinkowski

stated that designating where people could eat was a society he did not want to be a part of. Council Members Davis, Cohen, Adams, Sullivan, Hoang and Bradford absent.

Pastor James Giannantonio, 3511 Shadymist Drive, Houston, Texas 77082 (832-368-9022) appeared and stated that he was with Christ the Servant Lutheran Church and spoke in opposition Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang and Bradford absent.

Upon questions by Mayor Parker, Pastor Giannantonio stated that he thought they could go about this in more creative ways. Council Members Davis, Cohen, Adams, Sullivan and Hoang absent.

Ms. Liana Lopez, 4820 Rusk, Houston, Texas 77023 (713-416-5088) had reserved time to speak but was not present when her name was called. Council Members Davis, Cohen, Adams, Sullivan and Hoang absent.

Mr. Chris Carmona, 1818 Potomac, Houston, Texas 77057 (832-444-4293) appeared and stated that after letting go of airport employees last year he did not even know if they could afford to staff Hobby Airport for international flights; and he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan and Hoang absent.

Ms. Scwyana Smith, 19510 Buckland Park Drive, Katy, Texas 77449 (832-213-4543) had reserved time to speak but was not present when her name was called. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Rodriguez and Bradford absent.

Mr. Lief Hayman, 317 W. Oak, Deer Park, Texas 77536 (713-471-1807) appeared and stated that he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang and Rodriguez absent.

Ms. Allison Glenney, 4121 Lamar, Houston, Texas 77023 (409-939-3610) appeared and stated that she was working on her masters at the University of Houston and she was opposed to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mayor Parker stated that it would be a police enforcement tool and the signup, etc. was volunteer; that the trespassing law or this ordinance would be police enforcement at the site and the rest of it was voluntary. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Council Member Brown stated that part of the ordinance was voluntary now; and she appreciated her coming and sharing her thoughts. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mr. Michael Horn, homeless, appeared and stated that he was homeless and opposed to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mr. Terry Bagley, homeless, had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Ms. Catherine Chassay, 114 E. 23rd, Houston, Texas 77008 (281-221-2198) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances.

Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mr. Randy Copperhaver, 1117 Texas Avenue, Houston, Texas 77002 (no phone) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Ms. Elizabeth Haddad, 6221 Main, Houston, Texas 77030 (no phone) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Upon questions by Council Member Noriega, Ms. Haddad stated that she was tapped on the shoulder and given a sandwich and they left; that people knew you were there and tried to do something. Council Members Davis, Adams, Sullivan, Hoang, Pennington, Gonzalez and Rodriguez absent.

Mr. Neil Aquino, 5353 Memorial Drive, Houston, Texas 77007 (713-591-0402) appeared and spoke against Council Members moving speakers around in front of others as it was discourteous; and also spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Pennington, Gonzalez and Rodriguez absent.

Council Member Bradford stated that Council had not acted on the ordinance yet and some did not support it. Council Members Davis, Adams, Sullivan, Hoang, Pennington, Gonzalez and Rodriguez absent.

Mr. Dylan Cash, 742 Amhurst, Deer Park, Texas 77536 (832-404-8185) appeared and stated that he was thirteen and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Pennington, Gonzalez and Rodriguez absent.

Council Member Noriega stated that Council appreciated him coming and expressing his opinion and the future of democracy was in his hands; that she felt someday he would have a lot more to say. Council Members Davis, Adams, Sullivan, Hoang, Pennington, Gonzalez and Rodriguez absent.

Mr. Maurice Samuel O'Neal, 2818 Hopper, Houston, Texas 77039 (no phone) appeared and stated that he had been on the streets and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mr. Ben Desoto, 1209 Shearn, Houston, Texas 77007 (713-705-1470) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mr. Sarath Chay, homeless had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mr. Keith Gosserand, 15723 Beechnut, Houston, Texas 77083 (281-889-6935) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Burks absent.

Mr. Shaun Crump, 1109 Genesee, Houston, Texas 77019 (832-359-5687) appeared and stated that he was a vet and he and his family had been homeless and was opposed to Agenda

Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Adams, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Council Members Noriega and Brown thanked Mr. Crump for his service in the military. Council Members Adams, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Mr. Noah Rattler, 12000 Martin Luther King #2054, Houston, Texas 77048 (832-422-6224) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Adams, Sullivan, Hoang, Gonzalez and Christie absent.

Upon questions by Council Member Davis, Mr. Rattler stated that the ordinance could possibly hinder individual's ability to help support random individuals and it would cause an increased need; that the discussion was great but it should be continued before passage. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez and Christie absent.

Council Member Burks moved the rules be suspended for the purpose of hearing Ms. Tomoro Bell out of order, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez and Christie absent. MOTION 2012-0250 ADOPTED.

Ms. Janice Deajon, 3917 Noble, Houston, Texas 77020 (832-921-0984) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Adams, Sullivan, Hoang and Gonzalez absent.

Upon questions by Council Member Noriega, Ms. Deajon stated that the homeless were going to eat and if regulations were on those trying to help feed the homeless they would eat whether it is robbing, etc.; and Council Member Noriega stated that hunger always won out over fear. Council Members Adams, Sullivan, Hoang and Gonzalez absent.

Ms. Tomaro Bell, 3248 Charleston, Houston, Texas 77021 (713-825-8449) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Adams, Sullivan, Hoang and Gonzalez absent.

Upon questions by Mayor Parker, Ms. Bell stated that she would like the part about feeding in public to be changed; that maybe her problem was perception of the figure placed on it, but homeless were everywhere and she did not think a time or place should be put on helping them. Council Members Cohen, Adams, Sullivan, Hoang, Gonzalez and Noriega absent.

Mr. Robert Kosack, 1811 Ruiz, Houston, Texas 77002 (no phone) had reserved time to speak but was not present when his name was called. Council Members Cohen, Adams, Sullivan, Hoang, Gonzalez and Noriega absent.

Ms. Edna Narvaez, 1121 Richmond Avenue, Houston, Texas 77006 (512-810-3252) appeared and stated that she represented the University of Houston; she was a member of the Voice of the Homeless Awareness Projects and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez and Noriega absent.

Ms. Judith Hoffhien, 1129 W. 23rd, Houston, Texas 77008 (713-863-8708) had reserved time to speak but was not present when her name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez and Noriega absent.

Ms. Marcela Wilson, 2037 Branard, Houston, Texas 77098 (281-451-9908) had reserved time to speak but was not present when her name was called. Council Members Davis, Adams,

Sullivan, Hoang, Gonzalez and Noriega absent.

Mr. Chris Hawley, homeless, had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang and Gonzalez absent.

Mr. Joseph Benson, 5714 Doulton, Houston, Texas 77033 (832-352-5438) appeared and stated that he formerly was homeless and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez and Burks absent.

Council Member Noriega stated that he was right, the whole controversy was reflective of a much larger issue which needed to be addressed; and upon questions, Mr. Benson stated that individuals who were homeless and physically able should be trained to work and apartment complexes which were needing to be torn down could be refurbished and sold to organizations such as Search, Salvation Army, etc., and provide housing; and provide individual case management so they would not become homeless again. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez and Burks absent.

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

Ms. Shirley Lard, 7800 N. Sam Houston Parkway East #11205, Humble, Texas 77396 (832-379-8727) appeared and stated that she served in outreach and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez and Burks absent.

Mayor Parker stated that permission was voluntary. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez and Burks absent.

Upon questions by Council Member Brown, Ms. Lard stated that they went to the Fifth Ward and Third Ward areas to serve; and Council Member Brown stated that when they went out they would need to show they had written permission from property owners to feed and that was an inconvenience on both the property owner and those helping others; and Mayor Parker stated that the ordinance applied to the entire city and was not just a downtown ordinance. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez and Burks absent.

Ms. Linda Blanton, P. O. Box 891591, Houston, Texas 77289 (281-731-7474) had reserved time to speak but was not present when her name was called. Council Members Davis, Cohen, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Mr. Larry Benford, 2115 Taft, Houston, Texas 77006 (832-528-3904) appeared and stated that he was homeless and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Green, Burks and Bradford absent. (NO QUORUM PRESENT)

Ms. Debra Dillis, 2115 Taft, Houston, Texas 77006 (832-528-3904) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Upon questions by Council Member Noriega, Ms. Dillis stated that without organizations helping, those in need would have to turn to crime, begging and less healthy options; and urged no passage of the item. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez,

Rodriguez, Burks and Bradford absent.

Mr. John Penner, 4200 Lockfield, Houston, Texas 77092 (832-306-5503) appeared and stated that he worked with a ministry called Love Out Loud and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Mr. Jorge Pene, 1111 Montrose, Houston, Texas 77051 (713-731-2008) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Ms. Margaret Torres, 409 Stratford #7, Houston, Texas 77006 (281-250-7187) had reserved time to speak but was not present when her name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Mr. Clyde Bryan, 10802 Pepper Lane, Houston, Texas 77079 (713-545-4878) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Ms. Mary Southwick, 2021 Kane, Houston, Texas 77007 (713-202-9104) appeared and stated that she was opposed to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Mr. Hosea Roosevelt Scurry, 1817 State, Houston, Texas 77007 (713-869-0869) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Mr. Deidris Woods, 1109 W. 25th #A, Houston, Texas 77008 (832-768-9654) had reserved time to speak but was not present when his name was called. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Mr. William Rowden, 1807 Washington, Houston, Texas 77007 (no phone) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Davis, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Burks and Bradford absent.

Ms. Nicole Powers, 20835 Loetta Oak, Spring, Texas 77388 (281-719-0080) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Council Members Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Green, Burks and Bradford absent.

Upon questions by Council Member Noriega, Ms. Powers stated that she and her family had been homeless, it was a continuous cycle but they learned to live from the land and share bonds when they were there. Council Members Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Green, Burks and Bradford absent.

Ms. Lisa Coraci, 2111 Marion, Houston, Texas 77009 (561-805-3813) appeared and stated that she was a social worker and full time volunteer and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Mayor Pro Tem Gonzalez, Council Members Adams, Sullivan, Hoang, Rodriguez, Green, Burks and Bradford absent. Council Member Noriega presiding. (NO QUORUM PRESENT)

Council Member Brown stated that this was a very important issue and the issue of

homelessness would get worse if the economy did not pick up; and thanked Ms. Coraci for coming. Mayor Parker, Mayor Pro Tem Gonzalez, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Council Member Noriega presiding. (NO QUORUM PRESENT)

Mr. George V. Rodriguez, 2601 N. Main, Houston, Texas 77009 (713-223-0716) appeared and stated that he was a retired sergeant with HPD and owned a grocery store on Main; and spoke in favor of Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Mayor Pro Tem Gonzalez, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Council Member Noriega presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Mr. Rodriguez stated that he was aware there was food poisoning in the food industry even with regulation; and Council Member Brown stated that there was no evidence of this going on and there was a lot in the industry so regulation would not help in this matter. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Rodrigo Martinez, 11607 Brooklet Bridge, Houston, Texas 77079 (832-310-8080) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. David Foong, 605 W. Clay #B, Houston, Texas 77019 (812-345-5578) appeared and stated that he was with Equocia Church and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Valerie Kerschen, 1123 Fugate, Houston, Texas 77009 (713-397-5478) appeared and stated that she was an educator and was opposed to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Ms. Kerschen stated that she did not understand why restaurants, etc., were not allowed to donate to organizations who were willing and able to feed the homeless, she did not understand why so much surplus was disposed of. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Aimee Kerschen, 4655 Richmond Avenue, Houston, Texas 77027 (713-397-5478) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Antonio Jackson, 2115 Taft, Houston, Texas 77006 (832-528-3904) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. David Lee Thomas, 1703 Grace, Houston, Texas 77003 (no phone) appeared and stated that he was homeless and opposed to Agenda Item 44, amending Chapter 20 of the

Code of Ordinances. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Noriega, Mr. Thomas stated that to sum up crime would go up and people would get sick from eating out of trash cans if they were not allowed to be fed. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Mr. Mark Rigsby, 3401 Fannin, Houston, Texas 77004 (no phone) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Mr. Franciso Balle, 4311 Roseland, Houston, Texas 77006 (832-283-7067) appeared and stated that he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Ms. Rebeca Salahuddin, 2627 Caroline, Houston, Texas 77004 (832-322-4557) appeared and stated that she was homeless and her son was taken away and she opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Mr. Thomas Milstead, 470 Elder Vista Circle, Webster, Texas 34974 (no phone) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Mr. Timothy Lee Roberts, 6221 Main, Houston, Texas 77030 (no phone) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green, Burks and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Ms. Colleen O'Brien, 12137 Stone West Drive, Houston, Texas 77035 (713-529-4414) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Brown, Ms. O'Brien stated that people should be focusing on big issues such as climate, etc. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Mr. Kent Crawford, 5118 Redstart, Houston, Texas 77035 (713-254-3602) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Ms. Karen Kristopher, 1415 S. Voss Road, Houston, Texas 77057 (713-226-2715) appeared, presented her business card and stated that she was the director of the Houston Area Association For Decency and opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Brown, Ms. Kristopher urged more not be placed on the Houston Police; that she was against big government and it was growing out of control. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Council Member Brown stated that she was running late for an appointment and would be leaving, but wanted to thank all for coming. Mayor Parker, Council Members Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Mr. John Cieslewicz, 1250 Dubarry, Houston, Texas 77018 (713-683-0903) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Ms. Doris Murdock, 330 W. 22nd, Houston, Texas 77008 (no phone) appeared, presented information and stated that her critical drainage issue exemplified a city-wide drainage crisis; that their property on Lawrence would suffer decline in value due to the increased height of the lot on Alexander behind them. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Council Member Noriega stated that Mr. Gary Norman with Public Works and someone from her department were present and she would ask her to speak with them and they would follow-up. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Ms. Mary Lewis Charleville, 8016 Fountain, Houston, Texas 77051 (713-738-2361) appeared and stated that she was a homeowner in Sunnyside and for years the city removed trash and knocked down abandoned homes, but the trend had changed and last month remains of a human female was found in a ditch near her after the horrific smell finally led someone to discover it and the body was removed but not the trash which covered it; that 311 never helped and finally help came from Council Member Adams office. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Noriega, Ms. Charleville stated she spoke with Council Member Adams and what they needed was help with trash in the community; and Council Member Noriega stated that she would recommend her working with her District Council Member, call them back and she was also welcome to work with her office. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Donald Burns, 1302 Donegal Way, Houston, Texas 77047 (713-882-0307) appeared, presented information to Council Members and stated that he spoke in February and brought recordings of police and now on his website was a sergeant with a six or seven year old child and it showed him driving by and later asked if he was drinking; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Virginia McDavid, 1342 Cheshire Lane, Houston, Texas 77018 (832-922-0362) appeared, presented information and stated that she was part of the Association of Flight Attendants at Intercontinental Airport representing over 4,000 flight attendants and was speaking against the proposal to fly international out of Hobby Airport and their letter expressed their concerns. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington,

Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Laster thanked Ms. McDavid for waiting and bring information on a critical issue to the Council Members; and if she would stay in communication with them he would appreciate it. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions of Council Member Davis, Ms. McDavid stated that this was not a fight between United and Southwest, but between Southwest and international carriers and they would like much thought put into the decision and looked forward to visiting with them. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Scott Carron, 6303 Prague, Houston, Texas 77007 (832-603-7594) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Judy Bobbitt, 5914 Velma, Houston, Texas 77396 (281-577-9190) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Philip Cham, 1811 Ruiz, Houston, Texas 77002 (713-226-5401) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 3939 NW Freeway #210, Houston, Texas 77022 (832-696-9204) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Lew Tole, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Lou Scannon, 14724 Ashford Point, Houston, Texas 77072 (832-629-0423) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Randall Kallinen, 311 Broadway, Houston, Texas 77012 (713-320-3785) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions of Council Member Noriega, Mr. Kallinen stated that the outstanding majority of those appearing today were against the ordinance and those for it had money interest; and urged it not be passed; that they already had an amendment petition prepared to fight it if it was passed just as they did with the red light cameras. Mayor Parker, Council

Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Makenzie Maupin, 4200 Mount Vernon, Houston, Texas 77006 (832-890-7421) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Deyadira Trevino, 4918 Cochran, Houston, Texas 77009 (832-638-0768) appeared and stated that she was with St. Patricks Church and they opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Noriega had Ms. Trevino introduce her son who was present; and Council Member Noriega stated to him that he was very patient and his mother was very brave. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Tracey Abbott, did not wish to give address (713-240-4931) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Amy Price, 5630 Dumfries Drive, Houston, Texas 77096 (713-553-3063) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Nick Cooper, 8377 Westview Drive, Houston, Texas 77055 (281-289-3569) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Davis stated that he was voting based on his experience not just with the Mayor and he would be supporting the item, but to him and others he did not just listen to popular opinion; and Mr. Cooper stated that the diversity of groups against the amendment was incredible and unprecedented in Houston's history. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Daphne Pattison, 917 Franklin, Houston, Texas 77002 (713-526-1515) appeared, presented information and stated that she was speaking on behalf of the National Lawyers Guild and they were in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Burks, Ms. Pattison stated that the lawsuit in Dallas was a ministry association against the City of Dallas and the ordinance was similar to the one being proposed here; that they were attacking it under the Texas Religious Freedom Restoration Act which was broader than First Amendment Rights; and Council Member Burks stated that there were no penalties in this ordinance and it was a voluntary action to cooperate

with the city; and Ms. Pattison stated that there was a requirement you get permission and that stopped spontaneous giving. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Noriega stated that she would like to proceed if there was no objection she wanted to know her final point; that all present earned the right as all others had left; and Ms. Pattison stated that her final point was issue of notice and trespass; that the Mayor repeatedly stated this was not as restricted as the trespass statute, but it actually eliminated the notice requirement and there was reason for the notice requirement and they would not have authority to overcome the Texas Penal Code which set forth governing this item. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Sam Dunning, 12419 Tambourine Drive, Houston, Texas 77477 (281-415-9743) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (832-258-7511) appeared and stated that he wanted in the record he expected a no vote from Council Member Cohen as the majority of constituents on the list were in her district and one from Council Member Costello; and continued speaking in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Dena Yanowski, 2319 Bartlett, Houston, Texas 77098 (832-693-3630) appeared and stated that she was a student at the University of St. Thomas and a member of Food Not Bombs and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Sullivan, Ms. Yanowski stated that she was an education major and hoped to be a preschool teacher and hoped to teach it was okay to feed using your own time and money and not against the law; that she was working with others at St. Thomas. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Jay Hamburger, 1817 State, Houston, Texas 77007 (713-302-0101) appeared and stated that he opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared and stated that he was with the Houston Property Rights Association and they opposed Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Christie, Mr. Klein stated that he was head of the

Property Rights Association and was against the ordinance, it was a freedom issue. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Trapravin Meon, 2101 Windbern, Houston, Texas 77004 (713-208-8938) appeared and stated that he trained as a monk and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Donald Romaniello, 7979 Fannin, Houston, Texas 77054 (201-470-0006) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Benjamin Craft-Rendon, 1209 Herkimer #5, Houston, Texas 77008 (832-297-8595) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Dean Cook, 7525 J Street, Houston, Texas 77028 (832-618-2032) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Roger Pearson, 707 Buoy, Houston, Texas 77062, (281-480-7881) appeared and spoke in opposition to Agenda Item 44, amending Chapter 20 of the Code of Ordinances. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Joseph B. Roche, 1445 North Loop West #110, Houston, Texas 77008 (no phone) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Manuel Sanchez, 201 Welch, Houston, Texas 77006 (713-825-7460) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Minister Robert Muhammad, 4443 O. S. T., Houston, Texas 77021 (832-433-9373) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he had murder count charges on Council Member Gonzalez; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Pam Curvey, 7607 Moline, Houston, Texas 77087 (832-242-8091) appeared and stated that she apologized for her behavior last week; that her problem was the flash mobs at Gulf

Gate Mall; and continued expressing her personal opinions until her time expired. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that last week he referred her to the fire and police liaisons; and upon questions, Ms. Curvey stated that she never got to complete her problem; and Mayor Pro Tem Gonzales referred her to the sergeant present to try and get her problems resolved. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Ted Weisgal, 12137 Stone West Drive, Houston, Texas 77035 (713-529-4414) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

At 5:52 p. m. Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, April 4, 2012. Mayor Parker, Council Members Brown, Adams, Hoang, Pennington, Laster, Rodriguez, Green and Bradford absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m., Wednesday, April 4, 2012, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:13 a.m. Mayor Parker stated that they had the Monthly Operations and Financial Report as well as a brief public hearing and recognized Mr. Ronald Green, City Controller and Mr. Kelly Dowe, Director of Finance. Council Members Adams, Sullivan, Burks and Noriega absent.

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

Mr. Green and Mr. Kelly reviewed the Monthly Operations and Financial Report, a copy of which is on file in the City Secretary's office for review. Council Members Brown, Adams, Rodriguez and Burks absent.

Upon questions by Council Member Christi, Mr. Green stated that the way they projected a 6% growth was that they used Barton Smith's projections and if they looked at the way sales tax had been trending over the last year it had actually been trending about 10%, they had been a little hesitant to carry that entire 10% throughout the rest of the year so they used the discount rate so that was how they came to the 6%, they were comfortable in raising their projections, but not up to the 10% rate, they wanted to make sure they did not sell themselves to high on that; that based on what they had they could project a deficit, that right now they were not projecting one, that as it appeared they were above their expenditures so they did not project a deficit at this point. Council Members Brown, Adams, Rodriguez and Burks absent.

Upon further questions by Council Member Christi, Mr. Dowe stated that their projection this month was \$149 million, that the \$5.1 million health benefit increase was for just the Health Benefits Fund, it was comprised of increases that would affect a number of funds not just the General Fund, so the General Fund was only a portion of the total revenues and expenditures that went into the Health Benefits Fund, that it was citywide, that the project relative to the size of the fund, the fund itself had operating expenses of almost \$300 million. Council Members Brown, Adams and Burks absent.

Council Member Sullivan stated that as to item No. 3, if he remembered correct Schroder sent out a email that he was doing a study and asked if it was for this vendor, and Mr. Green stated that it was for Office Depot. Council Members Brown and Adams absent.

Mayor Parker stated that was a good point, that because of the problems with Office Depot they were certainly looking at their procedures in these kind of contracts.

Council Member Costello stated that he wanted to acknowledge that the administration was starting to replenish their Rainy Day Fund and hoped that as they went through the next budget cycle that they continued that activity because that fund had been empty for the past number of years and moved to accept the Monthly Operations and Financial Report, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Brown and Adams absent. MOTION 2012-0251 ADOPTED.

Mayor Parker stated that they would move to the public hearing. Council Members Brown and Adams absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts:
 1. Harris County Utility District No. 6
 2. Fort Bend County Municipal Utility District No. 50
 3. West Harris County Municipal Utility District No. 9
 4. Lake Forest Utility District
 5. Fort Bend County Municipal Utility District No. 34
 6. Harris County Municipal Utility District No. 119
 7. Harris County Municipal Utility District No. 162
 8. Harris County Municipal Utility District No. 168
 9. West Harris County Municipal Utility District No. 16
 10. Fort Bend County Municipal Utility District No. 146
 11. Kleinwood Municipal Utility District
 12. Harris County Municipal Utility District No. 150
 13. Fort Bend County Municipal Utility District No. 35
 14. Bissonnet Municipal Utility District
 15. Castlewood Municipal Utility District
 16. Northwest Harris County Municipal Utility District No. 6
 17. Northwest Harris County Municipal Utility District No. 36

- was called. Mayor Parker and Council Members Brown, Adams, Hoang and Burks absent. Mayor Pro Tem Gonzalez presiding.

The City Secretary stated that Ms. Margaret Wallace, Planning Department, would make

remarks concerning the hearing. Mayor Parker and Council Members Brown, Adams, Hoang and Burks absent. Mayor Pro Tem Gonzalez presiding.

Ms. Wallace appeared and stated that on February 21, 2012, the Department presented the proposed SPAs to the Housing Sustainable Growth and Development Committee and following was the required public hearing, that the Strategic Partnership Agreements and the Limited Purpose Annexations would go before Council on May 2, 2012, that there would be another public hearing next week, that if approved the tax collections would begin October 1, 2012, that for all of the MUDs included in this hearing the City would levy a 1 percent sales tax, which it would divide evenly with the utility districts, that these areas included commercial or undeveloped territory only, there were no residents in any of the areas to be annexed, that while the City was not required to provide a service within the utility districts, they were required to provide a service if they used rights of roadways outside of the district to connect to the annexed property, that in those instances, the City would provide the Animal Control Rescue Service, running at large of domestic animals found in the Code of Ordinances, Chapter 6, Article 1, Sections 6.3, that the agreements for May 2012 were as follows, for the following listed agreements the City would amend an existing agreement by adding new territory, there was no territory outside the MUD to be included in this annexation, that this included Districts Fort Bend County MUD No. 50, Fort Bend County MUD No. 146, Harris County Utility District No. 6, Lake Forest Utility District and West Harris County MUD No. 9; that for the following districts the City would execute a new Strategic Partnership Agreement, there was no territory outside of the MUD to be included in the annexation, Fort Bend County MUD No. 34, Harris County MUD No. 119, Harris County MUD No. 162, Harris County MUD No. 168, West Harris County MUD No. 16; that for the following districts the City would amend an existing agreement by adding new territory to the agreement, there was territory outside of the utility district to be included in the annexation, that the City would enforce the Animal Control Service in the area outside the district to be annexed, Fort Bend County MUD No. 35, Harris County MUD No. 150 and Kleinwood MUD; that for the following districts the City would execute a new Strategic Partnership Agreement and there was outside territory outside of the district to be included in the annexation, that the City would enforce the Animal Control Service in the area to be annexed, Bissonnet MUD, Castlewood MUD, Northwest Harris County MUD No. 6 and Northwest Harris County MUD No. 36; and finally Montgomery County MUD No. 89, which was listed on the RCA, had withdrawn it's request for an SPA at this time; that to briefly recap since January 1, 2001, when they did the first SPAs the City had approved 270 Strategic Partnership Agreements with 204 separate utility districts, that through the end of Fiscal Year 2011 this had generated approximately \$179 million in revenue to the City of Houston, that this accounted for approximately 7% of the Sales Tax Revenue coming to the City of Houston. Mayor Parker and Council Members Brown, Adams, Hoang and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Costello stated that he wanted to set the record straight, that Ms. Wallace had stated earlier that the City was levying a 1% and it was really a one cent sales tax, and Ms. Wallace stated that it was technically called 1% on the sale of the products in that area, which equated to one penny. Mayor Parker and Council Members Brown, Davis, Adams, Hoang, Pennington and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that they did not have anyone signed up to speak on this issue and asked if there was anyone who wanted to speak on this particular issue that was out in the public and seeing no one asked for a motion to close the hearing. Mayor Parker and Council Members Brown, Davis, Adams, Hoang, Pennington and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Costello moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Mayor Parker and Council Members Brown,

Davis, Adams, Hoang, Pennington and Burks absent. Mayor Pro Tem Gonzalez presiding.
MOTION 2012-0252 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 43

MISCELLANEOUS - NUMBERS 2 through 4

2. REQUEST from Mayor for confirmation of the appointment of **MR. KARUN SREERAMA, HOUSTON INDEPENDENT SCHOOL DISTRICT REPRESENTATIVE** to Position Six of the **MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2013 – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Members Pennington, Green and Burks absent. MOTION 2012-0253 ADOPTED.
3. REQUEST from Mayor for confirmation of the appointment of **MR. C. GIOVANNI GARIBAY, HOUSTON INDEPENDENT SCHOOL DISTRICT REPRESENTATIVE** to Position Eight of the **BOARD OF DIRECTORS OF THE MIDTOWN REDEVELOPMENT AUTHORITY**, for a term to expire December 31, 2013 – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Members Pennington, Green and Burks absent. MOTION 2012-0254 ADOPTED.
4. REQUEST from Mayor for confirmation of the appointment of **MS. MONICA SAVINO, HOUSTON INDEPENDENT SCHOOL DISTRICT REPRESENTATIVE** to Position Eight of the **BOARD OF DIRECTORS OF THE OLD SIXTH WARD REDEVELOPMENT AUTHORITY**, for a term to expire December 31, 2013 – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Members Pennington, Green and Burks absent. MOTION 2012-0255 ADOPTED.

ACCEPT WORK - NUMBER 8

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$610,412.30 and acceptance of work on contract with **ROZCO CONSTRUCTION, INC** for Repair of Little White Oak Drive at Little White Oak Bayou 2.85% under the original contract amount - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Pennington and Burks absent. MOTION 2012-0256 ADOPTED.

Mayor Parker stated that when they passed the miscellaneous items they confirmed another appointment and knew that one of the nominees was present in the audience, Mr. Giovanni Garibay, a Houston Independent School District Representative, to Position 8 of the Board of Directors of the Midtown Redevelopment Authority, that he was not actually a City representative but they were glad he was involved and thanked him for being present. Council Members Pennington and Burks absent.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 and 12A

12. ORDINANCE appropriating \$948,380.49 out of Water & Sewer System Consolidated Construction Fund for Emergency Sanitary Sewer Force Main Repairs at the Northwest Wastewater Treatment Plant for the Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Members Pennington and Burks absent. ORDINANCE 2012-0264 ADOPTED.

- 12a. **BRH-GARVER CONSTRUCTION, L.P.** for Emergency Sanitary Sewer Force Main Repairs at the Northwest Wastewater Treatment Plant for the Department of Public Works & Engineering – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Pennington and Burks absent. MOTION 2012-0257 ADOPTED.

ORDINANCES - NUMBERS 15 through 43

Council Member Adams stated that there was a press release being passed out about an item that was on the agenda, that she did not think that it was right,

Mayor Parker stated that she would consider it as a call for a point of personal privilege for Council Member Adams, that she thought the intent was probably offensive but they were in the middle of a vote and would ask that they hold their comments, that it was on Item No. 19 and not one of the items that they were about to vote on. Council Members Pennington and Burks absent.

15. ORDINANCE authorizing the issuance of City of Houston, Texas Public Improvement Refunding Bonds in one or more Series or Subseries (tax exempt and taxable) as may be further designated and described herein and providing for the payment thereof; authorizing the Mayor, the City Controller and/or certain other designated City officials to approve the sale, par amount, interest rates, prices and terms thereof; authorizing such officials to determine the outstanding obligations to be refunded and/or defeased and to approve certain other procedures, provisions and agreements related thereto; authorizing the execution and delivery of one or more purchase contracts, Paying Agent/Registrar Agreements, Escrow Agreements, and other agreements relating to one or more Series and Subseries of Refunding Bonds and the Security of the same; approving the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of such Refunding Bonds; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; and making certain findings and other declarations necessary and incidental to the issuance of such refunding bonds; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0265 ADOPTED.
16. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public right-of-way of Ledbetter Street, from Byrd Avenue north to its terminus, and Hogue Street, from Fairlawn Avenue south to its terminus; vacating and abandoning the rights-of-way to Faulk Properties, Ltd, owner, in consideration of its payment to the City of \$20,873.00 and other consideration - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0266 ADOPTED.
17. ORDINANCE allocating \$606,573.00 as a Cash Match; approving and authorizing contract between the City and the Department of State Health Services for Family Planning Services General and Grant Funds - had been pulled from the Agenda by the Administration, and was not considered. Council Member Sullivan absent.
27. Omitted
28. ORDINANCE appropriating \$29,666.02 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for

the relocation of water mains, sanitary sewer lines and appurtenances within the Southwest Freeway (US 59) and Spur 527 right-of-way from Mandell Street to Smith Street (Approved by Ordinance No. 2002-0769) **DISTRICTS C - COHEN and D - ADAMS** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0267 ADOPTED.

32. ORDINANCE appropriating \$579,263.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0268 ADOPTED.
35. ORDINANCE No. 2012-250, passed first reading March 28, 2012
ORDINANCE granting to **DANIEL RODRIGUEZ d/b/a A-HAWK GREASE TRAP, A Texas Sole Proprietorship**, 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 **SECOND READING** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0250 PASSED SECOND READING IN FULL.
37. ORDINANCE No. 2012-252, passed first reading March 28, 2012
ORDINANCE granting to **COMBS INDUSTRIAL SERVICES, INC dba ONSITE ENVIRONMENTAL, A Tennessee 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 - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0252 PASSED SECOND READING IN FULL.
38. ORDINANCE No. 2012-230, passed second reading March 28, 2012
ORDINANCE granting to **MTI SERVICES, LLC dba ENERGY CLEAN A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0230 ADOPTED THIRD AND FINAL READING IN FULL.
39. ORDINANCE No. 2012-231, passed second reading March 28, 2012
ORDINANCE granting to **ANDERSON POLLUTION CONTROL, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0231 ADOPTED THIRD AND FINAL READING IN FULL.
40. ORDINANCE No. 2012-232, passed second reading March 28, 2012
ORDINANCE granting to **CONSOLIDATED WASTE LLC dba LIQUID WASTE**

SOLUTIONS A Texas Limited Liability Corporation, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2012-0232 ADOPTED THIRD AND FINAL READING IN FULL.

43. ORDINANCE No. 2012-235, passed second reading March 28, 2012
ORDINANCE granting to **CLEANER EARTH GROUP, LLC A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Members Pennington and Burks absent. ORDINANCE 2012-0235 ADOPTED THIRD AND FINAL READING IN FULL.

Council Member Rodriguez moved to suspend the rules to consider Item No. 44 out of order, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2012-0258 ADOPTED.

44. ORDINANCE **AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to feeding those in need – **(This is a substitute for Item 51A previously posted on Agenda of March 21, 2012 and postponed by Motion #2012-188)** – was presented.

Council Member Sullivan offered the following written motion to amend Item No. 44:

“I move to amend agenda item #44, an ordinance amending Chapter 20, relating to feeding those in need, of the Code of Ordinances, Houston, Texas to require for the addition of the following:

- a. Ordinance will expire on December 31st of every year.”

After discussion Council Member Sullivan stated that this was not an effort to try to kill the ordinance on December 31, 2012 or any other year, that he thought it was an opportunity for the ordinance to stand on it’s own.

Council Member Bradford stated that he would make a friendly suggestion to Council Member Sullivan to present this motion to amend Item No. 44 last as opposed to first.

Council Member Sullivan asked if he could accept Council Member Bradford’s recommendation, Mayor Parker stated yes and Council Member Sullivan stated that he was withdrawing his first motion to amend Item No. 44 momentarily.

Council Member Sullivan offered the following written motion to amend Item No. 44 as follows:

“I move to amend agenda item #44, an ordinance amending Chapter 20, relating to feeding those in need, of the Code of Ordinances, Houston, Texas to require for the addition of the following:

- a. Ordinance is limited to the Central Business District (CBD) as defined by Section 40-361 of the Code of Ordinances.”

After discussion by Council Members, a vote was called on Council Member Sullivan's motion to amend Item No. 44. Council Members Sullivan, Hoang, Gonzalez, Bradford and Christi voting aye, balance voting no. Council Member Costello absent. MOTION 2012-0259 FAILED.

Council Member Sullivan offered the following written motion to amend Item No. 44:

"I move to amend agenda item #44, an ordinance amending Chapter 20, relating to feeding those in need, of the Code of Ordinances, Houston, Texas to require for the addition of the following:

- a. Ordinance exempts all churches and religious institutions."

After a lengthy discussion by Council Members, a roll call vote was called on Council Member Sullivan's motion to amend Item No. 44.

ROLL CALL VOTE:

Mayor Parker voting no	Council Member Rodriguez voting no
Council Member Brown voting no	Council Member Laster voting no
Council Member Davis voting no	Council Member Green voting no
Council Member Cohen voting no	Council Member Costello voting no
Council Member Adams voting no	Council Member Burks voting aye
Council Member Sullivan voting aye	Council Member Noriega voting no
Council Member Hoang voting aye	Council Member Bradford voting aye
Council Member Pennington voting aye	Council Member Christi voting aye
Council Member Gonzalez voting no	MOTION 2012-0260 FAILED.

Council Member Burks offered the following written motion to amend Item No. 44 as follows:

"I move to amend Item 44 by adding at the end of Section 20-254 in Section 2 of the proposed ordinance a new paragraph to read as follows:

A person providing charitable food services with the consent of the property owner but without participating in the program established by this article shall not be deemed in violation of this article.", seconded by Council Member Green. Council Member Davis absent.

After discussion by Council Members, Council Member Burks stated that he would amend his motion to amend Item No. 44 as follows:

An individual or organization providing charitable food services with the consent of the property owner but without participating in the program established by this article shall not be deemed in violation of this article.", which was agreed by Council Member Green who had made the second.

After further discussion a vote was called on Council Member Burks motion to amend Item No. 44. Council Member Brown voting no, balance voting aye. MOTION 2012-0261 ADOPTED.

Council Member Sullivan submitted the following written motion to amend Item No. 44:

"I move to amend agenda item #44, an ordinance amending Chapter 20, relating to feeding those in need, of the Code of Ordinances, Houston, Texas to require for the addition of

the following:

- a. Ordinance will expire on December 31st of every year.”

After discussion by Council Member Sullivan a vote was called on the resubmitted motion to amend Item No. 44. Council Members Sullivan, Pennington, Burks, Bradford and Christi voting yes, balance voting no. MOTION 2012-0262 FAILED.

Mayor Parker stated that they now had the main item before them, Item No. 44.

After discussion by Council Members, Council Member Adams to amend Item No. 44, to make the effective date July 1, 2012, and for them to bring it back to committee 30 days after that to revisit, to look at if the ordinance really worked and the coordinated effort really worked, seconded by Council Member Rodriguez. Council Member Noriega absent.

Mayor Parker stated that she would support Council Member Adams amendment and thought it was fair to give the time for everybody to get comfortable with it and get it in place, but 30 days was not enough time for it to work, and Council Member Adams stated that they would come back and revisit 6 months from the date.

Mayor Parker stated that if they would say “3 month implementation, which would be July 1, 2012, and then come back the first of January 2013, that would be six months actually with it in place, that would make sense.

After further discussion by Council Members, Council Member Davis moved to call the question on the discussion to amend Item No. 44, seconded by Council Member Gonzalez. Council Member Hoang voting no, balance voting aye. MOTION 2012-0263 ADOPTED.

A vote was called on Council Member Adams motion to amend Item No. 44 to provide July 1, 2012 as the effective date and that the matter be brought back to committee in six months for review. Council Members Brown, Sullivan, Hoang, Laster, Costello and Bradford voting no, balance voting aye. MOTION 2012-0264 ADOPTED.

A vote was called on Item No. 44 as amended.

After a lengthy discussion by Council Members, Council Member Adams moved to call the question on Item No. 44, seconded by Council Member Rodriguez. Council Members Brown and Christi voting no, balance voting aye. MOTION 2012-0265 ADOPTED.

A roll call vote was called on Item No. 44 as amended.

ROLL CALL VOTE:

Mayor Parker voting aye	Council Member Rodriguez voting aye
Council Member Brown voting no	Council Member Laster voting aye
Council Member Davis voting aye	Council Member Green voting aye
Council Member Cohen voting aye	Council Member Costello voting aye
Council Member Adams voting aye	Council Member Burks voting aye
Council Member Sullivan voting no	Council Member Noriega voting aye
Council Member Hoang voting no	Council Member Bradford voting no
Council Member Pennington voting no	Council Member Christi voting no
Council Member Gonzalez voting aye	ORDINANCE 2012-0269 ADOPTED.

Council Member Green moved to suspend the rules to consider Item No. 19 out of order, seconded by Council Member Adams. All voting aye. Nays none. MOTION 2012-0266 ADOPTED.

Mayor Parker recognized Council Member Bradford for a point of order.

Council Member Bradford stated that he wanted to keep clarity about what rules they operated under around the Council table, that he was looking at Council Rules of Order, Rule 13, Roll Call Vote, "A vote shall be taken by roll call at the request of any Council Member, a Council Member may not abstain or pass on any vote", that if they were going to deviate from the rules they should modify the rules so they would all know what the rules were going to be.

Mayor Parker stated that the Chair was challenged and the Chair conceded that she should have done a roll call vote, that it was clear that there were only two votes in opposition to calling the question, but her view was that it was just a delay of the procedure, but she was correct and in the future on any call for a roll call vote she would take a roll call vote.

19. ORDINANCE approving and authorizing contract between the City of Houston and **BRENTWOOD COMMUNITY FOUNDATION** providing up to \$463,117.00 in Housing Opportunities for Persons With AIDS Funds for the administration and operation of a Community Residence and the administration of a Short-Term Rent, Mortgage and Utility Assistance Program, along with supportive services - **DISTRICT K – GREEN** – was presented.

After discussion by Council Members, Green and Adams, a vote was called on Item No. 19. Council Member Brown voting no, balance voting aye. ORDINANCE 2012-0270 ADOPTED.

Mayor Parker stated that she was going to have to yield the Chair to Council Member Gonzalez, that she was an honorary pall bearer at a funeral that started a few minutes ago and was going to have to leave and she apologized for that.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

5. RECOMMENDATION from Director Department of Public Works & Engineering authorizing the City to support Coastal Water Authority's submittal of a State Participation Program Application to the **TEXAS WATER DEVELOPMENT BOARD** for financing of the Luce Bayou Inter-Basin Transfer Project – was presented, moved by Council Member Laster, seconded by Council Member Green. All voting aye. Nays none. Mayor Parker

and Council Members Davis, Adams, Pennington, Rodriguez and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0267 ADOPTED.

ACCEPT WORK

6. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$27,151,316.00 and acceptance of work on contract with **J.E. DUNN CONSTRUCTION, INC f/k/a J.E. DUNN SOUTH CENTRAL, INC** for Right-of-way and Fleet Maintenance Facilities Expansion - 1.41% over the original guaranteed maximum price **DISTRICTS H - GONZALEZ and I – RODRIGUEZ** – was presented, and tagged by Council Member Green. Mayor Parker and Council Members Davis, Adams, Pennington, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0267 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,574,592.00 and acceptance of work on contract with **STATEWIDE TRAFFIC SIGNAL COMPANY** for Reconstruction traffic signals at various locations in the downtown area - 8.84% under the original contract amount - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented, moved by Council Member Hoang, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0268 ADOPTED.

PROPERTY

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Gabriel J. Matos, Metropolitan Transit Authority of Harris County, Texas (METRO), (David W. Couch, Senior Vice President, Capital Programs), on behalf of METRO and Houston Armature Works, Inc., (James Woolley, President), for abandonment and sale of (1) Linwood Street, from Texas Avenue to North Capitol Avenue; (2) North Capitol Avenue, from Norwood Street to Linwood Street; (3) Norwood Street, from Texas Avenue to North Capitol Avenue; (4) four utility easements; (5) four general utility easements; (6) two prescriptive utility easements; (7) three prescriptive sanitary sewer easements; and (8) a prescriptive water line easement, in exchange for the conveyance to the City of (1) a 25-foot-wide storm sewer easement; (2) a 25-foot-wide sanitary sewer easement; and (3) a 20-foot-wide water line easement, all located in Young Mens Addition, out of the S.M. Williams Survey, A-87, Parcels SY11-055A through SY11-055N, SY12-028A through SY12-028D, LY12-010, DY12-019 and KY12-043 - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented, moved by Council Member Laster, seconded by Council Member Costello. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0269 ADOPTED.

PURCHASING AND TABULATION OF BIDS

10. ORDINANCE appropriating \$664.63 out of Equipment Acquisition Consolidated Fund and \$15,782.50 out of Fleet/Equipment Special Revenue Fund for Purchase of Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments – was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0271 ADOPTED.

- 10a. **PHILPOTT MOTORS LTD. dba PHILPOTT FORD** for Automobiles and Vans through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department – was presented, moved by Council Member Laster, seconded by Council Member Sullivan. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0270 ADOPTED.
11. **AMEND MOTION #2011-737, 9/21/11, TO INCREASE** the not to exceed spending authority amount from \$600,000.00 to \$1,600,000.00 to Address Emergency Repair of Water Line Breaks for the Department of Public Works, award in part to **WACHS WATER SERVICES** – was presented, moved by Council Member Costello, seconded by Council Member Laster. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0271 ADOPTED.
13. **HOME DEPOT U.S.A., INC** for Purchase of Retail Maintenance, Repair, and Operating Supplies and related services through the Master Intergovernmental Cooperative Purchasing Agreement with U. S. Communities for Various Departments - 3 Years with two one-year options \$2,338,999.29 - General, Enterprise and Other Funds – was presented, moved by Council Member Laster, seconded by Council Member Sullivan. Council Member Brown voting no, balance voting aye. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTION 2012-0272 ADOPTED.

ORDINANCES

14. ORDINANCE authorizing the issuance of City of Houston, Texas, Convention & Entertainment Facilities Department Hotel Occupancy Tax and Special Revenue Refunding Bonds, Series 2012; authorizing the Mayor and City Controller to approve certain terms thereof and certain other procedures relating thereto; providing for the payment thereof; authorizing the defeasance, final payment, and discharge of Certain Outstanding Bonds; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the Bonds; approving a Preliminary Official Statement and authorizing distribution thereof; approving preparation and distribution of a Final Official Statement; authorizing a Bond Purchase Agreement, an Escrow Agreement and a Paying Agent/Registrar Agreement; and declaring an emergency – was presented, and tagged by Council Member Brown. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.
18. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC**, providing up to \$2,404,752.00 in Housing Opportunities for Persons With AIDS Funds for the administration of a Tenant-Based Rental Assistance Program and Short Term Rent, Mortgage and Utility Assistance Program, along with supportive services **DISTRICT C - COHEN** - was presented, Council Member Brown voting no, balance voting aye. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0272 ADOPTED.

After discussion Council Member Brown stated that, on both Item Numbers 18 and 19, it was important to look at directors who were responsible for managing these grant monies, that they passed out information regarding the Fifth Circuit of Appeals which made a ruling that this particular organization was mismanaging dollars so therefore she voted no on both of these items.

20. ORDINANCE appropriating \$220,000.00 out of Public Library Consolidated Construction Fund for Purchase of Equipment for the Nena E. Stanaker Neighborhood Library - **DISTRICT I - RODRIGUEZ** – was presented, and tagged by Council Member Brown. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.
21. ORDINANCE approving and authorizing submission of an application for grant assistance to the **TEXAS DEPARTMENT OF AGRICULTURE** for the Houston Parks and Recreation Department's Summer Food Service Program; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented, Council Member Brown voting no, balance voting aye. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0273 ADOPTED.
22. ORDINANCE approving and authorizing contract between the City of Houston and **DEAN'S NUTRITIONAL FOOD SERVICE INC** for the Houston Parks and Recreation Department's Summer Food Service Program, subject to the receipt of sufficient grant funds from the Texas Department of Agriculture; providing a maximum contract amount – was presented. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Christi asked if they had done work with Dean's Nutritional Food Service before and were they satisfied with their work, and Mayor Pro Tem Gonzalez stated that the information that he received was that yes, they were the current vendor and yes they were satisfied with their efforts, that 48 companies did download the application and it was his understanding that the scope of work was rather large in terms of the number of sites and locations and timelines needed to implement so only 2 ended up submitting, and Council Member Christi stated that they had a point value system on how to evaluate, but he would like to put at least 25 points and water down some of the other points and put nutritional value in the RFP, that there was nowhere that it said nutritional value, and Mayor Pro Tem Gonzalez stated that he thought it was a great idea and would make sure the administration was aware of that recommendation. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

A vote was called on Item No. 22. Council Member Brown voting no, balance voting aye. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0274

23. ORDINANCE appropriating \$49,424.00 out of General Improvement Consolidated Construction Fund to fund a contract to **AIA GENERAL CONTRACTORS, INC** for Removal of Underground Storage Tank at 2200 Patterson Street, Public Works & Engineering Traffic and Transportation Facility - **DISTRICT H – GONZALEZ** – was presented, and tagged by Council Member Brown. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.
24. ORDINANCE deappropriating \$280,646.26 from Reimbursement of Equipment/Projects Fund (Approved by Ordinance 2010-0334) and approving and authorizing Restated and Amended Professional Architectural Services Contract between the City of Houston and **SMITH & COMPANY ARCHITECTS** for Fifth Ward Deluxe Theater Renovation - **DISTRICT B – DAVIS** – was presented. Council Member Brown voting no, balance voting aye. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and

Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0275 ADOPTED.

25. ORDINANCE awarding construction contract to **INLAND ENVIRONMENTS, LTD.**, for Asbestos Abatement and Demolition at Deluxe Theater Buildings; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for project management and construction oversight and contingencies relating to construction of facilities financed out of the Federal Government - Grant Funded - \$144,829.00 **DISTRICT B – DAVIS** - was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0276 ADOPTED.
26. ORDINANCE appropriating \$1,578,300.00 out of Metro Projects Construction Fund for the Local Match for Keegan's Bayou Trail Joint Bikeway Project between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** (Approved by Ordinance No. 2002-0809, as amended); providing funding for CIP Cost Recovery relating to construction financed by the Metro Projects Construction Fund - **DISTRICTS F - HOANG; J - LASTER and K - GREEN** – was presented. Council Member Brown voting no, balance voting aye. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0277 ADOPTED.
29. ORDINANCE appropriating \$967,900.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **R. G. MILLER ENGINEERS, INC** for Wirt Road Drainage and Paving Sub-Project II; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT A – BROWN** - was presented, and tagged by Council Member Rodriguez. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.
30. ORDINANCE appropriating \$991,600.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ZARINKELK ENGINEERING SERVICES, INC** for Cullen Boulevard (Loop 610 to Old Spanish Trail) area drainage and paving improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0278 ADOPTED.
31. ORDINANCE appropriating \$845,900.00 out of Street & Traffic Control and Storm Drainage DDSRF Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **TRANSYSTEMS CORPORATION** for Clinton Drive Reconstruction from Hirsch Street to Harvey Wilson Drive (Approved by Ordinance No. 2011-0068); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF Fund - **DISTRICTS B - DAVIS and H - GONZALEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0279 ADOPTED.

33. ORDINANCE appropriating \$3,231,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Lockwood Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - DAVIS and H – GONZALEZ** – was presented. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Christi asked if Metro City Construction had done work for the City before and were they satisfied with their work, and Mayor Pro Tem Gonzalez stated that yes, Metro City Construction had done work with them in the past, that personally he did not know what the history was in terms of satisfaction or how it was measured, that based on the administration's information they were satisfied with the work and were equipped to bid and receive this particular contract, that if Council Member Christi wanted additional information this particular item could be tagged, and Council Member Christi stated that he wanted to know that their past experience had been good to where they were voting \$2.8 million, and Mayor Pro Tem Gonzalez stated that the administration felt comfortable with the company. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

A vote was called on Item No. 33. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0280 ADOPTED.

34. ORDINANCE appropriating \$519,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Substitute Services Program: Backlot Water Service Lines and Meter Relocation; setting a deadline for the bidders' execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - BROWN; H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0281 ADOPTED.

36. ORDINANCE No. 2012-251, passed first reading March 28, 2012
ORDINANCE granting to **TRUE BLUE SOLUTIONS, L.L.C., A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING** - was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0251 PASSED SECOND READING IN FULL.

41. ORDINANCE No. 2012-233, passed second reading March 28, 2012
ORDINANCE granting to **SET ENVIRONMENTAL, INC, An Illinois Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions -

THIRD AND FINAL READING - was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0233 ADOPTED THIRD AND FINAL READING IN FULL.

42. ORDINANCE No. 2012-234, passed second reading March 28, 2012
ORDINANCE granting to **ENVIROWASTE SERVICES GROUP, INC, A Florida Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING** – was presented. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

After discussion by Council Member Brown a vote was called on Item No. 42. Council Member Brown voting no, balance voting aye. Mayor Parker and Council Members Davis, Adams, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0234 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS HELD - NUMBERS 44 and 45

45. ORDINANCE appropriating \$2,526,500.00 out of Water & Sewer System Consolidated Construction Fund; rejecting the apparent low bid; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for US 290 Program IH-610 Interchange Crossing at 72-inch water line along West 12th Street; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A – BROWN – (This was Item 17 on Agenda of March 28, 2012, TAGGED BY COUNCIL MEMBER SULLIVAN)** - was presented. All voting aye. Nays none. Mayor Parker and Council Members Davis, Adams, Sullivan, Pennington, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. ORDINANCE 2012-0282 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Brown first

Council Member Brown stated that today they had failed the voice of the people and had not done their duty as elected officials, that the City had heard from all religious faiths and non faiths, from Christians to Atheists and everything in between, that tons of organizations had come together against the Feeding Ordinance, that hundreds of churches, that they would continue to stand against the ordinance as passed and they had heard from them and they would attempt to do a Charter amendment and they had the support, they had the people, they had heard from parents, college students, teenagers, children business owners, employees, homeowners, homeless, republicans, democrats, libertarians, green party, tea party, not for profit churches, charitable organizations, from the ACLU and from Houston lawyers, from Veterans, from citizens from all walks of life, that it was very obvious that they all stood together united and unequivocally opposed to any type of government control of charitable feeding, that the new ordinance inhibited their ability and their constitutional right to share food at any time and any place, with any regulation irregardless to anyone, irregardless to their race, creed or their living situations, that they hold these truths to be self evident, that all men were created equal, that they were endowed by their creator by certain rights, that among these were life, liberty and the pursuit of happiness, that to secure these rights governments were instituted among men, deriving their just powers from the consent of the government, that whenever any

form of government became destructive of these ends was the right of the people to alter or to abolish it and to institute new governments, that they had heard from the people and they said no, no thank you and again no thank you and they would be standing together to overturn this and to overturn elections if necessary, that today was a sad day for Houston; that regarding their veterans, that 30% of the homeless were veterans and this Saturday they were supposed to honor them in a parade, welcome home to Houston troops, that she would invite everyone to come out and welcome home their troops on Saturday, that it was going to be a little bit sadder than they would like it to be. Mayor Parker and Council Members Davis, Adams, Sullivan, Hoang, Pennington, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Council Member Cohen stated that she wanted to welcome home their veterans, that they were so pleased and proud of all they had done for the entire world; that she attended the KIPP Dinner last Saturday where they honored the honored the Holdhouse Foundation for Kids and HISD, that it was wonderful to see the excitement in the eyes of children for learning; that this Saturday she would be serving as the Grand Marshall in the Morningside Place and Southgate Civic Associations Easter Egg Hunt, that it was particularly poignant because she would be the Grand Marshall of the Easter Egg Hunt and as someone of the Jewish Faith who would be celebrating Second Night Passover she thought it really spoke well for the inter religious faith and activities of the City; that there would be a certification class for Citizens on Patrol hosted by the Houston Police Department's Volunteer Initiative Program North Division on Tuesday, April 10, 2012, 7:00 p.m. in the North Command Station on West Montgomery; that this Friday was a particularly unique day, they happened to be celebrating Passover and Good Friday, that she thought it boded well for the future that these two were being celebrated on the same day. Mayor Parker and Council Members Brown, Davis, Adams, Sullivan, Hoang, Pennington, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Council Member Christi stated that he wanted to report on the business delegation headed by the Mayor that went to San Paulo, Brazil and Rio de Janiero, Brazil, they were talking about cities with 20 million and 12 million people, they were headed by business leaders, education leaders and energy leaders of the City, that he could not tell them how good and productive it was, establishing relations with the sixth largest economy in the world, with proven reserves that needed the energy sectors help, that the head of Lone Star College and Rice University that were going to be offering the courses to educate the technicians that pulled the oil out of the ground, that the Mayor did a good job, she established relationships, that he thought the administration and the people that went did a good job establishing relations, that he hoped that they did more on a world business basis instead of just competing with Los Angeles and New York. Mayor Parker and Council Members Brown, Davis, Adams, Sullivan, Hoang, Pennington, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

Council Member Costello stated that this past Saturday he attended the Annual Trash Bash Event where volunteers gathered along the Texas Waterways to do their part in cleaning up the environment and participating in the largest statewide event to educate the public about the importance of their water resources, that he went to the SIMS Bayou cleanup site and cleaned an area around Reveille Park, that he wanted to thank HGAC who coordinated most of the effort, that the cleanup went from Galveston Bay all the way up to Lake Conroe and all of the organizers that participated, especially at their site, was Goodyear, there were a number of their employees present; that he wanted to remind them that yesterday at BFA they passed 90, a motion to move forward a condensed list of Long Range Financial Management Task Force suggestions for further study, that Council Members needed a thorough understanding, a pro and con analysis, and a financial analysis on the list of suggestions, that he understood it was a concern of the administration to phase a study and possibly narrow it further but he understood

also that they wanted some type of action to take place sooner rather than later, especially in light of the fact that the task force spent a great deal of time and effort going through the process, that Director Dowe's baseline forecast, if nothing changes, was to have somewhere in the order of \$134 million deficit in FY2015, so that was a daunting task for them to accomplish, that it was imperative that they do something about their unfunded liabilities and not stick their heads in the sand, that he believed gathering an impartial third party analysis of the suggestions brought forth by the taskforce and narrowed down by the BFA Committee was a very important next step in tackling the issue. Mayor Parker and Council Members Brown, Davis, Adams, Sullivan, Hoang, Pennington, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 11:36 a.m. Mayor Parker and Council Members Brown, Davis, Adams, Sullivan, Hoang, Pennington, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. Mayor Pro Tem Gonzalez presiding. 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