

## City Council Chamber, City Hall, Tuesday, June 19, 2012

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 19, 2012, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie D. C. and; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office present. Council Member Mike Sullivan absent on city business. Council Member Stephen C. Costello absent on personal business.

At 1:44 p.m. Mayor Parker recognized Council Member Laster for the first presentation; and Council Member Laster invited those with his presentation to the podium and stated that his presentation was on the 2012 USA Rugby versus Italy Match and Olympic Day; that the USA Rugby Men's National Team would host Italy at the BVVA Compass Stadium, Saturday, June 23, 2012, it would be their first meeting since Italy defeated the US in the 2011 Rugby World Cup Quarter Finals and the first time the Italian team would play in the US; that this was a world celebration of the birth of the Olympic Games and promoted well being, fitness, etc.; and Mayor Parker presented a Proclamation to those present which proclaimed June 23, 2012, as "USA Rugby versus Italy Match and Olympic Day" in Houston, Texas. Council Members Brown, Davis, Rodriguez and Noriega absent.

Mr. Friedman stated that they were excited about the match and this would be the first one at the Dynamo Stadium, it was a very big event; and the AAU Junior Olympics would be in town in a few weeks, 15,000 athletes and about 54,000 altogether coming for the events; and urged all to participate; and Ms. Schmees stated that Houston hosted a Rugby match about 15 years ago at Rice Stadium and held the record and they hoped to beat it; and thanked all for their support. Council Members Davis and Rodriguez absent.

Council Members Pennington, Burks and Mayor Parker congratulated all and thanked all for their efforts. Council Members Davis and Rodriguez absent.

Mayor Parker invited those with her presentation to the podium and stated that many wonderful things were to be found in Hermann Park and for the last 20 years one of those destinations had been the Japanese Garden which brought joy, beauty and tranquility; that it was an initiative of the Japanese and American communities in Houston and in 2007 a renovation began and Houston's Japanese Sister City, Chiba, provided assistance with the local community effort led by Mr. Kunio Minami and the Japanese Garden Advisory Committee and the Hermann Park Conservancy extended great efforts in the ongoing maintenance of the garden; and with gratitude the City of Houston was recognizing the tireless efforts and dedication to the garden of the Hermann Park Conservancy and its executive director and director and others; and presented Mr. Minami a Proclamation and proclaimed June 19, 2012, as "Hermann Park Japanese Garden Day" in Houston, Texas. Council Members Davis and Rodriguez absent.

Mr. Minami stated that Minami was his family name and meant South in Japanese; that the Japanese Garden was a symbol of friendship between the United States and Japan and the Americans and Japanese here; that renovation started six years ago and it was nicely done; that they would continue maintenance to keep it; and thanked all for the recognition. Council Members Davis and Rodriguez absent.

Consul-General Jota Yamamoto stated that he had nothing to add to Mr. Minami's statement, but was very thankful; that last year his colleague explained circumstances of Japan after the earthquake and thanks to Houston's support Japan had recovered and was safe to

tourism, study and business; that Chiba City was celebrating the 40th year as a sister city to Houston; that they had presented Houston with Cherry Tree saplings, presented the Mayor with a plaque; and invited all to visit; and Mayor Parker thanked Consul-General Yamamoto for the 20 saplings and the plaque; and thanked Mr. Minami and his wife for their contributions to the garden; and pledged with the renewed garden they would put together an advisory committee to make sure the garden was refreshed yearly. Council Member Rodriguez absent.

Council Members Adams and Hoang thanked all for their contributions and hard work. Council Member Rodriguez absent.

At 2:10 Mayor Pro Tem Gonzalez recognized Council Member Burks who invited the former Reverend Elmo Johnson pastor of Rose of Sharon Missionary Baptist Church to lead all in the prayer and Council Member Burks led all in the pledge. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

At 2:13 p.m. the City Secretary called the roll. Council Member Sullivan absent on city business. Council Member Costello absent on personal business.

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

Council Member Pennington moved the rules be suspended for the purpose of hearing Ms. Kathy Lord, Mr. Brett Jordan, Mr. Steve Hupp, Mr. Jack Sakolosky and Mr. Kevin Shanley at the end of the two minute Agenda List of speakers and Mr. David Heaney at the top of the three minute speakers, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent on city business. Council Member Costello absent on personal business. Council Member Noriega absent. MOTION 2012-0452 ADOPTED.

At 2:16 p.m. the City Secretary began calling the public speakers. Council Member Noriega absent.

Mr. Edward Domingue, 721 W. 22nd, Houston, Texas 77008 (832-260-5331) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated that he was an employee of API Enterprise, a plastic bag manufacturer as it would effect the livelihood of over 200 employees at his company; that they recycled millions of pounds of plastic; and urged they work together to improve the recycling program. Council Member Noriega absent.

Council Members Pennington and Hoang thanked Mr. Dominique for coming and discussed their thoughts on plastic bags. Council Member Noriega absent.

Ms. Alicia Nunez, 7303 Spring Side, Houston, Texas 77080 (no phone) had reserved time to speak but was not present when her name was called. Council Member Noriega absent.

Ms. Diana Martinez, 3130 Crestdale #1436, Houston, Texas 77080 (no phone) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated that she worked for a company in the plastic bag industry and this would change the lives of all who worked in the industry, they would lose everything if they lost their jobs. Council Member Green absent.

Mr. Hector Mendez, 19247 Moss Meadow, Katy, Texas 77449 (no phone) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated through a translator that if plastic bags were banned many like him would be unemployed. Council Member Green absent.

Mr. Isidro Rodriguez, 9614 Colleen, Houston, Texas 77080 (no phone) appeared in

opposition to Agenda Item 34, Budget Amendment 13.10 and stated that for the past 20 years he worked in the plastic industry; that he was able to move five children forward with the last in college and banning the bags would be a big threat to many. Council Members Rodriguez and Green absent.

Mr. Jose Parada, 5126 Beaverhollow, Houston, Texas 77084 (no phone) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated through a translator that he was employed making plastic bags for 12 years and it was his family's source of income, all depended on it; and urged the right decision be made. Council Members Rodriguez and Green absent.

Council Member Christie stated that the problem with recycling the bags was it jammed the recycling system; and if the industry could come up with a better way, it was a problem. Council Members Rodriguez and Green absent.

Upon questions by Council Member Burks, Mr. Parada stated that about 400 people worked at the same plant located at Blalock and 290; and Council Member Burks stated that he used the bags for trash, etc., they had a use. Council Members Pennington, Rodriguez, Laster and Green absent.

Council Member Noriega stated that translating took twice as long and she would like to know if they could finish their last sentence; and would encourage someone being present during the public session for translation. Council Members Pennington, Rodriguez, Laster and Green absent.

Mr. Jose Molina, 8701 Hammerly Blvd. #710, Houston, Texas 77080 (281-846-8353) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated through a translator that his daughter was dependent on his job, if the business closed what would happen to his family, they would be devastated. Council Members Pennington, Rodriguez, Laster and Noriega absent.

Mr. Julian Blanco, 16934 Applecross, Houston, Texas 77084 (no phone) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated through a translator that he worked at a plastic bag company for 12 years and his family depended on the salary; that the company hired those without a higher education and it would be difficult for them to find work; and recycling was a better solution. Council Members Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Ms. Raquel Sandoval, 9718 Casa Loma, Houston, Texas 77041 (no phone) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated through a translator that she worked at a plastic bag company and if it were closed her family and dreams would be devastated, she was a single mother and that was how they got ahead in this world. Council Members Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Upon questions by Council Member Green, Ms. Sandoval stated that she worked for Superbag. Council Members Adams, Hoang, Pennington, Rodriguez, Laster and Noriega absent.

Ms. Victoria Zavaleta, 3233 Mangum #299, Houston, Texas 77092 (no phone) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated through a translator that she worked for Superbag 16 years and it worried them Council could make a decision without consideration of the 400 workers, the 400 families, and prayed they would make the right decision. Council Member Laster absent.

Mayor Parker had Council Member Gonzalez translate to the audience that a translator could be provided for anyone and apologized that they were not informed one was needed; and all would welcome them back and they would be accommodated. Council Member Laster absent.

Ms. Donna Roy, 5903 Belrose, Houston, Texas 77035 (713-725-7412) appeared in favor of Agenda Item 34, Budget Amendment 13.10 and stated that the plastic bags clogged landfills and floated in oceans and the cleanup was expensive. Council Members Adams, Laster and Green absent.

Council Member Gonzalez moved the rules be suspended for the purpose of moving Ms. Andrea Usanga after Mr. Mike Garver, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent on city business. Council Member Costello absent on personal business. Council Members Adams, Laster and Green absent. MOTION 2012-0453 ADOPTED.

Mr. Mike Garver, 1901 Lexington, Houston, Texas 77098 (713-858-6430) appeared in favor of Agenda Item 34, Budget Amendment 13.10 and stated that a plastic bag ban had been done in other cities including Los Angeles, San Antonio, etc., they were windborne and did not biodegrade and they needed to be off streets. Council Members Laster and Green absent.

Upon questions by Council Member Davis, Mr. Garver stated that he was sensitive to jobs in Houston, but they carried to streams and trees. Council Members Laster and Green absent.

Council Member Noriega stated that she had received hundreds of emails for and against the ban and they needed to thoroughly work through this. Council Members Laster and Green absent.

Council Member Adams thanked Mr. Garver for being an activist for the environment; and upon questions, Mr. Garver stated that there were exceptions to plastic bags in all ordinances, not all would be eliminated and Austin took a year to look at this first. Council Member Green absent.

Council Member Burks moved the rules be suspended for the purpose of extending the time for questions of Mr. Mike Garver, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent on city business. Council Member Costello absent on personal business. Council Member Green absent. MOTION 2012-0454 ADOPTED.

Council Member Burks stated that he knew bags flew and hung on limbs, but cigarette butts were everywhere, in the military they had to bury them; that everything had bad points, but there were also good points; and upon questions, Mr. Garver stated that he did not know if paper bags would cause the cost of products to go up; and Council Member Burks stated that he did not want to hurt jobs and he heard about 12 people and it would hurt them; that if people put their cigarettes in the right place that would not be litter, the same with the bags and to him this was a job issue, not a litter issue and because another city did it he was not in it. Council Members Davis, Green and Noriega absent.

Upon questions by Council Member Pennington, Mr. Garver stated that plastic bags were difficult to recycle; that drink containers was a state issue; that a third choice was reusable bags and they would like people to go to that. Council Members Davis, Burks and Noriega absent.

Ms. Andrea Usanga, 221 Norfolk #810, Houston, Texas 77098 (713-520-3470) appeared in favor of Agenda Item 34, Budget Amendments 13.04 and 13.15 and stated that she was director of policy for Mental Health America Greater Houston and she had previously spoke on the need

for more case workers and the funding would serve more; that the group home amendment they had been working on years was needed as some engaged in unscrupulous behavior; and urged support of the amendments. Council Members Adams, Burks and Noriega absent.

Mayor Parker stated that she had indicated to Council Member Gonzalez her support of 13.04 and 13.15 which they intended to send to committee, but she was not opposing it. Council Members Adams and Noriega absent.

Council Member Green stated that group homes did cause havoc in neighborhoods at times; and upon questions, Ms. Usanga stated that they would like criminal background checks on the operators and employees and mechanisms for reporting abuse and neglect and the amendment would allow stakeholders to come together and craft good regulations. Council Members Adams and Noriega absent.

Council Member Gonzalez thanked Ms. Usanga for coming and stated that this was important, they estimated 470 potential locations like this citywide and some people were being victimized. Council Members Cohen and Noriega absent.

Mr. Joe Lengfellner, 11703 Goldstream, Tomball, Texas 77377 (832-698-2482) appeared in favor of Agenda Item 34, Budget Amendment 13.10, displayed plastic bags and stated that he hated to see people laid off but things did change and he would like the plastic industry to look at producing the next recyclable bags; that nearly two million such bags were consumed in Houston daily and less than 20% recycled. Mayor Parker, Council Members Cohen and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Burks stated that what angered him was he brought the bags for a demonstration, but had not used them; that he could do the same with paper; that a plastic bag to him was like a cigarette butt there were a bunch on the ground and a better job needed to be done on cleaning it up; that many jobs would be lost with this and families depended on it. Mayor Parker, Council Members Davis, Adams, Hoang, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Robbie Robinson, 5629 Valorie, Houston, Texas 77081 (281-914-1088) appeared in favor of Agenda Item 34, Budget Amendment 13.10 and stated that he worked for the Buffalo Bayou Partnership and their mission was to revitalize and restore Buffalo Bayou; that plastic bags came out of storm drains into bayous and were uncollectible once in the water until a high water event came and they caught in trees, etc., and they needed to be rid of them. . Mayor Parker, Council Members Davis, Adams, Hoang, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Laster thanked Mr. Robinson and others for coming today on the issue; and stated it would be taken under advisement. Mayor Parker, Council Members Davis, Adams, Hoang, Rodriguez, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that he thanked all for coming today on the issue; that to clarify there was nothing imminent about this, the amendment was asking for a year in committee for vetting, etc., then the Administration would come with an ordinance to be considered. Mayor Parker, Council Members Davis, Adams, Hoang, Rodriguez and Green absent. Mayor Pro Tem Gonzalez presiding.

Mr. Bill Ebeck, 1710 Cutter Chase, Sugarland, Texas 77479 (832-260-5331) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated that he worked for one of twelve plastic bag manufacturers in the Houston area and represented 200 jobs; that their

product was clean, reusable and 100% recyclable; that bans did not reduce litter, paper and plastic bags accounted for less than 1% of litter; and they would like to work with the city to promoting recycling and jobs. Mayor Parker, Council Members Davis, Adams, Hoang, Rodriguez and Green absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Brown, Mr. Ebeck stated that the equipment for recycling could be worked with; that his company recycled bags not suited to go out, but did not collect others and recycle. Mayor Parker, Council Members Davis, Adams, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez thanked Mr. Ebeck, as an industry expert, for coming and lending his expertise and for his willingness to discuss the issue and see how to improve, it was appreciated. Mayor Parker, Council Members Davis, Adams, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mr. Steve Longmire, 603 W. Main, Houston, Texas 77006 (832-655-5657) appeared in favor of Agenda Item 34, Budget Amendment 13.15 and stated that he was begging Council to do the right thing and stand up for neighborhoods and residents of group homes; that there were 14 in his neighborhood and the cause for more 911 calls than any other source every year; and urged its passage. Mayor Parker, Council Members Davis, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Brown moved the rules be suspended for the purpose of hearing Mr. Santiago Martinez at the top of the three minute Agenda Speakers list, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Sullivan absent on city business. Council Member Costello absent on personal business. Mayor Parker, Council Members Davis, Rodriguez and Burks absent. Mayor Pro Tem Gonzalez presiding.

Ms. Shana Stehling, 3208 Ewing, Houston, Texas 77004 (832-889-1978) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Davis and Burks absent. Mayor Pro Tem Gonzalez presiding.

Ms. Kathy Lord, 2329 Blue Bonnet, Houston, Texas 77030 (713-907-1191) appeared in favor of Agenda Item 34, Budget Amendment 12.02, presented information and stated that she was speaking on reprogramming \$2 million to the Parks Department for Buffalo Bayou Erosion Control Demonstration Project; that she was executive director of the Bayou Preservation Association and the bayou running next to Memorial Park was eroding at a rapid pace; that the project would show opportunities for natural canalization, etc., and the water quality would improve as a result; and urged all to pass the amendment. Mayor Parker, Council Members Davis, Hoang and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mr. Brett Jordan, 1215 W. 24th, Houston, Texas 77008 (832-226-7075) appeared in favor of Agenda Item 34, Budget Amendment 12.02 and stated that he was a professional engineer, etc., and he studied rivers, etc., in the Houston area; that natural channel design concepts were innovative ideas from the engineering community where they mimicked mother nature in natural processes of design on improving habitat, water quality, etc., it would reduce erosion and improve water quality. Mayor Parker, Council Members Davis, Hoang, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Upon questions of Council Members Christie, Pennington and Adams, Mr. Jordan stated that the area had been deepened by runoff and the long-term solution was workable; that paving caused runoff which caused erosion; that silt was deposited in the Alan's Landing area and other areas and was constant maintenance; that water control agencies such as the Flood Control District, etc., had the responsibility of bayou upkeep; and Mayor Pro Tem Gonzalez

stated that the city did coordinate with the Harris County Flood Control District, a number of entities did things; and Council Member Pennington stated that this was a \$6 million dollar project and the City, Harris County Flood Control District and parties on the south side of the bayou were to spend \$2 million each and it was city owned property. Mayor Parker, Council Members Brown, Davis, Hoang, Rodriguez, Green and Burks absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Steve Hupp, 3201 Allen Parkway #200, Houston, Texas 77019 (713-529-6443) appeared in favor of Agenda Item 34, Budget Amendment 12.02 and stated that he was water quality director of the Bayou Preservation Association and in support of the Memorial Park Erosion Control Demonstration Project as it would improve and minimize erosion and reduce bacteria and improve water quality. Mayor Parker, Council Members Brown, Hoang, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Pennington, Mr. Hupp stated that after the project results could be replicated in other areas. Mayor Parker, Council Members Brown, Hoang, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Noriega thanked Council Member Pennington for bringing the issue up and all for coming on the issue; that it did sound as something needed to be done and she hoped something could be figured out. Mayor Parker, Council Members Hoang, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mr. Jack Sakolosky, 12027 Laneview, Houston, Texas 77070 (281-370-7808) appeared in favor of Agenda Item 34, Budget Amendment 12.02 and stated that he was a board member on the Bayou Preservation Association and served as chairman of the Water Quality Committee on that association and was conveying there were three important conclusions, channel bank stabilization aspects of the project; the water quality aspects; and his time expired. Mayor Parker, Council Members Cohen, Davis, Hoang, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Christie asked that Mr. Sakolosky give his third point; and Mr. Sakolosky stated that his third point was the assessment of the project after completion could be applied to all areas; and Council Member Christie stated that all appreciated what the Bayou Preservation Association was doing as it would add to the beauty and livability of Houston. Mayor Parker, Council Members Cohen, Hoang, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Pennington stated that he wanted all to understand according to the information there were 7,800 square linear feet; and upon questions, Mr. Sakolosky stated that was on each side and from a sediment stand point there would be a better understanding after the project, but believed there would be a significant reduction in sediment load and it would stop erosion. Mayor Parker, Council Members Cohen, Hoang, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Mr. Kevin Shanley, 1815 W. 18th, Houston, Texas 77008 (713-869-9906) appeared in favor of Agenda Item 34, Budget Amendment 12.02 and stated that Houston was known as "Bayou City" and bayous were important; that silt was a big issue on water quality and they had an obligation to monitor and improve water quality; and this was a partnering they would like to happen more often. Mayor Parker, Council Members Cohen, Hoang, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Pennington, Mr. Shanley stated that he was immediate past chairman of the Bayou Preservation Association, professional planner, landscape architect

and CEO of their company; that the Buffalo Bayou Partnership, Bayou Preservation Association and others were very interested in this and water quality was a shared responsibility and changes could be made for a stable condition and would solve multiple problems. Mayor Parker, Council Members Hoang, Rodriguez, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Laster stated that he appreciated all coming and educating Council; and upon questions, Mr. Shanley stated that the parties contributing money would be the Bayou Preservation Association, City of Houston, property owner on the south side of the bayou and Harris County Flood Control District. Mayor Parker, Council Members Hoang, Rodriguez, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Mr. David Heaney, 3260 Chevy Chase, Houston, Texas 77019 (713-523-1323) appeared in favor of Agenda Item 34, Budget Amendment 12.02, presented information and stated that he was speaking on behalf of the Bayou Partnership supporting the \$2 million for the restoration project of the bayou; that this was the first time a large scale project such as this was done in Houston and it would have significant benefits such as enhancing water quality, the \$50 million park project to begin this summer and would reduce downstream dredging and provide a large scale template for converting mini bayous to greenspace. Mayor Parker, Council Members Hoang, Rodriguez, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Christie stated that he appreciated all doing this, he could foresee future generations having this looking like a gutter way; that this was amazing and he appreciated everyone's time. Mayor Parker, Council Members Hoang, Rodriguez, Green and Burks absent. Mayor Pro Tem Gonzalez presiding.

Council Member Pennington thanked Mr. Heaney for coming and stated that more physical things were needed in Houston; and Mr. Heaney stated that this could not be turned down. Mayor Parker, Council Members Hoang, Rodriguez, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Brown moved the rules be suspended for the purpose of hearing Ms. Stephanie Bazbaz and Ms. Norah Avellan after Mr. Santiago Martinez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Sullivan absent on city business. Council Member Costello absent on personal business. Mayor Parker, Council Members Hoang, Rodriguez, Green, Burks and Noriega absent. Mayor Pro Tem Gonzalez presiding. MOTON 2012-0456 ADOPTED.

Mr. Santiago Martinez, 15214 Gentle Breeze Ct., Cypress, Texas 77429 (281-830-4433) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated that he represented Superbag Corporation, a leading manufacturer in recycling plastic bags, etc., he was in the business 25 years and this was a bad idea; that consequences would be loss of jobs, just in Texas there were more than 4,500 families directly depending on the jobs and it would not reduce litter; that San Francisco tried enforcing the ban and found the litter increased; they could achieve a cleaner Houston by working with stakeholders to improve the recycling program; and by the end of the year his plant would have recycled 25 million pounds; and other plants did two million pounds a month. Mayor Parker, Council Members Davis, Hoang and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Brown stated that she toured the facility and it was clean with happy workers; and upon questions, Mr. Martinez stated that they employed 300 employees at Superbag alone, it was a part of a group of companies with a total of 1,000 employees and indirectly it would effect 5 people per employee so it would be 5,000 out of jobs; and less than 1% of all trash was plastic according to the EPA; that the major impact would be the jobs; that

there were 15 plants in Texas. Mayor Parker, Council Members Davis, Hoang and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Ms. Stephanie Bazbaz, 9291 Baythorne Dr., Houston, Texas 77041 (281-980-0955) appeared, presented information and stated that Superbag was her family business since 1988 and the ban would hurt her family and Houston; that her family survived from the business and so did the other 400 jobs within their company and recycler alone; that if the ban passed they were putting green jobs at risk and if passed at state level they would put 4,500 jobs at risk within their industry; that regarding litter, the bags were less than 1%; that recycling was the answer and they recycled the bags; and urged the facts be looked into; that 20% of the bags were recycled, but the majority of people did reuse them. Mayor Parker, Council Members Davis, Hoang, Pennington and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Brown thanked Ms. Bazbaz for coming to Council and testify on behalf of their companies; and upon questions, Ms. Bazbaz stated that they recycled plastic bottles and bags so they depended on plastic bag manufacturers as well; that they make slip sheets which replaced wooden pallets and were water and pest proof and saved trees. Mayor Parker, Council Members Davis, Hoang, Pennington and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Ms. Norah Avellan, 15214 Gentle Breeze Ct., Cypress, Texas 77429 (832-790-6944) appeared in opposition to Agenda Item 34, Budget Amendment 13.10 and stated that she understood the value of a clean city, but the issue was sustainability; that she did want to advocate for a plan which would help reach goals and eliminate litter and would propose, as Superbag said, work with stakeholders to improve the recycle program; that a plastic bag required 40% less energy to manufacture than a paper bag and a standard paper bag would have to be reused three times to insure its lower global warming potential; that plastic bags were more resource efficient, reduced landfill waste and generated fewer greenhouse gas emissions than standard paper bags. Mayor Parker, Council Members Davis, Hoang, Pennington and Green absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Christie, Ms. Avellan stated that she believed Houston had great potential to show the only way to be sustainable was to recycle; and Council Member Christie stated that he liked her argument on the amount of energy it took to produce, but the goal had to be with citizens and companies encouraging recycling and better bags to recycle. Mayor Parker, Council Members Davis, Hoang, Pennington, Laster and Green absent. Mayor Pro Tem Gonzalez presiding.

Mr. Jeff Clayton, 3538 Oak Forest Drive, Houston, Texas 77018 (832-788-4596) appeared in favor of Agenda Item 34, Budget Amendment 13.10 and stated that he supported the ban on plastic bags as they were blight on the city, decreased property value, etc.; and how much money did that industry put into environmental cleanup efforts. Mayor Parker, Council Members Brown, Davis, Cohen, Hoang, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Tyson Sowell, 3100 Richmond #290, Houston, Texas 77098 (713-337-4192) appeared in favor of Agenda Item 34, Budget Amendment 13.10 and stated that he was Houston program director for Texas Campaign for the Environment; that plastic bags were blight, clogged storm drains and polluted waterways; that flooding was caused by bags and it made no sense to continue providing such bags; that this should be supported as it was budget neutral. Council Members Brown, Davis, Cohen, Hoang, Rodriguez and Laster absent.

Council Member Burks stated that he mentioned street flooding, etc., but in his traveling the city he saw landscapers blowing the yard waste into the drains and when talking about plastic

bags cluttering, they flew around, but not down the drains and his argument should be about educating on recycling, he did not see people throwing the bags out car windows, he saw cigarette butts being thrown out; and how many people would be displaced; that Houston would get greener but it would take education and an Administration wanting to go in that direction. Council Members Brown, Davis, Cohen, Hoang, Rodriguez, Laster, Green and Christie absent. (NO QUORUM PRESENT)

Mr. Frank Blake, 1010 Peden, Houston, Texas 77006 (713-528-2896) appeared in favor of Agenda Item 34, Budget Amendment 13.10 and stated that his comments were on behalf of the Houston Sierra Club and they urged the ban of plastic bags which littered streets, bayous, etc., that job loss in one sector brought about jobs in another. Council Members Brown, Davis, Cohen, Hoang, Rodriguez, Laster, Green and Christie absent. (NO QUORUM PRESENT)

Mr. Robert W. Phillip, 654 S. Ripple Creek, Houston, Texas 77057 (713-213-4129) appeared in favor of Agenda Item 34, Budget Amendment 13.10 and stated that he was chairman of the board of the Buffalo Bayou Partnership; that their mission was to enhance Buffalo Bayou and plastic bags were a major part of their mission and the amendment was to study this issue. Council Members Brown, Davis, Cohen, Hoang, Rodriguez, Laster, Green and Christie absent. (NO QUORUM PRESENT)

Council Member Gonzalez thanked Mr. Phillip for clarifying; that they were not talking about a ban, but opening discussion with all stakeholders. Council Members Brown, Davis, Cohen, Hoang, Rodriguez, Laster, Green and Christie absent. (NO QUORUM PRESENT)

Ms. Ann MacLeod, 2627 Caroline, Houston, Texas 77004 (713-970-7516) appeared in favor of Agenda Item 34, Budget Amendment 13.04 and stated that she was a program director with Mental Health Mental Retardation Authority of Harris County (MHMRA) and in charge of two programs; that clients in the program continuously come in contact with law enforcement departments and emergency health providers and gave examples of such; and urged support of the amendment providing funding and expanding capacity of the program and urged support of Amendment 13.15 for the regulation of group homes. Council Members Brown, Davis, Hoang, Laster, Green and Christie absent.

Council Member Gonzalez thanked Ms. MacLeod for coming and speaking on both items as there was a possible connection and she made the connection in how they were victimized; and the City of Houston did have an award winning program and recognized internationally; and reducing interactions between police and mentally ill could be lifesaving. Council Members Brown, Davis, Hoang, Green and Christie absent.

Council Member Adams thanked Ms. MacLeod for coming and stated that she was at MHMRA and studied medication for people with bipolar disorder, but found anyone could open a group home; and upon questions, Ms. MacLeod stated that she had two case managers and they would like funding for two more and be able to double capacity of the program; and upon further questions of Council Member Adams, Mayor Parker stated that she was not interested in seeing general fund dollars go to outside organizations to fund activities, this was actually within the Houston Police Department to fund something reducing calls for service. Council Members Brown, Davis, Hoang, Pennington, Green and Noriega absent.

Ms. Laurie Glaze, 5120 Woodway #600, Houston, Texas 77056 (713-333-2232) had reserved time to speak but was not present when her name was called. Council Members Brown, Davis, Hoang, Pennington, Green and Noriega absent.

Mr. George Parnham, 440 Louisiana, Houston, Texas 77002 (713-224-3967) appeared in favor of Agenda Item 34, Budget Amendment 13.04 and stated that he was an attorney and

present lending support to the chronic consumer stabilization initiative; that in 2009 the program was adopted and fell on the heels of three tragic deaths as a result of confrontation between law enforcement and chronically mentally ill individuals and since that adoption of CCSI there had not been one fatality of a chronically mentally ill person with law enforcement; that they eliminated 1/3 of emergency mental health hospitalizations and a vote for the amendment spoke to saving lives and addressed underlying issues of the reality of mental illness; that 11 years ago tomorrow was the tragedy which rocked the city and state in Clear Lake City when Andrea Yates a chronically mentally ill individual took the lives of her five children. Council Members Cohen, Brown, Davis, Adams, Hoang, Pennington, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Council Member Bradford thanked Mr. Parnham for all the work he did in the community and to ensure the criminal justice system promoted justice for those in need of mental health services; that on the preventative side he thought they had to look at more After School and Summer Programs and case managers up front would weigh tremendously on what HPD would not have to do; and he felt Council had an obligation to do that. Council Members Cohen, Brown, Davis, Adams, Hoang, Pennington, Laster, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Council Member Christie stated that he appreciated Mr. Parnham and Ms. MacLeod's participation in helping those with mental illness, but this was the most overly medicated society on the face of the earth; that too much medication, too little medication, not the right medication and with no medication they probably would not have Columbine, etc., 60 Minutes a few weeks ago had a PHD instructor at Harvard Medical School state a sugar pill did just as good as psychotic medication in a study with no side effects and he felt the drug industry needed to be stopped, the answer was not more pills; and Mr. Parnham stated that he experienced during the last 13 years where individuals refused to take medication commit acts of violence, etc., Andrea Yates today was on an anti depressant and anti psychotic as a preventive measure and was not the same person. Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Ralph Fabrizio, 240 W. 23rd, Houston, Texas 77008 (832-439-8171) appeared, presented information and stated that he was owner of the House of Extra Measures, sober living for men and president of the Houston Recovery Coach Association as well as Houston Coalition of Recovery Oriented Housing and a person in long-term recovery and he thanked Council for the sobering center; that stories heard from the mentally ill and physically handicapped communities emerged from recovering; and disclosed those served and the broad spectrum served by regulations on group homes and that Oxford House he had lived in and it was a model house for recovery, but there were different categories of housing. Council Members Brown, Davis, Adams, Hoang, Pennington, Laster, Burks and Noriega absent. (NO QUORUM PRESENT)

Upon questions by Council Member Green Mr. Fabrizio stated that regarding Oxford House the 1988 amendments of the federal housing act provided for residents of an Oxford House being a peer run and peer driven environment and they fell within a family unit and they could move within a neighborhood and conduct themselves as any other family would; that most research being done was around Oxford House and most residents were self paid, there were occasional voucher systems, but residents were privately paid as were most who lived in sober housing; that regulation was needed but they did not want to make it so overly restricted that they created more barriers to fair housing. Council Members Brown, Davis, Adams, Hoang, Pennington, Gonzalez, Laster, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Mike Stiborik, 12907 Oakwood Manor, Cypress, Texas 77429 (713-922-7973) appeared in opposition to Agenda Item 34, Budget Amendment 13.15 and stated that he was speaking on

behalf of sober living homes, not mental health group homes, and he was speaking from the standpoint of treatment centers who made many referrals into the sober living community and as a recovering alcoholic and addict; that organizations were set up to ensure safety for clients and any further regulations and licensing would increase cost to those already strapped for cash and therapeutic treatment would have to be reduced; and requested sober living homes already reaching regulations be excluded from more regulations. Council Members Brown, Davis, Adams, Hoang, Pennington, Gonzalez, Laster, Burks and Noriega absent. (NO QUORUM PRESENT)

Upon questions by Council Member Green, Mr. Stiborik stated that he was not in the sober living business, he worked for a treatment center which sent patients back into the sober living homes for long-term recovery; that when they were in recovery their disease was in remission and they were becoming potentially a growing part of society and productive to neighborhoods; and sober living homes were completely different from the mental health group homes. Council Members Brown, Davis, Adams, Hoang, Pennington, Rodriguez, Laster, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Jason Ginsburg, 412 Branard, Houston, Texas 77006 (281-658-1293) appeared in favor of Agenda Item 34, Budget Amendment 13.15 and stated that he was president of First Montrose Commons Neighborhood Association consisting of 31 blocks and supporting the need for Houston to enact and enforce regulations on group homes; that such a business was in their neighborhood and growing; that HPD and HFD were routinely summoned there and they locked out noncompliant patients with no more than \$10.00 and a day of medication; that their fear was the unknown and it could be alleviated with city regulations; and urged support of the amendment. Council Members Brown, Davis, Cohen, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Ms. Jinneh Dyson, P. O. Box 66270, Houston, Texas 77266 (713-970-4419) had reserved time to speak but was not present when her name was called. Council Members Brown, Davis, Cohen, Adams, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Ms. Randy Jo Baker, 2515 Peppermill Road, Houston, Texas 77080 (832-656-7296) appeared and stated that she was in long-term recovery for 17 years and a nurse, recovery coach and owner/director of the House of Extra Measures for women, women working 12 step programs and now treasurer of the Houston Coalition for Recovery Oriented Housing and stated that there were different stages for nursing homes, recovery houses, etc., that she could not speak on mental health regulations, upgrades, etc., but believed it was needed; that to have people come in not familiar with them would be time consuming and costly. Council Members Brown, Adams, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Mayor Parker stated that the intent was to hash all this out at committee level; that many understood group homes for those in recovery were different than group homes dealing with the mentally ill, parole, etc. Council Members Brown, Adams, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Mr. Carlos Doroteo (did not wish to give address or phone number) appeared, presented information and stated that he was concerned some amendments to the budget would constitute a violation of the Texas Open Meetings Act and could expose the city to unnecessary and costly lawsuits and read the components of the Open Meetings Law shown on the information presented. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Mayor Parker stated that he raised a valid point and that was one reason many items presented as a budget amendment they requested be tabled to a council committee for complete discussion and they did honor requirements under the Open Meetings Act. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Council Member Noriega welcomed Mr. Doroteo back; and upon questions Mr. Doroteo stated that he would start South Texas Law School in August. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Upon questions by Council Member Green, Mr. Doroteo stated that some amendments seemed to be more of a direct violation and he could provide information to him. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Council Member Gonzalez thanked Mr. Doroteo for coming and congratulated him on law school. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Ms. Sonio Corrales, 1010 Waugh Drive, Houston, Texas 77019 (713-528-6798) appeared and stated terrified, angry, hopeless and sad were a few feelings heard from sexual survivors on a daily basis; that she was the chief program officer at the Houston Area Women's Center, a community based organization in operation 35 years and designated the only rape crisis center for Houston; that they provided support to over 6,500 survivors annually and it was an under reported crime; that a survivor went through an evasive procedure after being violated and the experience was demoralizing but they went through this so evidence could be analyzed, but many test kits were not being tested. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Upon questions by Council Member Cohen, Ms. Corrales stated that resources were limited and action could not be taken and they were in support of charging a fee to adult entertainment businesses; and Council Member Cohen stated that some survivors had kits sitting still on shelves for many years, since 2001 there was an enormous backlog and she could only imagine the horror some had knowing it had not been tested; and upon questions, Ms. Corrales stated that there were not enough resources to pay for the kits and a solution had to be found. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Upon questions by Council Member Davis, Ms. Corrales stated that she supported this fee as there were limited resources for testing for those being assaulted and action was needed. Council Members Brown, Adams, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Council Member Green thanked Ms. Corrales for coming for those still in limbo, those who did not know if they would receive justice; and he thought it was a good idea. Council Members Brown, Adams, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Upon questions by Council Member Christie, Mayor Parker stated that the city received a significant amount of money in Houston, but not sufficient to completely test them, it was millions in federal funding, but could not remember the exact amount. Council Members Brown, Adams, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Mr. Ray Hill, P. O. Box 3624, Houston, Texas 77253-3624 (713-523-6969) appeared and stated that he was impressed with the previous presentation, but it appeared to be a cruel charade; that Council Member Cohen's ordinance caption written by the City Attorney said it tracked a state statute and it did not, there was a substantial difference in definitions, etc., not one gate fee was collected by state statute; that if the ordinance passed it would be litigated and

they were being ill-advised by their Legal Department and charaded by the ordinance, this was just window dressing, but monies could be found. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Mayor Parker stated that if Council passed the budget as presented tomorrow she set aside \$5 million additional of general fund revenue for the purpose. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Upon questions by Council Member Davis, Mr. Hill stated that he was wrestling with SOB legislation for the last 20 years and was familiar with the cases; that he did not receive a living wage from the industry and he was fixing to sue the city over a first amendment issue. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Upon questions by Council Member Adams, Council Member Cohen stated that she could not say when funds would come in; that the ordinance needed to be passed and then go forward; that there were two parts and one was nothing had been done since 1992 and there was a backlog and this ordinance was to move forward; that people could litigate for anything and she had no concerns. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Council Member Green stated that threats by any industry especially with regard to this city did not sit well with him and that was for the record; and Mr. Hill stated that he did not offer it as a threat, but he knew this would be litigated. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Ms. Veronica Aguilar, 9900 Richmond Ave., Houston, Texas 77042 (713-480-4570) had reserved time to speak but was not present when her name was called. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Mr. Lance Childers, 10619 Gawain Lane, Houston, Texas 77024 (713-906-4275) appeared and stated that he was an avid skateboarder and it taught him discipline, hard work and changed his life; that he was now a graduate at the University of Houston, Eagle Scout, etc., and if it were not for the skate park five minutes from his home he would not have gotten into this; that he had now competed in the X Games and Olympics would be adding skate boarding in 2016 which was an inspiration, but without proper facilities for training no matter what it was it would not happen. Council Members Brown, Cohen, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Mayor Parker stated that she was a big fan of skate parks and glad the Jamail Park was done. Council Members Brown, Cohen, Hoang, Pennington, Rodriguez, Laster and Burks absent. (NO QUORUM PRESENT)

Upon questions by Council Member Green, Mr. Childres stated that the downtown skate park changed the area and gave people of all ages a chance to skate; that he would like parks in other areas, particularly the Spring area. Council Members Brown, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Mr. Barry Blumenthal, 1124 Fugate, Houston, Texas 77009 (281-658-4762) appeared and stated that he spoke previously about the Spring Greenspoint Skate Project and chances of it moving forward; that he did not get the impression it would move forward and they came to make their case; that it was a life changing park and the funding set aside by TIRZ 11 for the park was \$3 million; that Mr., Icken indicated the obstacle in moving forward was the overhead in staffing and they would look at other projects, but the precedent for staffing in such parks was not there, less than 1% were staffed and that reason was no reason to not create the park; and

other courts, etc., were not staffed. Council Members Brown, Hoang, Pennington, Rodriguez, Burks and Noriega absent.

Council Member Davis stated that he understood about the courts, soccer fields, etc., not being manned and they would have a meeting June 27th with the TIRZ, Redevelopment Authority, City of Houston to try and get a handle on it; and Mr. Blumenthal stated that he appreciated it and if they were to require skate parks to be staffed there would be no others in the entire city. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. John Hocutt, 12919 Tall Spruce, Cypress, Texas 77429 (832-630-2194) appeared and stated that he was 46 years old and started skating at 38, he had a youth group which skated at a small park and he skated as the church built a small skate park and he did so to be able to speak to the young women and men who came; that he knew those who just spoke; that they tried to present moral values, etc., and a park of this nature at Greenspoint to allow them to reach out; and if the money was not spent the way it was budgeted. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

CML thanked Mr. Hocutt and all who came for the parks and for articulating their vision; that he was sure they would do the best they could in helping them move forward. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Caleb Gonzalez, 1515 Holcombe, Houston, Texas 77030 (713-563-4237) appeared and stated that this park was a group effort of many years ago; that they tried to serve the most underserved constituency in Houston, the many young people; that they tried to build something Houston had never seen and the Jamail Skate Park truly took vision as many did not understand; that other cities had placed their skate parks in the worst parts of town and the idea was to bring high-risk kids and the record was excellent, it brought life, youthful activity; and urged all of Council to go to the Jamail Park and just look, kids spent hours on end at the park, families went; that the money was in the budget for years and they wondered why the city had not gone forward, maybe as an advocacy group they could help shed light on the issues. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mayor Parker thanked Mr. Gonzalez for coming and for his remarks; that she enjoyed working on the Jamail Park, she was not sure of the status of the Spring Park, but they had it on her radar now. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Christopher Brodeur, 818 Wax Myrtle Lane, Houston, Texas 77079 (713-501-1531) appeared and stated that he was going to talk about the Spring recreation area; that he started skateboarding in 2007 and just did it because his friends did, but his grandfather showed him a newspaper clipping of the Lee and Joe Jamail Skate Park to be created and he went opening day and it completely changed his view, he could not go for a few years as he lived too far and had a single mom, but once he received his license he was there as much as he could be; that the park was a great park of the city and they needed more such parks for kids like him who could not reach the Jamail Park. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Council Member Christie stated that all made a good presentation; and he noticed his abrasions; and upon questions, Mr. Brodeur stated that he fell yesterday and it was a long way to fall. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Council Member Davis thanked Mr. Brodeur for coming and bringing awareness on the issue and they appreciated his concern for the city and knew he wanted others on the other side of the community to have what he had here at this park. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Devarion Leassear, 9898 Bissonnet, Houston, Texas 77036 (281-431-5044) had reserved time to speak but was not present when his name was called. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Ms. Anna Martin, 3114 Airport Blvd., Houston, Texas 77051 (713-733-1904) had reserved time to speak but was not present when her name was called. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Ms. Tiffany Scales, 3806 Smithers Lane, Houston, Texas 77459 (713-396-2787) had reserved time to speak but was not present when his name was called. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Andrew Patterson, 6207 Fondren, Houston, Texas 77036 (832-276-1712) appeared and stated that in sitting through the session he had things to add, on waste management he worked for the industry and if bags were a problem it was an improper design; on mental health he was accosted and it was a disturbing thing, but to blame the community when they needed a place to stay maybe they should not be released to the public; on skate parks, Mike Laster recently during primaries met with skaters in southwest Houston about developing a skate park; the bayou problem would have the Ship Channel dredged and there would be a larger vacuum and all other things may be down the drain if they did not address that issue; as for the Bayport Terminal it was sold as a passenger terminal and it was a container terminal. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Upon questions by Council Member Laster, Mr. Patterson stated that the police monitor program was successful and thought the Houston Police Department should implement it; that the community in question whether Black, gay, Hispanic, etc., they needed more of a voice and the monitor program in Austin should be here; and Council Member Laster thanked him for bringing up the meeting on the skate park; that he visited with them recently at the Sharpstown Area and he had stepped away but was meeting with Director Turner and they would be looking at this discussion in the fall. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Mr. Terrance Reed, 8013 Willow, Houston, Texas 77088 (832-622-5704) had reserved time to speak but was not present when his name was called. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

Ms. Rita Mitchell, P. O. Box 14055, Houston, Teas 77221 had reserved time to speak but indicated from the audience she would not speak this week and would reschedule. Council Members Brown, Hoang, Pennington, Rodriguez, Green, Burks and Noriega absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was the President of the U. S.; and continued expressing his personal concerns until his time expired. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

At 5:48 p. m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, June 20, 2012. Council Member Sullivan absent on city business. Council Member Costello absent on personal business. Council Members Brown, Hoang, Pennington, Rodriguez and Burks absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, June 20, 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, Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present.

At 8:18 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:08 a.m. Mayor Parker called the meeting to order and stated that she hoped they were prepared for a long day, that the betting pool was that they would be done by 5:00 p.m., that she would call for a lunch break at approximately noon, they would find a good breaking point in the budget amendments, that they would take another break at the appropriate time in the afternoon, that when they got to the item dealing with the budget they would be going through the matrix in order, which was a lot easier to keep track of, they had distributed to each of them a copy that was also sent to them last night and was dated with a time stamp of 8:47 p.m., so that they were not looking at something that was from earlier in the week. Council Member Noriega absent.

Council Member Bradford asked if the matrix they received late last night, that Mayor Parker referenced, were there several changes made, because many of them had gone through the other matrix and made their notes on that matrix, were there real substantive changes or could she direct them to what those changes were, and Mayor Parker stated that they would try to make notes as they went through each one, but since they were going to go through them one by one there was an opportunity to put them side by side and they would try to make note, that there were not a lot of substantive changes. Council Member Noriega absent.

Council Member Costello stated that he wanted to announce that they would be providing lunch in the back for everyone so they did not have to leave, they could make it a short lunch.

Mayor Parker stated that they would talk more about how the process would go once they got to that point in the agenda.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 25**

#### **MISCELLANEOUS** - NUMBER 1

1. REQUEST from Mayor for confirmation of the reappointment of **MR. DENNIS J. STOREMSKI**, to Position One of the **GREATER HARRIS COUNTY 911 EMERGENCY**

**NETWORK BOARD OF DIRECTORS**, for a term to expire September 30, 2013 – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Noriega absent. MOTION 2012-0457 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 4 through 6

4. **AMEND MOTION #2007-742, 7/3/07, TO EXTEND** the expiration date from July 9, 2012 to July 8, 2013, for Firefighter Uniforms for the Fire Department, awarded to **LONE STAR UNIFORMS, INC, STERLING'S PUBLIC SAFETY, OUTDOOR OUTFITS** and **LION APPAREL** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0458 ADOPTED.
5. ORDINANCE appropriating \$200,000.00 out of Fire Consolidated Construction Fund for Purchase of Construction Services for Heating, Ventilation and Air Conditioning System Replacements at Fire Station Nos. 7, 28, 51 and the Val Jahnke Training Facility for the General Services Department - had been pulled from the Agenda by the Administration, and was not considered.
- 5a. **BASELINE PAVING AND CONSTRUCTION, INC** for Construction Services for Heating, Ventilation and Air Conditioning System Replacements at Fire Station Nos. 7, 28, 51 and the Val Jahnke Training Facility through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for General Services Department - \$195,519.75 and contingencies for a total amount not to exceed \$200,000.00 - **DISTRICTS D - ADAMS; J - LASTER and I – RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered.
6. ORDINANCE appropriating \$343,908.00 out of Equipment Acquisition Consolidated Fund; authorizing and approving Enterprise Enrollment Agreement with **MICROSOFT** for Software for Mobile Data Computers for the Houston Police Department – was presented. All voting aye. Nays none. ORDINANCE 2012-0568 ADOPTED.
- 6a. **DELL MARKETING, L.P.** for Microsoft Enterprise Agreement for Mobile Data Computers through the Texas Department of Information Resources for the Houston Police Department - 3 Years \$1,031,724.00 Total - General and Equipment Acquisition Consolidated Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0459 ADOPTED.

**ORDINANCES** - NUMBERS 9 through 24

9. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (1) Cornish Street, from Patterson Street east to its terminus, (2) Raiff Street, from Interstate Highway 10 to Cornish Street, and (3) Thompson Street, from Interstate Highway 10 to its terminus into White Oak Bayou, all in the John Austin Survey, A-1, Harris County, Texas; vacating and abandoning said public street rights-of-way - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. ORDINANCE 2012-0569 ADOPTED.
11. ORDINANCE approving and authorizing Interlocal Agreement between the City and **TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL (“TML”)** and the purchase of Radio Equipment and Tower Insurance Policy from TML - 1 Year - \$125,959.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. ORDINANCE 2012-0570 ADOPTED.

13. ORDINANCE amending City of Houston Ordinance No. 2012-196, approving third amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)** – was presented. All voting aye. Nays none. ORDINANCE 2012-0571 ADOPTED.
14. ORDINANCE appropriating \$36,784.81 out of Equipment Acquisition Consolidated Fund for purchase of Capital Equipment for the Fleet Management Department – was presented. All voting aye. Nays none. ORDINANCE 2012-0572 ADOPTED.
18. ORDINANCE appropriating \$933,880.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **ATKINS NORTH AMERICA, INC d/b/a ATKINS** for Martin Luther King Boulevard Reconstruction from IH-610(S) to Belfort Street (Approved by Ordinance No. 2011-0368); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2012-0573 ADOPTED.
19. ORDINANCE appropriating \$1,650,000.00 out of Street & Traffic Control & Storm Drainage DDSRF; awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Briar Drive and 12522 Old Oaks Drainage Improvements; 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 Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. ORDINANCE 2012-0574 ADOPTED.
20. ORDINANCE awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Storm Sewer Cleaning for Large Diameter Pipe Project Work Order; 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 - \$297,150.00 Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2012-0575 ADOPTED.
21. ORDINANCE awarding contract to **CLEANSERVE, INC** for Storm Sewer Cleaning and Television Inspection for Small Diameter Pipe Project Work Order Contract FY2012; 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 \$750,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2012-0576 ADOPTED.
23. ORDINANCE appropriating \$1,657,816.57 out of Metro Projects Construction DDSRF, awarding contract to **TOTAL CONTRACTING LIMITED** for Overlay/Rehabilitation Project: Dairy Ashford Road from Westheimer Road to Buffalo Bayou; 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 services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. ORDINANCE 2012-0577 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS

FOLLOWS:

**ACCEPT WORK**

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$89,329.00 and acceptance of work on contract with **HUFF AND MITCHELL, INC** for FY2010 Work Orders and On-Call Construction Local Drainage Projects 94.75% under the original contract amount - was presented, and tagged by Council Member Green.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,864,725.01 and acceptance of work completed by the **Surety, LIBERTY MUTUAL INSURANCE COMPANY** on contract awarded to **SOUTH COAST CONSTRUCTION, INC** for Kirby Drive from West Airport to Sims Bayou and Mowery Road from Edwina to future Kirby Drive - 8.71% under the original contract amount - **DISTRICT D – ADAMS** – was presented, and tagged by Council Members Adams and Green.

**PURCHASING AND TABULATION OF BIDS**

7. APPROVE spending authority to Address Emergency Repair of Water Line Breaks in an amount not to exceed \$1,425,000.00 for the Department of Public Works & Engineering, **T CONSTRUCTION LLC** - \$1,350,000.00 and **AVILES ENGINEERING CORPORATION** - \$75,000.00 - Enterprise Fund – was presented, and tagged by Council Member Green.

**ORDINANCES**

8. ORDINANCE **AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** by adding a new Article XI relating to adult establishments; imposing a fee on adult establishments and providing for the use of funds generated from such fees– was presented, and tagged by Council Members Noriega and Hoang.

Council Members Noriega and Hoang stated that they would release their tags for purpose of discussion.

After discussion by Council Members, Council Member Bradford stated that he thought the General Fund Budget had \$5 million this time around, that Senator Cornyn announced with the Mayor a week or so ago that additional federal dollars were in fact coming, so something was being done and he could tell them that some of them had lobbied federal officials for a long time trying to get additional dollars to come to Houston to get this issue addressed, that having said that probably those allocations that were underway now would not be enough to handle the current load which came in each year plus do the backlog, they must get the backlog addressed, that he knew that Congresswoman Lee had been working hard also talking to the Justice Department, and Attorney General Holden and others trying to get dollars through the pipe, that he just wanted to get that on the record.

Mayor Parker stated that she appreciated Council Member Bradford comments because they had been trying to address the issue, that there was \$5 million in the proposed budget, that it was not automatic to the new Forensic Science Center, but it was available for them to tap into, that it would be great to have another source of funds so that some of those monies could come back into the General Fund.

After further discussion Mayor Parker stated that Item No. 8 had been tagged by Council Members Noriega and Hoang.

10. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2011-625 by adding eight Engineer/Operator positions; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance – was presented. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. ORDINANCE 2012-0578 ADOPTED.
12. ORDINANCE amending Ordinance No. 2009-0650 to establish a maximum contract amount for contract between the City and **BREAD OF LIFE, INC** for Evening Homeless Resolution Services and support; approving and authorizing first amendment to above contract - \$260,000.00 Community Health and Assessment Fund - **DISTRICTS D - ADAMS and I – RODRIGUEZ** – was presented. Council Member Noriega absent.

After discussion by Council Members Adams, Rodriguez and Gonzalez a vote was called on Item No. 12. Council Member Brown voting no, balance voting aye. ORDINANCE 2012-0579 ADOPTED.

15. ORDINANCE approving and authorizing contract by and between the City of Houston and **EVALUATION SYSTEMS FOR PERSONNEL, INC** for Mystery Shopping Services for the Houston Airport System; providing a maximum contract amount - 5 years - \$436,262.76 Enterprise Fund - **DISTRICTS B - DAVIS and I – RODRIGUEZ** – was presented, and tagged by Council Member Davis.
16. ORDINANCE appropriating \$2,923,423.72 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to contract between the City of Houston and **ITRON, INC** for Radio Automated Meter Reading System and Fixed Network /Advanced Meter Infrastructure System (Approved by Ordinance No. 1998-0575); providing funding for construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2012-0580 ADOPTED.
17. ORDINANCE appropriating \$40,391.45 out of Metro Projects Construction DDSRF as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Intelligent Transportation Systems (Approved by Ordinance No. 2010-0667); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; H - GONZALEZ; I - RODRIGUEZ and J – LASTER** – was presented, and tagged by Council Member Laster.
22. ORDINANCE appropriating \$13,370,387.00 out of Metro Projects Construction DDSRF, \$3,640,496.00 from Street & Traffic Control and Storm Drainage DDSRF and \$1,154,017.00 from Water & Sewer System Consolidated Construction Fund, awarding contract to **WEBBER, LLC** for Homestead Road Grade Separation at Union Pacific Railroad Tracks; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, construction management and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF, Street & Traffic Control and Storm Drainage DDSRF and Water & Sewer System Consolidated Construction Fund - **DISTRICT B – DAVIS** – was presented.

After discussion by Council Member Davis a vote was called on Item No. 22. All voting aye. Nays none. ORDINANCE 2012-0581 ADOPTED.

24. ORDINANCE appropriating \$12,300,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **OSCAR RENDA CONTRACTING, INC** for Northside Sewer Relief Tunnel Rehabilitation Area No. 4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - DAVIS and H – GONZALEZ** – was presented. All voting aye. Nays none. ORDINANCE 2012-0582 ADOPTED.
25. ORDINANCE appropriating \$3,114,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **DCE CONSTRUCTION, INC** for Waterline Replacement in Spring Shadows-East 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, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A – BROWN** – was presented, and tagged by Council Member Adams.

**MATTERS HELD** - NUMBERS 26 through 34A

26. MOTION by Council Member Bradford/Seconded by Council Member Adams to adopt recommendation from Director Finance Department to approve the Fiscal Year 2013-2017 Capital Improvement Plan and establish a charge of \$75.00 plus postage for the adopted CIP documents and a charge of \$5.00 plus postage for CD version – **(This was Item 8 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBERS GREEN, NORIEGA and BRADFORD)** – was presented, and tagged by Council Member Costello.
27. RESOLUTION approving the creation of the **HARRISBURG REDEVELOPMENT AUTHORITY**; approving the Certificate of Formation and the Bylaws thereof; confirming the appointment of the initial Directors and Chairperson - **DISTRICTS B - DAVIS; H - GONZALEZ and I – RODRIGUEZ** – **(This was Item 27 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented.

Council Member Rodriguez moved to refer Item No. 27 back to the administration as he understood the Board needed to be adjusted as a person recommended would soon become a City employee, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2012-0460 ADOPTED.

28. ORDINANCE authorizing the sale of a partial interest in 801 Gillette Street, Houston, Texas, to **COASTAL WATER AUTHORITY** for Environmental Remediation purposes in consideration of its payment to the City of \$11,000,000.00, management of the environmental remediation of the property, and other consideration; approving a Purchase Agreement and a Co-ownership Agreement; designating a fund for excess remediation costs - **DISTRICT C - COHEN** – **(This was Item 30 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBERS SULLIVAN, ADAMS, BROWN, NORIEGA and BRADFORD)** - was presented.

After discussion by Council Members, a vote was called on Item No. 28. Council Members Brown and Sullivan voting no, balance voting aye. ORDINANCE 2012-0583 ADOPTED.

29. ORDINANCE amending Ordinance No. 2011-274 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **FIRST SOUTHWEST COMPANY** for Financial Advisory Services - \$171,052.63 - General Fund – **(This was Item 31 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBER BROWN)** - was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2012-0584 ADOPTED.
30. ORDINANCE authorizing the creation and execution of Industrial District Agreements by and between the City of Houston, Texas, and various property owners located in and around the Ship Channel Navigation District and Jacintoport Areas within the extraterritorial jurisdiction of the City **DISTRICTS E - SULLIVAN and I - RODRIGUEZ – (This was Item 35 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBER SULLIVAN)** - was presented.

After discussion by Council Member Sullivan, a vote was called on Item No. 30. Council Member Sullivan voting no, balance voting aye. ORDINANCE 2012-0585 ADOPTED.

31. ORDINANCE appropriating \$297,479.00 out of General Improvement Consolidated Construction Fund, awarding construction contract to **GULF COAST LANDSCAPE SERVICES, INC** for Miller Outdoor Theatre Irrigation Improvements; 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 services, construction management, and contingencies relating to construction of facilities financed by General Improvement Consolidated Construction Fund - **DISTRICT D – ADAMS – (This was Item 37 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBER BROWN)** – was presented.

Council Member Brown stated that this was in regard to landscape work that was going to be done at the Miller Outdoor Theater and her office had requested the details as to the contract and had yet to receive the information and moved to postpone Item No. 31 for one week, seconded by Council Member Laster.

Mayor Parker stated that she would make a clarification, that it was for irrigation not for landscaping.

After discussion Council Member Adams moved to override the motion to postpone Item No. 31 for one week.

After further discussion by Council Members, Mayor Parker stated that she knew that Council Member Brown had a new staff member and they may not be aware that the Agenda Director was supposed to be copied on any request for information on a tagged agenda item so that they could keep track; and that she would request that Council Member Brown rescind her request for information and do it through the Agenda Office as was appropriate.

After further discussion by Council Members, a roll call vote was called on Council Member Brown's motion to postpone Item No. 31 for one week.

ROLL CALL VOTE:

Mayor Parker voting aye  
Council Member Brown voting aye  
Council Member Davis voting no  
Council Member Cohen voting no  
Council Member Adams voting no

Council Member Rodriguez voting no  
Council Member Laster voting aye  
Council Member Green voting no  
Council Member Costello voting no  
Council Member Burks voting no

Council Member Sullivan voting no  
Council Member Hoang voting aye  
Council Member Pennington voting aye  
Council Member Gonzalez voting no

Council Member Noriega voting no  
Council Member Bradford voting aye  
Council Member Christi voting aye  
MOTION 2012-0461 FAILED

A vote was called on Item No. 31. All voting aye. Nays none. ORDINANCE 2012-0586 ADOPTED.

32. ORDINANCE appropriating \$600,000.00 out of Airports Improvement Fund and approving and authorizing Professional Architectural/Engineering Services Agreement between the City of Houston and **PARSONS ENVIRONMENT & INFRASTRUCTURE GROUP** for Job Order Contracting Support for the Houston Airport System (Project 516H) - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ – (This was Item 39 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. All voting aye. Nays none. ORDINANCE 2012-0587 ADOPTED.
33. ORDINANCE awarding contract to **HOWARD TREY RON DISTRIBUTORS, INC** for Ice Machine Rental Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,234,665.60 - General, Enterprise and Special Revenue Funds – **(This was Item 59 on Agenda of June 13, 2012, POSTPONED BY MOTION 2012-450)** – was presented.

Council Member Christi stated that he wanted to present that he thought it had been pared down for the inside ice machines from 75 to 21, he thought the administration had said, but they had chilled water and thought they did not need this luxury in an austere time, that he was going to vote no against the contract, that he was still in support of outside workers and the ice machines.

Council Member Sullivan stated that Susan Bandy and Calvin Wells came by with a lot of detailed information about the questions that he had with respect to the benefits of leasing versus purchasing and he would like to thank them publicly for being so responsive, and he wanted to thank Mayor Parker for giving them another week to work through this.

Mayor Parker stated that ice machines with their outdoor workers were a life safety issue, that they had reduced the number of ice machines, but ice machines in office buildings were a courtesy to their employees and she supported both, but thanked the Council Members for digging into this.

A vote was called on Item No. 33. Council Members Christi, Brown and Hoang voting no, balance voting aye. ORDINANCE 2012-0588 ADOPTED.

Council Member Pennington stated that he wanted to welcome Mr. Jim Grace, who was sitting in the audience, back to Houston, that he was a friend of many of them and someone who was truly interested in public policy, that he was a Reserve Naval Officer who had just returned from 9 months in Afghanistan. Mayor Parker absent. Mayor Pro Tem Gonzalez presiding.

Council Member Noriega stated that it was good to see Mr. Grace, that they had talked before he left and she was grateful to see him in one piece at the other end of it, that she knew what his family dealt with when he was gone, that they were all happy that he was okay, that a lot of what they did at Council were conflicts, issues or arguments but none of that was important in the face of what Mr. Grace had been dealing with, that she wanted to thank him for his service. Mayor Parker and Council Member Sullivan absent. Mayor Pro Tem Gonzalez presiding.

Mayor Parker stated that she wanted to apologize for stepping away, no disrespect, that she was glad to see Mr. Grace back. Council Member Sullivan absent.

### **FISCAL YEAR 2013 BUDGET MATTERS HELD**

34. Consideration of proposed amendments to Item 34A below, submitted in writing on June 13, 2012 by Council Members Costello, Burks, Noriega, Christie, Brown, Davis, Cohen, Adams, Sullivan, Pennington, Gonzalez, Rodriguez, Laster and Green, as set forth in the attached Exhibits (Amendments will be considered in the order of a matrix prepared by the Administration)

Mayor Parker stated for the first item on the Matrix, Amendment 1.01, there were similar budget amendments offered by Council Members Costello, Brown and Pennington.

#### 34. - Costello – Amendment 1.01

If fiscal year 2013 general fund revenues exceed the projected \$1,890,624,430, the first \$2,000,000 in excess revenues shall be used to fund an independent third-party analysis of citywide process improvements and all Long-Range Financial Management Task Force suggestions related to pension sustainability. Based on this analysis, the independent third party will also provide a plan for implementation of recommended process improvements and steps to strengthen the financial security of the City's three pension systems – was presented.

After discussion Council Member Costello stated that on the matrix they had a proposed substitute amendment from the administration and would move to adopt the substitute as follows:

If the Administrations Monthly Financial and Operational Report's FY2013 projected fund balance exceeds 7.8%, up to the \$2,000,000 of fund balance may be used to fund one or more independent third-party analyses on:

- Long-Range Financial Management Task Force suggestions related to pension sustainability and health benefits.
- The quality, efficiency, and cost-effectiveness of citywide operations and support processes.

The third-party analysis shall include recommended improvements and a suggested plan for implementing those improvements, seconded by Council Member Pennington.

Council Member Brown stated that she would offer a friendly amendment for additional language to the substitute motion to Amendment 1.01 "The firm that would be used for this work would be barred from contracting with the City to do any of their recommendations", which Council Member Costello agreed.

After further discussion by Council Members, Council Member Brown moved a friendly amendment to replace the word "may" with "shall", and Mayor Parker asked if Council Member Costello was okay with the motion, and Council Member Costello stated yes, and Mayor Parker stated that it had been adopted, the word was "shall" instead of "may" in the first sentence, third line down.

After further discussion Council Member Brown stated that she would move to amend the

first part, "they would use up to \$2 million of their projected Fund Balance to fund an independent third party analysis", and Mayor Parker stated that the administration was sympathetic and supportive, it was not her intent to allow their fund balance to dip below 7.5%, which was the recommended amount that they as a body had adopted and was going to respectfully disagree with Council Member Brown's recommendation, that they were going to make every effort to do this, but \$2 million was a lot to find in the budget.

After further discussion by Council Members, Mayor Parker stated that she would offer another option, that her budget did propose another \$5 million to replenish the Rainy Day Fund, it was not part of the 7.5%, they could take up to \$2 million out of the Rainy Day Fund and then as the money came in it would go there, that was simply a suggestion.

After further discussion by Council Members, Mayor Parker stated that since the maker of the original motion did not agree with the amendment proposed by Council Member Brown they needed to make a substitute motion and she would give her some suggested language, "if funds do not exceed 7.8% then the funds may be allocated from the 5% designated for the Rainy Day Fund in the 2013 budget", moved by Council Member Brown, seconded by Council Member Christi.

After further discussion by Council Members, Council Member Gonzalez stated that perhaps a suggestion would be that if they failed to exceed the 7.8% then maybe the item could return back to Council for reconsideration so they could get a better idea of the final situation of the City at that point.

After further discussion by Council Members, Mayor Parker stated to Council Member Brown that they could add a date certain and say that "if they do not exceed the target within 90 days that it comes back the full Council for consideration of alternative funding".

After further discussion by Council Members, Mayor Parker stated that she was beginning to hear a consensus that Council Members were not interested in tapping into the Rainy Day Fund, that it was certainly not her intent that they do so, but to try to be helpful in the process, but the motion on the floor was that they do that.

After further discussion by Council Members, Council Member Brown asked if it would be appropriate to add that language to what the current motion, which included the option of the Rainy Day Fund, but add the language of the "90 days", and Mayor Parker stated that she was hearing a clear sentiment of Council that they were not interested in tapping into the Rainy Day Fund at this time, that Council Member Brown may offer additional language as a substitute for her substitute motion that was on the floor when she recognized her again if she chose to do so.

After further discussion by Council Members, Council Member Brown moved to add Council Member Gonzalez language to the current motion on the floor and Mayor Parker stated that she was going to need to articulate that for the City Secretary, and Council Member Brown requested Council Member Gonzalez to do so.

Council Member Gonzalez stated that his suggestion was "if it appeared they were not going to exceed the 7.8% then the administration would come back to Council for consideration of then using alternative funds for the study" so at least they had an option, either they crossed the bar and get it by means of the 7.8% or if nothing else had happened and they deemed they wanted to allocate other funds then this Council body could enter into that discussion and make a decision based on what the financial outcome.

Council Member Brown stated that she would add to that sentence, "and either they wanted to proceed with tapping into the Rainy Day Fund".

Mayor Parker stated that it was Council Member Brown motion and language, but Council Member Gonzalez was not supportive of tapping into the Rainy Day Fund at this point, and Council Member Brown stated that it would remain an option, and Mayor Parker stated that everything was an option depending on how an item was placed on the agenda.

Council Member Brown stated that as long as they were moving forward on this and they had the option to look elsewhere in 90 days then she would agree and would substitute the Rainy Day language with Council Member Gonzalez language.

Mayor Parker stated that Council Member Brown had offered a substitute for her amendment that was currently on the flood that stated "if the funds do not exceed 7.8% within 90 days the administration would return to Council for discussion of the appropriate funding source, seconded by Council Member Gonzalez.

Council Member Brown asked for clarity, that it still implied that they would continue to move forward now, and Mayor Parker stated yes.

After further discussion by Council Members, Mayor Parker stated that what they had before them was some language to amend the substitute amendment that had been offered by Council Members Costello and Pennington, the wording was "if funds do not exceed 7.8% within 90 days the administration would return to Council with a recommendation of an appropriate funding source. Council Member Laster voting no, balance voting aye. MOTION TO AMEND CARRIED.

A vote was called on main motion as amended. All voting aye. Nays none. MOTION 2012-0462 ADOPTED.

#### 34. - Costello - Amendment 1.02

Provide \$160,000 for Supplemental Nutrition Assistance Program (SNAP) outreach. Within 90 days, the City of Houston will contract with the Houston Food Bank to increase the number of SNAP participants in Houston. The Houston Food Bank is the only State-certified subcontractor (outside a State field office) eligible to issue SNAP electronic benefits transfer cards. Funds will be used to pay for trained staff to identify, assist, and distribute benefits to eligible SNAP participants. This is intended to be a one-time source of funding to pay for staff salaries for a period of one year until such time the Houston Food Bank may apply for Community Development Block Grant funding. The source of funds for this purpose will be grant/private funding to be determined by the administration – was presented. Council Members Cohen and Green absent.

After discussion by Council Members Costello and Davis, a vote was called on Amendment 1.02. Council Members Sullivan and Brown voting no, balance voting aye. MOTION 2012-0463 ADOPTED.

#### 34. - Burks - Amendment 2.01

Consolidate all City Department FTE's that provide IT services into the Information Technology Department while increasing the ITD Budget with the corresponding and appropriate funding. There shall also be periodic reporting to the TTI Committee regarding the progress towards this goal – was presented. Council Members Cohen and Green absent.

After discussion by Council Members, Mayor Parker stated that the administration

supported Council Member Burks motion and thought there was general support and asked if Council Member Burks would be willing to offer a referral to the committee so they could update the current progress of their consolidation, and Council Member Burks stated yes.

Council Member Burks moved to refer Amendment 2.01 to committee so they could fully update Council Members, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Cohen and Green absent. MOTION 2012-0464 ADOPTED.

34. - Burks - Amendment 2.02

The Ethics, Elections, and Council Governance Committee (EECG) shall create a Charter Amendment ballot proposition for consideration by City of Houston voters that would increase the current two year term of Mayor and Councilmembers to a four year term, without changing the effect of term limits. This action would reduce the Operating Budget every two years by at least \$3,000,000 - was presented. Council Members Cohen and Green absent.

Council Member Burks moved to refer Amendment 2.02 to the Council Committee for Ethics and be placed on it's agenda and considered within 30 days from today and upon approval by the committee placed on the City's agenda within 30 days after that, seconded by Council Member Bradford.

After further discussion by Council Members, a vote was called on Council Member Burks motion to refer Amendment 2.02 to the Ethics Committee. Council Members Brown and Pennington voting no, balance voting aye. Council Members Cohen and Christi absent. MOTION 2012-0465 ADOPTED.

34. - Noriega - Amendment 3.01

The IT Department shall evaluate methods and the cost/savings to the City's general fund to provide electronic delivery of Agenda and Committee documents. Electronic access must be available to Council Members and staff 24 hours a day and at all City Council and Committee meetings. The Director of IT shall provide his findings and recommendations to the TTI Committee and the Administration no later than November 16, 2012 - was presented. Council Members Cohen and Christi absent.

After discussion by Council Members, a vote was called on Amendment 3.01. All voting aye. Nays none. Council Members Cohen, Laster and Burks absent. MOTION 2012-0466 ADOPTED.

34. - Christie - Amendment 5.01

If the combination of property tax and sales tax revenues in Fiscal Year 2013 exceeds the projected \$1,477,570,000, all revenues over projection must be applied towards funding the City's general fund contributions to the Governmental Accounting Standards Board actuarially required contribution for the Houston Municipal Employees Pension System; the Houston Police Officers' Pension System; and the Houston Firefighters Relief and Retirement Fund - was presented. Council Members Cohen, Laster and Burks absent.

After discussion by Council Members, Mayor Parker stated that again she would repeat her request that the item be withdrawn, that it was not withdrawn so she would urge them to vote no on the item, that they had already committed the first \$2 million of access funds to management initiatives and a study of the pension system, that while she would agree that this was something like a prepayment on a credit card debt, they had already in place separate

agreements with all three of their pensions as to what was the required payment for this year and this would severely limit their flexibility through the course of the year. Council Member Adams absent.

Council Member Hoang moved to refer Amendment 5.01 to the administration. Council Members Adams, Burks and Noriega absent. Hearing no second MOTION 2012-0467 DIED FOR LACK OF A SECOND.

After further discussion by Council Members, Council Member Costello stated that he was not going to support the amendment as written and offered and a motion to amend Amendment 5.01 as follows, "If there are excess revenues over the \$2 million dedicated to 1.01, Council would consider increasing the City's contribution to the ARC", seconded by Council Member Cohen. Council Member Adams absent.

After a further lengthy discussion by Council Members, a roll call vote was called on Council Member Costello's substitute motion to Amendment 5.01.

ROLL CALL VOTE:

Mayor Parker voting aye	Council Member Rodriguez voting no
Council Member Brown voting no	Council Member Laster voting no
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 no
Council Member Sullivan voting no	Council Member Noriega voting aye
Council Member Hoang voting aye	Council Member Bradford voting no
Council Member Pennington voting aye	Council Member Christi voting no
Council Member Gonzalez voting aye	MOTION 2012-0468 ADOPTED.

Council Member Christi asked Mayor Parker is she would bring back Amendment 5.01 to City Council and Mayor Parker stated that when Council takes a vote it was considered an obligation of the administration to carry it out and she had not failed to carry out any Council obligation.

34. - Christie - Amendment 5.02

All Departments – General Fund: The Department of Finance shall monitor all budgeted civilian vacancy FTEs, including full-time, part-time, and over-time positions, and their corresponding annualized salaries, on a monthly basis and will adjust the department budgets accordingly. The adjustments shall be reflected in the Monthly Financial Operations Report to Council – was presented. Council Members Sullivan and Pennington absent.

After discussion Council Member Christi stated that he would withdraw Amendment 5.02. Council Members Sullivan and Pennington absent.

34. - Christie - Amendment 5.03

All Departments – General Fund: Any FTE position that has gone unfilled for more than 3 months as of July 1, 2012 shall be eliminated. Reinstatement of the position will be made only with written justification and budgetary impact to be submitted to the Mayor or the Mayor's designee for approval – was presented. Council Members Sullivan and Pennington absent.

After discussion by Council Member Christi, Mayor Parker stated that there were some

highly technical positions and also police and fire positions where positions were created and they waited for a class to be filled, that she understood the concern, they did not want to see anybody sandbagging in their budget, but she did not believe that the motion accompanied what he was trying to do. Council Member Sullivan absent.

Council Member Burks moved to continue the Council meeting past the noon hour to complete the agenda, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2012-0469 ADOPTED.

After further discussion by Council Members, Council Member Christi moved to amend Amendment 5.03 as follows, "classified position be exempted", seconded by Council Member Bradford. Council Member Rodriguez absent.

After further discussion by Council Members, a vote was called on Amendment 5.03 as amended. Mayor Parker and Council Members Pennington and Laster voting no, balance voting aye. Council Members Rodriguez and Noriega absent. MOTION 2012-0470 ADOPTED AS AMENDED.

At 12:13 p.m. Council Member Gonzalez moved to recess the City Council meeting until 1:00 p.m. seconded by Council Member Adams. All voting aye. Nays none. Council Members Rodriguez and Noriega absent. MOTION CARRIED.

At 1:08 p.m. Mayor Parker asked Council Members to reassemble so they could return to the budget matrix. Council Members Sullivan, Hoang and Burks absent.

34. - Brown - Amendment 6.01

Outsource EMS **120003**, which would immediately free \$372,411,448 from our budget which is approximately 19.13% - was presented. Council Members Sullivan, Hoang and Burks absent.

After discussion by Council Members, a vote was called on Amendment 6.01. Council Member Brown voting yes, balance voting no. MOTION 2012-0471 FAILED.

34. - Brown - Amendment 6.02

Consolidate HPD support operations **100003** of \$136,059,344 and investigative operations **100005** of \$137,228,928 into Harris County Sheriff department thus saving the city an estimated \$273,288,272 which is approximately 14.04% - was presented.

After discussion, Council Member Brown moved to remove the word "Harris". Hearing no second. MOTION DIED FOR LACK OF A SECOND.

After further discussion by Council Members, a vote was called on Amendment 6.02. Council Member Brown voting yes, balance voting no. MOTION 2012-0472 FAILED.

34. - Brown - Amendment 6.03

Take Parks and Recreation **360001, 360002, 360004, 360007, 360008, 360009, 360013,** and **360015** and relinquish control over to county, citizens, or private sector. This would save \$64,402,537 or approximately 3% - was presented.

After discussion by Council Members, a vote was called on Amendment 6.03. Council Member Brown voting yes, balance voting no. MOTION 2012-0473 FAILED.

34. - Brown - Amendment 6.04

Terminate the Housing and Community Development **32002** and **32004** for \$2,429,478 (which is a 392% increase from the FY2012 budget and mainly all for salaries) – was presented.

After discussion by Council Member Brown, a vote was called on Amendment 6.04. Council Member Brown voting yes, balance voting no. MOTION 2012-0474 FAILED.

34. - Brown - Amendment 6.05

Default on the City's contribution to the Pension Plans **501070**, **501080**, and **501090** for a total of \$243,704,464 (xv-29) so that the issue will be moved before the Texas Supreme Court to bring to question the state constitutionality of forcing a municipality into bankruptcy by obliging them to maintain an unsustainable pension plan – was presented.

After discussion by Council Members, a vote was called on Amendment 6.05. Council Member Brown voting yes, balance voting no. MOTION 2012-0475 FAILED.

34. - Brown - Amendment 6.06

Suspend the issuance of all General Obligation Bonds until the budget is balanced and all (both pension and general funds) accumulated deficits are liquidated. Default on all Tax Bonds for a total of \$244,561,336 (xiv-6). It is the fiduciary responsibility of investment banks and advisors to know their financial risk before taking them – was presented.

Mayor Parker stated that she would request that Amendment 6.06 be withdrawn otherwise she would move the item out of order, that it would require for them to violate the Constitution of the State of Texas.

After discussion by Council Member Brown, Mayor Parker stated that the Chair would rule that this motion was out of order and there would be no vote on Amendment 6.06.

34. - Brown - Amendment 6.07

The City will take on or commission one or more independent consulting firms to perform efficiency and effectiveness audits to cover the cities entire operations. They should focus on a cost benefits approach, doing a realistic inventory of city-wide needs then attack on a needs first basis. (These firm(s) should be barred from contracting work with the City as a result of their recommendations.) – was presented.

Mayor Parker stated that Amendment 6.07 was incorporated into Amendment 1.01 and would request that this item be withdrawn in favor of 1.01.

Council Member Brown stated that she would withdraw Amendment 6.07.

34. - Brown - Amendment 6.08

On page **vii** the **Organization Chart** shows the citizens at the top in charge of the city supported by equal positions of City Council, Mayor, and City Controller. In reality, the city currently is run by Public Sector Unions, supported by a mayor who has sole authority and dictates the agenda which is then voted on by the City Council who is bullied into loyalty and/or criticized and/or ostracized. We must either change the organization chart within

the budget to reflect the true nature of the City or the City must change her operation to reflect the proposed Organization Chart. I propose we fund a study as to the feasibility of changing the City Charter to provide a professional City Manager – was presented.

After discussion by Council Member Brown a vote was called on Amendment 6.08. Council Member Brown voting yes, balance voting no. MOTION 2012-0476 FAILED.

34. - Brown - Amendment 6.09

The Pay **500010, 500020 500030, 500040, 500060, 500070, 500090, 500110, 500120, 500150, 500160, 500170, 500180, 500190, 500210,** and Benefits **503010, 503015, 503020, 503025, 503040, 503050, 503060, 503061, 503070, 503080, 503090, 503100, 503110,** of City, Fire, and HPD employees should be comparable to those provided in the private sector - was presented.

After discussion by Council Members a vote was called on Amendment 6.09. Council Member Brown voting yes, balance voting no. Council Member Cohen absent. MOTION 2012-0477 FAILED.

34. - Brown - Amendment 6.10

Approximately 2/3 of all employees live outside city limits – the city will look into possibly requiring or only hiring first responders who live within the city limits so that they have “skin-in-the-game!” – was presented. Council Member Cohen absent.

Mayor Parker stated that she would request the item be withdrawn, that she would rule it out of order, it was a violation of the Texas Local Government Code. Council Member Cohen absent.

After discussion by Council Members, Mayor Parker stated that the Chair ruled that the motion was not in order, and no vote was taken.

34. - Brown - Amendment 6.11

Increase the over-65/disabled exemption by \$9,138 to \$80,000 – was presented.

After discussion by Council Members a vote was called on Amendment 6.11. Council Members Brown, Sullivan and Christi voting yes, balance voting no. MOTION 2012-0478 FAILED.

34. - Brown - Amendment 6.12

Decrease the water rate 20% - was presented.

After discussion by Council Members a vote was called on Amendment 6.12. Council Members Brown and Sullivan voting yes, balance voting no. MOTION 2012-0479 FAILED.

34. - Davis - Amendment 7.01

The Houston Police Department will allocate a portion of the revenue generated in the Asset Forfeiture Fund to the Environmental Investigations Unit in order to meet the unit's present need for additional resources to address their manpower shortage. Funding should be used for overtime pay or technology options that will address the unit's current need for additional manpower to combat illegal dumping throughout the city. Council will

work with the Administration, Houston Police Department, and the Environmental Investigations Unit to determine the actual funding amount to be allocated from the Asset Forfeiture Fund to the Environmental Investigations Unit – was presented.

After discussion Council Member Davis moved to table Amendment 7.01, seconded by Council Member Costello. Council Member Brown voting no, balance voting aye. Council Member Sullivan absent. MOTION 2012-0480 ADOPTED.

34. - Davis - Amendment 7.02

Within 30 days the Administration shall establish an Illegal Dumping Task Force (IDTF). The objective of the task force shall be to develop a set of recommendations to reduce the incidence of illegal dumping.

The Illegal Dumping Task Force membership shall include, but is not limited to staff from the Houston Police Department, Solid Waste Department, Mayor's Office of Sustainability, 3 Council Members, County, State, and Federal officials, and other members of the community that the Mayor deems appropriate.

The Illegal Dumping Task Force shall examine and make recommendations related to:

- Improving interagency coordination
- Expanding public education and prevention efforts
- Identifying the gaps in ordinances and laws for authority and enforcement; deciding if new ordinances or laws are needed to ensure effective enforcement.
- Increasing support for the prosecution of environmental crimes

The Illegal Dumping Task Force shall meet regularly to examine and make recommendations to address the objective and until such a time that the Mayor deems the Task Force no longer appropriate – was presented.

Mayor Parker stated that the administration had proposed a substitute with some minor changes and Council Member Davis moved to adopt the substitute amendment as follows:

Within ~~30~~ 60 days the Administration shall establish an Illegal Dumping Task Force (IDTF). The objective of the task force shall be to develop a set of recommendations to reduce the incidence of illegal dumping.

The Illegal Dumping Task Force membership shall include, but is not limited to staff from the Houston Police Department, Solid Waste Department, Mayor's Office of Sustainability, Department of Neighborhoods, 3 Council Members, ~~County, State, and Federal officials~~, and other members of the community that the Mayor deems appropriate. County, State and Federal officials will be invited to participate.

The Illegal Dumping Task Force shall examine and make recommendations related to:

- Improving interagency coordination
- Expanding public education and prevention efforts
- Identifying the gaps in ordinances and laws for authority and enforcement; deciding if new ordinances or laws are needed to ensure effective enforcement.
- Increasing support for the prosecution of environmental crimes

\* Evaluating Department needs and appropriate staffing levels

The Illegal Dumping Task Force shall meet regularly to examine and make recommendations to address the objective and until such a time that the Mayor deems the Task Force no longer ~~appropriate~~ necessary, Seconded by Council

Member Sullivan.

Mayor Parker stated that it was not their intention to delay for 60 days, that she had already had a conversation with Harris County and the Harris County Attorney's Office was eager to participate in a task force and she believed they would have similar support from other levels of government.

After further discussion by Council Members, a vote was called on the substitute motion to Amendment 7.02. Council Member Brown voting no, balance voting aye. MOTION 2012-0481 ADOPTED.

34. - Cohen - Amendment 8.01

I respectfully request that the administration place an item on the next available council agenda to amend Chapter 28 of the Code of Ordinances by adding a new Article XI which will implement the Sexual Assault Forensic Evaluation ordinance with the goal of clearing the rape kit backlog. The ordinance will establish a \$5 fee on operators of adult entertainment establishments. The revenue generated will be used to fund the processing of pending Houston Police Department sexual assault kits and excess funds, if any, shall be dedicated to fund the ongoing processing of sexual assault kits at the Houston Forensic Science Center – was presented.

Council Member Cohen moved to table Amendment 8.01, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2012-0482 ADOPTED.

At 2:03 p.m. Mayor Parker stated that the Chair would appreciate a 10 minute break, to be back at 2:15 p.m.

At 2:19 p.m. Mayor Parker asked that the Council Members reconvene after the short recess. Council Member Burks absent.

34. - Adams - Amendment 9.01

Within 90 days the Legal Department will work with the Planning Department to present the Model Deed Restriction Program, as approved by council during 2011 budget year. The Legal/Planning Department will provide a set of legally enforceable deed restrictions language for neighborhoods to choose in order to renew or implement deed restrictions in the City of Houston neighborhoods – was presented.

After discussion Council Member Adams moved to table Amendment 9.01, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Burks absent. MOTION 2012-0483 ADOPTED.

Mayor Parker stated that the item would be tabled and brought back to the Council committee so they could update everybody. Council Member Burks absent.

34. - Adams - Amendment 9.02

Within 90 days, the Department of Neighborhoods and the Legal Department shall coordinate to establish an ordinance and registry program which will address all rental properties in the City of Houston which do not require a certificate of occupancy. The ordinance and registry program is intended to increase the ability of the City of Houston to enforce code violations in rental properties and prevent the properties from creating dangerous conditions for the inhabitants. The program would require owners to register

their rental properties with the City and give the City the authority to inspect the premises – was presented.

After discussion Council Member Adams stated that she would ask that they create a registry program for those properties so the City of Houston could go out and inspect these particular properties to make sure they were inhabitable. Council Member Burks absent.

Council Member Adams moved to table Amendment 9.02, seconded by Council Member Gonzalez.

After further discussion by Council Members, a vote was called on the motion to table Amendment 9.02. Council Member Brown voting no, balance voting aye. Council Member Burks absent. MOTION 2012-0484 ADOPTED.

34. - Adams - Amendment 9.03

Legal will review terms limits to two four year terms for City Council and Mayor – was presented. Council Member Burks absent.

Mayor Parker stated that this amendment had been addressed similarly by Council Member Burks and the discussion had been referred to a special called meeting of the Ethics and Council Governance Committee.

Council Member Adams stated that she would withdraw Amendment 9.03.

34. - Adams - Amendment 9.04

HPD will budget for five PSO's out of the 28 new hires for the 2013 Budget. The PSO will be responsible for staffing Police Store Fronts – was presented. Council Member Noriega absent.

After discussion Council Member Adams stated that she would withdraw Amendment 9.04. Council Member Noriega absent.

Mayor Parker stated that there was another item later on having to do with storefronts as well and she was sensitive to the Council Members desire to staff storefronts and she would ask the Chief of Police to come to the Public Safety Committee or visit with Council Members as to how they could accomplish that. Council Members Noriega and Christi absent.

34. - Adams - Amendment 9.05

In 90 Days HPD will view cost to have Technology for Houston Sobering Center to communicate with the Homeless Information Management Systems to track the return of clients who frequently are detained in the center and referred out to various agencies – was presented. Council Member Noriega absent.

After discussion Council Member Adams moved to table Amendment 9.05 to committee, seconded by Council Member Costello. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. MOTION 2012-0485 ADOPTED.

34. - Adams - Amendment 9.06

ARA and Legal will view the current regulations on 8 Liner Operators. Provide information on whether 8 Liner Establishments can be regulated to certain hours of operations – was

presented. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. MOTION 2012-0486 ADOPTED.

34. - Adams - Amendment 9.07

DON has funding for 5 Community Outreach Employees. Total funding for these positions are 334, 624.00. Requesting DON Director to reclassify these positions to include a Council Liaison – was presented. Council Member Noriega absent.

After discussion Council Member Adams stated that she would withdraw Amendment 9.07. Council Member Noriega absent.

34. - Adams - Amendment 9.08

In 90 Days HFD will present to Public Safety Committee an update on All Hazard Response to see if the change in how HFD response to emergencies decreased or increased the response times. Also review the current policy on the use of the 8 BLS units that were removed from out of service 2010 budget year and the cost of overtime saved – was presented. Council Member Brown voting no, balance voting aye. Council Member Noriega absent. MOTION 2012-0487 ADOPTED.

34. - Adams - Amendment 9.09

In 30 days provide Council with the report of the Street Surface Assessment Vehicle – was presented. Council Member Noriega absent.

After discussion Council Member Adams stated that she would withdraw Amendment 9.09. Council Member Noriega absent.

34. - Adams - Amendment 9.10

Provide \$160,000 for Supplemental Nutrition Assistance Program (SNAP) outreach. Within 90 days, the City of Houston will contract with the Houston Food Bank to increase the number of SNAP participants in Houston. The Houston Food Bank is the only State-certified subcontractor (outside a State field office) eligible to issue SNAP electronic benefits transfer cards. Funds will be used to pay for trained staff to identify, assist, and distribute benefits to eligible SNAP participants. This is intended to be a one-time source of funding to pay for staff salaries for a period of one year until such time the Houston Food Bank may apply for Community Development Block Grant funding. The source of funds for this purpose will be grant/private funding to be determined by the administration – was presented. Council Member Noriega absent.

After discussion Council Member Adams stated that she would withdraw Amendment 9.10. Council Member Noriega absent.

34. - Sullivan - Amendment 10.01

Require all libraries to be open for full service on Saturdays with a minimum of four hours – was presented. Council Member Noriega absent.

After discussion by Council Members, Council Member Sullivan stated that he would withdraw Amendment 10.01. Council Member Noriega absent.

34. - Sullivan - Amendment 10.02

Provide staffing for the Proclamation Office, which will allow a two week turnaround on proclamations – was presented. Council Members Brown and Christi voting no, balance voting aye. Council Member Noriega absent. MOTION 2012-0488 ADOPTED.

34. - Sullivan - Amendment 10.03

Exempt the Kingwood community trails and parks from all costs and fees associated with Proposition 1/ Renew Houston / Rebuild Houston, aka: Drainage Fee – was presented. Council Member Noriega absent.

After further discussion by Council Members, a roll call vote was called on Amendment 10.03.

ROLL CALL VOTE:

Mayor Parker voting no	Council Member Rodriguez voting no
Council Member Brown voting aye	Council Member Laster voting aye
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 no
Council Member Sullivan voting aye	Council Member Noriega absent
Council Member Hoang voting aye	Council Member Bradford voting aye
Council Member Pennington voting no	Council Member Christi voting no
Council Member Gonzalez voting no	MOTION 2012-0489 FAILED

34. - Sullivan - Amendment 10.04

Require all organizations securing a parade permit to pay for Houston Police Department services at 100% reimbursement cost – was presented. Council Member Noriega absent.

Mayor Parker stated that the administration was in agreement with Council Member Sullivan but had proposed a substitute amendment having to do with referencing First Amendment considerations. Council Member Noriega absent.

After discussion Council Member Sullivan moved to adopt the substitute amendment for Amendment 10.04 as follows: Council Member Noriega absent.

Require that any costs for permitted street closures or parade permits for events not sponsored by City of Houston or covered by first amendment protections be fully reimbursed to be effective as of January 1, 2013, seconded by Council Member Gonzalez. Council Member Noriega absent.

After discussion by Council Members, a vote was called on the substitute for Amendment 10.04. Council Members Brown, Adams and Green voting no, balance voting aye. Council Members Davis, Rodriguez and Noriega absent. MOTION 2012-0490 ADOPTED AS AMENDED.

34. - Sullivan - Amendment 10.05

Reduce City Council pay by five percent - was presented. Council Member Davis absent.

After discussion by Council Member Sullivan a vote was called on Amendment 10.05. Council Members Sullivan and Christi voting aye, balance voting no. Council Member Davis

absent. MOTION 2012-0491 FAILED.

34. - Sullivan - Amendment 10.06

Reduce Mayor's pay by five percent – was presented. Council Member Davis absent.

After discussion by Council Members a vote was called on Amendment 10.06. Council Members Sullivan and Christi voting aye, balance voting no. MOTION 2012-0492 FAILED.

34. - Sullivan - Amendment 10.07

Purchase three utility carts and trailers, similar to utility cart #103, and deploy in each quadrant of the Houston Fire Department – was presented.

After discussion Council Member Sullivan stated that he would withdraw Amendment 10.07. Council Members Cohen and Adams absent.

34. - Sullivan - Amendment 10.08

Cap Audiovisual Supplies allocation to the actual expenditures in FY11 – was presented. Council Members Cohen and Adams absent.

After discussion Council Member Sullivan stated that he would withdraw Amendment 10.08. Council Members Cohen and Adams absent.

34. - Sullivan - Amendment 10.09

Cap Education and Training allocation to the estimated expenditures in FY12 – was presented. Council Members Cohen and Adams absent.

After discussion by Council Members, Council Member Sullivan stated that he would withdraw Amendment 10.09.

34. - Sullivan - Amendment 10.10

Cap Contract/Sponsorship allocation to the estimated expenditures in FY12 – was presented.

After discussion by Council Members, Council Member Sullivan stated that he would withdraw Amendment 10.10.

34. - Sullivan - Amendment 10.11

Eliminate funding for Tuition Reimbursements – was presented.

After discussion Council Member Sullivan moved to amend Amendment 10.11 as follows: "Eliminate funding for Tuition Reimbursements not required by contract", seconded by Council Member Laster.

A vote was called on Amendment 10.11 as amended. All voting aye. Nays none. Council Member Green absent. MOTION 2012-0493 ADOPTED.

34. - Sullivan - Amendment 10.12

Cap Building Maintenance Service allocation to the FY12 Current Budget – was presented. Council Member Green absent.

After discussion Council Member Sullivan stated that he would withdraw Amendments 10.12, 10.13, 10.15 and 10.18 as follows. Council Member Green absent.

34. - Sullivan - Amendment 10.13

Cap Miscellaneous Other Services and Charges allocation to the estimated expenditures in FY 12. Council Member Green absent.

34. - Sullivan - Amendment 10.15

Cap Temporary Personnel Services allocation to the FY11 proposed budget. Council Member Green absent.

34. - Sullivan - Amendment 10.18

Limit Infrastructure Budget Item under Equipment to estimated FY12 expenditures – was presented, and withdrawn by Council Member Sullivan. Council Member Green absent.

34. - Sullivan - Amendment 10.14

Cap Mail / Delivery Services allocation to the estimated expenditures in FY12 – was presented. Council Member Green absent.

After discussion Council Member Sullivan stated that he would withdraw Amendment 10.14. Council Member Green absent.

34. - Sullivan - Amendment 10.16

Cut Advertising Services allocation by fifty percent – was presented.

After discussion by Council Members, Council Member Sullivan moved to table Amendment 10.16 for further discussion, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2012-0494 ADOPTED.

34. - Sullivan - Amendment 10.17

Cap Computer Hardware and Developed Software purchases to FY11 actual expenditures – was presented.

After discussion Council Member Sullivan stated that he would withdraw Amendment 10.17.

34. - Sullivan - Amendment 10.19

Eliminate Funding for Affirmative Action Monitoring – was presented.

After discussion by Council Member Sullivan a vote was called on Amendment 10.19. Council Members Brown and Sullivan voting yes, balance voting no. Motion 2012-0495 FAILED.

34. - Sullivan - Amendment 10.20

Conduct a thorough traffic and mobility study in the Clear Lake portion of District E, similar to the Parsons study conducted in December 2004 – was presented.

After discussion by Council Members, Council Member Sullivan moved to table Amendment 10.20 for more work, seconded by Council Member Costello. All voting aye. Nays none. Council Member Rodriguez absent. MOTION 2012-0496 ADOPTED.

34. - Sullivan - Amendment 10.21

Maintain Funding for Bay Area Houston Economic Partnership at \$100,000 for FY13 – was presented. Council Member Rodriguez absent.

After discussion by Council Member Sullivan a vote was called on Amendment 10.21. Council Members Brown and Hoang voting no, balance voting aye. Council Member Rodriguez absent. MOTION 2012-0497 ADOPTED.

34. - Sullivan - Amendment 10.22

Increase funding to HFD so annual inspection of common attics can be made at all multi-family projects - was presented.

After discussion Council Member Sullivan moved to table Amendment 10.22, seconded by Council Member Costello. Council Member Brown voting no, balance voting aye. MOTION 2012-0498 ADOPTED.

34. - Sullivan - Amendment 10.23

Purchase and install thirty-one back-up power generators for Kingwood lift stations - was presented.

After discussion by Council Member Sullivan a vote was called on Amendment 10.23. Council Member Sullivan voting aye, balance voting no. Council Member Davis absent. MOTION 2012-0499 FAILED.

34. - Sullivan - Amendment 10.24

Discontinue the practice of city departments paying permit fees to other city departments - was presented.

After discussion by Council Member Sullivan a vote was called on Amendment 10.24. Council Members Brown and Sullivan voting aye, balance voting no. Council Member Davis absent. MOTION 2012-0500 FAILED.

34. - Sullivan - Amendment 10.25

Review take-home vehicle policy for all non-public safety personnel, and if there have been no after-hours call out within the last 30 days (or pick some other arbitrary period of time) evaluate the need for that employee to continue to take a vehicle home. Consider a vehicle allowance, or reimbursement policy, for any legitimate city business for after hours use as an alternative policy – was presented. Council Member Davis absent.

After discussion by Council Member Sullivan a vote was called on Amendment 10.25. A vote was called on Amendment 10.25. All voting aye. Nays none. Council Member Davis

absent. MOTION 2012-0501 ADOPTED.

34. - Sullivan - Amendment 10.26

Restore staffing levels of 3-1-1 service to provide 24/7 services to the public - was presented.

After discussion Council Member Sullivan stated that he would withdraw Amendment 10.26. Council Member Davis absent.

34. - Sullivan - Amendment 10.27

Provide staffing in Sign Administration Department for 7 days per week enforcement personnel – was presented. Council Members Cohen and Davis absent.

After discussion by Council Members, Mayor Parker stated that she was certainly in sympathy with this and would love to put some more money into Sign Administration. Council Member Davis absent.

Council Member Laster asked if they could potentially get a report from Sign Administration about how that ordinance was enforced during this last primary period and how it was intended to be enforced in the coming November, and Mayor Parker stated that was an excellent suggestion and asked if Council Member Sullivan would be willing to make a motion to table Amendment 10.27 to the appropriate committee, that they could talk about the staffing and how the enforcement had worked and explore funding options. Council Member Davis absent.

Council Member Sullivan moved that Amendment 10.27 be tabled to committee, seconded by Council Member Gonzalez. Council Member Brown voting no, balance voting aye. Council Member Davis absent. MOTION 2012-0502 ADOPTED.

34. - Pennington – Amendment 12.01

As early as it is practicable during FY2013 and to the extent there are funds available, the Administration shall, with the approval of City Council where necessary, hire one or more experienced private firms to conduct a review and audit of the City's three Pension systems, the City's Health Care benefits, and conduct performance and process improvement audits for each city department.

The Pension Systems and Health Care audits shall include information on benefits paid by governmental units and private businesses of similar size and which exist in similar economic conditions such as cost of living, level of education, and training required.

The department audits shall include, but not be limited to, reviewing information on the appropriate ratio of management personnel to employees, appropriate salaries for the duties required, the possibility of using volunteers or part time employees to perform duties, determining whether certain city services can be performed more economically through outsourcing, and any other review deemed necessary for the City to perform its duties as efficiently and cost-effectively as possible when the City does not already have that current data. The consultant's work shall include in-person interviews with employees at multiple levels of employment to ascertain the overall attitude of the department personnel regarding efficiency and the appropriateness of pay for a particular position – was presented. Council Member Hoang absent.

Mayor Parker stated that this item had already been addressed in Council Member Costello Amendment 1.01 and similar to one presented by Council Member Brown. Council Member Hoang absent.

Council Member Pennington stated that he would withdraw Amendment 12.01. Council Member Hoang absent.

34. - Pennington - Amendment 12.02

Reprogram \$2,000,000 to the Parks Department for the buffalo bayou erosion control project near Memorial Park. The Administration shall make a recommendation within 90 days to determine the funding source – was presented. Council Member Hoang absent.

After discussion Council Member Pennington stated that the Mayor had proposed a motion to substitute with funding at her discretion when it was available and he would move to propose the substitute amendment.

~~Reprogram~~ Allocate \$2,000,000 to the ~~Parks Department~~ for the buffalo bayou erosion control project near Memorial Park. ~~The Administration shall make a recommendation within 90 days to determine the funding source.~~ Such funds to be matched by Harris County Flood Control District and private interests. The Administration will work with PWE, as the lead department on this project, to determine an appropriate funding source.

Mayor Parker stated that it was not as funding was available but to determine the most appropriate funding source, that it was not her intention to delay this but to Council Member Bradford this was an item that they offered a substitute amendment that was not available prior to yesterday.

After further discussion by Council Members, a vote was called on the substitute motion for Amendment 12.02, seconded by Council Member Laster. Council Member Brown voting no, balance voting aye. MOTION 2012-0503 ADOPTED

At 4:00 p.m. Mayor Parker stated that they would recess and come back at 4:15 p.m.

At 4:15 p.m. Mayor Parker reconvened the City Council.

34. - Gonzalez - Amendment 13.01

I move to reconfigure at least one (1) FTE from Director Dowe's Performance Management group. This motion will expand their role beyond financial analysis and will allow them to conduct departmental performance evaluations and ensure that departments are meeting performance measures, are operating efficiently, and are planning for the future growth of the City of Houston. No additional funding should be necessary, as the performance management group already exists – was presented. Council Member Pennington absent.

After discussion by Council Member Gonzalez a vote was called on Amendment 13.01. All voting aye. Nays none. MOTION 2012-0504 ADOPTED.

34. - Gonzalez - Amendment 13.02

I move to change/expand the responsibilities of one (1) FTE from within one of the affected city departments to act as a liaison between the Public Works Department, the

Permitting Center, the Planning Department, developers, and the community commencing from the point of application of new development projects to the completion of said projects - was presented.

After discussion Council Member Gonzalez moved to adopt the substitute amendment for Amendment 13.02 as follows:

"I move to designate a liaison within the Planning Department who will be available to each Super Neighborhood and will interface on their behalf with Public Works, Planning, and other stakeholders to provide information on major development projects", seconded by Council Member Bradford.

After further discussion by Council Members, a vote was called on the substitute for Amendment 13.02. All voting aye. Nays none. MOTION 2012-0505 ADOPTED.

34. - Gonzalez - Amendment 13.03

I move to amend the Department of Neighborhoods' process of manually recording information and direct them towards implementing the use hand-held devices. This will increase their efficiency and save dollars as we transition away from paper-and-pen. Funding for this motion should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund and any realized savings from the switch to digital recording of information - was presented.

After discussion Council Member Gonzalez moved to table Amendment 13.03, seconded by Council Member Pennington. Council Member Brown voting no, balance voting aye. MOTION 2012-0506 ADOPTED.

34. - Gonzalez - Amendment 13.04

I move to reallocate previously committed office space funds from the HPD Mental Health Unit towards funding two (2) additional case managers for the Chronic Consumer Stabilization Initiative. Additional funding, if needed, should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund - was presented.

After discussion Council Member Gonzalez moved to adopt the following substitute for Amendment 13.04, seconded by Council Member Bradford.

~~I move to reallocate previously committed office space funds from the HPD Mental Health Unit that the administration allocate the funds necessary for towards funding two (2) additional case managers for the Chronic Consumer Stabilization Initiative. Additional funding, if needed, should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund.~~

After further discussion by Council Members, a vote was called on Amendment 13.04 as substituted. Council Member Brown voting no, balance voting aye. MOTION 2012-0507 ADOPTED.

34. - Gonzalez - Amendment 13.05

I move to create a process that only grants construction or occupancy permits to individuals who are up to date with all their property taxes, business property back taxes, fees, and fines owed to the City of Houston. These tasks should be completed by at least

one (1) existing FTE within the affected departments. Additional funding, if needed, should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund – was presented.

After discussion by Council Members, Council Member Gonzalez moved to table Amendment 13.05 for further study, seconded by Council Member Bradford.

After further discussion by Council Members, a vote was called on the motion to table Amendment 13.05. Council Member Brown voting no, balance voting aye. MOTION 2012-0508 ADOPTED.

34. - Gonzalez - Amendment 13.06

I move that the Administration take to committee and work to implement a process that requires homes that will be sold to disclose all liens, and ensure compliance with city regulations and applicable ordinances. This should be accomplished within one (1) year from the date that this amendment is passed – was presented.

After discussion Council Member Gonzalez moved to table Amendments 13.06, 13.07 and 13.08, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Members Cohen and Costello absent. MOTION 2012-0509 ADOPTED.

34. - Gonzalez - Amendment 13.07

I move to implement a system that tracks red tag violators and informs inspectors of offenders who have not corrected their violations within the specified time. I request that this data be added to EGIS using current Planning Department FTEs. Additional funding, if needed, should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund.

34. - Gonzalez - Amendment 13.08

I move that when major capital project contracts are awarded, the implementation of an apprenticeship program should be created or expanded by the contractor. Current sources of apprentices, like trade unions, should be reviewed for pertinent projects. I request that existing FTEs from the affected departments be used to implement this proposal. Additional funding, if needed, should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund.

34. - Gonzalez - Amendment 13.09

I move that one (1) FTE be repurposed from either ARA or MOSE to act as a liaison between music/entertainment businesses and the affected departments. This liaison should help ensure compliance and understanding of city code and ordinances. Additional funding, if needed, should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund – was presented. Council Members Cohen and Costello absent.

After discussion Council Member Gonzalez moved to approve the following substitute for Amendment 13.09, seconded by Council Member Bradford.

I move that ~~one (1) FTE be repurposed from either ARA or MOSE to act as~~ designate a liaison between music/entertainment businesses and the affected departments. This liaison should help ensure compliance with and understanding of city code and

ordinances. ~~Additional funding, if needed, should come from any excess revenue the City of Houston attains beyond the dedicated funding of the FY 2013 adopted budget General Fund – was presented.~~ Council Members Cohen and Costello absent.

After further discussion a vote was called on Council Member Gonzalez substitute motion for Amendment 13.09. All voting aye. Nays none. Council Members Cohen and Costello absent. MOTION 2012-0510 ADOPTED.

34. - Gonzalez - Amendment 13.10

I move that the Administration work to phase out plastic bags in the City of Houston. This can be accomplished by taking this proposal to the appropriate committee for proper vetting and consideration. A draft ordinance should be prepared within one (1) year of the approval of this amendment. The appropriate committee should include businesses, residents, and environmental advocates in their discussion of this concept. No additional funding should be necessary at this time - was presented. Council Members Cohen and Costello absent.

After discussion Council Member Gonzalez moved to adopt the following substitute for Amendment 13.10, seconded by Council Member Laster. Council Members Cohen and Costello absent.

I move that the ~~Administration~~ the City of Houston ~~work to~~ address phasing out plastic bags in the City of Houston citywide. This can be accomplished by taking this proposal will be taken to the appropriate committee for proper vetting, and consideration. ~~A draft ordinance should be prepared within one (1) year of the approval of this amendment. The appropriate committee should include~~ and input from businesses, residents, and environmental advocates ~~in their discussion of this concept. No additional funding should be necessary at this time~~ - was presented. Council Members Cohen and Costello absent.

After further discussion by Council Members, Council Member Pennington stated that he would like to offer an amendment to the substitute amendment as follows, “addresses the littering by plastic bags or the phasing out of plastic bags”, seconded by Council Member Bradford. The amendment proposed by Council Member Pennington was accepted by Council Member Gonzalez. Council Members Adams and Green absent.

After further discussion by Council Members, a vote was called on the substitute motion for Amendment 13.10. Council Members Brown, Hoang and Sullivan voting no, balance voting aye. Council Members Adams and Green absent. MOTION 2012-0511 ADOPTED.

34. - Gonzalez - Amendment 13.11

I move that the Administration create an Innovation and Technology Advisory Board. This group of volunteers shall advise the mayor and make recommendations to ensure the growth and development of the creative class in the City of Houston. This advisory board will act as advocates and ambassadors for our city, and help draw in entrepreneurs, thought-leaders, innovators. Their goal will be to help make Houston an international hub for innovation and technology. No additional funding sources should be necessary at this time. This panel will be comprised of volunteers with an expertise in the relevant fields – was presented. Council Member Sullivan absent.

After discussion by Council Members, a vote was called on Amendment 13.11. All voting aye. nays none. Council Members Sullivan and Noriega absent. MOTION 2012-0512 ADOPTED.

34. - Gonzalez - Amendment 13.12

I move that major contracts must be reviewed six (6) months before their expiration date in order to look for efficiencies and cost savings before their conclusion. This mandatory review will help guide the city when considering whether they should renew service contracts or search for a new contractor. This amendment would make contract review mandatory unless a written request for exemption is submitted to the Administration. This amendment should require no additional funding; existing FTEs should be assigned to this task - was presented. Council Members Sullivan and Noriega absent.

After discussion Council Member Gonzalez moved to table Amendment 13.12, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan and Noriega absent. MOTION 2012-0513 ADOPTED.

34. - Gonzalez - Amendment 13.13

: I move that the city adopt a 'Parklet Program' to help create small urban parks when appropriate. Businesses will be able to apply for permission to adopt marked parallel parking spaces and at their own expense, create small green spaces. This amendment should require no additional funding; the program should be administered by existing FTEs within the Planning Department, which may offer basic design assistance when appropriate – was presented. Council Members Sullivan and Noriega absent.

After discussion by Council Members, Council Member Gonzalez moved to table Amendment 13.13 to committee, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Sullivan and Noriega absent. MOTION 2012-0514 ADOPTED.

34. - Gonzalez - Amendment 13.14

I move that the City of Houston adopt a 'complete streets' policy, where appropriate. Streets that create the ability for safe transportation for all users should be encouraged and considered as we move forward in the replacement of our infrastructure. This amendment should require no additional funding; the adoption of a 'complete streets' policy, where appropriate, can be administered by existing FTEs – was presented. Council Members Sullivan and Noriega absent.

After discussion Council Member Gonzalez moved to table Amendment 13.14, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent. MOTION 2012-0515 ADOPTED.

34. - Gonzalez - Amendment 13.15

I move that we amend the code of ordinances to include the regulation of group homes in the City of Houston. The city should craft a policy that allows these homes to be identified and create a set of standards which must be met. This amendment should require no additional funding as it can be administered by existing FTEs in the appropriate departments - was presented.

After discussion Council Member Gonzalez moved to table Amendment 13.15 for further discussion within the next six months, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Member Sullivan absent. MOTION 2012-0516 ADOPTED.

34. - Rodriguez - Amendment 14.01

Increase funding to HFD FY 2013 Budget to include replacement of 7 ambulance units back in service that were taken out in December 2010 due to budget shortfall. As mentioned in the FD 2013 budget report, the cost of this amendment is \$240,000.00 per unit per year – was presented. Council Member Sullivan absent.

After discussion Council Member Rodriguez stated that he would move the following substitute for Amendment 14.01, seconded by Council Member Bradford. Council Member Sullivan absent.

Within 6 months, Houston Fire Department will work with administration and Council Members to identify necessary source of revenue within Houston Fire Department budget to return 2 Basic Life Support and 1 Advanced Life Support units to service.

After further discussion by Council Members, a vote was called on the substitute motion for Amendment 14.01. Council Member Brown voting no, balance voting aye. Council Member Sullivan absent. MOTION 2012-0517 ADOPTED.

34. - Laster - Amendment 15.01

Allocate \$300,000 from Chiefs Command, Fund 1000/100001, to Investigative Operations, Fund 1000/100005, for the training of FTEs to conduct investigations regarding vice related crimes, including, but not limited to, Sexually Oriented Businesses (SOB). Currently there are no FTE's dedicated to enforcing SOBs as those officers involved in that program do not have the expertise or knowledge to conduct investigations regarding Sexually Oriented Businesses. This amendment shall not impact the employment status of classified officers of the Houston Police Department - was presented.

After discussion Council Member Laster moved to table Amendment 15.01, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Member Rodriguez absent. MOTION 2012-0518 ADOPTED.

Council Member Green stated that some of the items he would like to withdraw, prior to moving forward to discussing the ones that they needed to take some action on, so he was withdrawing line items 81, 82, 85, 89, 92, 93, 94, 96, 97, 99, 100, 102, 103, 104 and 105. Council Member Rodriguez absent.

Mayor Parker stated that would be Amendments 16.02, 16.03, 16.06, 16.10, 16.13, 16.14, 16.15, 16.17, 16.18, 16.20, 16.21, 16.23, 16.24, 16.25 and 16.26. Council Member Rodriguez absent.

34. - Green - Amendment 16.02

Respectfully outline the 30 new projects for street and drainage improvements valued at approximately \$250 million for FY13

34. - Green - Amendment 16.03

Respectfully use funds from the Mobility Response Team Fund that's transferred to the General Fund to hire civilian staff for the various Houston Police Dept. storefronts.

34. - Green - Amendment 16.06

Respectfully incorporate additional senior programming during the summer months. A departmental collaborative effort of the Parks, Health, and Library Depts.

34. - Green - Amendment 16.10

Respectfully revise Fire Dept. FY2013 objective from four (4) "fast track" training classes to include two (2) "fast track" training classes and two (2) standard training classes.

34. - Green - Amendment 16.13

Respectfully further outreach efforts of the Houston Library Department for youth and adults in school support, literacy advancement, technology, access and instruction and workforce development among Houston area schools districts and area community colleges and other paraprofessional institutions.

34. - Green - Amendment 16.14

Respectfully provide FREE staff development courses via the E.B Cape Center without being charged back to the respective department (such as diversity and cultural sensitivity training, business grammar, business writing, etc.).

34. - Green - Amendment 16.15

Respectfully increase three (3) FTEs for contract compliance officer positions within the Office for Business Opportunity.

34. - Green - Amendment 16.17

Respectfully increase the maintenance, mowing and desilting of off-road and esplanade ditches, drainage easements and for mowing and herbicide application in the City's right-of-ways via the Storm Water Fund. The Combined Utility System transfer funds to the Storm water Fund to support storm water drainage operation and maintenance activities.

34. - Green - Amendment 16.18

Respectfully offset expenditure through the BARC Special Revenue Fund to the General Fund relating to animal assistance provided to the Houston Police Dept. to expedite the round-up of stray animals continually roaming neighborhoods.

34. - Green - Amendment 16.20

Respectfully further expand the WeCAN Digital Inclusion (DI) network beyond the launch of three (3) super neighborhoods.

34. - Green - Amendment 16.21

Respectfully expand City's recycling program to include multi-family dwellings. Coordinate this initiative via the Solid Waste Dept. with area TIRZs, management districts, and the Houston Apartment Association. This will forge a new partnership with multi-family owners to divert waste from landfills and further implement recycling programs.

34. - Green - Amendment 16.23

Respectfully increase penalty and fine for operators of illegal food vendors.

34. - Green - Amendment 16.24

Respectfully further expand project Saving Smiles to other area school district within the Houston city limits other than the Houston Independent School District (i.e. Aldine, North Forest, Klein, Alief, Spring Branch, Clear Creek, Pasadena, Channelview, Galena Park, Katy, Fort Bend, and Cy-Fair ISDs).

34. - Green - Amendment 16.25

Respectfully reorganize the Dept. of Neighborhoods to include the Education Initiatives and Volunteer Initiatives under the umbrella of the Citizens Assistance Office.

34. - Green - Amendment 16.26

Respectfully add Five (5) FTEs to the Administration and Regulatory Affairs Purchasing Division to deal with the consolidation of the Fleet Management Dept. and Information Technology Dept. to purchasing. The five (5) FTEs will consist of two (2) FTEs for Fleet Management Dept. purchasing and three (3) for Information Technology Dept. purchasing.

34. - Green - Amendment 16.01

Respectfully correct the impaired Hiram Clarke Multi-Service Center. The needed repairs are more important than bringing the Hiram Clarke MSC up to LEED certification – was presented. Council Member Rodriguez absent.

34. - Green - Amendment 16.11

Respectfully include the Hiram Clarke Multi-Service Center as one of the seven (7) renovated City facilities for maintenance totaling 171,119 square feet scheduled for FY13 totaling \$625,000 – was presented. Council Member Rodriguez absent.

Council Member Green asked if along with Amendment 16.01 they could also look at Amendment 16.11, and after discussion moved to table Amendments 16.01 and 16.11, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Gonzalez, Rodriguez, Noriega and Christi absent. MOTION 2012-0519 ADOPTED.

34. - Green - Amendment 16.04

Respectfully maintain the current tax rate for the City of Houston at 63.875 cents per \$100 of taxable value – was presented. Council Members Gonzalez, Rodriguez, Noriega and Christi absent.

After discussion by Council Member Green, Mayor Parker stated that the administration supported Amendment 16.04, that the budget was premised on the tax rate staying at 63.875 cents per \$100, that she wanted to make Council Members aware that there would be a vote this fall when they actually set the tax rate.

A vote was called on Amendment 16.04. All voting aye. Nays none. Council Members Gonzalez, Rodriguez, Noriega and Christi absent. MOTION 2012-0520 ADOPTED.

34. - Green - Amendment 16.05

Respectfully coordinate with Public Works Dept. to reinstate the 1% funding allocation for planting trees from CIP street and bridge projects – was presented. Council Members Gonzalez and Rodriguez absent.

After a lengthy discussion by Council Members, Council Member Green moved to table Amendment 16.05, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis, Cohen, Adams, Sullivan, Gonzalez, Rodriguez and Noriega absent. MOTION 2012-0521 ADOPTED.

34. - Green - Amendment 16.07

Respectfully incorporate Public Works Dept. fleet of vehicles within the newly created Fleet Management Dept – was presented. Council Members Davis, Cohen, Adams, Sullivan, Gonzalez, Rodriguez and Noriega absent.

Council Member Green stated that he would withdraw Amendment 16.07. Council Members Davis, Cohen, Adams, Sullivan, Gonzalez, Rodriguez and Noriega

34. - Green - Amendment 16.08

Respectfully limit purchasing of the number of non-gas efficient vehicles (i.e. Ford Explorers); especially for one department over another department – was presented. Council Members Davis, Cohen, Adams, Sullivan, Gonzalez, Rodriguez and Noriega absent.

After discussion by Council Members, Council Member Brown moved to amend Amendment 16.08 to add language to say “and look into the feasibility of purchasing strictly GNC vehicles”. Council Members Davis, Cohen, Adams, Sullivan, Gonzalez, Rodriguez and Noriega absent.

Mayor Parker stated that she would be opposed to that, that GNC vehicles were under consideration within their fleet as were all alternative fueled vehicles, including their electric vehicles, that if they set a standard that they were getting the best MPG maintenance and other aspects those would be evaluated, that she just did not want to limit themselves to GNC vehicles, and Council Member Green stated that he would accept that as a friendly amendment, seconded by Council Member Bradford, and Mayor Parker stated “including the use of GNC vehicles”. Council Members Sullivan, Gonzalez and Rodriguez absent.

A vote was called on Amendment 16.08 as amended to add “and also consider purchase of GNC vehicles”. All voting aye. Nays none. Council Members Sullivan, Gonzalez and Rodriguez absent. MOTION 2012-0522 ADOPTED.

34. - Green - Amendment 16.09

Respectfully increase game-room fees from its current rate – was presented. Council Members Sullivan, Gonzalez and Rodriguez absent.

After discussion by Council Members, a vote was called on Amendment 16.09. Council Members Bradford and Brown voting no, balance voting aye. Council Members Sullivan, Gonzalez and Rodriguez absent. MOTION 2012-0523 ADOPTED.

34. - Green - Amendment 16.12

Respectfully combine the real estate section of the Public Works Dept. and General

Services Dept. under the General Services Dept. to efficiently track progress and perfect the appraisal selection process for sale of City land/interest – was presented. Council Members Sullivan, Gonzalez and Rodriguez absent.

After discussion Council Member Green moved that Amendment 16.12 be tabled to committee, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan, Gonzalez and Rodriguez absent. MOTION 2012-0524 ADOPTED.

34. - Green - Amendment 16.16

Respectfully strengthen City's enforcement to maintain compliance with Texas Commission on Environmental Quality (TCEQ) and Environmental Protection Agency (EPA) permits for wastewater collection systems operations and industrial wastewater treatment (i.e. better enforcement TCEQ control at existing Almeda-Sims Wastewater Treatment Plant) - was presented. Council Members Gonzalez, Rodriguez and Noriega absent.

After discussion by Council Members, Council Member Green moved to table Amendment 16.16, seconded by Council Member Bradford. Council Member Brown voting no, balance voting aye. Council Members Gonzalez, Rodriguez and Noriega absent. MOTION 2012-0525 ADOPTED.

34. - Green - Amendment 16.19

Respectfully create a stand-alone Department for the Office of Business Opportunity. Afford this separate entity the opportunity to introduce their own budget (set-aside from the Mayor's Office) and justify their assistance separate from the authority of the Mayor's Office – was presented. Council Members Gonzalez, Rodriguez and Noriega absent.

After discussion by Council Members, Council Member Green moved to adopt. Council Member Sullivan voting no, balance voting aye. Council Members Gonzalez, Rodriguez and Noriega absent. MOTION 2012-0526 ADOPTED.

34. - Green - Amendment 16.22

Respectfully increase recruitment efforts for the Houston Fire Dept. to include graduating high school seniors, community colleges, and vocational institutions throughout the Houston metropolitan area – was presented. Council Members Gonzalez, Rodriguez and Noriega absent.

Council Member Green moved to table Amendment 16.22, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Gonzalez, Rodriguez and Noriega absent. MOTION 2012-0527 ADOPTED.

Mayor Parker asked if there were any additional amendments.

Council Member Sullivan stated that when they took their lunch break he went back to the office and was reading online and a couple of the news reports about the term limits issue could be interpreted by the average person to think that the Houston City Council today voted to extend term limits, that he found that troubling because that was not what they did and did not think any of them believed they did that, but in an effort to clarify it he offered the following written motion. Council Members Gonzalez and Rodriguez absent.

“Changes in term limits, if brought to Houston City Council for a vote during Fiscal Year

2013, would not extend the term or number of years in total of anyone currently serving as a dully elected Council Member". Council Members Gonzalez and Rodriguez absent.

Mayor Parker stated that she was not unsympathetic to his amendment, but it did seem to completely undercut the action they took earlier today, which was to send the item to committee for a full public airing. Council Members Gonzalez and Rodriguez absent.

Council Members Green and Burks stated that they would tag Council Member Sullivan motion. Council Members Gonzalez and Rodriguez absent.

Council Member Sullivan moved to override the tags, seconded by Council Member Christi.

After discussion by Council Members, a vote was called on Council Member Sullivan's motion to override the tags. Council Members Brown, Sullivan, Pennington, Brown and Christi voting aye, balance voting no. Council Members Gonzalez and Rodriguez absent. MOTION 2012-0528 FAILED.

34a. ORDINANCE related to the Fiscal Affairs of the City; approving the annual budgets of the City of Houston, Texas, for Fiscal Year 2013, including provisions for future adjustment to certain fund balances; making various amendments to the proposed budgets; authorizing certain transfers; designating a Cash Reserve in the Fund Balance; amending Section 11-77 of the Code of Ordinances, Houston, Texas relating to Burglar Alarm Fees and Penalties; validating and ratifying certain City fees; establishing a cost for copies of the budget; making other provisions related to the subject; making certain findings related thereto; providing a repealing clause; providing for severability – **(This was Item 56 on Agenda of June 13, 2012, TAGGED BY COUNCIL MEMBER GONZALEZ)** – was presented. Council Member Brown voting no, balance voting aye. Council Members Gonzalez and Rodriguez absent. ORDINANCE 2012-0589 ADOPTED AS AMENDED.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Noriega stated that her fifteen year old son, Ricky, who was going to be a sophomore at Carnegie Vanguard High School, went to London last week, for 10 days he was gone with his theater class, that he got home last night and on their way home she asked what was his favorite thing about London, he pulled out a card and said that was his favorite thing about London and it was his card for the Tube, that he said he could not drive yet but he knew London better than he knew Houston, he said that he went all over, had been to Soho and Buckingham Palace, that he named all the places that he went all over London on the Tube with his transit card, that he was a microcosm of where the world was headed and it was a very powerful experience for her, that she was proud of him because he stepped out on his own, away from home for the first time, and he learned how to get around and did it because they had a mass transit system. Council Members Sullivan, Hoang, Gonzalez and Rodriguez absent.

Council Member Adams stated that she wanted to congratulate their recent Council class for completing their first budgetary process and they ended at 6:10 p.m., that she wanted to compliment the Mayor and her administration for doing a good job and making sure they had everything in a timely manner; that she wanted to thank the Miller Outdoor Theater for always providing free entertainment to the constituents and citizens of Houston, that last night she had the opportunity to present a proclamation to Mr. Joe Sample, that it was a wonderful event and well attended, that they celebrated Juneteenth yesterday; that yesterday she joined Mayor Parker and Council Member Christi and the TIRZ Board and Senator Rodney Ellis and all of the constituent and employees of the Houston Parks Department for celebrating Juneteenth at

Emancipation Park, that she wanted to thank all for their donations, that she wanted to thank Council Member Rodriguez because she knew the seed was planted 5 years ago and now she had the opportunity to be the Council Member over the beautiful flowers; that on Saturday there was an event hosted by Greater Grace Outreach called Taking it to the Streets, that they were coming to their neighborhood so if they lived in the Sunnyside Community the address was 9511 Scott Street at the big white tent, that it would take place on June 23, 2012; that on Sunday she would be joining the Buffalo Soldier Museum staff and board as they did the annual bike ride from Houston to Kemah. Council Members Brown, Davis, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Pennington stated that he wanted to thank the Mayor and her staff, including Marta and William Paul for the hard work they did on the budget, and Kelly Dowe and his staff and Council Member Costello for being the Chair of the committee and all the people who worked so hard to schedule them for Core Services meetings and budget meetings and all of the department heads who responded to his questions, and to his staff for their work. Council Members Brown, Davis, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Christi stated that she agreed with everything that Council Member Pennington stated, that as a fist experience it was really excellent; that last night she went to the Wild Lighting Ceremony, Washington on Westscott and a phenomenal new sculpture, that she urged people to take a look at it; that this weekend was the Pride Parade and she was proud to be the Allied Grand Marshall. Council Members Brown, Davis, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Mayor Parker stated that she looked forward to seeing Council Member Cohen there, that she would be at the Pride Parade with her kids. Council Members Brown, Davis, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Christi stated that he wanted to do a shout out to the transcriber. Council Members Brown, Davis, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Council Member Costello stated that he wanted to congratulate the administration for a successful budget process, and he wanted to thank his staff for all the work they did starting back 5 months ago when they started the core assessments, that he wanted to thank his Vice Chair, Council Member Bradford and his staff and also Council Member Christi's staff, Jonathon, for all of the help, that he wanted to thank Director Dowe and his staff. Council Members Brown, Davis, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Mayor Parker invited Mr. Kelly Dowe to the podium and stated that she knew he was standing behind her a little while ago so his kids could actually see where he had been, and Mr. Dowe stated yes, that he wanted to give a shout out to Lillian and Kelly Dowe, that he appreciated the sacrifice they made for the time he was away during the budget, that he wanted to thank everyone citywide, that it was a great team effort from the departments to the City Council to the Mayor's Office and the Finance Department, and Mayor Parker stated that Mr. Dowe and his team did an outstanding job, that the City Secretary and her team had been sitting at City Council all day making sure they kept a proper record and knew that was a lot of time in the chair for them, that to Council Member Costello, great work through the budget process and the Core Service process with all of the new Council Members, that while there were a lot of non budget amendments that they dealt with today in terms of understanding the budget Council Members were generally on point and thought all of that information certainly

helped. Council Members Brown, Davis, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 6:26 p.m. Council Members Brown, Cohen, Hoang, Rodriguez, Burks and Noriega absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary