

City Council Chamber, City Hall, Tuesday, November 16, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, November 16, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams. Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Ms. Marty Stein, Agenda Director; and Ms. Marta Crinejo, Assistant Agenda Director; present.

At 1:35 p.m. Mayor Parker stated that presentations would begin with Council Member Stardig. Council Member Stardig stated that as the official sponsor of the 2010 combined Municipal Campaign for City Council she was proud to announce results of fund raising events; that the Council Member Clutterbuck raised over \$12,850.00; Blue Santa was present and invited him to the podium and further stated that Houston Blue Santa was an organization dedicated to providing toys to underprivileged children in the Houston Metro Area and it was likely to hit 12,000 to 15,000 children this year and encouraged all to sponsor; that another campaign was Kiss the Pig Campaign benefiting the Ronald McDonald House and each Council Member and Mayor Parker had three weeks to raise money and the Council Member with the least money was to kiss Penelope the Pig who was another guest present today with the John P. McGovern's Children's Petting Zoo and after calculations Council Member Costello raised the most and Council Member Jones raised the least and she was happy today to kiss Penelope; and Council Member Jones kissed Penelope and a Certificate of Appreciation was presented to John P. McGovern's Children's Petting Zoo for bringing Penelope today; and presented a check for \$1,145.00 to Blue Santa. Council Members Johnson, Rodriguez and Bradford absent.

Council Member Noriega invited representatives from the Long Term Care Insurance and Assisted Living Federation of America Associations to the podium and stated that long term care was something all would come to eventually and it was highlighted during November by the American Association for Long Term Care Insurance and the Assisted Living Federation of America and they believed it was important for all to know the potential risks and cost of long term care and know their options; that the U. S. Department of Health and Human Services reported that about 60% of those over the age of 65 would need some kind of long term care and 40% would require nursing home care; and Mayor Parker stated that this was an issue she cared deeply about and presented a Proclamation to them proclaiming this month as "Long Term Care Awareness Month" in the City of Houston, Texas. Council Members Johnson, Rodriguez and Bradford absent.

Council Member Clutterbuck stated that she was pleased to be honoring those at the American Advertising Federation for their work on a series of public service announcements for the Friends of BARC; that volunteers worked with them on a campaign to promote adoption of animals and to educate on spaying and neutering; and invited those representatives to the podium and the Friends of BARC and those associated with them to stand to be recognized. A film of the public service announcement was viewed and Mayor Parker stated that this was another issue of personal importance to her; that Council Member Gonzalez was very interested in improving work at BARC; encouraged all to visit BARC and adopt animals; and presented a Proclamation to those present proclaiming today as "American Advertising Federation Houston Day"; in the City of Houston, Texas, and thanked them for the great ads. Mr. Dwight Dolphit with the American Advertising Federation Houston stated that in their 100 year history they had a long tradition of public service work for the community, each year adopting a client to help with their cause and this year helped the Friends of BARC, this was a problem not going away over night and they were committed to work with them until a big change was made in the number of animals being adopted; that the campaign was in Spanish and English and they were targeting

neighborhoods by zip codes where the most homeless pets were; and thanked all for the recognition. Council Members Rodriguez and Lovell absent.

Council Member Stardig thanked all for what they had done and stated that as a pet owner and owner of a rescue she appreciated what they were doing though she could not even watch the ad, it was heartbreaking and so many pets needed good homes; that she very much appreciated their work and what they were doing for the City of Houston; and Mr. Dolphit stated that all pets in the campaign were BARC rescued and in happy homes and being loved; and Council Member Stardig thanked him for the information. Council Members Rodriguez and Lovell absent.

Council Member Hoang invited Mr. Duong Phuoc Luyen to the podium and stated that his art had been displayed all over the world and he and Council Member Clutterbuck would do a presentation together; and Council Member Clutterbuck stated that she had been an admirer of Mr. Luyen's work and it was her pleasure along with Council Member Hoang to recognize him, he was a Vietnamese American community activist, artist and writer who had stigmatically contributed to Houston's art culture; and Mayor Parker presented a Proclamation to him proclaiming today as "Duong Phuoc Luyen Day" in the City of Houston, Texas. Mr. Luyen presented a water painting to Mayor Parker and stated that he thanked all for the recognition and his heart was full of joy and happiness; that a year ago he became a U. S. citizen and today a proclamation; and again thanked all. Council Members Costello, Lovell and Jones absent.

Council Member Adams moved the rules be suspended for the purpose of hearing Mr. Omobi Okoye at the top of the Speakers List, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Jones absent. MOTION 2010-0817 ADOPTED.

At 1:59 p.m. Mayor Parker called the meeting to order and called on Council Member Sullivan who invited Ms. Nancy Hirsh who represented the Houston Association of Realtors and active volunteer to the podium to lead in the prayer and Council Member Sullivan led all in the pledge.

At 2:01 p.m. the City Secretary called the roll. All present.

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

Council Member Johnson stated that on a point of personal privilege he wanted to recognize Ms. Kathleen Ownby who was present on behalf of SPARK Park and presenting calendars, etc., to Council Members; that this was "SPARK Week" and they would be recognizing and opening seven SPARK Parks across the city; and he thanked her for a job well done; and Ms. Ownby stated that she appreciated Council's support and appreciated them coming to the openings. Council Member Jones absent.

Mayor Parker and Council Members thanked Ms. Ownby for her work which was well appreciated. Council Member Jones absent.

At 2:05 p.m. Mayor Parker called on the City Secretary to begin calling the speakers. Council Member Jones absent.

Mayor Parker stated that for those who did not recognize Mr. Okoye out of his pads he was a Houston Texan. Council Member Jones absent.

Mr. Amobi Okoye, 1832 Snake River Road, Katy, Texas 77449 (281-398-4203) appeared and stated that he was present regarding his foundation and their Books Abroad Program; that it was a national arm of his foundation and went to West Africa starting with Nigeria which was

home to him; that his goal was to help anyway he could and to build a school excelling in academics and also athletics with American football being the main sport; that this year marked their third trip to Nigeria and the initiative came about through the Katy ISD and Katy Rotary Club and they wanted to provide as many books to underprivileged children as they could in Nigeria; that they raised 40,000 books which went to three different schools in three different cities and they wanted to advance the program and were now also partnering with Houston ISD and he thanked the City of Houston for looking into this also; that education was very much valued in other countries and children could see that and not want to skip school; that he was giving out scholarships and did so in Houston, Kentucky, and Alabama, each being a one year scholarship and he was asking each recipient to write an essay on how Africa influenced the global economy in the category of sports and whoever wrote the best essay would accompany them to Nigeria next March; and other NFL players were also now working with them.

Council Member Adams thanked Mayor Parker for partnering with the District D Office and the Rotary Club and asked Mr. Okoye, Amobi Okoye's Dad, to stand to be recognized; that they were strong in their book program and starting today boxes would be out in the Annex asking for donated books; and Amobi also took doctors and medical equipment who volunteered services; and upon questions, Mr. Okoye stated that this was very dear to him as his first goal was to become a pediatrician, but the NFL came calling first so he started his foundation with hopes of becoming a doctor once he was done playing; and Council Member Adams stated that they would be collecting books in partnership with other organizations until December 16th; and all would keep him and the Texans in their prayers.

Council Member Johnson thanked Mr. Okoye for his work and stated that he was one of the few who had a foundation and actually worked there, and he was excited for him to open a school; that at such a young age he was so mature and understood his role in giving back; and he would make sure he sent information to him on First Books, a national program which provided grant dollars for books, and he did support him.

Mayor Parker thanked Mr. Okoye for being present and for the work he did through his foundation.

Mr. Robert Zepeda, 1429 3rd Avenue North, Texas City, Texas 77590 (409-457-5673) appeared and stated that he was present supporting Mr. Dean Corgey to serve on the Port of Houston Authority. Council Members Johnson, Adams, Sullivan, Lovell and Jones absent.

Council Member Rodriguez moved the rules be suspended for the purpose of hearing Mr. Jim Edmonds and Representative Carol Alvarado at the top of the two minute Agenda Speakers List, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Johnson, Adams, Sullivan, Lovell and Jones absent. MOTION 2010-0818 ADOPTED.

Mr. Michael Mosteit, 4345 Allen Genoa, Pasadena, Texas 77504 (713-943-0716) appeared and stated that he was with the International Brotherhood of Electrical Workers and present asking for support of Mr. Dean Corgey to serve on the Port of Houston Authority. Council Members Johnson, Adams, Sullivan, Lovell and Jones absent.

Mr. Rivers Patout, 9217 E. Avenue L, Houston, Texas 77012 (713-923-5843) appeared and stated that he was Chaplin for the Port of Houston at the Seafarers Center and supporting Mr. Dean Corgey to serve on the Port of Houston Authority. Council Members Johnson, Adams, Sullivan, Lovell and Jones absent.

Mr. Larry Williams, 634 Feamster Drive, Houston, Texas 77022 (713-569-3557) appeared and stated that he was present in support of Mr. Dean Corgey being appointed to serve on the

Port of Houston Authority. Council Members Johnson, Adams, Sullivan, Lovell and Jones absent.

Ms. Mary Ann Perez, 5223 Sleepy Creek Drive, Houston, Texas 77017 (713-854-5454) had reserved time to speak but was not present when her name was called. Council Members Johnson, Adams, Sullivan, Lovell and Jones absent.

Ms. Marisol Rodriguez, 3014 Oak Forest, Houston, Texas 77018 (713-550-7712) appeared and stated that she was the political coordinator for HOPE and present asking for support in placing Mr. Dean Corgey on the Port of Houston Authority. Council Members Johnson, Adams, Sullivan and Lovell absent.

Mr. Jim Edmonds, 55 Waugh Drive #1120, Houston, Texas 77007 (713-861-3036) appeared and stated that he was in support of Ms. Janice Longoria being reappointed to the Port of Houston Authority. Council Members Johnson, Adams, Sullivan and Lovell absent.

Council Member Rodriguez thanked Chairman Edmonds for coming and stated that it said a lot when the chairman of the Port Commission took time to be present; and upon questions, Mr. Edmonds stated that it was very important and important to him; that it was his understanding a lot of the pilots had endorsed her and also Mr. Corgey; that he understood there were labor relations problems 15 to 20 years ago, but since there were none, if anything came up they called one another and sat down and found a win/win situation. Council Members Johnson and Sullivan absent.

Upon questions by Council Member Bradford, Mr. Edmonds stated that he did not think the relationship between management and labor could be any better; that they reached out to one another and talked all the time; that the labor union had gone to extraordinary lengths through the years to change work rules and do different things to make sure hours stayed up and they tried working to help them in ways they could; that it was one port and it needed to work as one port; that the port was number one in foreign tonnage and Mexico was a huge trading partner and so was South America; that Asia had become the fastest growing partner, it was very global commerce based; and he recommended Ms. Longoria as she was a very valuable member of the team and they would not be who they were today without her vision or guidance, etc., he also knew Mr. Corgey, not well, but he knew he was a fine man and respected his initiative and wished him luck. Council Members Johnson, Adams and Sullivan absent.

Representative Carol Alvarado, 2900 Woodridge, Houston, Texas 77023 (713-649-6563) appeared and stated that as a past Council Member she had no vote today, but as a member of the largest segment of the community, the Latino community, and was present for reappointment of Ms. Janice Longoria on the Port of Houston Authority. Council Members Johnson and Sullivan absent.

Council Member Jones stated that she absolutely believed a labor representative should be on the board at the Port Authority and people would have thought she was Hispanic the way she fought for bilingual pay; that she and Mr. Corgey both walked and fought for the janitors and he did not step back because he was White; that diversity did not necessarily mean you were born in the same body as someone else and she hoped people would look past that. Council Members Stardig, Johnson, Sullivan and Noriega absent.

Council Member Rodriguez stated that it was great to see Representative Alvarado present and knew this was important enough for her to come; that this was not about Republican, Democrat, union or anti union, but for the best qualified; and he donated time to Ms. Alvarado who stated that when she was on Council it was common courtesy between

colleagues that when an appointment came up and someone wanted to replace them, efforts were made to find someone from the same particular community to appoint and she did not see that was done here and hoped that would be taken into consideration; that many at the table knew what it was like not having someone at the table to represent their community and that was why they ran and she asked that to be considered and that Ms. Longoria was more than qualified, had done a great job and none of the others on the Authority had served less than 11 years so she was interested to know why all of a sudden she needed to be replaced and why the Latino community should pay for it. Council Members Stardig, Johnson, Sullivan and Noriega absent.

Mayor Parker stated that she would remind all it was five minutes in total for Council Members and not any one's time to give; that there was a Council Member in the queue and she would need a motion to extend time. Council Members Johnson, Sullivan and Noriega absent.

Council Member Pennington moved the rules be suspended for the purpose of extending the time for questions of Representative Carol Alvarado, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Johnson, Sullivan and Noriega absent. MOTION 2010-0819 ADOPTED.

Council Member Pennington stated that he spoke with both candidates and others who knew them; and upon questions, Ms. Alvarado stated that Ms. Longoria was involved in many community initiatives, many in Council Member Rodriguez district, but in the interest of the Port she had questioned and found ways for the Port to be more efficient and do business smarter and been an advocate in opening the doors of the Port and allowing women and minority owned businesses to come in and compete; that she had been instrumental in the number of small businesses which came in and competed. Council Members Johnson, Sullivan, Noriega and Jones absent.

Mr. David Weathers, 13330 Settegast, Galveston, Texas 77554 (409-996-7362) appeared and stated that he was representing the American Maritime Officers in Houston and thought Mr. Dean Corgey was the best nominee to the Port of Houston Authority. Council Members Johnson, Sullivan, Noriega and Jones absent.

Ms. Jessica Hulseley, 4809 Brady, Houston, Texas 77011 (713-928-3201) had reserved time to speak but was not present when her name was called. Council Members Johnson, Sullivan and Rodriguez absent.

Ms. Lidia Aguillon, 4299 San Felipe, Houston, Texas 77027 (281-818-0103) appeared with a translator and stated that she was a member of the Janitor's Union and present supporting Mr. Dean Corgey to the Port of Houston Authority. Council Members Johnson, Sullivan and Rodriguez absent.

Council Member Jones stated that she remembered before they were able to get where they were and the vast majority of janitors did not speak English and no one cared, but a few she could name on one hand who were not Hispanic were there and Mr. Dean Corgey was one of those and you knew what a person would do in the future if you knew what they did in the past and he fought for those no one wanted to fight for; and thanked Ms. Aguillon for coming to let all know how she felt. Council Members Johnson, Sullivan, Pennington, Lovell and Bradford absent.

Mr. Timothy Kauble, 908 Audelia, Richardson, Texas (501-908-9751) appeared and stated that he was a current merchant marine with the SEIU and present endorsing Mr. Dean Corgey

to the Port of Houston Authority. Council Members Johnson, Sullivan, Hoang, Pennington, Lovell and Jones absent.

Mr. Felix Fraga, 5501 Brady, Houston, Texas 77011 (713-923-5544) appeared and stated that he did not know how anyone could prove one would be better than the other as both were qualified; that there were only two women on the board and only one Hispanic; that next year there would be another appointment and instead of taking off the only Hispanic, if Mr. Corgey would be good for the city on the board, put him on later; that the Hispanic trade at the port was the largest and they should demonstrate they cared which if they took the only Hispanic away would not demonstrate such. Council Members Sullivan, Hoang, Pennington, Lovell and Jones absent.

Upon questions by Council Member Jones, Mr. Fraga stated that Ms. Longoria was already there, why take her away when others there had served many more years. Council Members Sullivan, Hoang, Pennington and Lovell absent.

Council Member Rodriguez thanked Mr. Fraga for coming and for his leadership. Council Members Johnson, Sullivan, Hoang, Pennington and Lovell absent.

Council Member Bradford thanked Mr. Fraga for his fight and service to the community; that he would acknowledge on record but for people like him and many others he would not have had the wonderful opportunities he had in this city, including sitting where he was today; that diversity was important and the City of Houston required contractors to adhere to diversity and he believed the City of Houston had an obligation to lead by example and he believed that was what he was present saying today; that they were about to go through a redistricting process and expand Council seats by two; that there was nothing against Mr. Corgey, but with 42% of the population and the Council body not considering them when they were qualified he felt they were missing the mark. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Pennington and Lovell absent.

Ms. Crystal Zermeno, 1525 Munger, Houston, Texas 77023 (713-303-1486) appeared and stated that she was with the Service Employees International Union and their membership was thousands of Latino and low wage working families and today she was present supporting Mr. Dean Corgey as the candidate to the Port of Houston Authority. Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington and Lovell absent.

Ms. Yolanda Black Navarro, 3009 Navigation, Houston, Texas 77003 (713-227-1743) appeared and stated that she was present asking for support of Ms. Janice Longoria for another term on the Port of Houston Authority. Council Members Stardig, Adams, Sullivan, Hoang, Pennington, Lovell and Jones absent.

Mayor Parker thanked Ms. Navarro for co-chairing her Hispanic Advisory Committee and stated that she appreciated her wise counsel to her. Council Members Stardig, Adams, Sullivan, Pennington, Lovell and Jones absent.

Council Member Rodriguez thanked Ms. Navarro for being present and stated that hopefully he and his wife would add to their family and if they were lucky enough to have a little girl he wanted her to grow up just like her and Ms. Longoria; and Ms. Navarro thanked him for his opinion and Mayor Parker for her appointment. Council Members Stardig, Adams, Sullivan, Pennington, Lovell and Jones absent.

Mr. John Cain, P. O. Box 1474, LaPorte, Texas 77572 (281-470-4598) appeared and stated that he was present in support of Mr. Dean Corgey being nominated to the Port of Houston Authority. Council Members Adams, Sullivan, Pennington and Lovell absent.

Mr. Joel Salazar, 800 Commerce, Houston, Texas 77002 (713-652-5800) appeared and stated that he was a trial lawyer and Hispanic activist and present supporting Ms. Janice Longoria on the Port of Houston Authority. Council Members Adams, Sullivan, Pennington and Lovell absent.

Mr. Dale Wortham, 2506 Sutherland, Houston, Texas 77023 appeared and stated that he was president of the Harris County AFL/CIO and present supporting Mr. Dean Corgey to the Port of Houston Authority. Council Members Sullivan and Lovell absent.

Mr. Marc Campos, 816 Ralfallen, Houston, Texas 77008 (713-861-2244) appeared and stated that the previous Administration asked his assistance in helping with their goal of seeking more diversity on major boards and commissions and one identified was Ms. Longoria and he was present supporting her on the Port of Houston Authority. Council Members Stardig, Sullivan and Lovell absent.

Council Member Rodriguez thanked Mr. Campos for being present; and upon questions, Mr. Campos stated that to replace the only Latina on a board would send a very wrong message to the community, it would say they were everywhere except the Port. Council Members Stardig, Sullivan and Lovell absent.

Council Member Pennington thanked Mr. Campos for being present; and upon questions, Mr. Campos stated that what would be missed would be her commitment to duty. Council Members Stardig, Sullivan and Lovell absent.

Mr. Armando Tax, 4299 San Felipe, Houston, Texas 77027 (832-338-2591) appeared with an interpreter and stated that he was a member of the SEIU, the Janitor's Union, and a Latino and he was present in support of Mr. Dean Corgey to the Port of Houston Authority. Council Members Stardig, Johnson and Sullivan absent.

Mr. Brian Kinard, 3206 Revere #105, Houston, Texas 77098 appeared and stated that he was the safety director and official of the Seafarers International Union and had letters to read supporting Mr. Dean Corgey which he did during his allotted time. Council Members Stardig, Johnson and Sullivan absent.

Mr. Steve Stewart, 411 Brisbane, Houston, Texas 77061 (713-747-4909) appeared and stated that he was president and cofounder and co-owner of Gulf Friends International, a large international logistics firm based in Houston with significant operations at the Port of Houston and was present supporting Ms. Janice Longoria on the Port of Houston Authority. Council Members Stardig, Johnson and Sullivan absent.

Council Member Rodriguez thanked Mr. Stewart for being present; and upon questions, Mr. Stewart stated that he knew the ILA Office here and they had the good sense to stay out of the fight because of the perception it gave having unions fighting amongst themselves, but he knew they were supporting Ms. Longoria. Council Members Stardig, Johnson and Sullivan absent.

Upon questions by Council Member Pennington, Mr. Stewart stated that the ILA members handled the vessels and the yard and terminal work and Mr. Corgey was associated with the Seafarers Union who manned the ships. Council Members Stardig, Johnson, Sullivan and Hoang absent.

Ms. Mary Ramos, 1019 W. Gardner, Houston, Texas 77009 (281-639-4346) appeared and stated that she was a community activists and present knowing she worked on many of the

Council Members campaigns and over 40% of the City of Houston was Hispanic; that 3.2 million of the new 4 million people to Texas were Hispanic and it was irresponsible to replace the only Hispanic woman on the board; that the board would have 6 men and one woman; that this was about doing the right thing and she was present in support of Ms. Janice Longoria. Council Members Stardig and Sullivan absent.

Ms. Doreen Badeaux, 120 Dryden Place, Port Arthur, Texas 77642 (409-718-2626) appeared and stated that she was secretary general for the Apostle Ship of the Sea of the United States of America, a national organization of Seafarers centers and Port Chaplains which served the mariners, dock workers and all of the sea; that she was present supporting Mr. Dean Corgey and read a letter from Father Sinclair Aubrey supporting Mr. Corgey. Council Members Stardig, Sullivan and Pennington absent.

Ms. Ruby Jensen, 9910 Villa Verde, Houston, Texas 77064 (281-807-9076) appeared and stated that she was a retired vice president with Communication Workers of America and they, with the AFL/CIO endorsed Mr. Dean Corgey for the Port of Houston Authority. Council Members Stardig, Sullivan, Pennington and Rodriguez absent.

Mr. Edward Ybarra, 10925 Beamer Road #205, Houston, Texas 77089 (832-724-9580) appeared and stated that he was present supporting the reappointment of Ms. Janice Longoria to the Port of Houston Authority Board; and continued reading the letter Ms. Ramos was reading from the District 8 Director, Ms. Linda Garcia also supporting Ms. Janice Longoria. Council Members Stardig, Sullivan and Pennington absent.

Ms. Mary Alvendarez, 608 Joyce, Houston, Texas 77009 (713-699-9716) appeared and stated that as a Latina community volunteer and former federal union employee and she personally knew Ms. Longoria and was present in support of her on the Port of Houston Authority Board.. Council Members Stardig, Sullivan, Hoang and Pennington absent.

Mr. Chris Bell, 9410 Endicott Lane, Houston, Texas 77096 (713-493-1662) appeared and stated that he was present speaking in support of his friend Mr. Dean Corgey being appointed to the Port of Houston Authority Board because of his qualifications. Council Members Stardig, Sullivan, Hoang and Pennington absent.

Mayor Parker thanked Congressman Bell for appearing. Council Members Stardig, Johnson, Sullivan, Hoang and Pennington absent.

Upon questions by Council Member Adams, Mr. Bell stated that this was a difficult position, spots on the Port Authority would be well sought after and he thought Mr. Corgey brought much and would serve and make all proud. Council Members Stardig, Johnson, Sullivan, Hoang, Pennington and Rodriguez absent.

Mr. Al Martinez, Jr., 4110 North Main, Houston, Texas 77009 (713-202-6893) appeared and stated that he was a businessman in the community present expressing support for Mr. Dean Corgey on the Port of Houston Authority as all would benefit. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Sharon Owens, 1200 Louisiana #300, Houston, Texas 77002 (713-529-6807) appeared and stated that she was president of the Missouri City Chapter of Links and affiliate of Links, Inc., an international not for profit corporation, and was present in support of Ms. Janice Longoria's reappointment to the Port Authority. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent.

Mr. George Rodriguez, 6571 Market, Houston, Texas 77020 (832-258-6866) appeared and stated that in 1987 he was convicted of raping a teenage girl and he did not commit the horrible crime; that it was because of the Houston Crime Lab and he spent 17-1/2 years in prison; that in 2004 the DNA proved he was innocent and he sued and a jury awarded him \$5,000,000 but he had not yet seen a penny and he had been out six years; that his background came up when he looked for work and he could not get hired and he could not understand why the city would not pay what was awarded. Council Members Stardig, Sullivan, Hoang and Rodriguez absent.

Mayor Parker stated that Mr. Rodriguez was engaged in litigation with the City of Houston and she would respectfully request Council Members not engage in discussion with him here at the Council Table; that he and the City of Houston were represented by counsel; that Council Members were in the queue, but she would ask they stand down. Council Members Stardig, Sullivan and Rodriguez absent.

Council Members Jones, Clutterbuck, Johnson and Adams expressed their sentiments and regrets to him and his family; and Mayor Parker stated that she did agree with them and thanked them for their personal expressions of support for Mr. Rodriguez. Council Members Sullivan, Rodriguez and Lovell absent.

Mr. Anthony Robinson, P. O. Box 52822, Houston, Texas 77052 (713-702-6483) appeared and stated that he was present expressing concerns to the City of Houston for further funding of efforts in continuing the legal matter; that he understood their legal limitations to speaking on the matter, but he found it personally objectionable to spend good money after bad to continue a struggle preventing Mr. Rodriguez from going on with the rest of his life. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Mr. Charles X. White, Houston, Texas 77033 (713-292-3436) appeared and stated that he was asking for a tag and reassessing of the new suggested ambulance fees from \$400.00 plus to \$1,000.00; that many used the services and could not afford such, he did preliminary checking and there were different prices, but it seemed a baseline price was \$250.00 with \$6.50 per mile; that he saw nothing per mile, but it was attached before and he wanted to ask for another formula on a sliding scale. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Council Member Adams thanked Mr. White for all he did, especially for seniors, that in the new fee structure there was something to protect those who could not afford this; it was based on their income; and upon questions, Mr. White stated that he was not aware; and Council Member Adams stated that if he would like someone could meet with him and then meet at their next Partnership Breakfast and explain the schedule; and Mr. White stated that he would accept speaking to someone as well as having someone from the Mayor's Office attend the breakfast to explain to them as well. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Council Member Jones stated that on a point of clarification, it was her understanding right now they charged \$415.00 and \$7.50 per mile and under the proposed was there not a charge per mile; and Mayor Parker stated that was correct; and Council Member Jones stated that she too was waiting for information; and Mayor Parker stated that in the Mayor's Report tomorrow morning would be a presentation included by the Fire Chief on his reorganization plan for the Fire Department and Dr. Purse would also be present and questions could be asked by Council Members; and some information was sent in their Agenda backup and if it was not it would be resent to her. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Mr. Tom Grant, 14383 Still Meadow, Houston, Texas 77097 (281-851-7233) appeared, presented information and stated that he was present representing the Memorial Club

Townhouse Association and problems they had with their water bill for the past year; that they were located at 1211 Country Place Drive in Council Member Pennington's District and they had 757 fee simple townhouses and this year 457 owners paid a bill of \$385,000 and next year they were looking at \$505,000 which was 27% of their operating budget; that they were working on this over a year and he was recently told he could not meet with the Water Department as their policy did not allow customers in their offices and it was verified by an employee of that department and Mr. Pennington's Office and it was hard to believe; and explained examples presented in his handout until his time expired. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that the City no longer had an open customer service window, but any citizen wanting to work through such an issue could call and make an appointment for a hearing on a water bill and if someone was telling people otherwise she would make sure it stopped; and asked him to meet with Mr. Medina who was present at this time. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Jones thanked Mr. Grant for coming and stated this seemed unacceptable and she would like to know if Council Member Pennington needed any help; that this seemed outrageous; and upon questions, Mr. Grant stated that the person assigned to him was Lee Turner, Administrative Assistant and they had worked together since the beginning of the month and he promised an answer, but still he had nothing. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Upon questions by Mayor Parker, Mr. Grant stated that after no progress was made over 11 months he asked the Council Member's Office for help and he was assigned Mr. Turner and had worked with him the last two weeks, but was told they had many to work on and he could not tell him when he would get an answer. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Pennington stated that he believed Mr. Turner had provided Mr. Grant some information; and upon questions, Mr. Grant stated that he came back with a verbal answer which did not fit the facts as he knew them and he asked for an email and was told he would get one; that he also spoke to the Mayor's community relations person, Ms. Hernandez, and she said she would take care of it, but still no help; that for about a year they were billed on an estimate and the meter was changed out with a new one replacing it, but there was no thought as to what it had read as it was all estimated. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that she would track down those who had been working with him and Mr. Medina would speak with him at this time; and she apologized for having to have spent so much time on the issue. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Upon questions by Council Member Costello, Mr. Grant stated that the meter was replaced and now for about two months they were paying by readings, but they were reading and verifying it. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez and Lovell absent.

Mr. Terry Franklin, 17326 Candela Drive, Houston, Texas 77083 (832-641-2172) appeared, presented information and stated that he was president of HAMR, the Houston Area Motorcycle Riders, and he and others were present regarding an issue of the Houston Noise Ordinance and each would address a specific topic on the issue and this all centered on Section 30-3 of said ordinance entitled noise vehicles generally; that it was being used against motorcycles and other vehicles with the ticket reading, "excessive noise by use of loud engine"

and he personally received a ticket while riding on Highway 6 near Westheimer; that in a letter addressed to Mr. Wayne Garrett in May of this year Mayor Parker stated that she did not believe the section of the ordinance pertained to or prohibited general motorcycle sounds, moreover, she had not instructed HPD to crack down on motorcyclists; that legal counsel returned the response that if the ordinance was never intended to be used against noise producing vehicles on what basis could a judge uphold the alleged violation, etc., that when he was in court there were 39 other defendants with the same ticket from the same officer and of those about 30 took the offer each of them were made of a no contest plea for \$125.00 and no insurance record in lieu of a possible maximum fine; that of those defendants who chose trial only he received a guilty verdict, but he sat and watched in dismay as each of them were found guilty; and after questions by Council Member Bradford Mr. Franklin stated that he was the only one receiving a not guilty verdict by judge. Council Members Stardig, Adams, Sullivan, Rodriguez and Lovell absent.

Mayor Parker stated that she would refer this to the Legal Department and Chief of Police and see if they could get a resolution on it. Council Members Stardig, Adams, Sullivan, Rodriguez and Lovell absent.

Council Member Jones stated that she wanted to be clear; and upon questions, Mr. Franklin stated that he was a singular rider on a motorcycle which was inspected and licensed legally in the State of Texas and purchased as equipped from a Harley Davidson dealer in this city; and upon further questions, Mayor Parker stated that the motorcycles had to have mufflers, some equipment for state vehicle inspection; and she asked Legal to work on this. Council Members Stardig, Adams, Sullivan and Lovell absent.

Council Member Bradford stated that he was surprised to hear citations were being issued for excessive or unreasonable noise; that he thought sometime ago there was a ruling which required the city to attach quantifiable measurement; and upon questions, Mr. Franklin stated that under 30-3 the officer wrote the ticket based on their opinion; that the day he was in court there were 39 total tickets written in that manner by a particular officer, but not all motorcycles; that a number did a plea deal; that he was the only one who received a not guilty verdict by judge; and Council Member Bradford stated that this had been in the news and he had calls and knew there was an IAD investigation going on, but he was interested and concerned about the ordinance; and Mr. Franklin stated that was why they were present they wanted to be sure the ordinance was not used or abused. Council Members Stardig, Adams, Sullivan and Lovell absent.

Upon questions by Council Member Bradford, Mr. Heilman stated that the ordinance was currently being reviewed, the Legal Department was working with the Administration to come up with something to address the issue; with regard to vehicles the section in question did not have a decibel limitation, it was silent on that and within the judgment of the officer to determine if it fell within the perimeters of that section and if it was determined they had the discretion to write the citation and the individual disputed it they could go to court and air the case; and upon further questions by Council Member Bradford, Mayor Parker stated that she would confer with Legal before answering questions if the officer would be allowed to continue writing citations based on broad and unlimited discretion such as unreasonable, excessive and too loud. Council Members Stardig, Adams, Sullivan, Costello and Lovell absent.

Mr. Michael Ray, 7246 Rio Blanco, Houston, Texas 77083 (281-513-7195) appeared and stated that he was a continuance of the previous speaker and their problem was a specific officer who from their research and information obtained through Channel 26 who did an exposé of the officer and his behavior toward motorcyclists found he was very verbal on blogs and websites and had not hidden his dislike or hatred toward bikers and motorcycles in general and he was using a very vague ordinance; that a motorcycle was purchased three days to the

citation being cited and when a vehicle was sold in Texas it had to meet certain codes and this was brand new and the officer said it was too loud and wrote the citation; that he wondered if the officer was carrying on a personal agenda and if so was that not wrong and should he not be called on it. Council Members Stardig, Adams, Sullivan, Costello and Lovell absent.

Upon questions by Mayor Parker, Mr. Ray stated that the EPA said it was 80 decibels and he did not know how that was determined but the federal government had applied it to Harley Davidson and most ticketed that he was aware of were Harley's V-Twin and one or two other vehicles and they had passed state and federal codes and when they came out with a new bike they had to meet the criteria set forth by the EPA or it was given a thumbs down and had to be reworked; that there were several groups involved with this particular problem, but they would be more than happy to give information to the Mayor and Council; that they were contacted by Harley Davidson who said if the City of Houston needed any of their information he would be more than happy to provide it. Council Members Stardig, Adams, Sullivan, Costello and Lovell absent.

Council Member Jones stated to the Administration that moving forward while looking at the ordinance she thought it should be an affirmative defense if they kept applying this to motorcycles, affirmative defense of acquittal or dismiss the ticket if they passed all state and federal inspections; and secondly wanted to know why the city Attorney was taking these, sometimes people pled guilty just because it was cheaper and she wanted resolution with those people even though they already paid and she also wanted to know if the officer was being investigated; and Mayor Parker stated that apparently there was an OIG investigation she was not aware of it, but if she would send a note to Ms. Stein she would make sure she received an answer; and Mr. Heilman stated that their information did reflect two pending IAD investigations against the individual. Council Members Stardig, Adams, Sullivan, Costello and Lovell absent.

Council Member Bradford stated that he had been advised by HPD there were ongoing investigations on the particular officer and he would ask that they allow the investigations to run their due course; that under his view it was too subjective to allow officers to write citations based on excessive, unreasonable, too loud, it was too subjective and he would ask the City Attorney's Office and Administration to put a moratorium on enforcement of the particular law until it was sorted out and he was glad to hear they were willing to participate in the discussion. Council Members Stardig, Adams, Sullivan, Costello and Lovell absent.

Upon questions by Council Member Johnson, Mr. Ray stated that to the best of his knowledge the officer stopped two and three at a time, but from a report of Channel 26 in the last six months he had given out over 200 tickets using that ordinance; that he was averaging while on duty two to three tickets a day on that ordinance. Council Members Stardig, Adams, Sullivan, Costello and Lovell absent.

Ms. Norma Cooper, 20223 Emerald Cliff, Richmond, Texas 77407 (713-806-6569) appeared, presented a petition and stated that she was with HAMR, Houston Area Motorcycle Riders, and she had 916,682 drivers license issued for motorcycles in the State of Texas and 431,289 registered motorcycles in the State of Texas; that at Highway 6 and Westheimer where the citations were being issued it was not just a Harris County or Houston problem, she viewed 50 tickets and spoke to individuals and received calls from people who received the tickets and most were driving alone or with someone else, the only group she was aware of with more than two had six; that she owned an HPD motorcycle and it was tested and did not pass City of Houston ordinance and with that in mind there were many businesses in the area, it was a State Highway, being effected; that FOX 26 presented on November 10, 2010, a problem; that concerned citizens were not going to the area because of the problem and another problem were those who were getting citations were getting multiple citations, one gentleman had received eight and several had four; and today was presenting over 2,000 concerned Texas

resident signatures for their consideration and review to change the Houston noise ordinance. Council Members Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that she heard them and they did not need the petitions, but could deliver them; that she thought someone that aggressive should be doing red light enforcement and maybe could be moved. Council Members Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Mr. Vertis Williams, 17339 Candela, Houston, Texas 77083 (281-242-0717) appeared and stated that he was vice president of HAMR, Houston Area Motorcycle Riders and speaking on their behalf; that he had the misfortune of meeting the particular officer four times, he worked on Westheimer near Kirkwood and within his beat and he was ticketed twice; that he had gone to his supervisors and been given different opinions and comments and today they wanted to come so Council would understand what they were going through on the west side of town; that it was unfair he could not drive there without thinking he would be ticketed; that the previous speakers laid out what was going on with the officer and they were asking the Mayor and Council get involved and make the issue go away. Council Members Adams, Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that to be clear she was not necessarily asking the Legal Department make the issue go away, but she wanted an ordinance which worked and consistent enforcement and that was what they were trying to achieve. Council Members Adams, Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

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

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

Mr. John Cieslewicz, 1250 DuBarry Lane, Houston, Texas 77018 (713-683-0703) appeared, presented information and stated that he needed an answer to a letter he sent to the Mayor and Council on October 22, 2010 regarding Oak Forest, Section One; that he wanted to know what would be done to ensure drainage of their back yards, the developer 65 years ago put in shallow ditches down utility easements to ensure drainage and a home builder filled in a ditch and blocked the drainage serving his and his neighbor's back yards; that Code inspectors said the ditches were not dedicated and 65 years ago, being in the county they may not have needed to be recorded, but the city annexed the subdivision with the ditches included; that the inspector told him people all over the city had problems with drainage when new homes blocked the drainage which had served homes for 50 to 100 years and he wanted to know if they were going to ensure the drainage of their back yards. Council Members Adams, Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Jones stated that this was everywhere; and upon questions, Mayor Parker stated that developers could not develop the property in such a way as it would put their water onto a neighbor's property, but if it was not a dedicated drainage easement for the City of Houston they could do various things to it; and Mr. Heilman stated that it would appear the abutting landowner would have a cause of action against the developer which built up and caused the runoff based on his scenario, but they could look at it further; and Council Member Jones stated that she would like it looked at and she did not want him asking someone to go and sue someone when perhaps it was something the city could have controlled if it were a permit; and Mayor Parker stated that she agreed and they would try and run this down. Council

Members Johnson, Clutterbuck, Adams, Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Council Member Costello stated that he agreed whole heartedly with his colleague that the city was not supposed to impact adjoining property owners when they redeveloped a particular location; and upon questions, Mr. Cieslewicz stated that the utility easement ran down their back yards and when they built up the property at 1304 Woodcrest they built it to Code but filled in the ditches; and Council Member Costello stated that when Council Member Edwards chaired the Flooding and Drainage Committee they had significant problems in redeveloped communities and it was his understanding the Permit Department was supposed to make sure things like this did not happen and as the staff looked into it he would like to be advised of what was going on; and Mayor Parker stated that Mr. Medina was present to speak with Mr. Cieslewicz and that Council Member Costello may want a staff member to be present; that she wanted Mr. Medina to get back with her so she could respond to Mr. Cieslewicz. Council Members Johnson, Clutterbuck, Adams, Sullivan, Pennington, Gonzalez, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Bryce Carter, 1445 N L West #470D, Houston, Texas 77008 (703-434-9852) appeared and stated that he was an organizer with the Sierra Club, the oldest and largest conservation organization in the United States and the Lone Star Chapter had approximately 24,000 members dedicated to exploring and enjoying and protecting Texas natural resources and wild places; that they were activist for clean water and air and today was present with concerns they and others had across Houston regarding the proposed Keystone XL Pipeline, the nearly 2,000 mile long pipeline would bring Canadian tar sand oil from Alberta straight to Houston for refining and in order to access millions of acres of pristine forest and wildlife habitat had to be stripped mined and drilled; that the tar sand produced two to five bails of water for each bail of tar sand extracted and had already created over 50 miles of toxic lakes, it contained higher concentration of toxic fluids than conventional oil and the Keystone Pipeline would cross 633 bodies of water in Texas alone with 20 located here; and the Houston area had the highest levels of air born cancer causing chemicals in the United States. Mayor Parker, Council Members Adams, Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Angela Boag, 1445 N L West #470D, Houston, Texas 77008 (703-434-9852) appeared and stated that she was also with the Lone Star Chapter of the Sierra Club and as mentioned tar sand oil was of a lower grade than conventional oil and had heavy metal, sulfur, carcinogens and neurotoxins harmful to human health and according to reports by the US Geological Survey tar sand oil contained 11 times more sulfur, nickel and 6 times more nitrogen as well as 5 times more lead than conventional oil; that Houston made great strides improving air quality, but it was not enough and Harris County was still classified as a nonattainment zone for ozone, the primary constituent of smog, and more stringent standards would soon be implemented by the U. S. Environmental Protection Agency and an increase in nitrogen oxide and volatile organic compound omissions from the use and refining of tar sand oil would make it very difficult for Houston to meet new standards and it would be processed in refineries located in communities already overburdened with severe air pollution and experiencing significant health impacts; and according to the University of Texas School of Public Health Study petitioned by Bill Whit's Office children living within 2 miles of the Houston Ship Channel had a 56% greater probability of developing Leukemia; that the hearing on the pipeline was not adequate and today they were asking Council to take a stand for the health of Houston citizens and ask for more information on the public health impacts of the project; asking for a resolution requesting a supplemental environmental impact statement from the Department of State by signing a formal letter to the Secretary of State and if it could not be done they were asking Council Members and Mayor Parker to sign such a letter. Mayor Parker, Council Members

Johnson, Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Jones thanked them for coming and stated to the Administration, she did not know if pipelines were built in recent time, but what was the city's involvement in pipelines; and Mr. Heilman stated that they would check on the Council Member's questions and get back with her; and Council Member Jones stated that after they found the answers she would like the two speakers to receive information also; and Mr. Heilman stated that they would pass on the information. Mayor Parker, Council Members Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Mr. J. W. Massah, P. O. Box 742713, Houston, Texas 77274 (713-545-4777) appeared, presented information and stated that he was president of the Taxi Drivers Association and they were present today expressing their grievance on the death of two of their colleagues within 72 hours; that it was a direct result of the repressive cab ordinance; that cab drivers had no protection and the ordinance deprived drivers of self esteem in the City of Houston and now two were dead; and they were asking something to be done about a repressive cab ordinance and in the meantime allow them to protect themselves. Mayor Parker, Council Members Sullivan, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Bradford thanked Mr. Massah for being present and offered condolences on the death of their colleagues; and upon questions, Mr. Massah stated that there were many things needing changed and he was calling for an investigation to bring sufficient evidence to convince Council to change the rules; that he would like to see something between the customer and driver and there was much intimidation. Mayor Parker, Council Members Adams, Sullivan, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Johnson thanked Mr. Massah for his work for drivers all over the city; that he said he did not have time to present what they wanted today, but he would like him to present something to them; that something did need to be done to protect them; and Mr. Massah stated that they would submit something in writing. Mayor Parker, Council Members Sullivan, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Jones stated that she was not certain what they wanted and she would like him to say what he thought was wrong with the ordinance now and what they would like to replace it in writing. Mayor Parker, Council Members Johnson, Sullivan, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Gary Ocbayohannes, 6020 Jessamine, Houston, Texas 77081 (713-446-8679) appeared and stated that he was chairman of the Small Cab Company Owners Association and present with a concern for taxicabs; that he was present regarding a concern a few weeks ago where they lost colleagues and he would like to use this opportunity to send their condolences on behalf of their association; that Mr. Massah just expressed a repressive cab ordinance and the ordinance must be governed for the tax industry, but it took the idea from the big companies; that drivers were the first ambassadors representing the City of Houston, they greeted them and tried to bring hospitality to them; that a driver recently left the cab to use the restroom and he was given a ticket for an unattended vehicle and that was harassment; that both airports had a badge system but they used it different, not for security but to abuse drivers and the zone rate was not fair and the year of the cab usage. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Patricia Martin, 5900 Selinsky, Houston, Texas 77051 (832-244-7856) appeared and stated that she was present October 26th and spoke to Mayor Parker about problems with HPD, trying to get to Internal Affairs; that her home was stormed by two officers and a CPS worker

with dishwashing gloves on, they were not real and she wanted the abuse to stop; and continued expressing her personal opinions until her time expired. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Sonny Flores, 1710 Telephone Road, Houston, Texas 77023 (713-921-4583) appeared and stated that he was present representing himself and to plead for Ms. Janice Longoria to be reappointed to the Port Authority and he had a letter from the former Port Director he wanted to present. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Gilbert Garcia, 3526 Durness, Houston, Texas 77025 (713-853-2323) appeared and stated that he was present representing himself in support of Mr. Dean Corgey. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Daniel Box, 323 Moose Drive, Huffman, Texas 77532 (832-794-9896) appeared and stated that he was present in support of Mr. Dean Corgey being appointed to the Port Authority Board. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. David Alley, 1475 North Loop West, Houston, Texas 77008 (713-869-8900) appeared and stated that he was with Local Union 716 of the International Brotherhood of Electrical Workers and present to encourage their consideration of Mr. Dean Corgey to the Port Authority. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that he was present urging a vote for Mr. Dean Corgey to be appointed to the Port Authority. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Carol Simon, 2505 Fannin, Houston, Texas 77002 (713-987-4988) appeared and stated that she would dress to impress but none of Council was impressing her, no one helped when she said Barack raped her; and continued expressing her personal opinions until her time expired. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the President of the United States and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Noriega stated that she wanted to thank all speakers who had stayed to the end of Council, particularly those who appeared last week and were only allowed one minute this week; that they showed great fortitude and she thanked them for bringing their opinions. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

At 5:01 p.m. Mayor Pro Tem Clutterbuck stated that City Council was recessed until 9:00 a.m., Wednesday, November 17, 2010. Mayor Parker, Council Members Johnson, Stardig, Sullivan, Hoang, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

City Council Chamber, City Hall, Wednesday, November 17, 2010

A Regular Meeting of the Houston City Council was held at 10:00 a.m., Wednesday, November 17, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David M. Feldman, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director present.

At 8:23 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:07 a.m. Mayor Parker called the meeting to order and called on Council Member Hoang.

Council Member Hoang moved to suspend the rules to consider Item Numbers 1, 2,3 and 48 out of order, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Adams absent. MOTION 2010-0820 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to serve as **ADJUDICATION HEARING OFFICERS**, for two year terms:

MR. MANUEL BARRERA, JR., reappointment
MR. JOSHUA H. BROCKMAN, appointment
MR. JOSE R. LOPEZ, II, reappointment
MS. DANA V. PERRY-DREXLER, appointment
MS. ERUM JIVANI, appointment

- was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent. MOTION 2010-0821 ADOPTED.

2. REQUEST from Mayor for confirmation of the reappointment of the following as **Municipal Court Judges** for two year terms:

NANCY J. BAILEY	KATHY K. HAN
MARIA E. CASANOVA	GORDON G. MARCUM II
IMELDA REYES-CASTILLO	LEIGH FAORO SAINT-GERMAIN
GRANTHAM HARLAN COLEMAN	ADAM SILVERMAN
ESMERALDA PENA GARCIA	ELAINE MARSHALL
HERBERT W. GEE	FRANCELIA E. "FRAN" TOTTY

- was presented, moved by Council Member Lovell, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Adams absent. MOTION 2010-0822 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following as **Municipal Court Associate Judges** for two year terms:

WALTER SCHROEDER , reappointment	BURHAN NOMANI , reappointment
SCOTT K. BOATES , reappointment	STEPHAN L. HONORE , reappointment

FAD WILSON, JR., reappointment
CATHERINE N. WYLIE, reappointment
DAVID J. QUAN, reappointment
ANDREW D. MARTIN, reappointment
ANGELA E. PHEA, reappointment
SHERRY LEE APPLEWHITE, reappointment
KERRI J. DORMAN, reappointment
OSWALD J. SCOTT, JR., reappointment
JO NELSON, reappointment
ROBERT V. ROSENBERG, reappointment
RAUL RODRIGUEZ, reappointment
JACQUELINE MILLER, reappointment
NIKITA V. HARMON, reappointment
ARTURO D. DELEON, JR., reappointment

MARIO MADRID, reappointment
LYDIA D. JOHNSON, reappointment
WILLIAM A. ALLEN, reappointment
MIN UN LEE, reappointment
MIMI MALICK BERKOWITZ, reappointment
HOWARD L. SPEIGHT, reappointment
WILLIE E. B. BLACKMON, appointment
C. J. BROUSSARD-WHITE, appointment
NILE B. COPELAND, appointment
DEMETRIA D. FRANK, appointment
ELAINE JEFFERSON, appointment
PHYLLIS RANDOLP H. FRYE, appointment
CHARLES A. SPAIN, JR., appointment

- was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent. MOTION 2010-0823 ADOPTED.

48. REQUEST from Mayor for confirmation of the appointment of **MiHoa Vo** as **Municipal Court Judge** for a two year term – was presented, moved by Council Member Hoang, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Adams absent. MOTION 2010-0824 ADOPTED.

Mayor Parker stated that they had some new Hearing Examiners, Municipal Court Judges and asked if they were present in the room to come forward and gather around the microphone and invited Judge Hartle to the podium. Council Member Adams absent.

Judge Hartle stated that this was the fun part of her job, to present to them some very qualified people to serve in the Municipal Court and introduced the new appointees and re-appointees. Council Member Adams absent.

Mayor Parker and Members of Council congratulated the new appointees and re-appointees and thanked them for their service to the City of Houston. Council Member Adams absent.

Mayor Parker recognized Council Member Noriega for a point of personal privilege.

Council Member Noriega stated that as a proud cougar it was her great pleasure to announce that in the audience today they had 25 officials from the City of Ningbo, China, they represented several local areas of government including banking and financing, tax office, environmental protection, women's legal affairs, housing and urban development, education and the Food and Drug Administration, that these officials were participating in a public administration program led by David Kuo, of Global Unisource at the University of Houston Hobby Center for Public Policy, that also in the audience was Ms. Rene Cross, Associate Director at the Hobby Center for Public Policy, that they wanted to thank them for coming to City Hall to observe the Council session today and asked that they stand and be recognized.

Mayor Parker stated that they had a number of delegations from China, they had a strong relationship with China that they wanted to grow and develop so they appreciated the fact that they were joining them today.

MAYOR'S REPORT - Fire Department Reorganization and Budget Proposals

Mayor Parker stated that she knew there was a very extensive discussion at the Council meeting last week about where they were with the current City budget and as she explained in the memo that she distributed last week they had been cutting spending in the City of Houston since she took office ten and a half months ago, they had undertaken a series of reorganizations and across the board spending cuts, that there had been a partial hiring freeze implemented by Council, whereby departments had to request additions to personnel, that what she was going to focus on today and what she was going to use her Mayor's Reports for the next few months, was updating department by department what was going on because there were a lot of changes happening across the City of Houston, that in her time in office she had replaced about half of the department directors and many of those immediately launched full reorganizations of their departments, but the other piece of this was that every budget they did involved estimates, that her most critical estimates were projections of property tax and sales tax, they were looking 12 to 18 months out and were trying to decide where those numbers were going to be, that property tax and sales tax represented about 80% of their income, that Franchise Fees, another estimate, another 10%, and then it was everything else for the final 10%, that they do estimates on all of those numbers, that the Controller did an independent estimate on all of those numbers, they had contracted with Barton Smith for a third check on sales tax, which tends to be particularly volatile, and they try to read the tea leaves to see what all of those categories were going to come in at over the course of the year, then they take that budgeted estimate and every month they come back to the Council Members and refine those estimates, that was what the monthly report was, and the reason that the Controller sits there was well was that the Controller had his own individual, independent estimates of every one of those categories, that the monthly report was designed to tell them how far they were away from the original budget, what the changes were so that they were kept informed, that the 2011 Budget was passed with three numbers that were acknowledged as much less certain than the other estimates in the budget, in fact, she had publicly referred to them in the Chamber and in other places as "plug numbers", that it was not exactly a term of art but "plug numbers:", that those three "plug numbers" were real estate sales, a proposal to do a cost recovery and collections improvements review and a consolidation of various City departments and management efficiency improvements to the tune of about \$22 million, that \$36 million in estimated real estate sales, \$15 million in revenue enhancements, both cost recovery and collections and then \$22 million in expenses, that real estate was timed specifically for when they intended to market properties and they did not raise the alarm on real estate because she believed they were still on track for real estate, they would find, however, that the Controller would not acknowledge real estate transactions until the check was received, that it was the same policy that she had when she was Controller, that if they believed they were not going to be able to market the real estate that they intended to market this year she would come back to Council, that the revenue estimate of \$15 million from cost recovery and collections they were behind schedule on that, she acknowledged it and would own it, that one of the things that they discovered when they got into that was that there was no consistent program across the City of Houston, each department did their own analysis, and frankly some departments, as far as she could tell, did not do any analysis of what their costs were, that again she acknowledges Council Member Stardig being willing to volunteer to be part of that process and sit with Ms. Mitchell to help oversee some of that, that she could acknowledge as well that it was inconsistent, it was inefficient and they really had to build from scratch a mechanism for determining the true cost of service for the various things that they already charged fees for and they had to build from scratch a better mechanism for collecting those fees, that she was surprised at how bad it was and that no one had really looked at fees over the years, perhaps because it was not a huge amount of money and the inefficiencies did not matter, but what they had on the Council agenda, that they would consider later today, was the result of that fee analysis, they over estimated how far behind they were in terms of cost recovery and were not going to hit the \$15 million target, that part of that was that they were not attempting to recoup revenue, they were not attempting to enhance revenue, they were truly trying to determine what the cost of service was and recapture that cost of service, that it was clear to her that they were

going to have to invest some City money in a better collections process, that if they were going to charge fees they needed to have a mechanism for collecting from those people who did not chose to pay and they had done a really dismal job of that over the years, that they would continue to update them on the process of that.

Mayor Parker further stated that the next piece of what she was going to talk about, the final piece, the expenses, they estimated that through consolidations and management efficiencies they could save \$22 million over the course of the year, there were three major consolidations going on right now, Fleet, IT and HR, they absolutely believed that those numbers, the \$22 million, was a low estimate of what they were going to be saving, but they were not going to be able to do those consolidations as quickly as they had hoped, that it was not that they had not started, they were in process, that particularly on the fleet consolidation they did not intend to compromise the delivery of services in any way while they were reducing the spending and doing the consolidation, and again, since 75% of their General Fund was salary and overhead consolidations meant that they impacted people's lives because it generally meant they operated with fewer people and they were going to do it deliberately without unnecessarily impacting people, that she did not want to do it and then have to undo it, but there were some departments that were undergoing, in addition to the consolidation, full reorganizations that had significant operational changes and she believed would ultimately provide significant savings, that they were going to tee up HFD today, they would be teeing up HPD, she believed at the next Council meeting in two weeks and following that she believed that Judge Hartle would be ready to lay out her reorganization and cost saving proposal for the Municipal Courts, that she would welcome any questions they might have for Chief Garrison and Dr. Persee, that since he was here today they could also discuss issues, if they had questions they would like to ask in the public session about the ambulance fee proposal but at any time if they had particular questions about other departments as well, or where they were in terms of the reorganizations and the cost savings, they were happy to entertain those, they did not have to wait until HPD or Municipal Courts was represented, that they did not have to wait in terms of asking the questions, they obviously could not answer those questions today because it was not posted, that was what she meant, that in addition she was considering holding perhaps a meeting of the whole where they could do a mid year budget discussion, once again delve down into the weeds for those Council Members who were particularly interested in the details of where they were in these reorganizations and the budget, that she knew it might not be every Council Member but she was certainly willing to commit her time, that she could call a special meeting or they could do it informally, that she would be polling Council Members as they were interested in that, that she did meet yesterday with representatives of HOPE, they were working collaboratively to update the Furlough Ordinance and the Layoff Ordinance for the City of Houston, that yes they did have both of those things but they did need to be looked at periodically like all ordinances, that she was not at this point announcing anything, to the media she was simply laying out the groundwork, they liked to do things when they were not in crisis, not waiting until they were jammed up, that she appreciated that she spent about an hour and a half with HOPE yesterday, they were very interested, obviously, in the process, and were working closely, that Council Member Hoang sent a memo about voluntary furloughs, that he might be interested to know that voluntary furloughs had been a part of the City's furlough plan for a very long time and working with HOPE she intended to survey or poll City employees as to whether that might be an option to see what impact that would have on the bottom line, that it was an excellent suggestion and they did already have a mechanism to do that and HOPE was interested in doing that, that HOPE also offered the suggestion that there may be possibilities for voluntary retirements and they would be polling that at the same time, that she would caution that might not be the best solution because many of their senior employees had termination pay issues so they would have to crunch the numbers on that, but she could not tell them how much she appreciated the fact that the civilian employee union was really interested in digging in with them and trying to address some of these financial issues, that unless anybody had any questions she appreciated their attention to that. Council Member Adams absent.

Mayor Parker stated that she would call on the Chief because she thought they would enjoy some of the cost savings ideas that he was bringing forward and she truly appreciated his willingness to roll his sleeves up, and stated that the Chief was also going to lay out his new command staff as well.

Chief Terry Garrison, Houston Fire Department, stated that yesterday was his second month anniversary of being in the City of Houston and working with and for them, that he felt that he was born and raised in Houston because all of the support and guidance that he had over the last 60 days, that he wanted to thank the Mayor for all of the support, that he wanted to thank all of the Members of the City Council and thank members of the Public Safety Sub Committee for helping with the plans they were going to lay out today, that he wanted to first introduce them to their new command team and asked that they come to the podium, that he wanted to thank the members of the command team who were now going to move back to the field and resume their original positions as Fire Captains and District Chiefs; that their command team was made up of highly effective individuals and he had the opportunity to select these members out of receiving 110 resumes and conducting 40 interviews, that this was definitely the top of the top, that they say that their most important resources were human resources and these members were actually an example of that, that he wanted to introduce Chief Richard Galvan, who had been a Fire Marshal for sometime and would be their Executive Assistant Chief, Chief Tomas Munoz, Assistant Chief of Community Support, Herbert Griffith, Chief Matejka, Executive Assistant, Chief David Almaguer, Assistant Chief, EMS Section, Assistant Chief Daniel Steel, Executive Assistant Chief Rick Flanagan, Assistant Chief Bill Barry, Assistant Chief Donna McCleod, Beda Kent, Legislative Liaison, Lisa Campbell and Neil DePascal and Dr. David Perse.

Chief Garrison reviewed a Power Point presentation titled "Houston Fire Department, City Council Presentation November 17, 2010", a copy of which is on file in the City Secretary's office for review.

Chief Garrison was questioned by Members of the City Council, and Mayor Parker asked if there were any questions on the ambulance fees and after questions by Council Member Jones, Mayor Parker thanked Chief Garrison for his presentation... Council Member Adams absent.

At 10:15 a.m. Mayor Parker stated that they would move to the consent agenda. Council Member Johnson absent.

CONSENT AGENDA NUMBERS 1 through 41

ACCEPT WORK - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,977,620.55 and acceptance of work on contract with **HUFF & MITCHELL, INC** for Rehabilitation of Air Release Valves Package #2A / Relocation of 20-inch Water Line and 36-inch Sanitary Sewer Force Main along Alameda Road (FM521) at Sims Bayou / Condition Assessment of the South 60-inch Water Transmission Line - 19.31% under the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent. MOTION 2010-0825 ADOPTED.

PROPERTY - NUMBERS 5 and 6

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the joint Referral Committee, on request from Yoni Sade, on behalf of Andrea Christie Watt, for abandonment and sale of ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642, Parcel SY11-006 - **DISTRICT G - PENNINGTON** - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent. MOTION 2010-0826 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Ross Matthews of ProLogis, on behalf of Catellus Operating Limited Partnership, a Delaware limited partnership, [Palmtree Acquisition Corporation, a Delaware corporation, (Anne LaPlace, First Vice President) General Partner], reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of Villa Drive, from Airport Boulevard to Neuhaus Avenue, and Larson Street from Villa Drive to Tewanin Avenue, located in the Central Industrial Park Second Section Subdivision and the Central Industrial Park Third Section Subdivision, both out of the Blas Herrera Survey, A-320, Parcels SY10-086A and SY10-086B - **DISTRICT I - RODRIGUEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent. MOTION 2010-0827 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 8

7. ORDINANCE appropriating \$140,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Chemical Feed Station Containment Wall Engineering and Design Services for the Public Works & Engineering Department - was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2010-0882 ADOPTED.
- 7a. **CP&Y, INC** for Emergency Chemical Feed Station Containment Wall Engineering and Design Services for the Department of Public Works & Engineering - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent. MOTION 2010-0828 ADOPTED.
8. **OFFICEMAX INCORPORATED** for spending authority to Purchase General Office Products from the State of Texas Procurement and Support Services Contract through the State of Texas Purchasing Program for Various Departments - 3 Years with two one-year options \$17,234,041.14 - General, Enterprise, Grant and Other Funds - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent. MOTION 2010-0829 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 41

15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two 5-foot-wide utility easements and attendant aerial easements, and vacating and abandoning said easements to Alejandro Camarillo, the property owner, in consideration of owner's dedication of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, Baker Place Subdivision, Section 2, J. L. Stanley Survey, Harris County, Texas, payment of \$2,100.00 and other consideration to the City, Parcels SY10-007A, SY10-007B and VY10-031 **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2010-0883 ADOPTED.
26. ORDINANCE appropriating \$3,101,439 from the TIRZ Affordable Housing Fund (2409);

approving and authorizing the third of five repayment installments in the amount of \$3,101,439 to the United States Department of Housing and Urban Development for the resolution of outstanding issues raised in HUD Monitoring Reports/Audit findings from 2004 and 2005 relating to the City's HOME, CDBG, and HOPWA Grant Programs - was presented. All voting aye. Nays none. ORDINANCE 2010-0884 ADOPTED.

27. ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, providing up to \$133,883 in General Funds to assist in the administration and operation of the Emergency Mobile Outreach Program - was presented. All voting aye. Nays none. ORDINANCE 2010-0885 ADOPTED.
30. ORDINANCE accepting into the City Collection the Sculpture created by Artist James Surls entitled "Standing Vase With Five Flowers" for installation at the Parks and Recreation Department Headquarters - Gragg Building; purchased in accordance with Council Motion No. 2010-0617 **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2010-0886 ADOPTED.
31. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **HOUSTON COUNTRY CLUB PLACE SUBDIVISION, SECTIONS 1 AND 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2010-0887 ADOPTED.
34. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 24.101 acres commonly known as 8901 Manchester Street, Houston, Texas, Harris County, Texas; supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2010-0888 ADOPTED.
35. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath three tracts of land containing approximately 5.7719 acres commonly known as 1212 Milby Street and 3503-3719 Polk Street, Houston, Texas and portions of Milby Street, Polk Street and York Street rights of way, Houston, Harris County, Texas; supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2010-0889 ADOPTED.
36. ORDINANCE appropriating \$35,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of Broadway Street from IH-45 to Airport Boulevard - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2010-0890 ADOPTED.
37. ORDINANCE authorizing Ground Lease with **HOUSTON AMATEUR SPORTS PARK LGC, INC**, as tenant, for 87.74 acres being reserve A of the Houston Amateur Sports Park Subdivision - was presented. All voting aye. Nays none. ORDINANCE 2010-0891 ADOPTED.
41. ORDINANCE No. 2010-0875 passed first reading November 9, 2010
ORDINANCE granting to **TEXAS WATER MANAGEMENT, L.L.C., A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste

and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING** - was presented. All voting aye. Nays none. ORDINANCE 2010-0875 PASSED SECOND READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

RESOLUTIONS AND ORDINANCES

9. RESOLUTION of the City Council of the City of Houston authorizing hiring preferences for veterans and assisting veterans in finding City employment; containing findings and other provisions relating to the foregoing subject; and providing an effective date - was presented. All voting aye. Nays none. RESOLUTION 2010-0059 ADOPTED.

Mayor Parker stated that for those in the audience, Item No. 9 was a hiring preference for veterans.

10. RESOLUTION approving Houston Housing Finance Corporation Single Family Mortgage Revenue Bonds, Series 2009A for purposes of Section 147(f) of Internal Revenue Code - was presented. All voting aye. Nays none. RESOLUTION 2010-0060 ADOPTED.
11. ORDINANCE **AMENDING VARIOUS SECTIONS THE CITY OF HOUSTON CODE**, relating to service and permit fees; containing finding and other provision relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability - was presented, and tagged by Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez, Rodriguez, Costello, Noriega, Bradford and Jones.

Council Member Bradford stated that it would be very helpful when they were going to amend or modify City ordinances if they would utilize the red line method to determine what impact the changes were having on other related ordinances, and Mayor Parker stated that they would be happy to supply that, that she would ask that Council Members who wanted to see that to actually request it because this modified segments of virtually the entire Code of Ordinances, and the Building Code, which was why they had tried to provide it as a compressed form, and Council Member Jones stated to consider this the official request, and Mayor Parker stated that they would have two weeks to consider this because they did not have a meeting next week. Council Member Johnson absent.

12. ORDINANCE **AMENDING SECTION 4-13 OF THE CITY OF HOUSTON CODE**, relating to ambulance fees; containing finding and other provision relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability - was presented. Council Members Bradford and Jones voting no, balance voting aye. ORDINANCE 2010-0892 ADOPTED.
13. ORDINANCE authorizing the issuance of City of Houston, Texas Airport System Subordinate Lien Revenue Refunding Bonds, Series 2010 (NON-AMT) and providing for the payment thereof; authorizing the Mayor, the City Controller and certain other designated City officials to approve the amount, interest rate, interest rate periods, price, and terms thereof and to approve certain other procedures and provisions relating thereto; authorizing the refunding and defeasance of Certain Outstanding Airport System Bonds; approving the sale of the bonds and authorizing the execution and delivery of a Bond Purchase Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement, a Tender Agent Agreement, and a Remarketing Agreement and other related

agreements; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; authorizing the execution and delivery of a Reimbursement Agreement with a Credit Facility provider; and making certain findings and other declarations necessary and incidental to the issuance of the bonds - was presented. All voting aye. Nays none. ORDINANCE 2010-0893 ADOPTED. Council Members Clutterbuck, Johnson and Rodriguez absent.

14. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2010-512), to amend the Master Classification Ordinance to add five new job classifications and to delete two job classifications; providing a repealer; providing for severability – was presented, and tagged by Council Members Adams and Jones. Council Member Johnson absent.
16. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **313-315 Travis Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I – RODRIGUEZ** – was presented. Council Member Johnson absent.

Council Member Sullivan moved to consider Item Numbers 16 through to 25 in one vote, seconded by Council Member Gonzalez. All voting aye. Nays one. MOTION 2010-0830 ADOPTED.

After discussion a vote was called on Item Number 16. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDINANCES 2010-0894 ADOPTED.

17. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **717 Colorado Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H – GONZALEZ** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDINANCES 2010-0895 ADOPTED.
18. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1220 Arlington Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDINANCES 2010-0896 ADOPTED.
19. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **4607 Oak Ridge Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDINANCES 2010-0897 ADOPTED.
20. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3362 Del Monte Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDINANCES 2010-0898 ADOPTED.

21. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1508 Kirby Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDIANNCES 2010-0899 ADOPTED.
22. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3640 Inwood Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDIANNCES 2010-0900 ADOPTED.
23. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2136 Brentwood Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDIANNCES 2010-0901 ADOPTED.
24. Ordinance providing for an ad valorem tax exemption on a historical site located at **2911 Ella Lee Lane** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDIANNCES 2010-0902 ADOPTED.
25. Ordinance providing for an ad valorem tax exemption on a historical site located at **2514 Brentwood Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - PENNINGTON** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent. ORDIANNCES 2010-0903 ADOPTED.

28. ORDINANCE approving and authorizing contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON INC, ALSO TEMPS, INC, BERGAILA & ASSOCIATES, INC, EXECUTEAM STAFFING, L.P., LANE STAFFING, INC, SILVER & ASSOCIATES CONSULTING, INC, TOPP KNOTCH PERSONNEL, INC, LOGAN / BRITTON, INC, OBJECTWIN TECHNOLOGY, INC, PRECISION TASK GROUP, INC and S&R PROFESSIONALS, L.P.** for Temporary Employee Staffing Services and Information Technology Staffing Resources; providing a maximum contract amount - 1 Year with two one-year options - \$38,000,000.00 - Central Services Revolving Fund - was presented, and tagged by Council Member Sullivan. Council Member Johnson absent.
29. ORDINANCE approving and authorizing contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS**, for Purchase of Employee Transit Fare Media; providing a maximum contract amount - 1 Year - \$1,120,000.00 - General, Enterprise and Other Funds - was presented. Council Members Johnson and Adams absent.

After a lengthy discussion by Council Members, Item No. 29 was tagged by Council Members Sullivan, Bradford and Jones. Council Member Lovell absent.

Council Member Pennington moved to suspend the rules to consider Item No. 42 out of order, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2010-0831 ADOPTED.

42. SELECT and confirm the appointment of either **MS. JANIECE M. LONGORIA** or **MR. DEAN CORGEY** to Position 7 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term – was presented.

Mayor Parker stated that traditionally when they had multiple nominees they would go down a roll call vote and give the name of their nominee, that she suspected she knew where this vote was going and would encourage them to vote their consciences.

After discussion by Members of the City Council Mayor Parker stated that they had two excellent candidates and the Port was going to be well served, that the reason this was a highly contested position was that the Port of Houston was critical to their economic future and required very strong leadership and stated that they would proceed to a vote.

ROLL CALL VOTE:

Mayor Parker - Corgey	Council Member Gonzalez - Corgey
Council Member Stardig - Longoria	Council Member Rodriguez - Longoria
Council Member Johnson - Corgey	Council Member Costello - Corgey
Council Member Clutterbuck - Longoria	Council Member Lovell - Longoria
Council Member Adams - Corgey	Council Member Noriega - Longoria
Council Member Sullivan - Longoria	Council Member Bradford - Longoria
Council Member Hoang - Longoria	Council Member Jones - Corgey
Council Member Pennington - Longoria	

Council Member Clutterbuck moved to confirm the appointment of Ms. Janiece M. Longoria to Position 7 on the Port of Houston Authority of Harris County, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2010-0832 ADOPTED.

Members of Council congratulated Ms. Longoria on her reappointment to Position 7 on the Port of Houston Authority of Harris County.

Council Member Clutterbuck moved to suspend the rules to allow Ms. Longoria to make

remarks, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0833 ADOPTED.

Ms. Longoria stated that she wanted to thank them for the privilege of allowing her to continue to serve as one of their representatives on the Port of Houston Commission, that she appreciated the confidence that they placed in her.

Mayor Parker stated that she wanted to formally congratulate her on her reappointment, that she had served them well and they looked forward to working with her, that to Mr. Corgey he had served the City well as a volunteer and citizen and they looked forward to continuing to work with him.

32. ORDINANCE approving and authorizing Lease Agreement between **MILAM PARTNERS, LTD., as Landlord**, and the City of Houston, Texas, as tenant, for 425 Parking Spaces at the Market Square Garage, located at 300 Milam Street, Houston, Texas, for five years, for use by the Houston Police Department; providing a maximum contract amount - \$1,806,563.00 - General Fund – was presented. All voting aye. Nays none. ORDINANCE 2010-0904 ADOPTED.
33. ORDINANCE approving and authorizing contract between the City of Houston and **POLYTECH, INC dba PTI, INC** for Professional Structural Engineering Services to the Neighborhood Protection Corps of the Houston Police Department - \$400,000.00 - Dangerous Building Consolidated Fund – was presented. All voting aye. Nays none. ORDINANCE 2010-0905 ADOPTED.
38. ORDINANCE amending Ordinance No. 2009-570 (passed by City Council on June 17, 2009) to increase the maximum contract amount for contract between the City of Houston and **ROGERS, MORRIS & GROVER, L.L.P.** (successor in interest to Feldman & Rogers, L.L.P.) for Legal Services including appeal of Civil Action No. H-06-2650; George Rodriguez v. City of Houston, et al.; in the United States District Court for the Southern District of Texas, Houston Division \$40,000.00 - Property and Casualty Fund - was presented, and tagged by Council Members Adams, Jones and Johnson. Council Member Rodriguez absent.

After discussion by Council Members, Mayor Parker stated that she would ask the City Attorney to weigh in on how much they could actually discuss at the table and how much should be done with individual briefings with Council Members, and Mr. Feldman stated that unfortunately in this City they could not have executive sessions so it placed him as an attorney in a very difficult posture as legal representative of the City to talk about certain items in public session so he had to be careful in his comments because this was a matter pending before the Fifth Circuit Court of Appeals, that it had been stayed by the Fifth Circuit Court of Appeals pending a decision by the United States Supreme Court in a case called *Connick v. Thompson*, which if that case was upheld by the United States Supreme Court in all likelihood Mr. Rodriguez would lose, that this was a case that involved some fairly sophisticated issues under 42 USC Section 1983, the old Civil Rights Act, that there were a lot of details that Council was unaware of and he was not able to speak about publicly, but would point out a couple of things, and one of the reasons why he had some feeling about this was that he was the lawyer that the City retained in the first place one week prior to trial to come in and defend the City in a case that could have resulted in a \$60 million judgment and a tremendous amount of work was put in to try to limit the City's liability, that this Council unanimously approved his hiring for the trial and appeal of this case, that the case first started with 8 defendant's, the City was only one of them, that plaintiff's council made a number of significant choices, number one, they opted not to take the compensation that they could have gotten through the State for Mr. Rodriguez and instead they went after the brass ring under the Civil Rights Act in Federal Court, the DA's office was

sued, individual police officer were sued, prosecutors were sued, but at the end of the day, for the convenience of the case, they dismissed every other defendant except the City, that it was important to understand that this matter arose under Lee Brown's watch, as the Chief of Police, that it was not the result of any mistakes or negligence in the crime lab, rather, and this was a matter of public record so he could certainly say it, rather it was a result of perjured testimony by the Chief Serologist of the City who retired some 15 to 20 years ago, that was one of the factors in Mr. Rodriguez's conviction and he could assure them that there were other factors as well, that at this point and time there was a judgment of \$5 million, attorneys fees and costs of \$4.2 million, that the attorney's came in and asked substantially more than that and they got the federal judge to reduce their request for attorney's fees by 25%, that they asked for \$800 per hour, so they had a total of \$9 million, that the \$9 million would not all go to Mr. Rodriguez in the first place. Council Members Sullivan and Rodriguez absent.

After further discussion by Council Members, Mayor Parker stated that the item before them was to close out a contract that was previously approved for legal services in the appeal, that this was an approval of \$40,000 to finish out the contract and to end the contract for services with that firm, that it was not a discussion of whether or not they pursue the appeal, it was whether they finish paying off the bill, that it was the intention of the administration to bring all further action on this item in house and that they no longer use outside counsel for this, but the discussion of that policy decision, while it was related to the item on the agenda, it was not the item on the agenda, and she just wanted to be clear for all Council Members, that she would ask Mr. Feldman to contact each of the Council offices to see if they wished to have a direct discussion about the process of the case as opposed to this particular item on the agenda.

After further discussion by Council Members, Council Member Hoang stated that he would add his tag to the item. Council Members Adams, Sullivan and Rodriguez absent.

39. ORDINANCE appropriating \$400,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **DAB ENGINEERING AND TESTING, LLC** for the Safe Sidewalk Program **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Adams and Sullivan absent. ORDINANCE 2010-0906 ADOPTED.
40. ORDINANCE appropriating \$760,127.50 out of Parks Consolidated Construction Fund; awarding construction contract to **THE GONZALEZ GROUP, LP** for Townwood Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, Texas Parks and Wildlife Department Fund and Federal Government-Grants Fund - \$834,127.50 - Grant Funds - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Adams and Sullivan absent. ORDINANCE 2010-0907 ADOPTED.

NON CONSENT AGENDA - NUMBER 42

MATTERS HELD - NUMBERS 43 through 47

43. ORDINANCE **AMENDING CHAPTER 43 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to regulation of swimming pools and spas; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; containing a savings clause; providing for severability – **(This was Item 18 on Agenda of November 3, 2010, POSTPONED BY MOTION #2010-789)** – was presented. All voting aye. Nays none. Council Members Adams and Sullivan

absent. ORDINANCE 2010-0908 ADOPTED.

44. MOTION by Council Member Lovell/Seconded by Council Member Noriega to adopt recommendation for approval of City of Houston Legislative Principles for the 82nd Session of the Texas Legislature – **(This was Item 1 on Agenda of November 9, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones voting no, balance voting aye. Council Members Adams and Sullivan absent. MOTION 2010-0834 ADOPTED.
45. MOTION by Council Member Lovell/Seconded by Council Member Costello to award to **CARDINAL HEALTH 200** - \$1,120,918.44, **MEDICAL PRODUCTS SUPPLY, INC** - \$1,147,300.00, **BOUND TREE MEDICAL, LLC., Bid No. 2** - \$1,113,696.64, **KENTRON HEALTH CARE, INC, Bid No. 1** - \$960,871.63, **SZY HOLDINGS LLC dba EVER READY FIRST AID AND MEDICAL SUPPLY** - \$624,486.00, **MIDWEST MEDICAL SUPPLY CO., LLC** - \$1,515,513.90, **MOORE MEDICAL LLC** - \$166,875.60, **SWA INTERNATIONAL COMPANY, LLC** - \$111,671.04, **QUADMED, INC** - \$361,320.00, **EMERGENCY MEDICAL PRODUCTS** - \$291,526.14, **HENRY SCHEIN MATRIX MEDICAL** - \$1,019,529.95 and **AMBU, INC (Bid No. 1)** - \$61,320.00 for Medical Equipment Supplies for Fire Department - 5 Years - \$8,495,029.34 - General Fund – **(This was Item 8 on Agenda of November 9, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones voting no, balance voting aye. Council Members Adams and Sullivan absent. MOTION 2010-0835 ADOPTED.
46. ORDINANCE appropriating \$700,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **A&S ENGINEERS, INC** for Professional Engineering Services at Ellington Airport (Project 671) - **DISTRICT E – SULLIVAN** – **(This was Item 20 on Agenda of November 9, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones voting no, balance voting aye. Council Members Adams and Sullivan absent. ORDINANCE 2010-0909 ADOPTED.
47. ORDINANCE appropriating \$10,299,432.69 out of Airports Improvement Fund and awarding construction contract to **UNITED RESTORATION AND PRESERVATION, INC** for the Repair of Parking Structures at William P. Hobby Airport (Project 592); 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 Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT I – RODRIGUEZ** – **(This was Item 22 on Agenda of November 9, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Members Adams and Sullivan absent. ORDINANCE 2010-0909 ADOPTED.

Mayor Parker stated that they had before them a resume, that they had an acting director in a position open in the General Services Department for some time, that she would be presenting to the public shortly Mr. Scott Minnix, that he was available in the back if they wished to speak to him prior to his presentation, that they did a nationwide search and she was very pleased that he was willing to relocate from Seattle to Houston for this position and she was very excited to be able to present him.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Clutterbuck stated that they had their monthly meeting of the Houston Galveston Area Council yesterday, on which she and Mayor Parker served and Council Member Lovell was an alternate, that they would be considering their budget at the next meeting on

December 21, 2010 and looked forward if anybody had any input to let her know; that she attended the Mayor's Proud Partner Luncheon with a number of their colleagues, that she sat at the Westbury table and adjacent to their table were the children from Forester Elementary who were their proud partners in the Westbury Community Garden, that she was working on getting the Houston Housing Authority to extend the lease terms for that community garden, they would like to expand it beyond the two acres into a much larger area and looked forward to seeing what good things come out of that community; that her office had received a number of calls and they had been dealing with people at Public Works about the decorative lighting that many communities happened to raise a whole lot of money to be able to pay for, that these communities, when they had neighborhood street reconstruction coming through if they wanted to upgrade their lighting from the standard CenterPoint Energy Cobra Light and go to a more decorative lighting they had to raise hundreds of thousands of dollars for that and their policies encourage and support that, but interestingly they had found that the light bulbs that go into to replace those lights were changed by the City of Houston, so they had the communities that had paid hundreds of thousands of dollars to upgrade their lighting and now the City was coming through, when the light bulb goes out, and installing a bright yellow light, which completely destroys the aesthetic appeal of that particular upgraded light, that it was her hope that they could figure out a way with the light change out, that they did not want the yellow lights, could they go back to the white lights that they negotiated and contracted for and it was her hope that they could facilitate that for the citizens; that they had a season of thanks and gratitude upon them and she wanted to express to the citizens of District C, her staff and family how grateful she was that they were in her life and wish everybody a Happy Thanksgiving; that John Newport was celebrating a birthday and she wanted to wish him a Happy Birthday. Council Members Johnson, Sullivan, Rodriguez and Costello absent.

Council Member Adams stated that a member of her staff, who was expecting a baby, had to go to the hospital early and she wanted to say congratulations to Shavonda, who had a boy; that she and Mayor Parker went to the groundbreaking celebration for the Bill Coats Bike Bridge that was going to be crossing over Brays Bayou into Hermann Park, that she wanted to thank Mr. Turner for everything he continues to do and the Bill Coats Family; that she wanted to thank the Briargate Community for coming last week about the cell tower information and everything that went well on that, that the decision was to defer for one week so they were going to continue to work with the Tower Commission and the community; that this week was Homeless Awareness Week and she wanted to thank the OXFAM Organization for kicking off what they had done; that yesterday Mr. Omobi Okoye came to Council about the Omobi Okoye Foundation, that he was collecting books for the Books Abroad Program, so if there were any City of Houston employees or her colleagues they would notice that there were boxes on the first floor of City Hall and she was asking that they consider donating new or gently used children's books or books of all ages; that the 27th Annual Employee Recognition and Award Ceremony would be held at 803 Town County Lake, that she wanted to thank Harry Hayes, Director of Solid Waste, because he celebrates his employees; that she wanted to wish everyone a Happy Thanksgiving, that next week would be the Thanksgiving Day Parade and the Annual Uptown Lighting at 2019 Post Oak. Council Members Johnson, Sullivan, Rodriguez, Costello and Bradford absent.

Council Member Gonzalez stated that the Greater Northside Management District and Trees for Houston on Saturday from 9:00 a.m. to 12:00 p.m. would begin Phase Two of Operation Plant a Tree, that they would plant live oak trees along Jensen Drive and the Eastex Freeway Service Road; that he wanted to say thank you to La Luz Del Mundo Church for hosting a successful cleanup along the bayou by the Eastex Freeway and behind Warren Park this past weekend. Council Members Johnson, Sullivan, Rodriguez, Costello, Noriega and Bradford absent.

Council Member Hoang stated that he made a resolution that he would not ride in a

carriage anymore; that he wanted to wish a Happy Thanksgiving to all of them and to the City of Houston. Council Members Johnson, Sullivan, Rodriguez, Costello, Noriega and Bradford absent.

Council Member Stardig stated that she had a wonderful time at the Veterans Day celebration and parade last Thursday; that she wanted to thank the Mayor for her initiative in giving special consideration to the veterans hiring at the City of Houston; that tomorrow she would be at Cedarbrook Elementary in District A with the SPARK Program celebrating SPARK Week with the new neighborhood park installed in Spring Branch ISD; that on November 20, 2010 at 5:30 p.m. there would be a movie night at Jaycee Park, hosted by the Friends of Jaycee Park, that Jaycee Park was located at 1300 Seamist in the Timbergrove neighborhood, that she wanted to congratulate the Friends of Jaycee Park who won an award from the Mayor's Keep Houston Beautiful, Mayor's Proud Partner Award; that she wanted to wish everyone a Happy Thanksgiving. Council Members Johnson, Sullivan, Rodriguez, Costello, Noriega and Bradford absent.

Council Member Pennington stated that he wanted to wish a Happy Thanksgiving to everyone; that he wanted to compliment a couple of his staff members, Mary Harman, who worked on the event that Council Member Stardig sponsored for the Combined Municipal Campaign Bowl-a-Rama, Carolyn Dillan, who passed the bar exam last week, as did her husband Brandon; that he too appreciated the Mayor sponsoring the Veterans Day event at City Hall; that the Red Light Camera election was behind them but as they all knew the problems at the intersections were not behind, that one of the things that he thought came up during the election was whether or not Red Light Cameras actually promoted safety, that his gut feeling was that they did, that his wife happened to be the victim of a red light runner and suffered for about a year from that, that he thought it would be useful and probably would be done automatically if they could compile statistics at the various intersections so if this issue comes up again, or if there was some other way that they could approach it they would actually have that information; that on drainage the TIRZ 17 area, Gessner Road area, the baseline TIRZ study had been done, both for north of I-10, in Council Member Stardig district, and also in his, that to get something done out there would require a coordinated effort between the City, Flood Control District and the City of Bunker Hill and others, that the City of Bunker Hill wanted to go ahead with their part of the project and he had sent that information to Director Krueger and he hoped they would pay attention to that, that he knew they were cash strapped but at least he thought they ought to participate to the extent they could and the coordination of it and if Bunker Hill did in fact go ahead with one north south drainage route they ought to try to be sure that what they did was not incompatible with doing something later on, that what they were talking about was a drainage ditch along the eastside of Stray Lane for Bunker Hill and there may need to be one on the west side to service other areas; that he would like to suggest, with regards to the City's budget, was to make the hearings that they participate in a little more interactive, if they could consider the zero based budget format, where they did not just start looking at increases or comparisons of what was done this year versus last year, but actually what should be done in a department, that he was not an expert in that process but believed the State used it and various other entities used it and he urged the Mayor to consider whether she thought that would be a useful thing to do. Council Members Johnson, Sullivan, Rodriguez, Costello, Noriega and Bradford absent.

Mayor Parker stated that was really the intent of asking each department to do a complete top to bottom reorganization and look at all services, so that the largest department, when they got to the end of the year, they would have done, what was in fact, zero based budgeting process, and Council Member Pennington stated that he knew Mayor Parker was considering furlough's and knew she was talking to the labor unions about that, which he thought was appropriate, one of the things that he thought she should look at was the efficiency of those furloughs, whether if someone took a day off it would take them another day to get plugged

back in to do their work, and Mayor Parker stated that was actually why they did not generally consider furloughs for their classified personnel because as the Chief mentioned they had to backfill, so generally a furlough would fall only on their civilian personnel and operational needs of a department did trump. Council Members Johnson, Sullivan, Rodriguez, Costello, Noriega and Bradford absent.

Council Member Jones stated that she wanted to offer condolences to Officer Lisa Green, her dad, Clarence Brook, died and he did not know him but he had to be a great man they could not even park on the narrow street that the church was on because there were so many people; that she went to the Proud Partner's Luncheon; that they would have a Housing Committee meeting tomorrow at 2:00 p.m. in the City Hall Chamber; that she voted to pay off their third installment to HUD, so they had paid back \$9.3 million and had \$6.2 million left to pay; that there would be a tree give away in conjunction with TXU Energy at SHAPE Community Center at 3815 Live Oak to give away about 100 trees, seven feet tall and contained in a 10 gallon bags; that she wanted to wish everyone a Happy Thanksgiving; that she wanted to wish good luck to Council Member Adams on her final at school; that there would be a US Law Center Law Center, Class of 1995 reunion that she would be going to on Saturday; that there would be a Transgender Day of Remembrance at the AD Bruce Religion Center at 3800 Cullen on the campus of the University of Houston. Council Members Johnson, Sullivan, Hoang, Rodriguez, Costello, Noriega and Bradford absent.

Council Member Lovell stated that this afternoon, November 17, 2010, there would be a special called meeting of the Transportation, Infrastructure and Aviation Committee in the Council Chamber at 2:00 p.m., that on the agenda was a discussion of Cargo Risk Assessment that would be presented by Mario Diaz, Director of Aviation, Houston Airport System, that they thought people would be interested given the recent incident of explosives being shipped, that people would like to know what were the procedures at the Houston Airport System and how they dealt with that; that there would be a joint meeting of the Regulatory Affairs and the Neighborhood Protection and Quality of Life Committee on Thursday, November 18, 2010 at 10:00 a.m. in the Council Chamber; that she wanted to wish everyone a very blessed Thanksgiving; that she wanted to say congratulations to Kathleen Ownby and the SPARK Program for SPARK Week. Council Members Johnson, Sullivan, Hoang, Rodriguez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that just for the record she actually had been subjected to the full body search at an airport so not even Mayor's were exempt; that she wanted to announce that they were in the middle of Citizenship Week in the City of Houston, that there were activities going on all across the City of Houston, they needed to remember that they were an unusually diverse community and that their City was made up of many groups that were good citizens of Houston and many of them voting citizens of the United States, but also remembered their cultural roots, that 100 events across the City of Houston over the course of a week to remind people of the need to maintain those strong cultural traditions and also to celebrate the fact that they were a very diverse City, that First Lady Kathy Hubbard and We Are All Neighbors Program had partnered with the Citizenship activities to bring more into them, that this was the second year that they had done Citizenship Week and they hoped it would become a permanent part of the calendar in future years and they see it continue to grow; that she wanted to note the passing of an old friend of hers and Council Member Lovell's as well and knew that of Council Member Jones, Ed Barnes, a very active community member, retired railroad executive who found a new calling as a saint in terms of dealing with persons with AIDS in the early days of the AIDS epidemic but also then became just a community organizer and sometimes gadfly but a really truly wonderful man, always quick with a quip and one liner, that Ed Barnes would be missed. Council Members Johnson, Sullivan, Hoang, Rodriguez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that she wanted to say congratulations to all of the new appointees with the Fire Department, that she wanted to thank Chief Garrison for his selection and thanked him for his presentation, that now Assistant Chief Lisa Campbell, she wanted to say congratulations to her; that she was at the Texas Southern University game last week and they defeated Gramblin and were one game down and this weekend they were playing Arkansas Pinebluff, that it would be history if they won on Saturday and would face Alabama in the SWAG Tournament. Council Members Stardig, Johnson, Sullivan, Hoang, Rodriguez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she wanted to send her condolences and prayers to Ed Barnes family; that she found out today that Chief Dupont, who had been their liaison to Council was going to be leaving that position and going back into the field and they would have a new liaison at Council, that she wanted to compliment her on how she did her job, they were always well informed, there was not any time, day or in the middle of the night if they needed her that they could not call her, that the way she communicated with them was excellent and she knew that the new person would be to, but they would have some big shoes to fill, that on a personal note she was going to miss seeing her here all the time, not only was she a great Council liaison but became friends with all of them, they would miss seeing her but they wished her well as she went back into the field as a Houston Firefighter. Council Members Stardig, Johnson, Sullivan, Hoang, Rodriguez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that Chief Dupont had been selected for the upcoming American Leadership Forum Class, that it was a pretty steep tuition and some of them were working to do a small fundraiser for her to help cover the cost of tuition so she would definitely count them in. Council Members Stardig, Johnson, Sullivan, Hoang, Rodriguez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:57 a.m. Council Members Stardig, Johnson, Sullivan, Hoang, Rodriguez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary