

City Council Chamber, City Hall, Wednesday, January 5, 2011

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, January 5, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, 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 Feldman, City Attorney; Mr. Xavier Herrera, Mayor's Citizens Assistance; Ms. Marty Stein, Agenda Director; and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Jarvis Johnson absent on personal business.

At 8:30 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:05 a.m. Mayor Parker called the meeting to order and called on Council Member Adams for the prayer and pledge of allegiance. Council Member Lovell absent.

At 9:11 a.m. the City Secretary called the roll. Council Member Johnson absent on personal business.

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

Mayor Parker stated that she wanted to acknowledge that Council Member Johnson's mother-in-law passed away this weekend and he also was dealing with serious health issues with his grandmother, so they needed to keep him in their prayers; that they were glad to have Council Member Noriega back, that she knew that Council Member Noriega was dealing with serious health issues with her in-laws and was glad to have her back at Council.

#### **MAYOR'S REPORT** - Human Resources Department

Mayor Parker stated that they were continuing with budget discussions, that next week it would be redistricting, that she would catch everybody up on where they were and remind everybody of the timeline; that she had been bringing departments in one by one to give them an opportunity to see what they were doing in terms of their reorganizations and cost cutting, that they started with the large budget departments, Police and Fire, and were moving into the departments that had some unique financial issues or structural issues, they had dealt with the core system, the Legal Department and now to the Human Resources Department, that Human Resources, as they knew, administered hundreds of millions of dollars in special funds, particularly the Health Benefit Funds, that it was not a large department in and of itself but how it administered those funds was important, that HR had been one of those departments undergoing a reorganization and a reduction in personnel, that again a reminder that none of these reorganizations started last month or the month before, that all of the City departments throughout the course of the last calendar year were working on trimming budgets, but since they were a service organization and most of what they spend was personnel and overhead when they find significant cost savings they generally come from a reduction in headcount across the City, that they were down in the calendar year of 2010 more than 500 people across the City and that would continue, but they were trying to do it strategically and carefully so that they could balance doing more with fewer people with providing a continued high level of service to the citizens, that HR was an internal department and they were not going to see the impact of HR on their citizen services, but HR was truly critical particularly as they navigate these reduced budgets, that they all knew Director Omar Reid and thought he had been doing an outstanding job for them, but as she told him when she offered him the job, this was not the best time to take over a top HR position at any level of government or even in the private sector,

that they were all suffering from the economy and it was a stress and strain on the people, particularly the people he leads.

Mr. Omar Reid, Director, Human Resources, reviewed a PowerPoint presentation titled "Human Resources Department, FY2011 Operating Budget Update", a copy of which is on file in the City Secretary's office for review; and Mayor Parker stated that slide #4 dealing with health benefits, a reminder to Council that the current health benefits contract was up at the end of April and as Mr. Reid indicated there was a bid process going on right now and thought they were at best and final with a couple of the bidders that would be coming forward to the Fiscal Affairs Committee, that she did not want to go to much in depth in health benefits, but clearly if they were spending \$330 million in health benefits annually that was the big money and that was where the savings were and they had to get there, but they were not going to be discussing that in depth today because they were looking for a new contract. Council Members Adams, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Upon questions by Council Members, Mr. Reid stated that his department was now handling all of the HR functions of the other departments, and Council Member Clutterbuck asked to visit with Mr. Reid or someone from his office to get clarification on the breakdown when they identify health benefits and long term disability and Workman Compensation for both active and retired employees; and Mayor Parker stated that since they mentioned the budget process, obviously in Mr. Reid's department they would see a huge jump in expenditures for his department because he was taking on expenditures from other departments, they were doing a direct transfer of personnel with their associated budgets, and the meaning of slide #10 as to inform which City employees were going to be selected and non selected, there would be a reduction in force because of the consolidation. Council Members Sullivan, Noriega, Bradford and Jones absent.

Mr. Reid introduced his staff Ramiro Cano, Janet McCown, Candy Aldridge, Mary Ivanhoe, Nancy Hugh, Jerry Walker, Angela Nguyen, Doctor Brent Powell, Velma Laws, Jane Cheeks and Rodney Newman. Council Members Sullivan, Noriega, Bradford and Jones absent.

Mayor Parker stated that Velma Laws, who had headed the Affirmative Action Contract Compliance Department, had made a lateral to the HR Department and they were posting for the position to head the Affirmative Action and Contract Compliance Department, that because they rolled it out last year they were transitioning that to the Office of Business Opportunity with a new look and they hoped a more streamlined function, that she wanted to thank Ms. Laws for all of her hard work on the transition and for sticking with the City of Houston. Council Members Sullivan, Noriega, Bradford and Jones absent.

Upon further questions by Council Member, Mayor Parker stated that next week when the Monthly Operations and Financial Report was presented each department would begin to show their savings. Council Members Sullivan, Noriega, Bradford and Jones absent.

At 9:53 a.m. Mayor Parker stated that they would move to the public session. Council Members Sullivan, Noriega, Bradford and Jones absent.

At 9:54 a.m. the City Secretary began calling the public speakers. Council Members Sullivan, Noriega, Bradford and Jones absent.

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

Mrs. Joe Fikes, 12769 Nimitz, Houston, Texas 77015 (did not wish to give phone number)

appeared and stated that she wanted to meet and greet Council Members and find out how to get in touch with them. Council Members Sullivan and Noriega absent.

Mayor Parker thanked Mrs. Fikes for appearing. Council Members Sullivan and Noriega absent.

Mr. Eugene Redic, 7914 Livingston, Houston, Texas 77051 (832-671-4596) had reserved time to speak but was not present when his name was called.

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.

Ms. Shenell Davis, 9847 Lum Lane, Houston, Texas 77078 (713-855-1288) had reserved time to speak but was not present when her name was called. Mayor Parker absent. Acting Mayor Pro Tem Gonzales presiding.

Mr. Bill Hopkins, 14722 Quail Grove, Houston, Texas 77079 (281-497-7937) appeared and stated that he lived in District G and he had a project with support of the Memorial Super Neighborhood which was sale of property to the school district and he was wanting the support of the Mayor and Council as it was good for the city and the Spring Branch School District. Council Member Jones absent.

Mayor Parker stated that they had negotiated a deal with the Spring Branch School District for the property and she did not see any reason it would not go through. Council Members Rodriguez and Jones absent.

Council Member Pennington stated that they talked to Mr. Hopkins yesterday and had set up a meeting with the superintendents weeks ago and all were very cooperative; and Mr. Hopkins was very instrumental and he thanked him. Council Member Jones absent.

Council Member Stardig stated that she too wanted to express her thanks and was supportive of the issue. Council Member Jones absent.

Council Member Costello stated that Mr. Hopkins was extremely active in the Memorial area in many issues; and he thanked him for all his works. Council Member Jones absent.

Mr. Joseph Ballard, 6302 Rocky Nook, Humble, Texas 77396 (281-850-0388) had reserved time to speak but was not present when his name was called. Council Member Jones absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 had reserved time to speak but was not present when his name was called. Council Member Jones absent.

Council Member Noriega moved to suspend the rules to consider Item No. 1 out of order before the consent agenda, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0001 ADOPTED.

1. CONFIRMATION of the appointment of **MS. ANN COLLUM** to Position 10 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012 - was presented, moved by Council Member Lovell, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0002 ADOPTED.

Mayor Parker and Members of Council congratulated Ms. Collum on her appointment and thanked her for her willingness to serve the Houston Archaeological and Historical Commission and the City of Houston.

Mayor Parker stated that they would move to the consent agenda.

### **CONSENT AGENDA NUMBERS 1 through 40**

#### **ACCEPT WORK** - NUMBERS 3 and 4

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,153,134.94 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Safe Sidewalk Program-03 - 4.99% over the original contract amount - **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0003 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,666,881.19 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 2.14% under the original contract amount - **DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0004 ADOPTED.

#### **PROPERTY** - NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-009, located at 1000 South Victory Drive, owned by Martha Countee Whiting, Brenda Countee McKerson, Rutherford Augustus Countee, Jr., and Jane A. Countee, Individually and as Executrix of the Estate of Dr. Roger Wingfield Countee, for the **ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT from Little York to West Gulf Bank** - \$76,234.00 Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0005 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 10

7. **GLOBE ELECTRIC SUPPLY COMPANY, INC** - \$66,943.50 and **PARADIGM TRAFFIC SYSTEMS, INC** - \$61,919.20 for Traffic Signal System Parts and Equipment for Department of Public Works & Engineering - Grant Fund - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0006 ADOPTED.
9. **LUCIER CHEMICAL INDUSTRIES LTD., dba LCI, LTD.** for Chemical, Hydrofluorosilicic Acid for Department of Public Works & Engineering - 5 Years - \$5,011,408.40 - Enterprise Fund - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0007 ADOPTED.

10. **J. TYLER SERVICES, INC** - \$184,409.74 and **ALLSTEEL, INC** - \$132,690.73 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise, Stormwater and Parking Management Operating Funds - was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0008 ADOPTED.

**ORDINANCES** - NUMBERS 16 through 40

16. ORDINANCE relating to the fiscal affairs of the East Downtown Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**; approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-001 ADOPTED.
18. ORDINANCE approving and authorizing Interlocal Agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**, and the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY** relating to the funding, design, and construction of a public professional soccer stadium in the East Downtown Zone - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
20. ORDINANCE approving and authorizing agreement between the City of Houston, Texas and the **GREATER HOUSTON PARTNERSHIP, INC** for Professional Services - 1 Year - \$376,125.00 Enterprise Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
22. ORDINANCE de-appropriating \$85,168.00 from Construction Contract with DivisionOne Construction, LP previously approved by Ordinance 2007-0684 and appropriating said sum to fund a Compromise and Settlement Agreement with **PIERCE GOODWIN ALEXANDER & LINVILLE (“PGAL”)**; approve Compromise and Settlement Agreement with PGAL to settle contract disputes arising out of Architectural Services Contract approved by Ordinance No. 2005-0126 - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-002 ADOPTED.
25. ORDINANCE appropriating \$30,693.00 out of Solid Waste Consolidated Construction Fund for Purchase and Installation of CCTV and Access Control Security Equipment at the Northeast Service Center for the Solid Waste Management Department under an existing contract (Approved by Ordinance No. 2007-0972) with **BL TECHNOLOGY, INC** - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-003 ADOPTED.
26. ORDINANCE amending Ordinance 2007-1144 to increase the maximum contract amount and approving second amendment to the Interlocal Agreement with **GEOTECHNOLOGY RESEARCH INSTITUTE** - \$3,168,000.00 - American Recovery Reinvestment Act - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-004 ADOPTED.

28. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Airline Drive Paving Project (from North Main to IH-610); authorizing the acquisition of certain real property interests required for the project and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easements to 32 parcels of land situated in the John Austin Survey, Abstract No. 1, In Harris County, Texas, said parcels of land being located along the east and west lines of Airline Drive from North Main to IH-610 in Houston, Harris County, Texas - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-005 ADOPTED.
29. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Hirsch Road Reconstruction Project (from Kelly to Crosstimbers); authorizing the acquisition by donation, purchase, or eminent domain of certain real property interests in and to an additional twenty-five parcels of land needed for the project and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title or easements to such twenty-five parcels of land situated in the J. T. Harrell Survey, A-329, and in the Harris and Wilson Two League Grant, A-32, in Harris County, Texas; said parcels of land being located along, abutting and adjacent to the east and west lines of Hirsch Road between Kelly and Crosstimbers in Houston, Harris County, Texas **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-006 ADOPTED.
30. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Yale Street Improvements Project (from Tidwell to West Parker); authorizing the acquisition of certain real property interests required for the project and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easements to 44 parcels of land situated in the Ashbell Smith Survey, Abstract No. 726, In Harris County, Texas, said parcels of land being along the east and west lines of Yale Street from Tidwell to West Parker in Houston, Harris County, Texas - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-007 ADOPTED.
31. ORDINANCE appropriating \$6,900,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Fifth Amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** (Approved by Ordinance No. 2006-0277) for the Surface Water Transmission Program - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-008 ADOPTED.
32. ORDINANCE approving and authorizing first amendment to Professional Landscape Architectural Services Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** (Approved by Ordinance No. 2009-0973); allocating an additional \$35,846.84 out of Grant Funds for the Design of Museum District/Main Street Corridor Improvement Project - **DISTRICTS C - CLUTTERBUCK and D - ADAMS** - was presented.

All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-009 ADOPTED.

39. ORDINANCE appropriating \$170,500.00 out of Reimbursement of Equipment/Projects Fund; awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for 12-inch Sanitary Sewer along Bastrop; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-010 ADOPTED.
40. ORDINANCE granting to **GENERAL SITE SERVICES, LLC, A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-011 PASSED FIRST READING IN FULL.

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

**MISCELLANEOUS**

2. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$641,104.00 for permit fees to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for 2011 groundwater withdrawal permit fees - Enterprise Fund - was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0009 ADOPTED.

**PURCHASING AND TABULATION OF BIDS**

6. ORDINANCE appropriating \$887,532.21 out of C & E Construction Fund for Carpet Replacement Project at the George R. Brown Convention Center for Convention & Entertainment Facilities Department – was presented.

After discussion by Council Member Stardig, Mayor Parker stated that the contractor was a Georgia firm and it was her understanding that it was a low bid contract, that to the RCA there were 65 contractors were identified and notified of the opportunity to bid, 17 downloaded the bid and only 2 bids were received, that yes there was an opportunity for local bidders.

A vote was called on Item No. 6. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-012 ADOPTED.

- 6a. **TAI PING CARPETS AMERICAS, INC** for Carpet Replacement Project at the George R. Brown Convention Center for Convention & Entertainment Facilities Department - \$822,768.77 and contingencies for a total amount not to exceed \$863,907.21 - Enterprise Fund – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0010 ADOPTED.

8. ORDINANCE appropriating \$850,000.00 out of Water & Sewer System Consolidated Construction Fund for Purchase of Climber Screens Mechanical Bar Screens for Public Works & Engineering Department - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-013 ADOPTED.
- 8a. **INFILCO DEGREMONT, INC** for Climber Screens® Mechanical Bar Screens for Department of Public Works & Engineering - \$1,276,667.00 Enterprise Fund - \$426,667.00 Combined Utility System General Purchase Fund – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0011 ADOPTED.

## **ORDINANCES**

11. ORDINANCE **AMENDING VARIOUS PROVISIONS OF CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Ethics and Financial Disclosure; declaring certain conduct to be unlawful and providing penalties therefor; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented.

Council Member Noriega offered the following written motion to amend Item No. 11:

“I move to amend Item 11 by replacing Section 14 of the proposed ordinance with the following:

**Section 14.** That Subsection (c) of Section 18-33 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

(c) It shall be unlawful for a city employee to solicit contributions for any candidate at any time unless the employee is acting during off-duty hours or is on a duly approved leave of absence. Further, this section does not contradict state law as it applies to police and fire personnel”, tagged by Council Members Noriega and Adams.

Council Members Noriega, Adams, Hoang, Jones and Bradford stated that they would tag Item No. 11.

Mayor Parker stated that Item No. 11 and Council Member Noriega’s motion to amend Item No. 11 were tagged.

Upon questions by Council Members regarding clarity, Mr. Feldman stated that the fact was that the existing language in the ordinance was not clear either, that if they read it in a technically grammatical way it would indicate that the only employees that could solicit contributions during off duty hours would be those who were candidates, that was obviously not the intention of the original drafters of the ordinance and in fact the clear practice had been to obviously permit employees, for first amendment reasons, to solicit and engage in whatever political activities they desired during their own time, so the purpose of this change and the amendment offered by Council Member Noriega really went to the very original ordinance and that was to clarify and to institutionalize the practice that was currently being followed, which was that any employee, whether a candidate or not a candidate, was free to engage in political activities, including the solicitation of contributions of any kind, during their own time, so pending the disposition of this ordinance that practice would continue; that as to the State Law, there were particular limitations under State Law, specifically Chapter 143, regarding the campaign activities of classified personnel, for example that they could not participate in a political activity in uniform, and Council Member Jones requested that before the next Council meeting she would like to know what the special rules were, and Mr. Feldman stated that the sentence “further, this section does not contradict state law as it applies to police and fire personnel” had

been part of the ordinance since it's inception, it was just a recognition of the existence of special State Laws with respect to classified personnel, and Council Member Jones stated that she would just like to know what they were.

Upon further questions by Council Members, Mayor Parker stated that they thought their ordinance respected State Law and also imposed restrictions on their employees, so there was a distinction with elected officials versus City employees, and Mr. Feldman stated that the ordinance, with respect to the language of the ordinance, the definition of the term "benefit", was consistent, verbatim, with what existed under the Texas Penal Code, where a benefit was defined as an economic gain or advantage, but specifically accepted the acceptance of entertainment, tennis and sporting events, lunches, etc., if the host was present, that if the ordinance did not recognize those exceptions they could certainly put them in, and Mayor Parker stated that their opinion was that it did, but knew that there were a number of lawyers around the table so read it over and they had a week to make further amendment, that their intent was not in any way to circumvent what was already available to Council Members under State Law.

Mayor Parker stated that she wanted to acknowledge that this item was brought forward at the urging of Council Member Sullivan who put a lot of time and energy into it and she appreciated that, that she thought they were making some minor tweaks to what was a much stronger ordinance and she wanted to thank him for that, that the item had been tagged.

12. ORDINANCE amending City of Houston Ordinance Nos. 2009-420, passed on May 13, 2009, and 2010-372, passed on May 12, 2010, which approved and authorized submission of the 2009 and 2010 Consolidated Action Plans, respectively, to the United States Department of Housing and Urban Development, including Community Development Block Grant Program applications for the 35th and 36th Program Years, among others – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0014 ADOPTED.
13. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$187,498.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Database and provision of other homeless related information services - 1 Year - Grant Fund – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0015 ADOPTED.
14. ORDINANCE authorizing and approving agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** for Performance-Based Loan of Federal "HOME" Funds in the amount of no more than \$3,000,000.00 for the construction of a 160-unit single room occupancy apartment complex located at 4415 Perry Street to be rented to low and very-low income individuals - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0016 ADOPTED.
15. ORDINANCE approving and authorizing an Interlocal Agreement between the City and **THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON** for Laboratory Manager for the Houston Department of Health & Human Services Public Health Laboratory; providing a maximum contract amount - 4 Years - \$408,792.80 - General Fund – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0017 ADOPTED.
17. ORDINANCE relating to **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)** and the development and construction

of a public professional soccer stadium therein; approving the second amendment to the Project Plan and Reinvestment Zone Financing Plan for the Zone and authorizing the City Secretary to distribute such plans; extending the duration of the Zone to December 31, 2040; and authorizing the East Downtown Redevelopment Authority to issue bonds in an amount not to exceed \$50,000,000 **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0018 ADOPTED.

19. ORDINANCE **AMENDING SECTION 4620 OF THE BUILDING CODE OF THE CITY OF HOUSTON, TEXAS, THE HOUSTON SIGN CODE**, to expand and revise the boundaries of the East Side Sports and Convention Complex District and to amend the definition of special facility **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0019 ADOPTED.
21. ORDINANCE appropriating \$600,000.00 out of Equipment Acquisition Consolidated Fund for conversion of data from the Municipal Court's Integrated Case Management System to it's Court System Management and Resource Technology System pursuant to contract, (Approved by Ordinance No. 2008-806); providing funding for contingencies related to the project and for services under contract with **HOV SERVICES, LTD.** – was presented, and tagged by Council Member Jones.
23. ORDINANCE amending License Agreement with **AMERICAN TOWERS, INC**, Licensor, and the City of Houston, Texas, Licensee, approved by Ordinance No. 2009-0880, to allow for an increase of the monthly license fee from \$4,635.00 to \$7,335.00 and the payment of \$20,000.00 for remediation costs associated with structural improvements to accommodate the additional equipment, all in connection with a new Public Safety Radio System located at 5525 County Road 48, Rosharon, Texas – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0020 ADOPTED.
24. ORDINANCE appropriating \$12,356,924.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation to contract between the City of Houston and **SIEMENS INDUSTRY, INC** for Implementation of Energy Conservation Measure at Parks and Recreation Department Facilities for the General Services Department (Approved by Ordinance No. 2010-317) – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0021 ADOPTED.
27. ORDINANCE appropriating \$1,397,180.00 out of Airports Improvement Fund; amending Ordinance No. 2009-1381 to increase the maximum purchase order amount; authorizing the purchase of two additional Passenger Loading Bridges for the Houston Airport System from **THYSSENKRUPP AIRPORT SYSTEMS, INC** (Project No. 500P) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0022 ADOPTED.
33. ORDINANCE appropriating \$4,555,876.00 out of Metro Projects Construction Fund and \$571,124.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Reconstruction of Buffalo Speedway from North Braeswood Boulevard to Holcombe Boulevard; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund and Water & Sewer System Consolidated Construction Fund

**DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0023 ADOPTED.

34. ORDINANCE appropriating \$1,052,022.04 out of Street & Bridge Consolidated Construction Fund awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD.** for American Recovery and Reinvestment Act - Local Rehabilitation Projects STP 2010 (675)ES Etc.; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund \$5,369,074.96 American Recovery and Reinvestment Act Fund - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0024 ADOPTED.
35. ORDINANCE appropriating \$497,394.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **DURWOOD GREENE CONSTRUCTION CO.** for American Recovery and Reinvestment Act - Clinton Drive Rehabilitation and Overlay Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - \$2,900,406.00 American Recovery and Reinvestment Act Fund - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0025 ADOPTED.
36. ORDINANCE appropriating \$624,789.00 out of Street & Bridge Consolidated Construction Fund awarding contract to **FORDE CONSTRUCTION COMPANY, INC** for American Recovery and Reinvestment Act - Local Rehabilitation Projects STP 2010 (861)ES & STP 2010 (862)ES, Etc.; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - \$487,828.00 American Recovery and Reinvestment Act Fund - **DISTRICTS F - HOANG and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0026 ADOPTED.
37. ORDINANCE appropriating \$519,474.61 out of Street & Bridge Consolidated Construction Fund awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD.** for American Recovery and Reinvestment Act - Local Rehabilitation Projects STP 2011 (212)ES; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - \$2,515,511.89 American Recovery and Reinvestment Act Fund - **DISTRICTS B - JOHNSON; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0027 ADOPTED.
38. ORDINANCE appropriating \$2,391,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ALSAY INCORPORATED** for Rehabilitation of

Existing Water Wells; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; F - HOANG and G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0028 ADOPTED.

**Item received during the meeting.**

18. ORDINANCE approving and authorizing Interlocal Agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**, and the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY** relating to the funding, design, and construction of a public professional soccer stadium in the East Downtown Zone - **DISTRICTS H - GONZALEZ and I – RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Member Clutterbuck absent. ORDINANCE 2011-0029 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 41

**MISCELLANEOUS**

41. RECEIVE nominations for Positions Four and Six of the **ETHICS COMMITTEE**, for two year terms expiring December 31, 2012 – was presented.

Council Member Gonzalez stated that he nominated Mr. Nomaan Husain for Position 6 of the Ethics Committee and had passed out his resume.

Council Member Noriega moved to postpone nomination for Position Four of the Ethics Committee for one week, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0012 ADOPTED.

Council Member Gonzalez moved to close nominations for Position Six the Ethics Committee for one week, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0013 ADOPTED.

**MATTERS HELD** - NUMBERS 42 through 47

42. RECOMMENDATION from Purchasing Agent for award to **SPRINT SOLUTIONS, INC** for Land Mobile Radio Wireless Telecommunication Services and Hardware from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering \$7,332,469.00 - General, Enterprise, Storm Water Utility, Building Inspection and CIP Cost Recovery Funds - 5 Years – **(This was Item 16 on Agenda of December 22, 2010, TAGGED BY COUNCIL MEMBERS JONES and BRADFORD)** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. Council Member Jones voting no, balance voting aye. Council Member Johnson absent on personal business. MOTION 2011-0014 ADOPTED.
43. ORDINANCE consenting to the creation of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 11** and the inclusion of certain land within the district - **DISTRICT D – ADAMS** – **(This was Item 27 on Agenda of December 22, 2010, TAGGED BY COUNCIL MEMBERS**

**STARDIG, JONES and COSTELLO**) – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-0030 ADOPTED.

44. ORDINANCE awarding contract to **ARAMARK CORRECTIONAL SERVICES, LLC** for Jail Food Services; providing a maximum contract amount - 3 Years with two one-year options \$3,296,043.99 - General Fund – **(This was Item 41 on Agenda of December 22, 2010, TAGGED BY COUNCIL MEMBERS GONZALEZ and JONES)** – was presented.

After discussion, Council Member Gonzalez moved to postpone Item No. 44 for one week, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0015 ADOPTED.

45. ORDINANCE awarding contract to **RADIO SATELLITE INTEGRATORS, INC** for a Vehicle Tracking System, Software and Maintenance Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,380,181.80 - General Fund – **(This was Item 42 on Agenda of December 22, 2010, TAGGED BY COUNCIL MEMBERS BRADFORD and JONES)** - was presented.

Council Member Jones stated that she asked a question about the goal on the contract, it was at 11%, if she remembered correctly, and the answer that she got back was that the goals were set in 1995, that it was under the Lanier administration, and the question was that it was now 2011 and that was 1995, why were the goals set in 1995 sufficient for 2011, and Mayor Parker stated that this was not specific to this contract, that it was in general about their ordinance requirements for these kind of contracts, that she would be happy to bring the discussion forward, that they could come and talk to her or bring it to her committee, and Council Member Jones stated that she would like to know why they were not moving forward and looking at things under 2011 eyes, and Mayor Parker stated that there was an open posting for whomever was going to head that division.

Council Member Noriega asked if they went ahead and voted on the item today and then they change the ordinance and change the goals would that effect this, and Mayor Parker stated “no”, that they could not do something retroactively.

A vote was called on Item No. 45. Council Member Jones voting no, balance voting aye. Council Member Johnson absent on personal business. ORDINANCE 2011-031 ADOPTED.

46. ORDINANCE appropriating \$948,569.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation for Professional Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for services associated with the development of the Stormwater Evaluation Enhancement Tool (Approved by Ordinance No. 2009-0947); approving and authorizing an amendment to the contract; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund – **(This was Item 44 on Agenda of December 22, 2010, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-032 ADOPTED.

47. REVIEW on the record and make determination relative to the appeal from the decision of the Electrical Board, filed on behalf of Patrick Hebert regarding the revocation of his State of Texas master electrician registration and Charles Hebert regarding the revocation of his State of Texas contractor’s registration with the State of Texas as Heights Electrical Services, Inc – **(This was Item 55 on Agenda of December 22, 2010, POSTPONED BY MOTION #2010-905)** - was presented.

After discussion by Council Members, Council Member Gonzalez moved to uphold the decision of the Electrical Board, seconded by Council Member Costello. Council Members Sullivan and Rodriguez absent.

After further discussion by Council Members, Council Member Noriega asked if either of her colleagues were aware of anything in the record that would cause them to question this, separate from the question of notice, that they wanted to do the right thing, and Council Member Jones stated that as she read in the record the thing that concerned her was that there was not an opportunity, at least for one, to provide a defense and that was in the record, and to presume or infer that the outcome would be the same because the only remedy was just to give them another hearing, she thought was disingenuous; and Council Member Noriega stated that she had a procedural question and that was whether they could confirm two of these and ask for a delay on the other one.

Mr. Feldman stated that since the code provided that they could modify then they would be able to split it, and Mayor Parker stated that "yes" was the answer.

Council Member Noriega stated that she was going to move to do that if her colleagues would like to entertain that then they could second it and they could vote, if they did not want to do that she was okay, but she would like to ask that question.

Mayor Parker asked if she wished to uphold the ruling except in the case of the one and that one refer back to a new hearing before the Electrical Board, and Council Member Noriega stated "yes", and Mr. Feldman stated that would be appropriate, and Mayor Parker asked if Council Member Gonzalez would withdraw his motion, if he was interested in doing that, and Council Member Gonzalez stated "yes", he was willing to withdraw his motion, and Council Member Pennington stated that he withdrew his second.

Council Member Noriega stated that she was asking that they modify the item, that they amend the item and split out the two that were clearly notified and brought their attorney's and had their opportunity on the record, from the third brother.

Mr. Feldman stated that they were talking about two revocations, they were talking about the revocation of Charles Hebert, as a contractor, doing business as Heights Electrical Services, where there was no question of notice, and they were talking about the revocation of the master electrician license of Patrick Hebert, where there was the issue of notice, and Council Member Noriega stated that she wanted to split that one out, and Mr. Feldman stated that an appropriate motion would be to "affirm the decision of the Electrical Board with respect to Charles Hebert, and to remand the matter of revocation of Patrick Hebert to the Electrical Board for re-hearing; and Council Member Noriega stated that she wanted to make one comment to the Electrical Board, she was not questioning their decision, she just felt very strongly that since this did come to them they had the responsibility to do everything they could do to be fair about it and there did seem to be a question about this one individual, that she was in no way questioning the qualifications or the decisions made by the Electrical Board, she was looking for a solution to a possible concern, seconded by Council Member Bradford.

Mayor Parker stated that the only modification would be that she be clear that it was "Charles Hebert, doing business as Heights Electric".

A vote was called on Council Member Noriega's motion. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent on personal business. Council Member Rodriguez absent. MOTION 2011-0016 ADOPTED.

**Item received during meeting.**

20. ORDINANCE approving and authorizing agreement between the City of Houston, Texas and the **GREATER HOUSTON PARTNERSHIP, INC** for Professional Services - 1 Year - \$376,125.00 Enterprise Fund – was presented.

Upon questions and discussion by Council Members, Mayor Parker stated that this was a professional services contract for the Greater Houston Partnership, that the contract was actually in two tranches, one with Enterprise Fund money though the Convention and Entertainment Facilities Department and the other through money through the Airport System, that this was only half of the contract, there were some FAA issues that they were working through as to what they could actually do in terms of economic development activities, but beyond that this was a tough economy and they were cutting the cost of that contract by 15% and asking them for a specified list of services, that in her opinion it was a little loose, what they were expecting from the Greater Houston Partnership in terms of this professional services contract, that it was her understanding that Harris County had also reduced the overall value of their contract by a certain percentage as well, but they intended to go forward with a relationship with them but they were very clearly delineating what they expected for the dollars that they give them.

After further discussion by Council Members, Council Member Stardig stated that opportunities for promoting the City were missed quite frequently and she wanted to address that publicly, that she had expressed those concerns to the administration and hoped that going forward the GHP did not miss any future opportunities and if they would like to meet with her with regard to those opportunities she would be happy to meet with them, and Mayor Parker stated that she thought it would be an excellent idea.

A vote was called on Item No. 20. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-032 ADOPTED.

Mayor Parker stated that she wanted to note that there had been some changes around the horseshoe, that as they knew Council Member Clutterbuck submitted her resignation as Mayor Pro Tem and Council Member Gonzalez was acting Mayor Pro Tem Clutterbuck and had moved around the horseshoe, that she wanted to express her thanks to Council Member Clutterbuck and her appreciation for her interest in tackling the tough issue of pensions on behalf of the City, that was something that was going to require a lot of heavy lifting and wanted to thank her for her willingness to continue to do the hard work around the Council table, that she wanted to thank Council Member Gonzalez for his willingness to step up, that this was his first meeting sitting in the second chair; that because she knew that many Members of the Council were aware of this, Mary Stein, had announced her upcoming retirement, that Ms. Stein knew that she was very unhappy about that but all of her powers of persuasion had proven for not because she had a brand new grandbaby that she wanted to spend time with, that she knew that she spoke on behalf of all of the Council that they would be very sad to see her go, that Ms. Stein was not leaving immediately, she had not set an exact date but believed that it would be January 31, 2011, that Ms. Marta Crinejo would be acting Agenda Director until Marty's actual day of retirement, that Marta would transition into this chair and would begin to take over the agenda responsibilities under Marty's tutelage, that she knew they were interesting changes and knew they would have an opportunity to say goodbye to Marty before she leaves and would have an appropriate ceremony in the Council Chamber, that Ms. Stein knew that she was liked and respected by all around the table and this was to make sure that everybody understood what was happening and where they were going to go. Council Members Sullivan and Rodriguez absent.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Stardig stated that as to the Glowrama, it was a fantastic time and a great way to celebrate the New Year; that it brought her much sadness to pay remembrance for the life of Jonathan Foster, that he was abducted on Christmas Eve and his body was found three days later, that she attended the funeral service for Jonathan yesterday and was touched by the outpouring affection for the young man, that her deepest condolences went out to his family and friends, and asked for a moment of silence and asked that they keep the family in their prayers. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Pennington stated that yesterday Wednesday he did a ride around with West Houston Sergeant Mark Miller to learn what he normally ran into and it was a very beneficial time for him; that they continue to receive calls about alleged irregularities in the historic district process, that he knew the Planning Department was looking at this and unfortunately there were contributing homes right next to non contributing homes and there was a very difficult problem and hoped that the Planning Department would make a recommendation to Council that it takes into consideration all of the interests and something that they could support without reservation; that his Director of Communications, Mark Kirsky, for the second year in a row, had received the prestigious President's Volunteer Service Award. Council Members Stardig, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that she wanted to wish everyone a Happy New Year; that she had some deaths over the holidays, a Third Ward Icon, Madge Bush, died; that she wanted to give condolences to Council Member Johnson and his wife, Charlene, for the loss of her mom, that she to was touched by Jonathan Foster. Council Members Hoang, Rodriguez, Lovell and Bradford absent.

Council Member Costello stated that he wanted to remind Mayor Parker and his colleagues that they had a large part of their population that was very needy, that throughout all of their Council meetings there were a number of items that they pass that had real significance and he wanted to highlight two that they passed today, that Item No. 12 was a transition of funding to several organizations, Ibn Sina, a particular organization that had a clinic, that he visited the clinic because they came before Council Member Jones committee asking for approval of funding for acquisition of a new site in Council Member Adams area, so he wanted to see their existing facility, that it was the most incredible medical and dental clinic in southwest Houston, that they originally anticipated 10,000 clients, they had served over 30,000 in that one clinic and they treat their clients with due respect and thought they were doing an incredible job; that Item No. 14, which again was before Council Member Jones committee about funding for New Hope's site on Prairie street and that was for single resident occupancy, that before he got involved with the homeless, thanks to Council Member Adams, he did not know what to expect when it came to homeless, in particular housing for the homeless, and he was worried that they would have neighborhoods that would not want housing for the homeless in their neighborhoods, and New Hope took him to three new facilities that they opened in 2010 and they were incredible and their philosophy was that even through one was poor, and most of their residents were working poor, they still needed to have pride when they come home and their facilities were brand spanking new and modern facilities and he was very happy that this item passed so that they could build another facility on Prairie Street. Council Members Hoang, Rodriguez, Lovell and Bradford absent.

Council Member Sullivan stated that Ibn Sina did put on a good tour, it was one of the first tours that he had and then he fought hard to try to get a clinic for them in the Clear Lake area and was rebuked by the previous administration and was part of the 2011 goals to put back on the list; that he wanted to welcome a new employee in his office, Mr. Kelly Waterman, that he replaces Autumn Josio, who left his office to work for State Representative elect Dan

Hughberty, that he came from Kay Bailey Hutchison's office; that he wanted to congratulate Jamie Roots and Lone Star Entertainment for a very successful Texas Bowl at Reliant Stadium over the holidays; that he wanted to thank a Solid Waste Management employee, Artis Crawford, who was working a mechanical device that was compacting cardboard and plastic at the Kingwood Recycling Center this weekend, not only was he helping to keep the area clean, but he was constantly interrupted by residents who wanted to know which bin to put certain items in, that he did a great job; that they had a new Precinct 2 County Commission, Jack Mormon, that he had not had a chance to meet with him, but certainly would have that on his list of things to do, that they looked forward to working with him; that they had a fire fatality in Kingwood on Tuesday, an elderly lady passed away in her home in Forest Cove and he wanted to acknowledge the hard work of Fire District 102 for what they did; that they had two meetings coming up that he had the Houston Arts Alliance to put on for them, that on Thursday, January 13, 2011 at Creekwood Middle School, 5:30 p.m. to 7:30 p.m. and on Wednesday, January 19, 2011 at San Jacinto College at the Marie Flickinger Fine Arts Building from 5:30 p.m. to 7:30 p.m. Council Members Adams, Hoang, Rodriguez, Bradford and Jones absent.

Council Member Lovell stated that she wanted to welcome her new Chief of Staff, Ken Olive, who came after serving as Chief of Staff to former Harris County District Clerk, Lauren Jackson, that her former Chief of Staff, William Paul Thomas, went to work at the Mayor's office; that as part of the promise to property owners on the reconsideration process for the historic district there would be two remaining public meetings for the property owners, in Norhill and First Montrose Commons Districts, that Norhill would be Saturday, January 8, 2011, from 10:00 a.m. to 11:30 a.m. at Saint Marks United Methodist Church, 600 Peacore, and the First Montrose Commons on Tuesday, January 18, 2011, 6:00 p.m. to 7:30 p.m. at the Montrose Counseling Center, 401 Bernard; please join in the tree recycling program, that for the twentieth year the City of Houston Solid Waste Department was accepting trees for the Annual Christmas Tree Recycling Program; that the Houston Texan Season was over and did not end the way they wanted it to, but they were really lucky in Houston, Texas to have an NFL team, that there were many other cities that would love to have a professional football team in their city. Council Members Hoang, Rodriguez, Bradford and Jones absent.

Council Member Gonzalez stated that he wanted to introduce a fairly new member on their team Jerry Peruchini; that the Houston Can Academy would celebrate the grand opening of their north campus at 3401 Hardy Street on January 3, 2011 at 2:00 p.m.; that he wanted to thank Fire Chief Terry Garrison and his entire team for assisting them last week at the North Lindale Community and sharing information on the upcoming scheduled renovations of Fire Station No. 30, that he was glad they were able to work through the issue and glad to report that there would be a temporary trailer that would be moved onto the site to accommodate and there would be no loss of service to that community; that he wanted to congratulate the Brook Smith neighborhood, served by the Monty Beach Civic Club, for winning the most improved neighborhood and the 2010 Swamp Lots Award; that it looked like Glowrama was a terrific event and perhaps one of their signature events in the future. Council Members Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that there were a few minor glitches with Glowrama, including having to move Archetac, the guy that stands in a faraday suite taking bolts of electricity because it was a little drizzly, that they wanted to make sure that he was undercover, so that changed the site lines, but for a first time event she thought it went very well and it looked spectacular on television, that she sincerely hoped that it would become their signature New Year's Eve event, that it was free and underwritten by great corporate sponsors. Council Members Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Noriega stated that they wanted to thank Keep Houston Beautiful for furnishing bicycles for needy children for the Christmas Holidays through the Department of Solid Waste, they wanted to thank Director Harry Hayes and all of his staff for allowing them to participate in that; that Macala Bernachio from her office had left to go to work for Senator Whitmire; that she had spent about three weeks dealing with hospitals and long term care acute facilities and all kinds of things and knew that right now their national Congressional folks were being sworn in and there was a change in leadership and she wanted to tell them that she thought that people really needed to pay attention to the health care discussion, that there were folks that wanted the current health care plan and there were people who wanted to go back to the way they were, that she did not know what the answer to that was, she just knew that it was something that should not have politics played with it because it was truly brutal, having both of her in-laws in the hospital at the same and having to manage two different places and deal with the doctors and all of the concerns with that just reminded her again about how important it was what they did, whether it was dealing with health care issue or anything else because all of the decisions that they make in Washington and what they did here affected real people, that she wanted to thank everyone who was helpful to her. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that people lived in deplorable conditions when they did not have to, she had a photo of a house, where an 80 year old lady had lived in, the landlord collecting rent for this particular house, that the mailman and the meter reading people would go by and never reported that there was someone living in the house, that it did not have running water, no gas and no working sewer, the home was consumed with live mold and exposed raw wiring from the outlets, that all windows were broken out and there were areas in the walls that were completely exposed, that there were multiple areas in which the sheetrock and the ceiling had collapsed and molded, that a senior citizen was living in this condition and the landlord was still collecting the rent, that she wanted to thank her staff for having the heart of not saying no to this particular senior citizen, that there was a multi family unit as well, that it was going to be one of her priorities to make sure that people in District D had a better quality of life and going far beyond to make sure they got service, that she wanted to thank all who helped with donations and Neighborhood Protection for getting on this because she thought it was going to be a house that was going to be demolished, that with assistance Ms. Buchanan was able to move into an apartment on Christmas Eve, that this landlord, Mr. Richard Pfirman, owned over 337 properties in Harris County, 273 of them were in the City of Houston jurisdiction, that in District A there were 16, in District B there were 144, in District C there were 3, in District D there were 57, which were currently being investigated by her office, HPD and Neighborhood Protection, that in District E there were 18, in District F there was 1, in District G zero, in District H there were 21 and in District I there were 12, that they had to put a hand on landlords who took advantage of citizens in the City of Houston to allow them to live in deplorable conditions, that Mr. Pfirman lived in the City of Houston and his house was worth over one million dollars. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she raised the issue they needed to know that the properties were there so they wanted neighbors, friends and letter carriers to report conditions like this because they would be all over it, that as an administration they had focused on the multi family properties because it affected so many lives, but they were not neglecting in any way these single family properties, that demolition day was a great start to the year last year but they were going to be continuing very aggressively to demolish properties but also holding landlords accountable and she was glad to have Council Member Adams and Stardig as partners in this effort, but they needed their citizens to let them know when these conditions exist so that they could get Neighborhood Protection out there. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she wanted to express her thanks to Council Member Adams for outlining the tragic situation with this particular renter, but also understanding that there were thousand others like her unfortunately; that in the five years that she had been in Council there had been many times that she had called to the attention to the Public Works Department some of the failing properties, that most of them in District C, that she was familiar with, were multi family residential properties, and she had been extremely frustrated with some of their handling of properties, particularly around Westbury High School, that one in particular had been condemned by HISD and they were in the process of demolishing it now that they owned it; that she knew how difficult the job of their inspectors was, but that they would understand that the will of this Council to really enforce the habitability standards, that there was a house that was scheduled for demolition one block from her house, that it was a very nice neighborhood and she was eager to find out when it was going to be demolished, the neighbors had been complaining about it for two years now and due process did take a long time. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that part of the problem was that it cost them money and they had to allocate tax dollars to do this and they ran out of demolition money very quickly so in the new budget they had worked to pull money in the Housing Department over to the program so that they could do more of it, that it not only affected people's lives who lived in those properties, but it was their tax dollars that had to take them down. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck further stated that they had a number of challenges, not the least of which was the pension, the challenges that they would be looking for some relief in the Legislature with regard to one of their pensions, that she had distributed to everybody a sampling of articles that had occurred over the last several months, that not included was the article that was on the cover of the New York Times on Monday, that if there was any consolation they were all dealing with this across the Country and hoped they were not going to end up like Arizona, which sold their Capitol and a lot of their government buildings to an independent investor who was not leasing back the Capitol, that they had a number of challenges and it was her sincere hope that everybody would look at the articles and understand as well their grave challenges that they were facing. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that on Monday, January 10, 2011 at 6:30 p.m. there would be a Super Neighborhood Alliance meeting on the first floor of City Hall in the boardroom; that she wanted to congratulate the Houston Texans and the YMCA for the grand opening of the new YMCA on the corner of Martin Luther King and Griggs, that the official ceremony would be held tomorrow at 12:00 p.m.; that whenever there is a challenge that comes to their office, Valerie Atara, her scheduler, never takes no for an answer and she wanted to thank her because there had been some hard challenges in the District, that Ms. Buchanan has a new house because of her, there were residents in the district whose homes had been built from the ground up because of her hard work and 100% donations from builders because of her, that she wanted to thank her for being a part of her staff, along with a team in her office for working hard to make sure that the quality of lives continue to move in a positive direction. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:35 a.m. Council Member Johnson absent on personal business. Council Members Sullivan, Hoang, Pennington, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)  
DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary