

City Council Chamber, City Hall, Tuesday, February 8, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 8, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, 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; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Mr. Xavier Herrera Citizens Assistance Office; and Ms. Marta Crinejo, Acting Agenda Director, present. Council Members Anne Clutterbuck and Wanda Adams absent on city business.

At 1:42 p.m. Mayor Parker stated that presentations would begin with Council Member Rodriguez. Council Member Rodriguez invited those present with Local 341 Houston Firefighters and the Muscular Dystrophy Association to the podium and stated that today was kickoff for the Fill the Boot Campaign and Houston Firefighters Local 341 exemplified the most time honored ideals of public service protecting citizens; that in the past 15 years they raised more than \$5.8 million for MDA through their Fill the Boot Campaign and 8 of the last 10 years they raised more money for MDA than any other fire department in the country; and Mayor Parker presented a Proclamation proclaiming February 12th, March 12th, April 16th and May 14th, 2011, as "Houston Professional Firefighters Local 341 Fill the Boot Days" in Houston, Texas. A Spokesperson for MDA stated that Houston was the city with the biggest heart as for more than 50 years their firefighters helped Jerry's Kids by filling their boots with donations from citizens and for 8 of the last 10 years Firefighters of Local 341 had been number one, proving Houston had the biggest heart; that last year they raised a record breaking \$489,981.00 for MDA; and thanked all for their support; and the boot was passed at the Council Table for donations. Council Members Stardig and Johnson absent.

Council Members thanked the firefighters for all their work toward MSD and their tremendous service to all citizens and thanked the heroes who had to endure Muscular Dystrophy and stated that all hoped to get a cure sometime soon. Council Members Stardig and Johnson absent.

Mayor Parker stated that Union President, Jeff Cannon would be present if he were in town, but he and Gary Blakenship, head of the Police Union were at a special program out of town. Council Members Stardig and Johnson absent.

Council Member Pennington invited those with his presentation to the podium and stated that they were honoring today an officer for his quick thinking and action which possibly saved two lives; and Captain David Williams of the Midwest Patrol Station stated that September 3, 2010, Officer Falcon was on his day off and noticed a woman being dragged through the parking lot by a man and screaming; that he identified himself as an officer and went to her defense and the man pulled a gun; and Officer Falcon was forced to use deadly force and rescued the lady; that the Sons of the American Revolution wanted to recognize his bravery and valor; and Mr. George Brock, Chairman of the Paul Carrington Chapter of the Sons of the American Revolution introduced those in the Chapter present with him, described what their organization stood for; and stated that he was awarding the Medal for Heroism to Officer Falcon and presented him with a Certificate of Recognition and the medal from their chapter. Council Member Stardig absent.

Officer Falcon introduced his wife, Nancy, thanked all for the recognition and to the Sons of the American Revolution stated that he would like to think he was just at the right place and at the right time that day; and also thanked them for the recognition. Council Member Stardig absent.

Vice Mayor Pro Tem Gonzalez thanked Officer Falcon for his service to the City of Houston and stated that they were very fortunate to have such officers represent the citizens of this city. Council Member Stardig absent.

Council Member Lovell invited those with her presentation to the podium and stated that it was an honor to present a Proclamation to Ms. Ruby Mosley who was one of her heroes and known as "Mayor" of Acres Homes; described many accomplishments in her life and good works for citizens in Acres Homes; discussed the dedication of the auditorium in her area in her honor; and Mayor Parker presented her a Proclamation proclaiming February 5, 2011, as "Ruby Mosley Day" in the City of Houston, Texas. Council Member Noriega absent.

Ms. Mosley greeted all and expressed her gratitude and thanks to all for the recognition; and stated that what she did was the works of "Him" who sent her and urged continued support. Council Members Rodriguez and Noriega absent.

Council Members thanked Ms. Mosley for all her works and selfless acts; and congratulated her on the auditorium being named in her honor. Council Members Gonzalez, Rodriguez and Noriega absent.

At 2:17 p.m. Mayor Parker called on Council Member Jones who stated that in honor of Black History Month she would like a moment of silence to honor all individuals who lived, fought, marched and died to ensure civil rights of all Americans; and led all in the pledge. Council Members Rodriguez and Noriega absent.

At 2:17 p.m. the City Secretary called the roll. Council Members Clutterbuck and Adams absent on city business. Council Members Rodriguez and Noriega absent.

Council Members Gonzalez and Lovell moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Clutterbuck and Adams absent on city business. Council Members Rodriguez and Noriega absent. MOTION ADOPTED.

Council Member Jones moved the rules be suspended for the purpose of adding Mr. Johnny Mata and Ms. Leticia Quinones to the list of speakers after Ms. Arlene Kelly, seconded by Council Member Bradford. All Voting aye. Nays none. Council Members Clutterbuck and Adams absent on city business. Council Members Rodriguez and Noriega absent. MOTION 2011-0092 ADOPTED.

At 2:19 p.m. the City Secretary began calling the public speakers.

Mr. Chuck Stasny, 1377 South Loop West, Houston, Texas 77054 (832-755-1619) appeared and stated that he was present to express his concern over the ordinance revisions to Section 8-22 and suggest the consumer would still fall victim to dishonest repairs and now they would also be unfairly burdened by the in person authorizations of the process; that he owned AMCO Transmissions Car Care Center and his business was governed by city regulations and he answered to the AMCO corporate office and abided by guidelines which allowed him to be a NAPA Auto Care Center, a AAA approved shop and had an A rating at the Better Business Bureau; that his reputation was extremely important; and suggested dishonesty and shoddy work found in the industry were not found by law abiding businesses, it was among those who did not show up on inspectors list because nothing showed their existence and city funds would be better spent locating such businesses and forcing them to comply with existing ordinances rather than to further burden his business with permitting fees and inspections. Council Members Sullivan, Rodriguez and Jones absent.

Council Member Lovell thanked Mr. Stasny for coming and stated that the ordinance was coming through her committee and there was only a draft at this time; that they were taking input from stakeholders and she would like to call him and discuss concerns, etc., the ordinance was sent back to Legal as they felt some things were not correct. Council Members Sullivan, Hoang, Rodriguez and Jones absent.

Council Member Pennington stated that he and constituents had many of the same concerns Mr. Stasny brought up; that law abiding people were being burdened with regulations and nothing was being done to stamp out crime; that he was sure Council Member Lovell would send him a copy of whatever he sent to her. Council Members Sullivan, Hoang, Rodriguez and Jones absent.

Mr. Chris Newhouse, 5823 Edgemore Drive, Houston, Texas 77081 (713-661-8189) appeared, presented information and stated that he was owner of Ray' s Electric and he was present regarding revisions to Chapter 8 which were extremely vague; that the consumer should be given credit for using common sense, they already had a place to fight their battles and some sections were already covered in other sections; that garage liability was something many customers did not have at other shops. Council Members Sullivan and Rodriguez absent.

Council Member Lovell stated that to all present on the ordinance they were in the listening and gathering portion of the ordinance and she was glad they came so they could be contacted for more information as they were considered stakeholders. Council Members Sullivan and Rodriguez absent.

Mr. John Ferrata, 3030 Ella Boulevard, Houston, Texas 77018 (713-862-5544) appeared and stated that he was with Inline Automotive and was present regarding changes to the Code on auto repair facilities; that after reviewing the changes it was apparent it would slow down the efficiency of repair facilities, the wording was vague, it would inconvenience customers, delay repairs and eventually cost more for repairs; and suggested stakeholder input for a better ordinance. Council Members Sullivan and Rodriguez absent.

Ms. Katheryn Vanderpol, 4610 North Shepherd, Houston, Texas 77018 (713-695-5071) appeared, presented information and stated that she was owner of Adolf and Son Garage in Garden Oaks and Independence Heights area, president of the Automotive Service Association, a national organization representing over 14,000 independent repair and collision businesses and present expressing concerns with revisions to the ordinance, Section 8-22; that in her information presented it addressed concerns expressed by the ordinance, it was too vague, too restrictive to be effective and colleagues already expressed concerns today; that in her information there was an alternative plan the Automotive Service Association had written and if they would simply require shops to have their license and garage liability insurance they would do much in helping their industry and a certificate of insurance liability would be easy for HPD officers to enforce and it would have an immediate effect in making bad players cleanup their act or get out of the industry. Council Members Sullivan and Rodriguez absent.

Council Member Jones stated that her question was regarding concerns such as the fine, etc., that she was concerned with duplicating efforts; and upon questions, Ms. Vanderpol stated part of the ordinance Mr. Newhouse referred to was the draft proposal; and upon further questions, Mayor Parker stated that the ordinance was in draft form and she would get answers back to her; that she was sure the draft ordinance was distributed, but she would make sure she had one; and Ms. Vanderpol stated that a copy was in information she presented. Council Members Sullivan and Rodriguez absent.

Council Member Stardig started that she too wanted a copy of the draft; that she did appreciate Ms. Vanderpol' s input and constructive process and possible solutions. Council

Members Sullivan and Rodriguez absent.

Council Member Gonzalez stated that he worked with Ms. Vanderpol on other issues and would direct her to Ms. Laura Thorpe, who she was familiar with, to touch base and follow-up; and Ms. Vanderpol stated that would be great; that they would like the ASA to be involved. Council Members Sullivan, Rodriguez and Jones absent.

Council Member Lovell stated that this was in draft form and they had conversations with Mr. Moon; that they were in the gathering and listening stage of this and they would be calling her and her chief of staff would meet with her. Council Members Sullivan, Rodriguez and Jones absent.

Reverend Joe Lopez, 1333 Wellsriver, Houston, Texas 77041 (832-891-2724) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Rodriguez, Lovell and Jones absent.

Mr. Richard Johnson, 8738 Fannette, Houston, Texas 77029 (713-320-3785) appeared, read the 13th Amendment and stated that amendment was the one which was supposed to have freed slaves, but in 1979 the State of Texas had 17 state prisons and by 2000 they had 137, there was a 700% growth building 5 new prisons a year for 21 years; that the educational system was under attack with the state threatening to cut funding and 80% of those locked up in TDC were there for nonviolent offenses, but also 80% had less than a high school diploma and that said there was a strong correlation between dropping out of education and dropping into the criminal justice system; that all had a moral obligation to stand up and be a voice of education at this time and that was why he was present, asking all to stand behind all ISD' s, particularly the Houston ISD, and to talk to all parents and urge and plead to them to make sure their children stayed in school and out of the criminal justice system. Council Members Stardig, Sullivan, Rodriguez, Lovell and Jones absent.

Council Member Johnson thanked Mr. Johnson for coming with his information and stated that there was a responsibility to a great degree for the city and all ISD' s to work collectively hand in hand; that they did do a partnership with the Northforest ISD for after school programs and grants to make sure they were able to retrofit their high school which was so important, but they do need to work collectively on strengthening the educational environment; and upon questions, Mr. Johnson stated that he knew the city was a political jurisdiction as well as the school district and knew there were interlocal agreements where they could work together and preventing dropouts could prevent a significant amount of crime; that Houston could be a nationwide model; and Council Member Johnson stated that he would challenge Mr. Johnson to help them do so. Council Members Stardig, Sullivan, Pennington, Rodriguez, Lovell absent.

Council Member Bradford thanked Mr. Johnson for coming and stated that he had a long and well established history in the community in working in areas of education and after school programs; and upon questions, Mr. Johnson stated that research showed most juvenile activity which took place was during 3:00 p.m. and 5:00 p.m. when they were out of school and no one was at home and a lack of after school programming would contribute to an exacerbation of those activities. Council Members Stardig, Sullivan, Pennington, Rodriguez and Lovell absent.

Council Member Bradford moved the rules be suspended for the purpose of extending time for questions of Mr. Richard Johnson, seconded by Council Member Johnson. A vote was not recorded as 10 Council Members were not present, however Council Members were allowed to continue questions. Council Members Clutterbuck and Adams absent on city business. Council Members Stardig, Sullivan, Pennington, Rodriguez and Lovell absent.

Upon further questions by Council Member Bradford, Mr. Johnson stated that currently

there was a decline in funding dedicated toward after school programs with formalized school districts. Council Members Stardig, Sullivan, Pennington, Rodriguez and Lovell absent.

Council Member Jones stated that Council Member Noriega was apart of the American Leadership Forum as was she and they discussed the correlation between the criminal justice system and education and it supported what was said today and any cuts in funding were problematic and many Council Members understood the importance of that and would not vote to cut any funding in the area; and Mr. Johnson stated for another source of information they should read the Texas Appleseed Report, the from schools to prison pipeline, as it was a very telling and thorough study. Council Members Sullivan, Pennington and Rodriguez absent.

Mr. Randall Kallinen, 511 Broadway, Houston, Texas 77012 (713-320-3785) appeared and stated that he was present with the Greater Houston Coalition for Justice, an umbrella group of 16 local civil rights organizations, that they viewed the video of the beating of Chad Holly and noticed it appeared that a police vehicle hit him and then he was kicked and punched for a period of time by many officers; that officers were fired, but they noticed there was no report, no officer took it upon himself to report the others and from this they gathered that maybe every officer did not participate but there was a high level of tolerance for excessive force in the department and they would like better and more intensive training and more transparency. Council Members Sullivan, Pennington and Rodriguez absent.

Upon questions by Council Member Bradford, Mr. Kallinen stated that use of force was taught at the academy and here they were fighting culture, he believed they were instructed in the right manner, but once out in the "real" world they needed cultural sensitivity training repeated; that the ones he knew of were all Black and maybe they needed more racial sensitivity training and discipline also mattered. Council Members Sullivan, Hoang, Pennington and Rodriguez absent.

Council Member Gonzalez stated that he too was interested in what he was specifically interested in, but he had answered Council Member Bradford; and upon further questions, Mr. Kallinen stated that on transparency one thing was the video tapes, the people should be able to see them; that he believed they also needed more gun training, when and when not to shoot; and Council Member Gonzalez stated that his suggestions were good ones. Council Members Sullivan, Pennington and Rodriguez absent.

Council Member Jones stated that she wondered why that was not given out; that she had a case dismissed because what the officer on the stand said was not in the report.

Council Member Bradford moved the rules be suspended for the purpose of extending the time for questions of Mr. Randall Kallinen, seconded by Council Member Costello. All voting aye. Nays none. Council Members Clutterbuck and Adams absent on city business. Council Members Johnson, Sullivan and Rodriguez absent. MOTION 2011-0093 ADOPTED.

Upon questions by Council Member Bradford, Mr. Kallinen stated that he currently had three lawsuits involving excessive force against the Houston Police Department; and Council Member Bradford stated that he asked because if he did not he would suggest he would be an excellent resource for the department to utilize in helping with strategies in moving the department forward, but because of the litigation it was barred at this time. Council Members Johnson, Sullivan and Rodriguez absent.

Ms. Patricia Williams, 3950 Brandon, Beaumont, Texas 77705 (409-951-0050) appeared and stated that she was present to express her nightmare which occurred on August 29th when she was awakened by a call from her daughter-in-law telling her the police had beaten her son, her son who went to Iraq and two weeks before he left, two police officers rolled up and told her

son to get out of his car and had him get on his knees and beat him and one officer hit him in the face with his elbow and then said he was pressing charges on him for assaulting an officer; that her son said he had not assaulted him and the officer said yes he did, his elbow was hurt; that she had her daughter-in-law follow in a high speed chase and her son was hurt; that there were good and bad officers, but something needed to be done. Council Members Johnson, Sullivan and Rodriguez absent.

Council Member Jones stated that this was the same story but a different verse; that there were a number of things needing looked at and in her criminal law practice she noticed the DA' s Office seemed to work with police agencies, once they saw it was obvious officers were creating friction the DA' s Office dismissed the case; that she would like it looked into when the court case was dumped and regarding videos, she had clients coming to trial for years with information left out of the report and then she was able to subpoena records showing officers were engaged in criminal activity and then the case was dismissed; that she would like them to figure a way to pursue in those instances where they knew officers were being dishonest, but on the other hand she did appreciate officers who told the truth in difficult circumstances; and upon questions, Mr. Feldman stated that the decision on releasing videos was made in accordance with the public information act, if it was subject to the law enforcement exception where there was an ongoing investigation or prosecution it was protected from disclosure otherwise it was available; that a citizen who believed they were abused by a police officer was free at anytime to file a complaint and there were a number of processes available for that and Chief McClelland took those complaints seriously and they were followed-up on immediately; that if a complaint was made it was investigated and if it was a matter of criminal prosecution there would not be a release until the criminal trial. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Noriega moved the rules be suspended for the purpose of extending time for questions of Ms. Patricia Williams, seconded by Council Member Jones. A vote was not recorded as 10 Council Members were not present, however Council Members were allowed to continue questions. Council Members Clutterbuck and Adams absent on city business. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Noriega stated that Ms. Williams speaking prompted her comments; that she too was a mother and had two boys and she found her experiences as a mom colored how she felt about this; that she thought of her Hispanic husband and her Latino sons and about what she would have to tell her son when he was 16 years of age and driving and whether he would come home; that she saw the video last week and was having a moment of clarity which was that the problem as she saw it really was not what they had done or not done with officers who committed this crime, they had taken action, the problem was how very comfortable they were doing this in broad daylight out in front of God and everybody and her concern was what the mentality was with police officers left, she was concerned there was a freedom to take action; and Mr. Feldman stated that he regretted.; and Council Member Noriega stated that she would like to question what they did going forward with their current force; and Mr. Feldman stated that they could have the conversation; and Council Member Noriega stated that she was concerned as a mother, citizen and elected official. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Mayor Parker stated that she was called on a point of order, she thought there was a motion to extend time, but there were not 10 Council Members present and she did not realize it; that she respected the point of order. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Mr. Fred Cooper, 11302 Sageberry, Houston, Texas 77089 (281-896-8910) had reserved time to speak but was not present when his name was called. Council Members Johnson,

Sullivan, Hoang and Rodriguez absent.

Ms. Arlene Kelly, 2715 Lazy Spring, Houston, Texas 77080 (713-462-3808) appeared and stated that she was also present as a member of the Greater Coalition for Justice and she thought everyone had the Chad Holley video in the back of their mind and it was her concern this was not an isolated incident, they went way back probably even earlier than Joe Campos Torres, there was a culture within the Police Department which allowed them to take whatever action they wanted, feeling they had no accountability, they would not be punished for any misdeeds and could do what they wanted and she would go so far as to say it included murder; that when her daughter was killed Chief Bradford made the statement something needed to be done to stop such incidents from occurring again, but it did keep occurring and suggested there be stricter hiring practices, it was easy to get into the academy, she felt they needed better background checks on officers and psychological testing and close supervision for their first two years of service; that to continue from there they needed accountability, a real civilian review board, not the committee they now had which rubberstamped HPD's investigations and transparency. Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Jones stated that people kept coming regarding transparency because it always seemed things were not transparent; and upon questions, Mayor Parker stated that Council Members had a judiciary responsibility to the city to protect the city and Mr. Feldman was available to answer any questions she had about pending litigation, but they had one of the strongest open meeting requirements of any city in the state and they were not allowed to go into executive session; that other cities could have questions hashed out in executive session, but they were not allowed to and in respect to the litigious society in which they existed they respectfully requested certain discussions be held with legal counsel out of the Chamber; and upon further questions by Council Member Jones, Mr. Feldman stated that the judiciary responsibility she had was with respect to the governing body and the government; that she had an obligation as Council Member to protect the interests of the city with respect to matters pertaining to liability and when there was pending litigation she had to recognize statements made as a member of the governing body, particularly in the area of civil rights law, could be used as admissions against the city and he had communicated that to her; that no one was attempting to communicate in any shape or form to affect the discourse, but they could not fail as lawyers to recognize this was a matter in litigation and all members had a duty to the city as well as the citizens, taxpayers who would have to pay for any litigation, to protect their interests. Council Members Sullivan, Hoang, Rodriguez and Costello absent.

Council Member Noriega stated that she would like to state for the record she appreciated being pulled back from the edge; that they had counsel for a reason and she was grateful for the intervention; that she had strong feelings about this and she had another question to ask at a later date. Council Members Sullivan, Hoang, Rodriguez and Costello absent.

Mr. Johnny Mata, who was previously added to the speakers list, appeared and stated that he was a member of the Coalition for years, it was started when officers went in an apartment without a search warrant and someone was shot to death; that the video on Chad Holly with HPD officers was a wakeup call for elected and appointed officials; that it was time to cleanup community perception of institutional racism within HPD; that it was time to cleanup an ugly atmosphere which created a disservice and overshadowed the work of good men and women at HPD; that the public deserved a U. S. Department of Justice Civil Rights Division complete investigation into allegations of cover-up, excessive and deadly force incidents, misconduct of supervisors and managers, racial profiling, etc., and they had come to Council before asking for a Citizen Review Board. Council Members Sullivan, Hoang, Rodriguez and Costello absent.

Ms. Leticia Quinones, who was previously added to the speakers list, appeared and stated that she was a criminal defense attorney in Harris County for years and as Council knew there

was a murder case where she was attorney, the young man was charged with the murder of his wife; that his wife had proven independent mental issues and he was a young Blackman, graduate of TSU, captain of his debate team, purchased a home and hired by the Social Security Administration, he had done everything society said a man should do for his word to mean anything, however, within an hour and twenty minutes of investigation a detective in HPD determined without any forensic testing he had murdered his wife and then went to the Harris county Medical Examiner' s Office and influenced the examiner into stating the young man had done exactly what he had not done; and after three years, losing his job and being ridiculed, etc., a medical expert was hired and in the middle of his trial charges were dismissed and basically because the Harris County examiner had made a false statement; and after seeing the Holly tape came today to plead that something be done with officers, there needed more training, diversity training, etc. Council Members Sullivan, Hoang, Rodriguez and Costello absent.

Mayor Parker stated that every Houston police officer had received diversity training either as an in-service program or as a cadet and the Chief instituted specific training for special tactical units above and beyond normal training to officers. Council Members Sullivan, Hoang, Rodriguez and Costello absent.

Council Member Jones stated that the case just spoke of had been in the media the last two weeks and they shared evidence; that scientists were supposed to be scientists and seek whatever happened and they should not go in with predetermined conclusions; that one officer decided the man committed the crime and from there it just went; that he lost at least three years of his life and many ended up dead and others in prison. Council Members Sullivan, Hoang, Rodriguez and Costello absent.

Council Member Johnson stated that in reference to diversity training they did it all the time, but everyday on the news there was a person of color in a negative image and whatever diversity training you did was erased because the negative image continued to be permeated in their head and the only way to change the culture was by the enforcement, laying down serious consequences for stupid acts and then officers would be held accountable; that it was also time for a citizen review board with subpoena power and he would continue to push for one. Council Members Sullivan, Hoang, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Noriega stated that it was obvious the young man in question or his family waived the right to have his name be public as he was a juvenile, but she still had problems, it sounded as if he should be in high school and she would feel better not always using his name. Council Members Sullivan, Hoang, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Mr. Greg Fuess, 1108 E. 7th, Houston, Texas 77009 (713-863-7458) appeared and stated that he was present to ask questions on the intersection that' s in construction at Yale and I-10; that an engineering company prepared an analysis for the Ainbinder Company and identified two lanes in each direction on Yale and that one would be a left turn lane resulting in only one through lane in each direction; that it may become the busiest intersection within the 610 Loop and the current impact analysis proposed only one mitigation to the problem, a left turn lane on the southbound section of Yale going west; that he wanted to know why Yale was not to be widened at I-10 to allow for dedicated turn lanes. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Gonzalez stated that they met with groups in the community regarding traffic concerns and those concerns still did remain on the table; that he would be glad to forward him responses from Public Works, but they were trying to get more clarity; that there

needed to be discussion between engineers and support or refute the information; and Mr. Fuess stated that as a registered professional engineer in the State of Texas he was raising the questions and presenting them to him because they were technical problems which had not been addressed and they posed significant safety concerns; and Council Member Gonzalez stated that he had not disclosed he was a certified engineer and he welcomed that and would love someone like him to come forward in their meeting and bring the technical aspects that were concerns to the table; and they would work on bringing him to the next meeting. Council Members Johnson, Sullivan, Hoang, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mayor Parker stated that all the questions had been brought forward by the RUDH and there were no further Council votes on this issue, but the information she would be happy to provide to her, the same information distributed previously to RUDH and they came back with more questions, she would be happy to share with her. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Gonzalez stated that responses to questions they submitted to Council Members , particularly those who showed interest, they had submitted responses from Public Works to them and they would copy and submit to them information being presented to RUDH today; and Mayor Parker stated they would just send it to all Council Offices. Council Members Johnson, Sullivan, Hoang, Rodriguez and Bradford absent.

Mr. Eric Dick, 4325 Tulsa, Houston, Texas 77092 (713-510-4500) appeared and stated that he would encourage all to fill the boot and wanted to compliment the Mayor on closing for the bad weather last week; that on September 21, 2010 though she stated that an operating agreement with Walmart was 60 days away from being made public and it was now 130 days and he wondered where it was, he would like to see it; that also on the 380 agreement with regard to alternative delivery routes he wondered if the operating agreement would be enforceable and who enforced it, etc. Council Members Johnson, Sullivan, Hoang, Rodriguez and Bradford absent.

Mayor Parker stated that it would be released when it was done; that there were many issues working their way through the city and as rapidly as they could get it forward they would; that the developer could not move forward until it was done so they were trying to do it as rapidly as they could, but she was now weary on suggesting timelines for the project. Council Members Johnson, Sullivan, Hoang, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she had met him previously and he was running for City Council; and there were many signs on public right-of-way and she wondered if they were his; and Mr. Dick stated that they were; and Council Member Lovell stated that she knew they were expensive and they would be taken down or there was a fine for doing so and she would ask him and anyone running for public office to respect the law and advise those placing his signs they did not belong there; and Mr. Dick stated that he had nothing to do with putting them out. Council Members Johnson, Sullivan, Hoang, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)

Mr. Simplicio Mendoza, 6143 Willow Glen, Houston, Texas 77033 (713-734-2002) appeared and stated that he was present regarding a ticket he had in court downtown; that it was in 2010 and Mr. Walker in Neighborhood Protection gave it; that he went to Mykawa and the judge dismissed the heavy trash, but he put it out three to four days before pickup and his neighbor had it out one to two months but Mr. Walker never put a ticket; that there were a few Mexicans and him an Asian and the rest Black who lived there; that when he was sent downtown he was shocked that the tickets were open again and he was told two would be

removed; that Mr. Walker told him again to remove it or he would ticket him again; and continued to express his personal opinions until his time expired. Council Members Johnson, Sullivan, Hoang, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)

Mr. William Beal, 5814 Overdale, Houston, Texas 77033 (no phone) had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan, Hoang, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)

Ms. Patricia Martin, 3401 Fannin, Houston, Texas 77004 (832-630-3717) appeared and stated that she was visually impaired and the HPD problems they spoke of was bigger than Council, it was organized crime; and continued expressing her personal opinions until her time expired. Council Members Johnson, Sullivan, Hoang, Rodriguez and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was the official President of the United States; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Johnson, Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Tony Morris, 2400 South Loop West #515, Houston, Texas 77054 (832-785-4855) appeared and stated that he was present to speak on behalf of the Black media; that in Houston there were over 16 news outlets dedicated to the Black community and about 10 to 15 related to the Hispanic and Asian community and they were coming to a problem because of Rebuild Houston and the publication of notices as well as publication of scheduling rates; that a lot of Black organizations felt they were slighted and wanted to know why they were not getting a piece of the pie. Mayor Parker, Council Members Johnson, Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Bradford, Mr. Morris stated that the problem the Black media was having with the City of Houston was they did not seem to get notices or advertising for jobs the city put out and they wanted to be part of it; that he spoke with Mr. Feldman who indicated that as it related to Project Houston was he and the Mayor were in consultation to try and resolve the problem and they decided under state law the publication which received the information had to be qualified, to be a citywide distributor of news and he told him there were several that should qualify. Council Members Stardig, Johnson, Sullivan, Hoang, Rodriguez and Noriega absent. (NO QUORUM PRESENT)

Council Member Jones stated that she had some newspaper and radio sources say the same thing; and upon questions, Mayor Parker stated that they did have an RFP out and it had to be a newspaper of general circulation with a circulation sufficient to adequately reach the community; and upon questions by Mayor Parker, Mr. Heilman stated that it was his understanding the RFP was due by this Wednesday he believed and with regard to the general circulation it had to be a newspaper of general circulation, it must have a weekly publication; that they published request for proposal in the Houston Chronicle so any individual wanting to do business with this or any governmental entity would look in the want ads under legal publications to see if there was anything dealing with what they wanted to do for the city; and Mayor Parker stated that the City Secretary stated the deadline of February 15th at 2:00 p.m.; and Mayor Parker stated that the information was also on the city website and if there was a publication he wished to receive the information they would make efforts to get it out; that it was in the city's best interest to put advertising in publications with the widest possible circulation. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent.

Mr. Jonathan C. C. Day, 1100 Studewood, Houston, Texas 77008 (832-368-5500) appeared, presented information and stated that it seemed regarding HPD if they were looking

for transparency they could install cameras in all patrol cars with protocol to turn them on as soon as they were in pursuit and training to see it got into the legal system; that he was glad to hear Council Member Gonzalez speak on another meeting with scientists because he agreed this was Greek to him; that they needed time and his leadership. Council Members Stardig, Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Gonzalez stated that he did receive his correspondence and was working on getting a response to him; that it was important they tried to get a meeting of the minds with technical experts, but there would always be different opinions and perspectives; that information had been presented to Ainbinder and they were waiting for response; and Mayor Parker stated that it was her understanding the developer submitted TIA in December and the city's traffic specialists reviewed it and it was returned to the developer with comments and they were asked to submit a revised plan; and Council Member Gonzalez stated that they were asking for responses to the questions. Council Members Johnson, Sullivan, Hoang and Rodriguez absent.

Council Member Lovell stated that on the Yale Street Bridge and concerns of delivery they were still waiting for Walmart to give the delivery plan, which routes would be used and which trucks and they were just waiting for answers to convey to him. Mayor Parker, Council Members Johnson, Sullivan, Hoang and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Clyde Bryan, 10802 Pepper Lane, Houston, Texas 77079 (713-266-6464) appeared and stated that he represented several business organizations on the Westside of Houston and his church and he had questions on Proposition I regarding the protest procedure, how they would be handled. Mayor Parker, Council Members Johnson, Sullivan, Hoang and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that his take on it was it was still a work in progress, he had questioned it and he thought his input would be important. Mayor Parker, Council Members Johnson, Sullivan, Hoang and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon further questions of Mr. Bryan, Council Member Costello stated that relative to the protest, if he referred to the draft ordinance he would see a brief description of the protest procedure they were trying to contemplate, they were trying to make it as easy as possible to be done on line and it was work in progress; that when it was presented last week he had commented he did not want to have people have to give certified surveys, it could be done by them just on paper and relative to the actual measurement of the areas they were all done in-house and software was purchased, that the data was available through the Houston Galveston Area Council; that the technology did show all in his yard, sidewalks, pool, etc.; and Mr. Bryan stated that was amazing technology. Mayor Parker, Council Members Johnson, Sullivan, Hoang and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Stardig stated that while she appreciated her colleagues expertise and passion on the issue, it was very much still a work in progress and changes to be made or suggested; and she did not agree to the response they could not drill down to a degree, there were trees with interference in capturing interference through certain times of the year; and he should continue to come and help them through the process. Mayor Parker, Council Members Johnson, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Bradford stated that there were still concerns all over the city; and upon questions, Mr. Bryan stated that everyone was for drainage, but the language on the ballot did

not give enough information to make an accurate call and it passed by less than 1% and there was much dissension and he did feel they needed more public input and maybe survey on where they were now. Mayor Parker, Council Members Johnson, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that tomorrow they were having a Flooding and Drainage Committee Meeting. Mayor Parker, Council Members Johnson, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

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. Mayor Parker, Council Members Johnson, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

At 4:11 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, February 9, 2011. Council Members Clutterbuck and Adams absent on city business. Mayor Parker, Council Members Johnson, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, February 9, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams. Oliver Pennington, Al Hoang, 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 Mike Sullivan absent on city business.

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

At 9:09 a.m. Mayor Parker called the meeting to order. Council Members Clutterbuck, Adams, Rodriguez and Noriega absent.

Mayor Parker stated that it was the New Year and they had a little bit of slippage, that she was still trying to start the meetings on time and respectfully to Council Members on presentation day she tries to be in the Chamber when there were three presentations, that she was happy to start with just a skeleton crew of Council Members, but as a courtesy to colleagues when they make presentations it was nice to have a good compliment of Council Members; that they had a Mayor's Report this morning and had intended to bring forward the collections efforts and due to some of the weather emergencies and so forth from last week they were just a little behind on having the final presentation ready for that, but that would come next week, that Mr. Alfred Moran, Director, Administration and Regulatory Affairs had already been ready to go when they were jumping the collection presentation in front of him so she queued him up instead so they were back to presentations by directors of what they had done since the budget had passed to continue to cut spending or reorganize their departments and it was a good refresher for Council Members on what the different departments did, that in addition to, what she would call 30,000 foot presentations, the Fiscal Affairs Committee, Council Members Clutterbuck and Costello had been putting together their intensive budget workshops, the Parks Department being the department that got volunteered to go first and she believed that it was next week, that it was the first one and there was a lot of focus on the budget. Council Member Noriega absent.

MAYOR'S REPORT - Administration & Regulatory Affairs Department

Mayor Parker recognized Mr. Alfred Moran, Director, Administration and Regulatory Affairs, for his presentation. Council Member Noriega absent.

Mr. Moran stated that he first wanted to introduce his entire team, Tina Paez, Deputy Director of Regulatory Affairs; Don Paqel, Assistant Director, Payroll Services; Calvin Wells, Deputy Director of Strategic Purchasing; Frank Carmody, Assistant Director of Operations; Annabelle Chen, Assistant Director of Administrative Services and Chief Financial Officer; Tina Paquet, Deputy Assistant Director of Insurance, all insurance in the City not HR related insurance but all other insurance; Vernita Jones, Division Manager, City Council Administration; David Atencio, Deputy Assistant Director of BARC; Lilliana Rambo, Assistant Director, Parking Management; Greg Damianoff, Assistant Director of Major Initiatives; Gloria Bingham, Assistant Director of 3-1-1; Ernest Davis, Special Projects, Chief Emergency Officer and Chief Safety Officer; Dina Lera, Assistant to Mr. Moran; Chris Newport, Senior Staff Analyst and Council Liaison and Public Information Officer. Council Member Noriega absent.

Mr. Moran reviewed a PowerPoint presentation titled "FY11 Mid-Year Budget Presentation", a copy of which is in the City Secretary's office for review. Clutterbuck, Noriega and Jones absent.

Upon questions by Council Members, Mayor Parker stated that the on-line access to 3-1-1 was cumbersome and they absolutely wanted to have smart phone technology, and Mr. Moran stated that the City Council had approved the Leggon System, the be all, end all, of the world, for a 3-1-1 technology platform, that he met with the CEO of the company yesterday and that was moving very quickly, that was a platform that allowed all kind of customer engagement, citizen engagement and the smart phone text; that they met with the Mayor last week and she was set to move on the website so they were already moving on the website now; that it was September 2011 for Leggon and the website he was working for in the next couple of months, that he was not talking about the whole City website, but 3-1-1 website, a customer engagement website; that one of the things that he was most unhappy with at Administration and Regulatory Affairs was the vendor that they used for pet licensing, that they were putting the plan together right now to bring it in-house, that obviously it was a fairly large thing and required people so the plan was being put together right now and would be by the summer; that he thought that Pet Data was run out of somebody's kitchen.

Mayor Parker asked Mr. Feldman if the Pet Data contract was on his list, and Mr. Feldman stated yes.

Upon further discussion and questions by Council Members, Council Member Adams requested an update on BARC to come before her committee to see where they were; that she understood that everything that Mr. Fusco had set up were no longer in place and she had asked this in an email to the Mayor and had yet to get a response, that she was no longer able to get follow ups because Mr. Fusco was no longer here, that she was concerned that they paid him all that money and they were not using anything that he put in place; that they had a veterinarian issue so could they get an update on the veterinarian issue and where they were, that she understood that the vet they brought on was no longer there, that she wanted to go on record to say, as no disrespect to him, but things were made concerning BARC and she had issues, that she had issues then and it was given to her that she would be assured that the changed agent would continue to be on to address those needs, that she had not met with Mr. Atencio and did not know what his vision was for the division, but she was hearing that there were issues, that she wanted to make sure that everybody was on one accord when it came how to move this division forward, that they could communicate with her later, but did want to go on record with that. Council Members Stardig and Lovell absent.

Mayor Parker stated that she would make sure that Mr. Atencio and Mr. Moran would bring the item to her committee, that respectfully though they do not stop, they keep moving forward, Mr. Fusco was no longer with the City of Houston, he did a great job and they were looking to the future, they were not looking back, so the presentation would be on where BARC was today as opposed to where it was a year ago and two years ago and what the vision was moving forward, that they would not spend a whole lot of time on what his plan was. Council Members Stardig and Lovell absent.

After further discussion by Council Members, Council Member Rodriguez stated that his office made an inquiry of a breakdown of salaries and promotions and had yet to receive it, and Mr. Moran stated that he was under the impression that they had given that to the Council Member, that he had all of that data with him today and if he would like for him to hand it to him, and Mayor Parker stated that she was under the impression that Mr. Thomas had sent that to his staff as well and would talk to him about it.

After further discussion by Council Members, Mayor Parker thanked Mr. Moran for his presentation and stated that they would move to the consent agenda.

CONSENT AGENDA NUMBERS 1 through 29

ACCEPT WORK – NUMBER 2

2. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$4,820,046.37 and acceptance of work on contract with **WEBBER, LLC (formerly W. W. WEBBER, LLC)** for Reconstruction of Taxiways A, D, F and Drainage Improvement at Ellington Airport; Project No. 655 - 0.73% over the original contract amount - **DISTRICT E – SULLIVAN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0094 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 7

5. **THE BARBOSA GROUP, INC dba EXECUTIVE SECURITY** for Professional Security Guard Services for the Houston Airport System - \$585,000.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0095 ADOPTED.
6. ORDINANCE appropriating \$164,466.94 out of C & E Construction Fund for Purchase of Re-Upholstery Services for Convention & Entertainment Facilities Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0087 ADOPTED.
- 6a. **OFFICE DESIGN CONCEPTS, LLC** for Re-Upholstery Services from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0096 ADOPTED.
7. **PUMPS & EQUIPMENT OF TEXAS, INC** to Repair a 48' Fairbanks Morse Pump for the Department of Public Works & Engineering - \$94,063.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All

voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0097 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 29

10. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2010-526 by adding one Senior Captain Position and Three Captain Positions; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0088 ADOPTED.
11. ORDINANCE disannexing a certain area located within the municipal boundaries of the City of Houston in Harris County, Texas - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0089 ADOPTED.
- 11a. ORDINANCE amending Ordinance No. 2008-392 relating to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 494** to change the conditions for the City's consent to the creation – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0090 ADOPTED.
12. ORDINANCE authorizing sale of 1.001 acres of land being the former Kendall Branch Library Site at 14330 Memorial Drive; approving Purchase and Sale Agreement with **SPRING BRANCH INDEPENDENT SCHOOL DISTRICT, As Buyer - DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0091 ADOPTED.
13. ORDINANCE authorizing the sale of 16.019 acres of land out of Ellington Airport and approving an Option Agreement to purchase Real Property by the **UNITED STATES OF AMERICA (As Buyer)** and the City of Houston, Texas (As Seller) - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0092 ADOPTED.
14. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION**, for the After-School Achievement Program; declaring the City's eligibility for such grant; authorizing the Director of the Houston Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0093 ADOPTED.
15. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION**, for the After-School & Summer Achievement Program; declaring the City's eligibility for such grant; authorizing the Director of the Houston Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0094 ADOPTED.
18. ORDINANCE approving and authorizing a third amendment to the Interlocal Agreement (Ordinance No. 2005-956, approved August 10, 2005) between the City of Houston and **HARRIS COUNTY** for support of the Joint City-County Commission on Children – was

- presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0095 ADOPTED.
22. ORDINANCE approving and authorizing amendment to Residential Weatherization Home Inspection Agreement between the City of Houston and **YOUR HOME CHECK** (Ordinance 2010-0619) for the Residential Energy Efficiency Program – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0096 ADOPTED.
 23. ORDINANCE consenting to the addition of 10.044 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0097 ADOPTED.
 24. ORDINANCE consenting to the addition of 20.131 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 393**, for inclusion in its district - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0098 ADOPTED.
 25. ORDINANCE consenting to the addition of 8.807 acres of land to **MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0099 ADOPTED.
 26. ORDINANCE appropriating \$10,000.00 out of Contribution for Capital Projects Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **TERRACON CONSULTING INC** for Environmental Assessment Work through the City of Houston's Brownfield Redevelopment Program (Approved by Ordinance Nos. 2008-0051 and 2010-0060) – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0100 ADOPTED.
 27. ORDINANCE appropriating \$6,186,000.00 out of Drainage Improvement Commercial Paper Series F Fund and \$1,036,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Brays Village Drainage Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT F – HOANG** - had been pulled from the Agenda by the Administration, and was not considered.
 28. ORDINANCE appropriating \$3,039,983.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Busting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0101 ADOPTED.
 29. ORDINANCE granting to **SOS LIQUID WASTE HAULERS, LTD, 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 Sullivan absent on city business. ORDINANCE 2011-0102 PASSED FIRST READING IN FULL..

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION from Director Department Public Works & Engineering to accept the January 2011 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$4,148,293.67 for Revenue Bond Debt Service as recommended in the Report – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0098 ADOPTED.

ACCEPT WORK

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$17,086,999.40 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Storm Drainage Improvements in the Fonn Villas Subdivision - 4.99% over the original contract amount - **DISTRICT G - PENNINGTON** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez, and tagged by Council Member Pennington.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$23,471,913.65 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for Capacity Expansion to 350 MGD and Plant Improvements at East Water Purification Plant - 3.05% over the original contract amount - **DISTRICT E - SULLIVAN** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0099 ADOPTED.

PURCHASING AND TABULATION OF BIDS

8. **SOUTHERN FOREST PRODUCTS, LLC dba INTERNATIONAL FOREST PRODUCTS** for Treated Timber and Pilings for the Department of Public Works & Engineering - \$289,455.00 General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0100 ADOPTED.

RESOLUTIONS AND ORDINANCES

9. RESOLUTION supporting and authorizing Harris County's request to place a segment of El Camino Real from 500 feet north of Bay Area Boulevard to Gemini Avenue on Harris County's County Road Log – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. RESOLUTION 2011-0003 ADOPTED.
16. ORDINANCE approving and authorizing Lease Agreement by and between the City of Houston, Texas ("Lessor") and the **HONORABLE SHEILA JACKSON LEE**, as ("Lessee")

for space in the Acres Homes Multi-Service Center located at 6719 W. Montgomery Road, Houston, Harris County, Texas - **DISTRICT B – JOHNSON** - was presented, and tagged by Council Member Stardig.

17. ORDINANCE approving and authorizing contract between the City of Houston and **BICKERSTAFF HEATH DELGADO ACOSTA, LLP** for Legal Services relating to redistricting issues; providing a maximum contract amount - \$100,000.00 - General Fund – was presented, and tagged by Council Members Adams, Jones and Noriega.
19. ORDINANCE approving and authorizing third amendment to Contract C56654 between the City of Houston and **OCE' BUSINESS SERVICES** for Printing and Copying Services – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0103 ADOPTED.
20. ORDINANCE approving and authorizing second amendments to four contracts between the City of Houston and **PAYLESS INSULATION INC, DIRECT ENERGY LP, STANDARD RENEWABLE ENERGY LP**, and **PMG PROJECT MANAGEMENT LLC** (Ordinances 2009-1362 & 2010-161) for the Residential Energy Efficiency Program – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0104 ADOPTED.
21. ORDINANCE approving and authorizing amendment to Residential Weatherization Home Inspection Agreement between the City of Houston and the **NELROD COMPANY d/b/a FOX ENERGY SPECIALISTS** (Ordinance 2009-1363) for the Residential Energy Efficiency Program – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0105 ADOPTED.

MATTERS HELD - NUMBERS 30 through 32

30. ORDINANCE appropriating \$1,156,007.78 out of Equipment Acquisition Consolidated Fund for Purchase of Special Duty Vehicles for the Houston Police Department and Houston Airport System - \$174,916.00 - Enterprise Fund – **(This was Item 16 on Agenda of February 2, 2011, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0106 ADOPTED.
- 30a. RECOMMENDATION from Purchasing Agent to award to **MCCALL-T, INC d/b/a STERLING MCCALL TOYOTA** - \$157,440.00, **HUB BUICK COMPANY, d/b/a HUB HYUNDAI** - \$154,950.00, **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** - \$644,129.00, **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** - \$315,763.00 and **JOHNSON GRAYSON AUTOMOTIVE, INC d/b/a HOLIDAY CHEVROLET** - \$58,641.78 for Special Duty Vehicles for the Houston Police Department and the Houston Airport System \$1,330,923.78 - Enterprise and Equipment Acquisition Consolidated Funds – **(This was Item 16a on Agenda of February 2, 2011, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2011-0101 ADOPTED.
31. ORDINANCE **AMENDING VARIOUS PROVISIONS OF CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to ethical conduct; containing findings and other provision relating to the foregoing subject; providing for severability – **(This was Item 21 on Agenda of February 2, 2011, TAGGED BY COUNCIL MEMBER COSTELLO)** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0107 ADOPTED.

32. **ORDINANCE AMENDING CHAPTERS 1, 10, 28, and 34 OF THE CODE OF ORDINANCES** relating to dangerous and other substandard buildings – (**This was Item 22 on Agenda of February 2, 2011, TAGGED BY COUNCIL MEMBERS ADAMS and BRADFORD**) – was presented.

Council Member Adams stated that she wanted to thank Mayor Parker for making Neighborhood Protection one of her top priorities in the City of Houston and the removal of blight, that she wanted to thank the Legal team for making it easier for the hearing process for those buildings that were considered dangerous in the City of Houston and making sure that the landlords were held accountable to keep those buildings at standard, that she wanted to thank Andy in the Legal Department for calling her while she was in Washington to see if she had any additional questions concerning this issue before it came up on the agenda.

A vote was called on Item No. 32. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2011-0108 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Johnson stated that he would be hosting a Job Order Contract Industry Day Event at the Houston Airport Systems Technical Services Building in conjunction with Director Mario Diaz as they talk about the Job Order Contracts that were at the Houston Airport System, the address was 18600 Lee Road, today from 1:30 p.m. to 3:30 p.m.; that on February 24, 2011, from 10:00 a.m. to 11:00 a.m. they would be hosting it again in conjunction with Centennial Contractors Enterprise; that they had to postpone the Technology Initiative and Human Services Committee until March 7, 2011, they were trying to get the Public Feeding Ordinance in place, unfortunately the ordinance was not ready and prepared so they would put off the meeting, that he hoped they could get the information in so that they could move on that particular ordinance, they would have the meeting on March 7, 2011 at 10:00 a.m.; that they would have their CIP on Thursday, February 24, 2011, from 6:00 p.m. to 8:00 p.m. at the Kashmere Multi Service Center. Council Members Gonzalez, Rodriguez and Jones absent.

Mayor Parker stated that several Council Members had referenced the JOC meetings that he was having and she wanted to be clear that these were two events that he had personally organized or organized through his office with the assistance of the airport staff but were his initiative, and Council Member Johnson stated yes, that it was the fourth one of it's kind and what he called "Proximity to Opportunity", that they had done these on a number of occasions going back over the years as they continue to work with prime and sub contractors to come together to make sure there was some dialog going on, they wanted to make sure their MWBE goals were met on the front end and not on the back end as most of them were. Council Members Gonzalez, Rodriguez and Jones absent.

Council Member Noriega stated that tomorrow, February 10, 2011, Thursday, at 10:00 a.m. there would be a Public Safety and Homeland Security Committee meeting, that there were two items on the agenda, one of which was the purchase of a helicopter for the Houston Police Department; that the other item was about pipeline safety and communication with key community stakeholders, that it was timely in regard to what happened yesterday in Texas, that they were going to have representatives from the Pipeline and Hazardous Material Safety Administration, the Texas Railroad Commission and the Pipeline Industry, that they would be there to talk about the efforts by operators to work with emergency responders, how they were letting them know where they were and what they were doing to promote public safety and just general education efforts that were directed toward the general public and folks who excavate. Council Members Gonzalez, Rodriguez and Jones absent.

Council Member Adams stated that last week "Parents Magazine" had named the Children's Museum of Houston as the number one children's museum in the Country for 2011, for more information about this article they could go to the Houston Business Journal; that this past Tuesday the Obama Administration pressed ahead with the goal of making high speed rail accessible to 80% of Americans within the next 25 years, that the administration was spending \$53 billion on passenger trains and high speed rail projects over the next 6 years, that the City of Houston should be at the forefront of the initiative because many of them knew that there would be a northeast rail line, as well as a southeast rail line and she had the opportunity to discuss with their lawmakers in Congress yesterday morning about the southeast rail line and the continued funding for these rail lines in District D; that on February 16, 2011 they would have their District D CIP meeting at the Judson Robinson Community Center from 6:00 p.m. to 8:00 p.m.; that she wanted to thank the ladies of Delta Sigma Theta Sorority, Inc., they would be celebrating Founders Day on Saturday, February 12, 2011, that she had sent an email to the Mayor because they had a charge from their national president to make sure that their local president meet with the Mayor of the City of Houston, that she told them that she would help make that happen locally so she wanted to put that on the record. Council Members Johnson, Gonzalez, Rodriguez, Lovell and Jones absent.

Council Member Clutterbuck stated that she wanted to praise Public Works, that yesterday they had a very unfortunate incident of a large dump truck full of 8 tons of asphalt, which was on route to remedy a situation in response to a 3-1-1 call in Meyerland, that they were trying to repair a street that had a grade separation and they did not know that the reason for the grade separation was a water leak that had probably been in existence for over a year, from a pipe that was probably 8 feet below ground, that the leak had caused a giant, cavernous sink hole of sorts, that she was told that was not the technical term because the sink hole was a naturally occurring and this one was technically a manmade problem, but when the truck with 8 tons of asphalt was dumping back the asphalt the weight on the back axels caused the concrete to cave-in to the hole and they had a huge City of Houston dump truck in a hole in Meyerland, that Public Works was right on it, the hole happened around 11:30 a.m. and immediately a number of Public Works people showed up and she also wanted to thank the members of the media who were there, that they did a fabulous job, that a large hole like this was extremely rare in the City of Houston and Eric Dargan told her that this was the second in the 8 years that he had been in Public Works, so 2 giant holes in 600 square miles in 8 eight years was, she thought, by any definition a very rare occurrence but they were all tremendously grateful that it was not a school bus for the adjacent Coulter Elementary School and were grateful that it was not a private vehicle, that the work that was done to extract the large vehicle from the hole, as well as draining the hole, repairing the water pipe and storm sewer pipe and then covered it up lasted until late in the evening last night and was performed diligently by a number of people who she would like to list, that because they did not have these kind of emergencies very often it was always gratifying to see that their Public Works officials were ready and prepared to respond to any emergency in very rapid fashion, that the people who were there, and she would express her sincere thanks to them, from Public Utilities - Eric Levels, Donald Craft, Michael Buckner; Street and Bridge Maintenance - Miguel Garcia, James Lindsey, Willie Mars, Darryl Johnson, Kent Houston, Johnny Arredondo, Arthur Myres, Luis Ventura, Michael Naumann, Eddie Olvera, David Murillo; Storm Water Maintenance - Freddie Biggs, Myron Leblanc, Van Chi Ly, Elroyal Morris, Martin Martinez, Pedro Ramos, Oscar Sosa, Eric Valley, William Young; and of course Daniel Krueger, Eric Dargan and Alvin Right, who did a fabulous job explaining the details to everyone in the media, that they just did not cover it over with a steel plate at the end, they truly did restore the street and worked late in the night, that to everyone thank you very much, they made her very proud to represent the City of Houston; that Mark Lathan showed up at the Brayeswood Place Civic Association to a crowd who had the potential to be not necessarily friendly because the information he was giving was not what the public wanted to hear, that he did an outstanding job explaining things with regard to some very complex flood control matters, that this happened a few weeks ago; that last night she attended the Glenshire Civic

Association's annual meeting, that there was praise for Public Works again and appreciation for waiving the permit requirement for some reconstruction of some curbs that the civic club and management district were doing there, that the civic club continues to be concerned about the garbage bag situation, for lawn and leaf bags, there continued to be a challenge on whether or not the PSI testing of the bio degradable bags was up to the level of PSI testing levels that other garbage were and they noted that it was not printed on the bags and boxes themselves, that people wondered why they could not go to a system of collecting lawn and leaf similar to other neighborhoods across the Country where they just put them in a garbage can and dump them into a truck. Council Members Johnson, Gonzalez, Rodriguez, and Jones absent.

Mayor Parker stated that she thought that would be a much preferable solution, but just as they had not gotten to all of the recycling it was the cost of the bins, and Mr. Hayes would say that they needed the garbage fee and then they could buy bins, but they would have further discussions she was sure. Council Members Johnson, Gonzalez, Rodriguez, and Jones absent.

Council Member Hoang stated that he wanted to thank Council Member Costello and his staff for the cleanup in Alief last Saturday; that last Wednesday it was cold and the weather was freezing so they had to cancel the Drainage Committee meeting at the multi service center and it would be rescheduled for today at 6:00 p.m., at 6400 High Star. Council Members Johnson, Gonzalez and Rodriguez absent.

Council Member Stardig stated that she wanted to express her appreciation to the National Honor Society students at Lamar High School who volunteered with the friends of Jaycee Park, that they helped plant trees, assisted with movie night and started a coin drive to help raise funds for the park, that she went to Lamar High School and give certificates of appreciation to over 80 students; that she wanted to congratulate Council Member Johnson, the City Legal Department and all other involved in getting rid of neighborhood blight along the Antoine and DeSoto area, the Gables of Inwood were demolished on Monday giving the area potential for positive growth, that she wanted to thank the Housing Department, Housing and Community Development and the Legal Department for working on this project; that they had rescheduled the Crime Prevention Townhall meeting to be held on February 24, 2011 at Durham Elementary School Cafeteria at 6:00 p.m.; that she wanted to thank the Houston Police Department for their response, that they went out and drove the area again and looked for hot spots in areas that they could address immediately and they did so and she appreciated their support; that the District A CIP meeting would be on Monday, February 28, 2011 at Spring Woods High School, that also the Redistricting meeting on March 22, 2011, Tuesday, at Forest Elementary School. Council Members Johnson, Hoang, Gonzalez and Rodriguez absent.

Council Member Pennington stated that he looked forward to attending the Drainage and Flooding Committee meeting tonight where he thought the Rebuild Houston Program would be discussed, that he had a number of people and calls to his office and the issue had been brought up at neighborhood meetings that he had attended, like Tanglewood, who had an application for street rebuilding on file since 1999, and Sherwood, which was about six or seven years, that some people were against the fee and some people wanted to be exempted from the fee, but the main thing that people wanted was that they have proper planning for the expenditure of the money; that he had received his Smart Meter from CenterPoint and also the little inside gadget where they could read the usage, that he had been looking at, but as they knew the State did not mandate a variable rate based on the time of day on usage, so if they wanted to delay washing until midnight to get a lower rate they could not do that because he thought the rate was the same 24 hours a day, that he did not know what input the City had on that but thought it was something that people would be interesting in to save a fairly significant amount of money over a month with household usage, that he was looking at that so when they got the variable rate they would be ready to take advantage of it; that they had great activity by

HPD Southwest Division, as well as the Legal Department, to get a dangerous building vacate order for a house that had prostitution and drugs in the middle of a neighborhood and he wanted to express thanks to those two departments and the individuals involved; that their CIP meeting would be held on Wednesday, February 23, 2011, from 6:00 p.m. to 8:00 p.m. at Tracey Gee Community Center, that the Redistricting meeting would be held on March 21, 2011 from 6:30 p.m. to 8:00 p.m. at Briargrove Elementary School, 6145 San Felipe. Council Members Johnson, Hoang, Gonzalez and Rodriguez absent.

Council Member Jones stated that open January through April 2011, Neighborhood Tax Center, which were run by Neighborhood Centers, would be giving free tax preparation, efile and direct deposit for families earning up to \$50,000 and individuals earning up to \$30,000, to learn about it call 2-1-1 or her office at 832-393-3006 and they would give them information; that on Friday, at the E. B. Cape Center Auditorium, 4501 Leeland, her office in conjunction with Victor Pratt would be holding a Criminal Background Job Help Seminar; that they help people who had been to prison and paroled out find employment; that she wanted to thank Pastor Cofield, the NAACP and Quanell X for having a townhall meeting last evening, that she wanted to thank the Mayor and Council Members Bradford, Adams and Gonzalez, who were present, that it was a good beginning discussion and hopefully they could figure out how to fix some problems that they had in the City; that her staff member, Jack Valenski, was termed this morning of being north of forty; that she wanted to thank the firefighters at Station No. 8 who under oath told the truth about what happened; that she wanted to thank her staff for using this as a team building exercise, that she wanted them to look at the Rick Casey column in the Chronicle who gave an entertaining and truthful view of the a great experience that she and her staff had at Fire Station No. 8 and that was initially inaccurate and painfully reported, that she wanted to thank the Mayor for allowing OIG to investigate something that she thought was a waste of taxpayer money because there was nothing criminally alleged, that she wanted to thank Mr. Feldman for running a class OIG operation. Council Members Johnson, Hoang, Gonzalez and Rodriguez absent.

Council Member Costello stated that he wanted to remind his colleagues that the initiative that his staff was taking on, called "Saving the Green", they were embarking on a program to go to each one of the District Council areas and have the Council Member pick a park that they would like his staff and volunteers to work to "Saving the Green", which primarily they were doing trash pickup, that it was amazing how people abuse their parks system, that it would be nice if they could recruit communities to adopt their own parks to help out, that "Saving the Green" was designed to save the park, as well as save maintenance dollars, that they actually, with the help of quite of few high school students and their parents, filled up an entire truck with trash, that he asked the Parks Maintenance people how much time they saved and they said that during the summer that was one week's worth, during the winter it might be two month's worth, that was a little depressing to hear that type of news; that he wanted to elaborate on what Council Members Hoang and Pennington said about the Flooding and Drainage meeting tonight, the purpose was primarily to talk about the Rebuild Houston Program, it was really designed to inform the public of the meetings that the administration had been presenting to his colleagues over the last several weeks about the impervious calculation, the draft ordinance, the time frame and to remind the public that what they were discussing was primarily the Drainage User Fee, which was only one source of the funding for Rebuild Houston, there were a number of sources as well, that in addition there would be some information highlighted that was new and had not been presented to his colleagues, which was part of the project prioritization process, which was what Public Works would be working on, that the goal was to have this presentation presented for the first time with the same presentation at everyone of the CIP meetings, and what they hoped to accomplish tonight was to have public comment, and maybe they might get significant comment that might warrant revisions to that presentation so they would scale it according to the CIP needs and relative to those discussions. Council Members Johnson, Hoang, Gonzalez and Rodriguez absent.

Mayor Parker stated that she wanted to emphasize that this was the pilot of what they hoped to do with the CIP, so if they did see things that ought to be included, or it was too long or confusing and needed to come out, to please give feedback. Council Members Johnson, Hoang, Gonzalez and Rodriguez absent.

Council Member Lovell stated that they had the ARA report today and she wanted to thank Mr. Alfred Moran, but particularly Mr. David Atencio at BARC, for the fine job they had done to bring that facility up to a much higher standard, that as everybody knew during the Christmas season she fostered a wonderful puppy that had since gone back to find a home, but it gave her an opportunity to be at the facility and meet with the staff and see how it had changed, the whole attitude and culture of it, so much so, that when she drove out there she noticed that on the way out to the facility there were tires and trash that had been dumped and it really was not a very scenic or welcoming route for people that were asking to come to the facility and adopt their animals, so they were working with Mr. Chris Newport and getting some trees from Trees for Houston, that were going to be donated, and put along the site and they were working with Neighborhood Protection to pick up the tires and all of the trash that had been dumped out there and on a continuing basis to make it welcoming for the citizens who want to come out and adopt the animals, that she wanted to say thank you to them for what they did; that she had not said too much about what was happening with the Police Department, but she wanted to compliment the Mayor, that she knew it was a very difficult meeting last night, that film was a very painful film to watch as a parent, but as a City Council Member to see a group of officers, and she did not think they were reflective of their whole department, to see the shame that they had brought to the department and to the City, that it made them incredibly sad, that as a parent if it were her son she did not know if she would be as restrained, truthfully, as the parents of this young man had been, that she wanted to compliment them, that she wanted to say that she knew they would continue to work through this, there were absolutely no excuses for this behavior at all, and if there were reasons why it happened, they would find out why and they would come to a place of fixing that, that not everything was always perfect, that she thought Mayor Parker was the best leader to be in this place at this time, that she wanted everyone to know that was in no way a reflection of the whole department, that was a group of officers that had really brought great shame to the City and the department. Council Members Johnson, Hoang, Gonzalez, Rodriguez, Noriega and Jones absent.

Mayor Parker stated two comments, one, that the video tape that had been aired apparently was slightly speeded up, she was not sure why that was, maybe they decided not to take so much time in the loop, but it was worse in real time as it played out because it was a little bit slower, that the other, like the budget, improving an organization was not just something that they do and then stop, it was constant and continual and the department always looks for ways to make sure that its training was top notch, they had an excellent Police Department, but any organization that had many people in it there were people who could cause problems and she knew that the Chief was on top of it. Council Members Johnson, Hoang, Gonzalez, Rodriguez, Noriega and Jones absent.

Council Member Adams stated that the CIP meeting for District D would be on February 15, 2011 at Judson Robinson Multi Service Center, between 6:00 p.m. and 8:00 p.m.; that she wanted to continue to salute the Amanti School for all that they continue to do to improve recycling, that she wanted to thank the Green Team at the Amanti School for everything that they continue to do; that one of the positive things that was brought from the meeting last night was the initiative of those State Legislators to take on a bill to look at the way that policies and procedures were governed in the City of Houston when it came to enforcement, that there had to be local communication, as well as State communication, to make sure that they look at the various policies, that she knew committees had not been assigned yet in Austin so she hoped that they could continue to move forward to see what they could do to hold those who commit

such crimes accountable, that being in Washington, D. C. for the last several days and seeing and hearing communication from various people about what was occurring in Houston she felt really uncomfortable being a leader in the City, that she really could not comment on it, she could just hear what they were saying and it was just a sad thing to know how people felt about Houston, about their law enforcement, that to go on the record, that was just a few apples in this big, big bunch, and what do they do with those spoiled apples that try to taint the good apples, they remove them. Council Members Johnson, Hoang, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she wanted to thank Council Member Adams, that was well said. Council Members Johnson, Hoang, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she wanted to briefly address the shame of the situation, that to say that it was embarrassing was an understatement, and to say that it was a shame and embarrassing sometimes brought it back to them that was the worse of it, but it was not, that she thought that everybody, the community and elected officials all recognized the gravity of the situation and she would like to acknowledge that Chief McClelland did the right thing the minute this was brought to light whenever they first heard about it, that the incident, she thought, happened in April, that was another issue, but he did the right thing and immediately took it to the FBI for evaluation of whether or not it was a civil rights violation and she looked forward to their report on it, the right thing was done in firing those individuals, that Mayor Parker took the right action immediately and she would like to commend the community to because the community needed to be able to express their outrage at this and they had done so in a way that did not incite more violence, and that was huge, that the thing that was most disconcerting to her was that it was not self reported, that they were all called to speak out when they saw something that was not right and she trusted that their City employees would rise to that challenge; that going back to City employees who did rise to the challenge she noticed in the 26 Outstanding City of Houston Public Works officials that she named earlier today in praising them about their work on the sink hole, there were no women listed, and she saw a lot of women there, so she was probably missing a few people and for that she would apologize, she was quite sure there were men and women who were out there working on the sink hole yesterday whose names she did not recite and for that she would apologize and looked forward to having their names so that she could thank them personally; that she wanted to thank Mayor Parker and her colleagues for listening to both her praise and concern of their departments, she did not want it to be lost, that she sincerely trusted and appreciated Chief McClelland and all of the people in the department who were working sincerely on this, that her plea would be with the Police Department, that they all have serious conversations with each other about why this was not self reported. Council Members Johnson, Hoang, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that while there were perhaps seven officers visible in the video tape that had been in the loop, there were a number of other officers out there that day and she would remind that 12 officers were disciplined, including one of the officers who was fired was the supervisor out there whose responsibility was to make sure that this was reported Council Members Johnson, Hoang, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker further stated that the Farmers Market started up last week and had almost as good weather luck as Council Member Costello, but she would encourage them to visit the vendors; that on a lighter note she usually drank her morning tea in a coffee mug that says "Vote for Women" on it and she keeps leaving them so she has lost most of her set, so if anyone wondered off with a "Vote for Women" mug she would appreciate it back. Council Members Johnson, Hoang, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent.

(NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 10:50 a.m. Council Member Sullivan absent on city business. Council Members Johnson, Hoang, Gonzalez, Rodriguez, Lovell, Noriega, 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

Anna Russell, City Secretary