

City Council Chamber, City Hall, Tuesday, April 19, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 19, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Ann Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marta Crinejo, Agenda Director, present. Council Member C. O. "Brad" Bradford absent due to being ill.

At 1:50 p.m. Vice Mayor Pro Tem Gonzalez called the meeting to order and stated that presentations would begin with Council Member Adams. Council Member Adams invited Ms. Mica Mosbacher to the podium and stated that Ms. Michelle "Mica" Mosbacher was a former award winning journalist, civic leader, philanthropist and member of the Hall of Fame of the Texas Women Chamber of Commerce and named Philanthropist of the Year by the Texas Association Against Sexual Assault in 2007; that Ms. Mosbacher recently created a project created to the tolerance and harmony partnering with the City of Houston, Houston Arts Alliance, Greater Houston Community Foundation and private citizens called "The Tolerance On Harmony Walk" which is several beautiful sculptures by Spanish Artist Jaume Plesa and it was unveiled in February along Buffalo Bayou; and Mayor Parker presented Ms. Mosbacher a Proclamation proclaiming today as "Michelle "Mica" Mosbacher Day" in Houston, Texas; and thanked her for all she did for the City of Houston. Ms. Mosbacher thanked all for the Proclamation; and thanked all who assisted in the project. Council Members Johnson, Pennington, Rodriguez, Costello, Lovell, Noriega and Jones absent.

Council Member Clutterbuck and Vice Mayor Pro Tem Gonzalez thanked Ms. Mosbacher for all her work in the City of Houston and stated that the project was a beautiful addition. Council Members Johnson, Pennington, Rodriguez, Costello, Lovell, Noriega and Jones absent.

Mayor Parker stated that Ms. Mosbacher was also honorary Counsel for Iceland. Council Members Johnson, Pennington, Rodriguez, Costello, Lovell, Noriega and Jones absent.

At 1:56 p.m. Mayor Parker called on Council Member Adams who led all in the prayer and pledge. Council Members Rodriguez, Costello, Lovell and Jones absent.

At 2:00 p.m. the City Secretary called the roll. Council Member Bradford absent due to being ill. Council Members Rodriguez, Costello, Lovell and Jones absent.

Council Members Gonzalez and Noriega moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Rodriguez, Costello, Lovell and Jones absent. MOTION ADOPTED.

At 2:01 p.m. the City Secretary began calling the public speakers. Council Members Rodriguez, Costello, Lovell and Jones absent.

Pastor M. Williams, 6002 Antoine, Houston, Texas 77091 (281-513-6717) had reserved time to speak but was not present when his name was called. Council Members Rodriguez, Lovell and Jones absent.

Mr. Noah Horwitz, 5414 Imogene, Houston, Texas 77096 (713-614-9655) appeared and stated that he was present regarding the redistricting plan; that for the past two years he served on the Mayor's Youth Council and had high hopes for the plan; pursuant to the Voting Rights Act of 1965 in certain cases no impact districts could possibly be justified in order to advance equal opportunity and he believed the irregular

districts were towards advancing Hispanic representation on Council, however, he read many in the Hispanic community opposed the plans; that there were nine districts and two Latino seats and moving to eleven districts and still this was the same, it was not progress; and even some Council Members spoke against the plan. Council Members Lovell and Jones absent.

Council Member Clutterbuck thanked Mr. Horwitz for his attentiveness to the issue and for his service on the Mayor's Youth Council; and upon questions, Mr. Horwitz stated that he would ask the Council to reconsider the redistricting plan because of the lack of compactness and the under representation of Hispanics. Council Members Lovell and Jones absent.

Mr. Wayne Norden, 5300 Hollister #100, Houston, Texas 77040 (281-847-2028) appeared and stated that he was speaking on behalf of the near Northwest Area, the Linda Vista Apartments were under consideration for additional dollars for renovation; that they were working on a plan for the Antoine Corridor and Linda Vista was one of three apartments right in the heart of the corridor and the other two were being renovated and already seeing an increase in rent and tenants with higher standards; and urged a yes vote on the item. Council Member Jones absent.

Council Member Noriega stated that Ms. Lewis in her office had been working with him on the project; and she did appreciate him coming and sharing information. Council Member Jones absent.

Council Member Johnson stated that Mr. Norden was always a strong advocate for strong business in the near Northwest side of town; and upon questions, Mr. Norden stated that the Near Northwest Management District made its money through commercial properties, there was an assessment, he did not know how much money given the property stayed with contractors in the area, but did believe some individuals did live in the community; and Council Member Johnson stated that he had a list of subcontractors and not one contractor was in the Near Northwest Management Area and not one demonstrated a contract was given which would help him and the Northwest Management District continue its work in trying to keep businesses alive; that he would continue working with him, but also be a strong advocate that they not continue to feather the nest of business owners for the city who were not reinvesting dollars back in the area they would be reaping great benefit from. Council Members Noriega and Jones absent.

Council Member Johnson moved the rules be suspended for the purpose of extending the time for questions of Mr. Wayne Norden, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Member Jones absent. MOTION 2011-0295 ADOPTED.

Council Member Stardig stated that she had been supporting Council Member Johnson in the area due to how close the location was to her district and they continued having issues with the area; that her questions of the developer was how would they lessen the density issue; that she met with the City Attorney on the direction they wanted to take in the area and she did hope it was communicated to her colleague; that all were very committed to the area and they needed community support and communication; and she would require that Mr. Norden follow-up with the Mayor's

Office on the request they made of his area. Council Members Sullivan and Noriega absent.

Mayor Parker stated that they were well aware of the density issue and had demolished two properties and had two others in their sites though the legal work had not yet been done; that it was complicated with the ownership situation, but this property was an existing complex already purchased and partially redone and they did want to finish up; and her Office of Boards and Commissions had requested information from his management district which was what Council Member Stardig referred to and she hoped they would get it timely. Council Members Sullivan and Noriega absent.

Mr. Ken Jayne, 4827 Prodey, Houston, Texas 77091 (713-254-1797) appeared and stated that he was representing the Greater Inwood Partnership, an umbrella organization of 33 residential neighborhoods in the greater Antoine, DeSoto, Inwood Forest and Tidwell areas and they did strongly support the Linda Vista block grant and appreciated support of the city in making the Antoine Corridor a better place, however, quality affordable housing was needed and it was important to have programs in the apartments to train and educate those who lived there and they educated them to change attitudes and build aptitudes. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Ms. Kathy West, 5550 Holly View Drive, Houston, Texas 77091 (713-686-5550) appeared and stated that she was the manager of the Park at Live Oak, formerly Antoine Village, she was supporting and encouraging funding for the renovation of Linda Vista; that the renovation of the Park at Live Oak changed the face of Holly View with the standard of living being raised and collecting significant revenue and 70% occupied at a 30% higher rate; and urged the continued funding of Linda Vista. Council Members Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Upon questions by Council Member Johnson, Ms. West stated that she was manager and started in September; that crime had not stopped anywhere, but it was down in their area and on their property very low; that they had three full time staff members, someone who lived on the property and a security company during the day; that paint alone did not change the crime rate, but raising the standard and a lot of work kept their community policies. Council Members Sullivan, Gonzalez, Rodriguez and Lovell absent.

Council Member Stardig thanked Ms. West for her dedication in taking on a challenged property as it was not an easy job; and upon questions, Ms. West stated that their screening was more stringent than what they had there before they took over; that the property had been vacant and boarded up when they got it; that they were now a member of the Houston Apartment Association; and Council Member Stardig stated that she liked hearing all that because that was what it took to make a good property and more like her were needed; and this was not a matter of making a property prettier, but the enforcement and density. Council Members Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Mr. Ric Guenther, 1800 Augusta, 4th floor, Houston, Texas 77057 (713-582-3648) appeared and stated that he was an architect and urban designer and present regarding the Antoine Corridor and the Linda Vista Apartments; that the city had approved funding

for two complexes in the area; and after giving an assessment on the Antoine Area urged that this process continue and they not be overlooked. Council Members Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Johnson thanked Mr. Guenther for coming and giving his assessment of the Antoine DeSoto Area; and stated that close to \$100 million was invested in that area, but only in brick and mortar as zero dollars had stayed in the area which led him to believe the crime would continue to be high because the people were poor and the management district would not survive because there were no businesses there benefiting; that he was a big supporter of the areas revitalization, but looked at it from a different standpoint and felt the money should stay in the area. Council Members Sullivan, Gonzalez, Rodriguez and Noriega absent.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Mr. Ric Guenther, seconded by Council Member Johnson. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Sullivan, Gonzalez, Rodriguez and Noriega absent. MOTION 2011-0296 ADOPTED.

Council Member Jones stated that she had problems when government money subsidized private business; that she spoke to the Housing Department and the affordability covenant was only 10 years and for investing the money they were investing that was not a long time and you could look at the Fourth Ward and see with a short affordability covenant it was about to be flipped and people there were gentrified and that was problematic to her; that Section 3 was also problematic as people in the area should be hired, they all needed jobs; and upon questions, Mr. Guenther stated that he spoke to those at Linda Vista, they were doing a series of stakeholder meetings regarding the livable center study and the HGAC put forth the program to create centers to help hold people within the community to live, work and play there and that was the purpose of his study; that they were holding a meeting next Tuesday and would entertain the public's ideas and from that create a plan; and Council Member Jones stated that she would speak with him offline. Council Members Sullivan and Noriega absent.

Council Member Stardig stated that she also would like to speak with him and see who was being included as she found it a challenge to get folks to a meeting; and upon questions, Mr. Guenther stated that the meeting would be near the corner of Pinemont and Antoine, at Advent Lutheran Church, Tuesday, 4:00 p.m. to 8:00 p.m. and information was given out to those in the area; and Council Member Stardig stated that she was adamant about taking care of surrounding properties or the city would not see a return for the entire community and there was a sense of urgency to get all done at the same time because of the criminal element. Council Members Sullivan and Noriega absent.

Council Member Lovell moved the rules be suspended for the purpose of extending the time for questions of Mr. Ric Guenther, seconded by Council Member Jones. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Sullivan and Noriega absent. MOTION 2011-0297 ADOPTED.

Council Member Lovell stated that she served as an alternate on the Houston Galveston Area Board for the city and recently they had a big disagreement on how

funds were allocated and they had to fight for funding to keep livable centers already on the books; and upon questions, Mr. Guenther stated that funding was in place, it was a small study, \$124,000.00 of TxDOT funds, allocated by the HGAC; that they did not know who would pay for the program yet; and Council Member Lovell stated that without funds you could plan and implement, but you could not guarantee federal dollars would be there, all dollars were difficult; and she needed in writing who would be doing what; and Mr. Guenther stated that he could not give her official information but would give her what he had. Council Members Stardig, Clutterbuck, Sullivan and Noriega absent.

Mayor Parker stated that she wanted to be clear for the public who may be watching, the Agenda item had to do with Ike weatherization funds and if they were not spent they would be returned to the federal government, this was the last project in the "cue" and they may decide they want to return them to the federal government, but they had met all criteria for selection for the funds and it was initially approved in September. Council Members Stardig, Clutterbuck, Sullivan and Noriega absent.

Council Member Jones moved the rules be suspended for the purpose of adding Ms. Krystal Muhammad to the Non-Agenda three minute List of Speakers, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Clutterbuck, Sullivan and Noriega absent. MOTION 2011-0298 ADOPTED.

Council Member Adams moved the rules be suspended for the purpose of adding Ms. Rosalyn Cash Bonton to the Non-Agenda three minute List of Speakers, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Clutterbuck, Sullivan, Noriega and Jones absent. MOTION 2011-0299 ADOPTED.

Mr. Tom Pham, 6805 Turtlewood Drive, Houston, Texas 77072 (713-650-6812) appeared and stated that he was present supporting the petition to change the name of Turtlewood Drive to Little Saigon. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Noriega and Jones absent.

Upon questions by Council Member Hoang, Mr. Pham stated that he spent about six months on the petition and the majority of homeowners signed; that he also had support of the business owners and the petition was turned into his office and they forwarded it on; that most there were Vietnamese. Council Members Stardig, Clutterbuck, Sullivan, Noriega and Jones absent.

Mr. Alex Dao, 6837 Turtlewood Drive, Houston, Texas 77072 (713-480-8625) appeared and stated that he was a resident and in support of changing the name of Turtlewood Drive to Little Saigon, most households were Vietnamese and were in favor and he felt this was a simple process. Council Members Stardig, Clutterbuck, Sullivan, Noriega and Jones absent.

Mayor Parker stated that they were in the midst of the public comment period on the petition and every property owner had been notified and the Planning Department was waiting to hear back to see if there were objections before moving forward. Council Members Stardig, Clutterbuck, Sullivan, Noriega and Jones absent.

Upon questions by Council Member Hoang, Mr. Dao stated that he was a resident of Turtlewood Square and he also passed the petition around and the majority of residents did support the name change; that the Kim Son Restaurant was famous in the city and they supported it as it would be at the corner of their restaurant and people would know go to the corner of Bellaire and Little Saigon, they would be honored to get the name; that he knew not 100% agreed, a few rejected it. Council Members Stardig, Clutterbuck and Sullivan absent.

Mr. Hoat Nguyen, 6817 Turtlewood Drive, Houston, Texas 77072 (713-598-7658) appeared and stated that he was the currently elected president of the Turtlewood Square Community Association and present asking for Council's support of their petition in changing the name of Turtlewood Drive to Little Saigon. Council Members Stardig, Clutterbuck and Sullivan absent.

Upon questions by Council Member Hoang, Mr. Nguyen stated that he was the currently elected president of the Turtlewood Association; that he helped with the petition and 50% signed and they turned it in to his office; that he had business contacts in the area and the majority were Vietnamese and were supporting this. Council Members Stardig, Clutterbuck, Sullivan and Lovell absent.

Ms. Lydia Avila, 1445 North Loop West, Houston, Texas 77008 (626-506-9651) appeared, presented information and stated that she was a conservation organizer with the Sierra Club and present representing their 14,000 plus members and supporters; that she was present regarding Houston's air quality and was present asking Mayor Parker to write to the Army Corps of Engineers and request an Environmental Impact Statement on a proposed coal plant from Matagorda County called White Stallion, however, she just received an email that the letter was written and they did thank the Mayor, but she was providing more information at this time; that it was a proposed coal plant and received their air permit in late September despite concerns from the Environmental Protection Agency about violating the Clean Air Act and Houston was located upwind from Matagorda County and the proposed plant; that there were several reasons of concern, one was that the plant was 20 miles outside of the "nonattainment" region, the Houston-Galveston-Brazoria area and "nonattainment" meant it did not meet the minimum federal standards for air quality and it could undo years of efforts and hundreds of millions of dollars Houston invested into cleaning its air; secondly, the plant was on record for predicting tons of emissions and those emissions would include 10 million tons of carbon dioxide, nearly 5,000 tons of sulfur dioxide, more than 4,000 tons of nitrogen oxide and 1,800 tons of particulate matter along with 100 pounds of mercury; and urged the Mayor and Council read up on the predicted effects of the plant and voice all concerns to the Army Corps of Engineers EPA and TCEQ. Council Members Stardig, Clutterbuck, Sullivan and Lovell absent.

Upon questions by Council Member Jones, Mayor Parker stated that generally they circulate a letter to Council Members when they send one out from the Administration, but she signed it this afternoon and did not know if it had gone to her yet. Council Members Stardig, Clutterbuck, Sullivan and Lovell absent.

Upon questions by Council Member Jones, Ms. Avila stated that she could provide letters, hers were between the EPA and TCEQ regarding concerns raised by the Texas

Fish and Wildlife, several state agencies had voiced concerns and she had a lot of the documentation; and Mayor Parker stated that if Council Member Jones would like a meeting with Ms. Spangen she could bring her up to speed; and Council Member Jones stated that would be great and she would also like to meet with a member of Ms. Avila's organization. Council Members Stardig, Clutterbuck, Sullivan and Lovell absent.

Council Member Adams stated that she chaired the Neighborhood Protection and Quality of Life Committee and had met with the Sierra Club a couple of times; that she thanked the Mayor for naming Ms. Spangen, she came and talked on air quality in the City of Houston and it was a concern to her; that she would ask their organization to sit with her as she was a wealth of knowledge; and commended all for coming on behalf of the Sierra club and keeping all informed. Council Members Stardig, Clutterbuck, Sullivan and Lovell absent.

Council Member Gonzalez stated that he too would be writing a letter of support for their efforts and raising concerns; that they needed a better balance looking at health concerns and impacts at large. Council Members Stardig, Clutterbuck, Sullivan and Lovell absent.

Council Member Noriega commended Mayor Parker for doing the letter; that whenever you had the Sierra Club and HGAC and City of Houston, etc., all on the same page it was a concern; that her real concern was in Texas she was not sure that the TCEQ got it done; that she did have concerns and if they needed anything she would like to know what it was. Council Members Stardig, Clutterbuck, Sullivan and Lovell absent.

Upon questions by Council Member Jones, Council Member Adams stated that they did not talk of White Stallion specifically, but did talk about the coal companies in general and the City of Houston intervention with energy companies around the city providing emissions and poor air quality. Council Members Stardig, Clutterbuck and Sullivan absent.

Mr. Charles Reavis, 3727 Humble Drive, Manvel, Texas 77578 (912-481-1025) appeared and stated that he moved to Houston about 10 months ago and had grown to love it with its "green" emphasis; that he had 14 grandchildren here and that was his 14 reasons for moving here and wanting clean air; that he was requesting the Mayor and Council become more informed on the adverse affects of the White Stallion Coal Plant and become leaders in the fight; that six days after receiving the Texas Convention on Environmental Quality approval White Stallion filed a new and different site plan changing 73 of the 84 pollution emission points and they would produce tons of pollutants continuing for the next 50 or more years; and he thanked the Mayor for writing to the Army Corps of Engineers to address the concern. Council Members Stardig, Clutterbuck, Adams, Sullivan, Gonzalez, Rodriguez, Noriega and Jones absent.
(NO QUORUM PRESENT)

Mr. Erik Fowler, 2429 Bissonnet, Houston, Texas 77005 (713-398-7948) appeared, presented information and stated that he was a real estate professional and investor present today as he was concerned with the White Stallion coal Plant and Houston's air quality problem; that he wrote an opinion piece which appeared in the Houston Business Journal which he thought summarized the concern and sentiment of

many Houstonians; that many would not live or work here because of the air quality issues and a recent air quality study concluded ambient air pollution in Houston was harmful to exposed individuals and the American Lung Association recently ranked Houston's air quality and they made all three of the worst lists in the report which was entitled Most Polluted Cities in America in 2010; that he was shocked that while many regions and states were full steam ahead on cleaner and more efficient methods of power generation Houston was allowing a power plant to be built with the industry's highest known pollution levels and the dirtiest source of fossil fuel, coal, this would cause Houston to take a step back and would cost them; that the time was here to get their heads out of the smog and embrace the "can do" entrepreneurship of Houston; that they should forget compliance and stand up and make Houston a national leader in air quality and seriously question the wisdom of a massive coal fired power plant to be built upwind of Houston; and urged all to carry the city forward; and thanked the Mayor for her letter to the Army Corps of Engineers. Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent.

Upon questions by Council Member Jones, Mayor Parker stated that if she had come out in direct opposition to the plant she would have as a courtesy notified elected officials in Matagorda County, but in protecting the City of Houston she asked for further environmental review, but she (Council Member Jones) asked for a briefing from Ms. Spangen and she would make sure her questions were answered; that it was not actually within the city's boundaries. Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent.

Dr. Madeline Crozat-Williams, 4394 Fiesta Lane, Houston, Texas 77004 (713-748-8133) appeared and stated that she thanked Mayor Parker for writing and asking for an environmental impact statement on the proposed White Stallion plant; that officials should be concerned with this plant and the County Judge of Matagorda County had gone on record as opposing this; that members of the medical community in Matagorda County had serious concerns, emissions from the smoke stacks would be 12 times the total emission from all existing entities in Matagorda County and all substances listed by the first speaker were toxins known to cause emphysema, chronic obstructive pulmonary disease, childhood asthma, chronic bronchitis, lung cancer and other respiratory conditions and the amount of lead admitted was estimated at 246 pounds a year and enough to cause brain damage, anemia and death; that pollution would not stay confined to the Bay City Area, it would drift to Houston and add to the already existing pollution, the pollution from coal plants in East Texas traveled as far as the Guadalupe Mountains and there were other issues such as sea food in Matagorda Bay, grown water streams, etc., and communities in Houston would face water shortages because of White Stallion, which would draw about 6 billion gallons each year from the Colorado River; and when the water was drawn into the plant 21 million fish eggs, larva and juvenile fish may come and probably 1.5 million adult fish would be trapped within the pipes at the plant and killed, etc. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated a pipeline leaked in California, in lieu of what happened with VP, she would like to see if someone could come before Council Member Adams's committee and speak specifically to this after research was done; that the U. S. and Japan were differing on safe zones and the Key Stone Pipeline, they

could not even find out what property it would run under; that this was thought of as not being "our" thing, but if something went wrong it clearly would be and Houston first responders would deal with it and the city would have to come up with more money and they should take ownership of the environment; that it was hotter now than before because people were not taking care of their environment; and this plant would be in Matagorda County, but pollution did not stop and county or city lines, and specifically requested someone come and speak about the White Stallion Energy Center as it may impact Houston so they could be duly informed. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that they did have a public committee meeting, a public safety committee meeting, about pipelines, but a general discussion and they should have a follow-up; and Ms. Williams stated that she could follow-up with her and Council Member Adams. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Trish Rigdon, 4409 Montrose #150, Houston, Texas 77006 (713-722-8406) appeared and stated that she was the executive director of the Houston Cinema Art Society and present to remind everyone the cultural arts were an important component of the Houston economy as a creative industry and she was concerned with the loss of jobs in the arts; that the society's mission was to enrich the film and arts environment and broaden the public's understanding and appreciation of contemporary cinema and its ties to the creative arts, to foster cross culture understanding, etc., that all arts organizations promoted Houston's economic development by providing jobs, encouraging tourism, etc., every year the nonprofit arts alone contributed \$626 million to the Houston economy and provided 14,000 jobs; that almost 20% of state tourism was a direct result of the cultural arts and could bring more with adequate funding; that she asked they imagine the future and Houston being known as the cultural capital of Texas and possibly the nation or world; that Mayor Parker said today's decisions affected the future and people's lives; and urged the strong partnership between the cultural arts and the city strong. Council Members Stardig, Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent.

Bishop Floyd E. Lewis, 2027 Point Clear Court, Missouri City, Texas 77459 (281-741-9713) appeared and stated that he was representing the International Church Fellowship of which he was the presiding Bishop and today he was present to share a serious truth and that was the men and women of the Houston Police Department died serving and protecting this community and he had been a Chaplain for the HPD for 22 years and knew 97% of police being denigrated before Council were good people and there were bad people everywhere. Council Members Stardig, Clutterbuck, Sullivan, Lovell and Noriega absent.

Council Member Costello stated that Bishop Lewis should continue; and Bishop Lewis stated that he was pained having been in operating rooms, etc., it hurt him as a Black community leader and he could prove he had done more than the average person coming before Council to share, no one was closer to HPD than him, he had even been called an Uncle Tom, but if they were willing to die for him and his family they were not his enemy. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Gonzalez, Lovell

and Noriega absent. (NO QUORUM PRESENT)

Mr. Gregg Cones, 5103 E. Pagewick Drive, Houston, Texas 77041 (713-936-3502) appeared, presented information and stated that he was a singer and interested in entertaining on the street and maybe at the reflection pool; that he tried to find if he needed permits, he would hope Houston was like New Orleans where you could entertain; and would appreciate support. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Gonzalez Lovell and Noriega absent. (NO QUORUM PRESENT)

Mayor Parker stated that to be clear to anyone watching, if you want to pull out a guitar and sing in public there was no regulations, it was only amplified sound regulated and it was based on the decibel limit and a sound permit would be required; and someone could visit with him. Council Members Stardig, Clutterbuck, Sullivan, Gonzalez and Noriega absent.

Ms. Mary Thomas, 5900 Selinsky #191, Houston, Texas 77048 (713-483-4165 had reserved time to speak but was not present when her name was called. Council Members Stardig, Clutterbuck, Sullivan, Gonzalez and Noriega absent.

Mr. Marty Appelbaum, 1364 Sugar Creek Boulevard, Houston, Texas 77478 (713-858-8156) appeared and stated that he was present to speak on a tragedy which happened a few weeks ago where a facility which was caring for children had them die in their facility; that their organization was trying to make sure this did not happen again, they trained teachers and convened a panel of experts both in safety and in childcare and they had Assistant Police and Fire Chiefs and representatives from childcare associations, etc., and came up with various recommendations; that they would be reconvening in a couple of weeks and Council Members were invited. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Noriega absent.

Council Member Jones stated that on this week's Agenda there was an item and she had requested information on it, for the disbanding of the Houston Harris County Child...something; and Mayor Parker stated that it was the joint City County Commission On Children; and Council Member Jones stated that she asked for backup about what was done with the money, etc., if there was something to protect children she would like to keep it; and had yet received it; and Mayor Parker stated that they would be providing information, it was jointly funded by the city and county and the county had already cut their funding to it and the city funding was winding down, it was a board that provided an annual report on various elements which affected children; that it was largely a budgetary decision and she would provide her information. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Rodriguez absent.

Dr. Martin Appelbaum, 1364 Sugar Creek Boulevard, Houston, Texas 77478 (713-858-8156) appeared and stated that her son just spoke and filled everyone in, but they had been doing training in childcare for years and advocates of childcare; two on their panel were from what recently happened, one was a mom and one a grandmother; that they were present to make the Mayor and Council aware of what they were doing and get whatever help they could get; that parental awareness was a huge thing and their company was taking the expense on to have an 800 line to help parents across the country regarding options on childcare; that the age for someone to have a registered home for childcare was 21 and such things needed to be looked at. Mayor Parker,

Council Members Stardig, Clutterbuck, Adams, Sullivan, Hoang, Pennington and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Lovell stated that when the tragedy happened her office wanted to do something to make a difference and started researching; that they had contacted her office and been a great resource and they also wondered how did a 21 year old take care of five to six children at a time; that they were moving forward and she knew they had been to Austin and Senator Gallegos and State Representative Alvarado were moving bills through the legislature; that they needed to change the ratio of providers vs. children; and thanked her for her contacting them. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Hoang, Pennington and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that Dr. Appelbaum's passion was infectious; that she did applaud what she and her son were doing and she was glad this was being looked into at the state level; and something positive could come out of this. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Jodie Brown, 15503 FM 529 Road #936, Houston, Texas 77095 (832-545-8137) appeared and stated that she was present representing herself and her daughter who was unable to come today; that she was grandmother to one of the babies killed in the February fire and today was present not as an expert, but as a voice for the lives lost and injured; that she recently participated in a panel discussion with the Appelbaums and learned when agencies come together changes could be made and she was seeking change in the childcare industry in-home daycare; that she felt no one under the age of 25 should be able to care for a child who could not physically get out or make phone calls when danger arose in a daycare facility; that nothing she could say would bring back her grandson, but she was present to make sure his death was not in vane and she could not rest until something was done on his behalf and for all those children in daycares at this time. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Lovell stated that they also hoped the death of her grandson would not be in vane and they were working very hard to do what they could to require fire inspections, habitability inspections, they would be required to file with the city for yearly inspections and there would be surprise visits; that she hoped she and her family and the other families felt the arms of Houston; that she did think the eyes of the nation were on Houston and how they would respond and also on the state; that this was regulated by the State of Texas and she hoped all would get in contact with Senator Gallegos and State Representative Alvarado and ask them to put in their bill a change in ratio between provider and number of children; and she also wanted to say Ms. Tata's family was also affected, they were heartbroken about what happened there, all families were shattered by this and real things needed to be changed. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Rodriguez absent.

Council Member Adams stated that her grandson did not die in vane, with their

permission he was an organ donor and she knew that was not an easy choice but this was a blessing in the midst of a tragedy; that she also commended the firefighters as many had to go home because of what they saw that day; that prayers would continue to be with them all; and again thanked her because by their choice and their grandson another baby was able to live. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez and Lovell absent.

Ms. Keisha Brown, 801 Country Place Drive #195, Huston, Texas 77079 (281-690-3468) had reserved time to speak but was not present when her name was called. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez and Lovell absent.

Mrs. Blanca Rodriguez, 23 Delmar, Houston, Texas 77011 (832-215-8464) appeared and stated that she had been in Houston since December regarding problems with her apartments, a fourplex in the front and a duplex in the back; that four inspectors were sent to her building every time they came out so she would guess the City of Houston was not broke; that they said her apartments were falling down, but they had gone through Hurricane Ike and nothing happened and two blocks down brand new condos fell to the ground with Ike; that her concern was the Water Department was using Ms. Nancy Brewer to collect money they owned on their water bill, that was how her apartments were reported; that other inspectors went to apartments near hers because tenants called with sewer problems, but they were not required to do all she had been required to do, but every time the engineer did what the inspector said another inspector would come and say it had to be redone; that their time ran out, but it was because the work had to keep being done over because it was not one inspector but several. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, and Lovell and Jones absent. (NO QUORUM PRESENT)

Council Member Gonzalez stated that his concern was this was an older community and homes were older and it was difficult to maintain an older property at a high level, it would cost a lot; that he went out and it did not look as though it would collapse and yet there was a vacate notice and tenants would have to move out; that if they were visiting 60 properties in the area and only two had vacate notices he wondered; and upon questions, Ms. Rodriguez stated that apartments one block away did not even have anything holding up the porch and there were holes, but they did not have to tear anything up; that they pulled siding from her building to look; that she only received \$100.00 a week and that was with all bills paid, she made no money and they were not asking for special treatment, but did want equal treatment; and they needed more time, she was told not to touch anything until tenants moved out and if she made them move she would have less money to fix them; and Council Member Gonzalez stated that he would encourage her to again speak to Mr. Norman who was present. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mayor Parker stated that if Mr. Oaks was handling this he knew what he was doing and repairs had to be made was the short version, but their best people were now working with her; and perhaps Mr. Norman could help work through the issue of tenants moving out, etc. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Dale York, 8855 Gulf Freeway, Houston, Texas 77017 (281-995-5995)

appeared and stated that he was present with two issues, first was officers wanted him to have their horse manure, he was in the mulch and composting business, he met the vice president of Republic Waste and he said he would try and make it happen, but he wanted to be sure it was okay; that it should not be in the landfill and Mr. John Johnson with General Services said he did not think there would be a problem, but he did hope all would go to bat for him; secondly, they started a women's shelter for battered women and a lady was bringing three buses to his place and they would be training them to drive a bus and office skills. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Council Member Jones stated that if it did not cost the city she did not care if he had the manure, but on the battered women's shelter women in those relationships were likely to be harmed when they left and that was why the locations of such shelters were not disclosed, etc.; and she did thank Mr. York for what he did. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. William Beal, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Ms. Natacha Thompson, P. O. Box 1320, Houston, Texas 77251 (281-467-7270) appeared, presented information and stated that she was present to raise an issue of great concern to municipal employees; that recently the Civil Service Commission decided to not hear appeals of a Decision Making Leave (DML) nor had they provided for the appeals to be heard under the City's grievance process and it was an injustice to allow municipal employees to be disciplined with a DML and not allow them to challenge the most serious of disciplinary actions; that a Decision making Leave was the final step of the disciplinary process under the City's Positive Corrective Disciplinary Program and it was issued after the employee had allegedly committed a workplace infraction and the department was seeking to gain an agreement with the employee to correct the problem, it was a one day leave requiring the employee to make a decision about their job to solve the problem and never create another situation requiring disciplinary action or the employee could resign from employment and the adverse effect of DML was the employee would be on probation 18 months and if they even sneezed the wrong way could be terminated; that Legal initiated this change despite acknowledging DML was the most serious component of the disciplinary process; that City Attorney David Feldman challenged the jurisdiction of the commission to hear DMLs even though since 1999 city departments had afforded their employees the right to appeal to the commission; that she was requesting the administration reinstate the employee's right to appeal DMLs or eliminate DMLs from the city's current disciplinary system. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Mr. David Williams, 2105 Moonchest Drive, Houston, Texas 77089 (281-485-8655) appeared and stated that he was employed by the City of Houston and a district representative for Public Works and Engineering Department for the Houston Organization of Public Employees (HOPE); that he was present as one of the union's main focus was to do what was possible to minimize the affects of the present economic shortfall on citizens and employees; that recently unauthorized people have acted on

behalf of the union and tried to set meetings, spread misinformation, etc., and at the height of the behavior even college students were hired to pretend to be HOPE members and solicit a false petition; that he was trying to safeguard the relationship between them and the Mayor and Council and they wanted all to know HOPE's offices were open to any issues and questions. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Mayor Parker thanked Mr. Willimas for coming and expressed strong appreciation to the leadership of HOPE as employees needed to know that HOPE did advocate effectively for them and they had a good professional relationship, it did not mean they agreed with everything, but there was a mechanism and system in place to bring employees concerns forward and she was glad he was standing up for the organization. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Williams stated that he was an official representative of HOPE; that there was background on the DML which was not mentioned; that HOPE was not for DML as it currently was and they were working to have it changed; and Mayor Parker stated that Ms. Thompson did not speak for HOPE; that HOPE representatives and the City Attorney were in discussions, this was raised to her about a month ago and they were in negotiations on the issue; and Council Member Jones stated that she presumed if something was worked out she would have to vote on it; and Mayor Parker stated that she believed it was more of an Administrative decision. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that today was Tuesday of Holey Week and he was speaking today for Prada, a one year old female (dog), shot and beaten to death by HPD on Thursday, April 14, 2011, about 8:00 p.m. while chained at her home of 2503 Terry; that Prada deserved a respectful funeral, what was done with her body; and Hispanics wanted half Council seats; and continued expressing his personal opinions until his time expired. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Partsch-Galvan stated that HPD killed Prada, that two trucks came and took her body and where did they take it; and upon further questions by Council Member Jones, Mayor Parker stated that the dog was shot in execution of a drug raid and she would have to ask HPD if they could tell them what happened to the animal; that in general it was the Solid Waste Department which picked up animal remains; that this was a pit bull chained to a stake and shot during the execution of a drug raid and she would imagine the owner was also in custody, but she would attempt to find out what happened to the remains of the dog if she was interested; and Council Member Jones stated that she was and would like to know where the body was and she would get back with Mr. Partsch-Galvan. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Ms. Angelita Diaz, 2709 Terry Diaz, Houston, Texas 77009 (281-701-5037)

appeared and stated that she was also present on behalf of Prada, an innocent one year old pit bull shot to death for no reason, he was tied up and had nothing to do with the drug raid. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Marvin Holmes, 7925 Colonial Lane, Houston, Texas 77051 (832-508-9611) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Krystal Muhammad, who was previously added to the Speakers List, appeared and stated that this was the second time her name was not put on the Agenda and she had to petition to be put on; that last month the same thing happened; that she was speaking on police brutality and the City Secretary Office was bumping her; that she was representing the new Black Panther Party, the National Black United Front and Black Justice Coalition, this was 11 weeks they were picketed outside City Council regarding issues of police brutality; that since the release of the Holley case there was public outcry and one main demand was this city needing an independent civilian review board which had subpoena power and proper funding and investigatory power as well as prosecutorial power; that in the last 10 years there had been close to 2,000 cases of police brutality filed in Houston and less than 10% of officers received any penalty and Houston was number three in police brutality and that was a serious problem; and this needed to be dealt with. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Jones stated that Bishop Lewis talked about people coming and indicting the entire police department and she did not believe anyone was doing that, but the damage one officer could do was a lot; that one officer could make many arrests and her son did get jacked by HPD last August before going to college; that she had family in HPD and respected them but one could affect many families and she hoped they could get past name calling. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Noriega stated that they were working on things to make things better and she appreciated people coming and reminding them they were not done yet; and to Council Member Jones it occurred to her no one had said to her they were sorry; that she had a handsome, smart and lovely son and that should not have happened and she was sorry and she would like her to tell him she said that. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Ms. Rosalyn Cash Bonton who was previously added to the Speakers List, appeared and stated that she was present as a concerned City of Houston employee and she was a HOPE member and an elected board member; that it was brought to her attention by Ms. Thompson, the director of city advocates, that an appeal of the Decision Making Leave (DML) was no longer reviewable by the Civil Service Commission despite the Legal Department acknowledging a DML was the most serious component of a corrective discipline program; that she found out the Human Resources

Department was not in agreement with Mr. Feldman's interpretation of the commission's jurisdiction over DMLs and their position was quickly dismissed; that this left employees with no appeal rights; and if the Legal Department and Commission believed there should be no DML appeal rights then it would only be proper to eliminate the use of DMLs altogether from the city disciplinary system; and she would like to know when Council would review actions of the Commission. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she already answered a statement from Ms. Thompson that she was in discussions with HOPE, the entity designated to advocate on behalf of city employees and she would not negotiate here, it was being worked on. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Donald Burns, 13021 Donegal, Houston, Texas 77047 (713-882-0307) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Reginald Predom, P. O. Box 23631, Houston, Texas 77028 (832-881-7265) appeared and stated that he had been pasturing to homeless teenagers for eight years, but a group of people, HPD, HISD, CPS, Child Advocates, everyone turned their heads; that his son was on drugs now; and he played a recording regarding someone saying his son was put on drugs and said it was CPS with a confession they put him on drugs and without his permission. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Mark Rodriguez, 23 Delmar, Houston, Texas 77011 (832-816-9673) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Daniel Box, 323 Moose Drive, Huffman, Texas 77532 (832-794-9896) appeared and stated that he was secretary of the Houston Organization of Public Employees (HOPE) and was present regarding the DML; that Council Member Jones asked the union's position and they did not agree with the City Attorney Office, but did agree with Mayor Parker to negotiate it in the next contract, changing stipulations; that there was a sense for some reason that the Mayor was chained to HOPE or vice versa. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Box stated that the DML situation was a surprise to them, it was something they had to find out it was not given to them

and they disagreed with the ability to appeal DML, the union was quite often effective in overturning DMLs through the appeal process; that this was outside of collective bargaining, but they would take care of it in collective bargaining; and Mayor Parker stated that the collective bargaining process was just opened with the union and because they were in meet and confer they had opportunity to talk about a range of issues and just said roll it into the formal discussions; that the Administrative procedure was changed and HOPE objected to the change and now while in meet and confer they could put it in the contract and it could become permanent if agreed on; and to answer her question in the Charter it was the Mayor who had complete Administrative authority within the city and they did their best to give Council Members information as soon as they could but in terms of the Administration of the city Council Members were often late in the process; and Mr. Box stated that they appreciated what the Mayor had done and that they could hammer out a lot of issues in the next negotiation session; and Council Member Jones stated that she liked to be hopeful to HOPE and she could be contacted; and Mayor Parker stated that she met with HOPE on a quarterly basis and encouraged Council Members to meet with them. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77532 (713-928-2871) appeared and stated that he was being attacked 24 hours a day; and continued expressing his personal opinions until his time expired. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

At 4:41 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, April 20, 2011. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, April 20, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney; and Ms. Marta Crinejo, Agenda Director and Stella Ortega present. Council Member C. O. "Brad" Bradford absent due to being ill.

At 8:30 a.m. Ms. Barbara Guzman, City Secretary's office, read the descriptions or captions of items on the Agenda. (Note: The City Secretary was present for the meeting, however because of a throat ailment could not speak.)

At 9:08 a.m. Mayor Parker called the meeting to order and stated that she wanted to remind them that they had a public hearing today on redistricting as part of this Council meeting, they would recess at the end of the Council meeting and reconvene at 7:00 p.m. again in the Council Chamber for an additional public hearing on redistricting. Council Members Johnson, Clutterbuck and Jones absent.

Council Member Noriega asked if this morning and the hearing this afternoon were separate meetings and could people sign up twice or was it the same meeting they were recessing and coming back, and Mr. Feldman stated that it was the same Council meeting, it would be recessed and continued at 7:00 p.m., that people were entitled to speak as often as

they wanted to speak. Council Members Johnson, Clutterbuck and Jones absent.

Mayor Parker recognized Council Member Sullivan for a point of order. Council Members Johnson, Clutterbuck and Jones absent.

Council Member Sullivan moved to suspend the rules to consider Item Numbers 3 through 9 out of order at this time, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0300 ADOPTED.

Mayor Parker stated that these items had to do with appointments and many of the folks were in the room and that would help them clear the Chamber a little bit. Council Members Johnson, Clutterbuck and Jones absent.

MISCELLANEOUS - NUMBERS 3 through 9

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON PARKS BOARD LGC, INC:**

Position Seven - **MS. MINDY HILDEBRAND**, reappointment, for a term to expire 1/1/2014
Position Eight - **MS. NINA ZILKHA**, reappointment, for a term to expire 1/1/2014
Position Nine - **MR. BARRON F. WALLACE**, reappointment, for a term to expire 1/1/2014
Position Twelve - **MS. DIANA ESPITIA**, reappointment, for a term to expire 1/1/2014
Position Eighteen - **MR. DON M. WOO**, reappointment, for a term to expire 1/1/2014
Position Twenty - **MR. THOMAS G. BACON**, appointment, and to serve as Chair, for a term ending 12/31/2011

- was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0301 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment of **MR. ROBERT GRAHAM**, to Position Five of the **HOUSTON ZOO DEVELOPMENT CORPORATION BOARD OF DIRECTORS**, for a term to expire June 30, 2013, and to serve as Chair for a term ending December 31, 2011 - was presented, moved by Council Member Lovell, seconded by Council Member Adams. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0302 ADOPTED.

5. REQUEST from Mayor for confirmation of the reappointment of the following to serve as **MUNICIPAL COURT ADJUDICATION HEARING OFFICERS**, for two year terms:

MS. SYLVIA G. CASTILLO
MS. ANGELA L. DIXON

- was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0303 ADOPTED.

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

JUDGE JOHN SAUNDERS CHASE, JR.
JUDGE MARGARET MUNOZ HARKINS

- was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0304 ADOPTED.

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

CHERYL ALSANDOR
ALICE J. O'NEILL
THERESA W. CHANG
TRACIE J. JACKSON
TOLA ORESUSI
GERARDO S. MONTALVO

ARTHUR M. LINCOLN
KATHRYN DIAZ GARCIA
NJERI MATHIS RUTLEDGE
DENNIS M. SLATE
JOE VILLARREAL

- was presented, moved by Council Member Lovell, seconded by Council Member Adams. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0305 ADOPTED.

8. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE**:

Position One - **MS. ALGENITA SCOTT DAVIS**, for a term to expire 5/6/2013
Position Two - **MR. JAMES. J. SMITH**, for a term to expire 5/6/2012
Position Three - **THE HONORABLE ZINETTA A. BURNEY**, for a term to expire 5/6/2013; and to serve as Chair for a term ending 12/31/2011
Position Four - **MR. BRIAN SMITH**, for a term to expire 5/6/2012
Position Five - **MR. ALFRED H. BENNETT**, for a term to expire 5/6/2013

- was presented, moved by Council Member Costello, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0306 ADOPTED.

9. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **COASTAL WATER AUTHORITY BOARD OF DIRECTORS**, for terms to expire March 31, 2013:

Position Three - **MR. TONY L. COUNCIL**
Position Four - **MR. D. WAYNE KLOTZ**

- was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Johnson, Clutterbuck and Jones absent. MOTION 2011-0307 ADOPTED.

Mayor Parker stated that they had now confirmed the nominations that were on the agenda, the first were reappointments to the Houston Parks Board and did not believe any of

them were present today, that the next was a new Director for the Houston Zoo Development Corporation Board of Directors and did not believe he was present, that Judge Hartle had a number of Judges and Hearing Adjudication Officers in the audience and invited the nominees to the podium. Council Members Johnson, Clutterbuck and Jones absent.

Mayor Parker and Judge Hartle congratulated the new appointees and thanked them for their service to the City of Houston and welcomed them back to the positions. Council Members Johnson and Clutterbuck absent.

Mayor Parker stated that she did not believe that the Directors of the OST TIRZ were present, that they had two new appointees for the Coastal Water Authority present, Mr. Tony Council and Mr. Wayne Klotz and invited them to the podium. Council Members Johnson and Clutterbuck absent.

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

Mayor Parker stated to the court reporter that they were ready for the public hearing. Council Member Clutterbuck absent.

HEARINGS

1. **PUBLIC HEARING** relative to establishment of Council Member district boundaries as required by Article V, Section 3 of the Charter of the City of Houston, Texas - **9:00 A.M.**

Council Member Rodriguez moved to suspend the rules to add Mr. Robert Jara to follow Dr. Laura Murillo, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Member Clutterbuck absent. MOTION 2011-0308 ADOPTED.

Mayor Parker stated that throughout the public hearing they would allow people to continue to add their names to the end of the list. Council Member Clutterbuck absent.

Council Member Adams moved to suspend the rules to add Trustee Christopher Oliver at the end of the 2 minute list, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Member Clutterbuck absent. MOTION 2011-0309 ADOPTED.

Mr. David Feldman, City Attorney, stated that it was not necessary for someone to be formally added to the list because any member of the public was entitled to speak, and Mayor Parker stated that she thought they were trying to put them into a certain order. Council Member Clutterbuck absent.

Mr. Feldman stated that their Court Reporter today was Ms. Danita L. Merrill, CSR, Gulfstream Reporting, who would be maintaining an accurate record of these proceedings, and Ms. Merrill recorded the public hearing, and a copy of the transcript will be available in the office of the City Secretary. Mr. Jerry Wood, Consultant, was present for the hearing. Council Member Clutterbuck absent.

Council Member Noriega moved to suspend the rules to extend time to continue questions of Dr. Laura Murillo, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2011-0310 ADOPTED.

Council Member Jones moved to suspend the rules to extend time to continue questions

of Mr. Robert Jara, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Costello absent. MOTION 2011-0311 ADOPTED.

Council Member Hoang moved to suspend the rules to extend time to continue questions of Mr. Robert Jara, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Lovell absent. MOTION 2011-0312 ADOPTED.

At 10:10 a.m. Mayor Parker stated that she would like to recess the public hearing briefly, they would go to the regular Council agenda and give the court reporter a brief break and as soon as she was ready to come back they would resume. Council Members Lovell and Noriega absent.

Council Member Sullivan moved to suspend the rules to consider Item Numbers 30 and 33 out of order, seconded by Council Member Costello. Council Members Lovell and Noriega absent.

Council Member Johnson stated that if his colleague wanted to move Item No. 30 would be fine, but in the interest of time, and he knew they had a lot of people present for the public hearing, this might be a very lengthy conversation on Item No. 30, so he would prefer that they get through the redistricting hearing to not prolong any of the residents that were present to talk about redistricting, so he would make the suggestion that they do not move Item No. 30 out of order but keep it in the place that it was so that they could get back to the redistricting hearing. Council Members Lovell and Noriega absent.

A vote was called on Council Member Sullivan motion. Council Member Johnson voting no, balance voting aye. Council Members Lovell and Noriega absent. MOTION 2011-0313 ADOPTED.

30. ORDINANCE approving and authorizing agreement between the City of Houston and **556 LINDA VISTA, L.P.** providing a Performance Based Loan of Federal Community Development Block Grant Disaster Relief Program Funds in an amount up to \$12,500,000.00 for the rehabilitation of 488 units at a 556 unit apartment property located in the 5500 block of DeSoto Street, Houston, Texas, of which 284 units will be restricted to occupancy by households with incomes at or below 80% of area median income - **DISTRICT B – JOHNSON** – was presented.

After discussion Council Member Johnson asked if they were giving this private business money what was the private business obligation to make the community whole and he was told that they did not have an obligation, that their obligation was simply to make their apartment complex a pretty, viable and livable community, that Linda Vista had promised, just as had Holly View and Sterling Grove had, that they would do a good job of finding contractors that would then be able to work and were from the area, District B and the City of Houston to work on this contract. Council Members Adams and Jones absent.

After further discussion Council Member Johnson moved to suspend the rules to extend his time for discussion of Item No. 30, seconded by Council Member Costello. All voting aye. Nays none. Council Members Adams, Pennington and Jones absent. MOTION 2011-0314 ADOPTED.

After further discussion by Council Members, Mayor Parker stated that they had distributed a list of the subcontractors on all of these projects and they were fully compliant with "Hire Houston First".

After further discussion by Council Members, Mr. Feldman stated that when they took

down Candle Light Trails, which was across the street from Linda Vista on DeSoto, one of the specific purposes there was to make sure that blight did not infect the improvement of Linda Vista and the entire area, that there were additional complexes, however, which were also on DeSoto to the east of Candle Light Trails and Linda Vista, one was known as Candlewood Glen, which was a combination of condominium units and apartment units and then further to the east were the Oakbrook Apartments which were all apartments, they currently had a lawsuit pending that they filed approximately five months ago with respect to Candlewood Glen and while it was a complicated matter because of the fact that it was both condominiums and apartments and also had some tenants with the aid of House Bill 364 and 365, sponsored by Representative Turner, they would be able to in due course to succeed in addressing Candlewood Glen and bringing about its demolition, that with respect to Oakbrook Apartments that was an easier nut for them to crack because there was one owner, it was right next to a drainage facility and was needed for detention purposes and they were, as they speak, proceeding with the eminent domain process, which was going to be presented to Council shortly on Oakbrook Apartments, that should take care of that side of DeSoto and contribute to the improvement of the area. Council Member Adams absent.

After further discussion Mayor Parker stated that they intent to work with remaining apartment complexes in the area, that as the speaker stated yesterday, it was all about the management and what they tolerated in their apartment complexes; that there was a deadline, this project had been in the works for a number of months, the Hurricane Ike Funds would be returned to Washington if they were not fully committed to this project, there was not enough time for another project to come on line, that two apartment complexes had already been done, Holly View, \$8 million had been spent with small and minority businesses and local subcontractors, and for the Sterling Grove Apartments more than \$11 million had been spent locally, that not however to District B, she would acknowledge to the District Council Member, but to Houston businesses, that they should decide whether it was a good project or not on that basis, but if they decide it was not a good project to invest money then the money would not be spent in Houston.

After a further lengthy discussion by Council Members, Council Member Johnson asked if in fact this was voted down what was the possibility that they could come back and still work a deal, that all he was asking was if there was a possibility that they could come back to the table within the next few weeks, and Mr. Feldman stated that while he had had great confidence in his negotiating skills going after the horse had left the barn it would be difficult but not impossible to see if they could put some additional provisions in the agreement, but he simply could not make any guarantees at this point and time.

A roll call vote was called on Item No. 30.

ROLL CALL VOTE:

Mayor Parker voting aye	Council Member Gonzalez voting yes
Council Member Stardig voting aye	Council Member Rodriguez voting aye
Council Member Johnson voting no	Council Member Costello voting aye
Council Member Clutterbuck voting aye	Council Member Lovell voting aye
Council Member Adams voting aye	Council Member Noriega voting aye
Council Member Sullivan voting aye	Council Member Bradford absent due to being ill
Council Member Hoang voting aye	Council Member Jones voting aye
Council Member Pennington voting aye	ORDINANCE 2011-0273 ADOPTED.

33. ORDINANCE approving and authorizing contract between the City and **FIRST SOUTHWEST COMPANY** for Financial Advisory Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options -

\$4,030,609.00 - General and Enterprise Funds – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. ORDINANCE 2011-0274 ADOPTED.

At 10:58 a.m. Mayor Parker stated that they would reconvene the public hearing, and the court reporter continued recording the public hearing.

Council Member Hoang moved to suspend the rules to hear from Ms. Rogene Calvert at this time, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Sullivan, Pennington and Lovell absent. MOTION 2011-0315 ADOPTED.

Council Member Costello moved to suspend the rules to extend time to continue questions of Mr. Vidal Martinez, seconded by Council Member Adams. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Pennington and Lovell absent. MOTION 2011-0316 ADOPTED.

Council Member Gonzalez moved to moved to remain in session beyond the scheduled noon recess past the scheduled noon recess to continue the public hearing, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Pennington and Lovell absent. MOTION 2011-0317 ADOPTED.

Council Member Costello moved to close the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan, Pennington and Rodriguez absent. MOTION 2011-0318 ADOPTED.

Mayor Parker stated that they would move to the consent agenda. Council Members Stardig, Johnson, Adams, Sullivan, Pennington and Rodriguez absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 40

ACCEPT WORK - NUMBER 10

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$96,098.43 and acceptance of work on contract with **FLORIDA TRAFFIC CONTROL DEVICES, INC** for Underpass Lighting Rehabilitation Project - 4.98% over the original contract amount - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan, Pennington and Noriega absent. MOTION 2011-0318 ADOPTED.

PROPERTY - NUMBERS 12 and 13

12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Kness, Windrose Land Services, Inc, on behalf of New Hope Housing, Inc, (Joy Horak-Brown, Executive Director), Linda Flanagan and Elmo Flanagan, Jr., for the abandonment and sale of Eastwood Street, from Perry Street north to its terminus, in the Belmont Addition Number Two, out of the John E. Durkee Survey, A-1013, Parcels SY11-023, SY11-061 and SY11-065 - **DISTRICT D - ADAMS** – was presented, moved by Council Member Gonzalez,

seconded by Council Member Hoang. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0319 ADOPTED.

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, for abandonment and sale of a ±153-foot-long portion of a 14-foot-wide alley, in exchange for the conveyance to the City of right-of-way for and construction of a 16-foot-wide alley, both located between McKee Street and Hardy Street, within Block 13, Cascara Addition, and a right of entry for Houston Independent School District, Parcels SY11-025 and AY11-044 - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0320 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 20

14. **VIDACARE CORPORATION** for EZ-IO® Needle Sets for the Fire Department - 5 Years \$723,125.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0321 ADOPTED.
16. **AIR FLITE, INC** for Schweizer/Sikorsky 269 Series Helicopter Replacement Parts and Repair Services for the Houston Police Department - 5 Years - \$180,000.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0322 ADOPTED.
17. **FORT BEND MECHANICAL LTD.** for Air Cooled Chillers from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$185,000.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0323 ADOPTED.
18. **DOGGETT HEAVY MACHINERY SERVICES** for Equipment Trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Department of Public Works & Engineering - \$127,692.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0324 ADOPTED.
19. **VOLVO CONSTRUCTION EQUIPMENT & SERVICES** for Trailer-Mounted Air Compressors and Generators through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Department of Public Works & Engineering - \$198,540.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0325 ADOPTED.

20. **ABMI, INC** for Various Types of Water Testing Equipment from the Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$289,333.71 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0326 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 22 through 40

22. RESOLUTION amending Resolution No. 2010-0051 approving and authorizing the nomination of **INVESCO MANAGEMENT GROUP, INC** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. RESOLUTION 2011-0009 ADOPTED.
24. ORDINANCE authorizing sale of excess fee-owned street right-of-way on West Bellfort Avenue, Section 34 of the James Hamilton Survey, A-887, Houston, Harris County, Texas, to Americor Partners, Ltd., in consideration of its payment to the City of \$105,393.00 and other consideration **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0275 ADOPTED.
25. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a utility easement in Block 1, George Rich Subdivision, A. C. Reynolds Survey, A-61, Houston, Texas; abandoning said easement to Original, Inc, owner, in consideration of owner's dedication of a utility easement in the same subdivision, payment of \$32,110.00 and other consideration to the City; authorizing and approving a conveyance instrument - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0276 ADOPTED.
26. ORDINANCE approving and authorizing Supplemental Agreement No. 1 to Lease No. DTFASW-09-L-00056 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, in connection with Terminal Radar Approach Control Facility at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0277 ADOPTED.
28. ORDINANCE approving and authorizing Amendment No. 1 to contract for Professional Consulting Services between the City of Houston and **DEREK CONSULTING GROUP, INC** for Professional Information Technology Services for the Houston Airport System (Project 409T) - \$1,854,396.00 Enterprise and Grant Funds - **DISTRICTS B - JOHNSON; E - SULLIVAN and I – RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent.
32. ORDINANCE awarding contract to **BOYER, INC** for Electrical Maintenance, Repair, Automation Support and Technical Services for the City's Water and Wastewater Treatment Facilities for the Public Works & Engineering Department; providing a maximum

contract amount - 3 Years with two one-year options - \$3,240,542.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0278 ADOPTED.

34. ORDINANCE approving and authorizing Sanitary Sewer Agreement between the City of Houston and **WEST HOUSTON AIRPORT CORPORATION** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0279 ADOPTED.
36. ORDINANCE granting to **SUN COAST RESOURCES, INCORPORATED, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0280 PASSED FIRST READING IN FULL.
37. ORDINANCE NO. 2011-0268, passed first reading April 13, 2011
ORDINANCE granting to **HOA VINH TRAN dba A-EVERGREEN VACUUM SERVICE, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0268 PASSED SECOND READING IN FULL.
38. ORDINANCE NO. 2011-0269, passed first reading April 13, 2011
ORDINANCE granting to **FRANCISCO R. PADILLA dba FRP TRUCKING, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0269 PASSED SECOND READING IN FULL.
39. ORDINANCE NO. 2011-0270, passed first reading April 13, 2011
ORDINANCE granting to **PIPELINE VIDEO INSPECTION LLC, A Foreign For-Profit Limited Liability Company**, 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 - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0270 PASSED SECOND READING IN FULL.
40. ORDINANCE NO. 2011-249, passed second reading as amended April 13, 2011
ORDINANCE granting to **DAVID R. PATTERSON d/b/a DUMPSTER DAVE, INC, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing

for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0249 ADOPTED THIRD AND FINAL READING IN FULL.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

ACCEPT WORK

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,092,886.07 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Shady Oaks - 9.77% under the original contract amount - **DISTRICT B – JOHNSON** – was presented, and tagged by Council Member Jones. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent.

PURCHASING AND TABULATION OF BIDS

15. **BOUND TREE MEDICAL, LLC (Bid No. 1)** for EMS Gloves for the Fire Department - 5 Years \$835,571.50 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0327 ADOPTED.
21. **CONSOLIDATED ELECTRICAL DISTRIBUTORS, ASTRO (Bid #1)** - \$375,937.76, **TURTLE AND HUGHES, INC** - \$258,080.06 and **GRAYBAR ELECTRIC** - 5 Years - \$84,289.36 for Electrical Lighting for Various Departments - General and Enterprise Funds – was presented, and tagged by Council Member Jones. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent.

RESOLUTIONS AND ORDINANCES

23. ORDINANCE **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Joint City/County Commission on Children; containing other provisions relating to the foregoing subject; containing a repealer; providing for severability – was presented, and tagged by Council Member Jones. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent.
27. ORDINANCE approving and authorizing contract for Professional Consulting Services by and between the City of Houston and the **GREATER HOUSTON PARTNERSHIP, INC** for Houston Airport System - \$376,500.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented, and tagged by Council Member Jones. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent.
29. ORDINANCE approving and authorizing City of Houston to submit the 2011 Annual Action Plan to the United States Department of Housing and Urban Development, including the following 2011 grant applications: 1) 37th Program Year Community Development Block Grant in the amount of \$29,287,233 (which amount includes \$3,071,711 in program income); 2) Home Investment Partnerships Grant in the amount of \$11,412,478 (which amount includes \$159,378 in program income); 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$6,235,155; and 4) Emergency Solutions Grant, formerly known as the Emergency Shelter Grants, in an amount to be determined by HUD; to accept the aforementioned grant funds, if awarded – was presented. All voting aye. Nays

none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0281 ADOPTED.

31. ORDINANCE approving and authorizing Contingency Agreement between the City of Houston and **MARKETING ON HOLD, INC d/b/a SOUTHWESTERN TARIFF ANALYST** for Fee Auditing Services; and approving a contingency allocation of funds - 30 Months - \$750,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0282 ADOPTED.
35. ORDINANCE approving and authorizing Joint Funding Agreement between the City of Houston and the **UNITED STATES GEOLOGICAL SURVEY** for Water Resource Investigation and Monitoring; providing a maximum contract amount - 1 Year - \$806,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0283 ADOPTED.

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

41. RECEIVE nominations for City Council Appointees to the **REBUILD HOUSTON OVERSIGHT COMMITTEE** - had been pulled from the Agenda by the Administration, and was not considered. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent.

MATTERS HELD - NUMBERS 42 through 44

42. RECOMMENDATION from Purchasing Agent to award to **HAHN EQUIPMENT CO., INC** - \$850,515.00, **JERSEY EQUIPMENT COMPANY OF HOUSTON, INC** - \$161,269.00, **JDC FLUID EQUIPMENT** - \$236,789.00, **NEWMAN REGENCY GROUP** - \$82,864.00, **PUMP SOLUTIONS, INC** - \$863,605.00, **PUMPS & EQUIPMENT OF TEXAS** - \$90,718.00 and **SMITH PUMP CO.** - \$60,266.00 for Various Types and Size Pumps for Department of Public Works & Engineering \$2,346,026.00 - Enterprise Fund – **(This was Item 7 on Agenda of April 13, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. Council Member Jones voting no, balance voting aye. Council Member Bradford absent due to being ill. Council Member Stardig, Johnson, Adams, Sullivan and Pennington absent. MOTION 2011-0328 ADOPTED.
43. ORDINANCE **AMENDING RULE 6 OF SECTION 2-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to a code of conduct applicable to council members; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer – **(This was Item 10 on Agenda of April 13, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0284 ADOPTED.
44. ORDINANCE amending Ordinance No. 2007-0127 (Passed on January 31, 2007) to increase the maximum contract amount for contract between the City of Houston and **HOUMA ARMATURE WORKS HOUSTON, LLC (Formerly GHX POWER SYSTEMS, LLC)** for Electric Motor Repair Services for the Public Works & Engineering Department - \$654,593.00 - Enterprise Fund – **(This was Item 15 on Agenda of April 13, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones

voting no, balance voting aye. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent. ORDINANCE 2011-0285 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Jones stated that they would have a Housing Committee meeting on Thursday at 2:00 p.m. in the Council Chamber; that she went to the Houston Center for Independent Living this week and had a wonderful opportunity to speak with persons with various disabilities and trying to work to do better in that arena; that she had a great time at Earth Day, it was a really nice affair. Council Members Stardig, Johnson, Adams, Sullivan and Pennington absent.

Council Member Lovell stated that they would have a Development and Regulatory Affairs Committee Meeting on Thursday, April 21, 2011 at 10:45 a.m. in the Council Chamber; that she wanted to send condolences from herself and staff to the family of former Council Member Joe Roach who died on Monday, that he served three terms on Council from 1994 to 2000; that the Houston Zoo has now named it's baby orangutan, Aurora, that her mother had rejected her and they needed volunteers that could carry her; that this past week the City lost a really good friend and somebody who cared about the City, Mr. Jim Box, who was a consultant and always working for his clients and the City, that the development partnership agreements that they had in the City now that allowed them to have the developers join in the cost of infrastructures was Jim's idea and it was a great idea and served them well, that she wanted to say it was a pleasure knowing Jim and sends her condolences to his wife, Ellen, and family and they would certainly remember what he gave back to the City and how much he cared for the City. Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Rodriguez, Costello and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she wanted to join Council Member Lovell in remembering Jim Box, that he was very big on doing the right thing because it was the right thing; that she served with Council Member Roach, that he was not a very big guy, but was a very big man. Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Rodriguez, Costello and Jones absent. (NO QUORUM PRESENT)

Council Member Gonzalez stated that this weekend many of their communities would be hosting a number of fun filled events happening across the district on Saturday, April 23, 2011; that they were invited to attend the Shady Acres Easter Bash; that the Lindale Civic Club House would be kicking off their first Spring Festival and Easter Egg Hunt from 11:00 a.m. to 1:00 p.m. at 218 Joyce Street, that the Easter Bunny would be making his last stop at Independence Heights Park at 601 East 35th Street from 10:00 a.m. to 1:00 p.m.. Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Rodriguez, Costello and Jones absent. (NO QUORUM PRESENT)

Council Member Noriega stated that she wanted to echo Council Member Lovell's comments about former Council Member Joe Roach, that everyone who she sent an email to said what a good guy he was, how much he did and how brave he was, that he was a take no prisoner advocate for his community and a moderate at a time when they were a vanishing species; that she also wanted to echo her comments about Jim Box he was a mentor to her and she appreciated his insight and wisdom. Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Rodriguez, Costello and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that they had seen a lot of really amazing and wonderful citizens of their community pass and she too wanted to express her condolences to Becky Roach and Joe's parents, that they attended the same church that she did, that she got

to know Joe when she was in Law School and thinking about becoming a prosecutor and at the time they were experiencing similar budgetary constraints at the County that they were now and they were throwing young, unlicensed, not yet attorney students into the courthouse and trying cases and Joe was a tremendous help to her in helping her to survive the three cases that she lost with his gentle explanation of what she could have done differently in order to try to win them, that was when she first had the privilege of meeting Joe and he later became a neighbor and of course they all knew him as an outstanding City Council Member, that he would be greatly missed, that she thought the greatest asset of which he was most proud would probably be his relationship with Becky and the beautiful family that they created; that she wanted to thank the many people who had expressed condolences about the passing of her father, that they had a wonderful celebration of his life and he was one of those people whose job it was to see that other people's stories got told, that he would always be an inspiration to her and she wanted to thank everybody for their individual condolences; that yesterday they had their Houston Galveston Area Council Board Meeting, that she thought that the most significant thing that they considered yesterday was an item to establish a TCEQ Air Quality Umbrella Contract that would be funded through the TCEQ, that it was good news, that it was over \$1 million and was because the City of Houston and their region in the past had been considered a severe non attainment area, they had improved on their performance and had achieved another goal of better quality of air and meeting their attainment levels eight years earlier than what was previously presumed possible, that she was not doing it justice with her mediocre explanation of the project and hoped that HGAC would do a little bit more in promoting this, that she thought it was exciting and big news for the region and meant that their air quality was getting better and they were meeting the federal standards in a more timely fashion, that also meant that certain of the restrictions on Houston as a region would be relaxed and reduced and that would be good for their economy. Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Rodriguez, Costello and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she would remind everybody that they had a public hearing tonight at 7:00 p.m. so Council Members needed to come back and the public was invited as well; that this was Earth Week in Houston, they kicked it off with a breakfast on Monday and the Farmers Market was still going on, they were going to have a special Farmers Market until 2:00 p.m. where they were demonstrating their new Airport C & G Fueled Shuttles, there was going to be an exhibit on the proposed Bike Share Program in the City of Houston, there was a kiosk down there for that, and then a reminder to Houstonians that tomorrow was Lights Out Houston Night and they were encouraging everyone to turn off their lights and the electronics before they left work for the day and then a dark period in the evening where if perhaps enough of them turned off their lights tomorrow evening that they would actually be able to see some of the stars out at night, and finally on Saturday was the City of Houston's official Earth Day Celebration at Discovery Green from 10:00 a.m. to 4:00 p.m. Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez, Rodriguez, Costello, Lovell and Jones absent. (NO QUORUM PRESENT)

At 4:41 p.m. Mayor Parker stated that City Council was recessed until 7:00 p.m. Council Member Bradford absent due to being ill. Council Members Stardig, Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez, Rodriguez, Costello, Lovell and Jones absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 7:00 p.m. Wednesday, April 20, 2011, Mayor Annise D. Parker presiding and with Council Members, Jarvis Johnson, Wanda Adams, 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; and Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present. Council Member Brenda Stardig, Anne Clutterbuck, Mike Sullivan and Oliver Pennington absent.

2. **PUBLIC HEARING** relative to establishment of Council Member district boundaries as required by Article V, Section 3 of the Charter of the City of Houston, Texas - **7:00 P.M.**

At 7:03 p.m. Mayor Parker asked if the court reporter was ready and welcomed them to the third and final hearing on the redistricting process for the City of Houston, that as a reminder they did have a sign in sheet of those who signed in in advance of the meeting, but it was still possible to speak tonight if they wished to be part of the process, that this was the final public hearing but there was still a good deal of time for the public to weigh in on the process, that the last opportunity to present a complete redistricting map for analysis by City staff was May 6, 2011 at 4:15 p.m. to the Planning Department, that Council would not consider any proposals until May 11, 2011 with the possibility that all discussion would be delayed a week until May 18, 2011, but the very soonest that Council would be taking any action would be May 18, 2011, that she appreciated the fact that in the previous public hearings the dialog had been very constructive and there had been a lot of good input from the community, that she hoped that this evening would go as well, and asked Mr. Feldman to briefly describe for the audience what they were about this evening. Council Members Johnson, Adams and Jones absent.

Mr. Feldman asked the Court Reporter to start recording. Ms. Karen D. Deshetler, Gulfstream Reporting, recorded the entire public hearing, and a copy of the transcript will be available in the office of the City Secretary. Mr. Jerry Wood, Consultant, was present for the hearing. Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Pennington and Jones absent.

Council Member Rodriguez moved to suspend the rules to hear from Mr. Robert Jara after Dr. Laura Murillo, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Jones absent. MOTION 2011-0330 ADOPTED.

At 8:35 p.m. Mayor Parker stated that they were about half way through the speakers who had signed up and in respect to the court reporter they were going to take a five minute break, that they were in recess. Council Members Stardig, Clutterbuck, Adams, Sullivan and Pennington absent.

At 8:44 p.m. Mayor Parker stated that they were ready to proceed with the public hearing and asked Ms. Guzman to call the next speaker.

Council Member Gonzalez moved to close the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent. MOTION 2011-0331 ADOPTED.

There being no further business before Council, the City Council adjourned at 10:13 p.m. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary