

City Council Chamber, City Hall, Tuesday, June 28, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 28, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Ann Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega and C. O. "Brad" Bradford, Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Xavier Herrera Citizens Assistance Office; and Ms. Marta Crinejo, Agenda Director, present. Council Member Oliver Pennington absent.

At 1:41 p.m. Mayor Parker called the meeting to order and stated that Council would begin with presentations from Council Member Hoang; and Council Member Hoang invited Mr. Rahim Ali and Mr. Andrew Bejarano with APNA Energy to the podium and stated that they had served Houston greatly with energy conservation; and Mayor Parker presented a Proclamation to them for providing reliable and affordable energy and proclaimed April 10, 2011, as "APNA Energy Day" in Houston, Texas. Mr. Ali thanked all for the recognition and stated that it was something they would all treasure. Council Members Johnson, Adams, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker invited Ms. Dena Fontno-Gray to the podium and stated that for 20 years Ms. Gray had conducted hundreds of presentations on HIV education, housing, prevention, etc., she served as HIV Prevention Program manager for HIV, STD and Viral Hepatitis Program with the City of Houston and was selected as National Champion of Change for her outstanding work and invited to the White House to share ideas; and presented Ms. Gray a Proclamation congratulating and commending her works and proclaimed today as "Dena Fontno-Gray Day" in Houston, Texas. Ms. Gray thanked all for the recognition and support received. Council Members Johnson, Adams, Noriega and Jones absent.

Vice Mayor Pro Tem Gonzalez and Council Members Lovell, Stardig and Rodriguez thanked Ms. Gray for her courage, commitment and works. Council Members Johnson, Adams, Sullivan, Noriega and Jones absent.

Council Member Rodriguez invited representatives with (NOAH) Network of Opportunities Abound Here and stated that their mission was to empower the economically disadvantaged individuals and sustain their economic, physical, social and spiritual wellbeing and offered classes to those in economic need and the homeless population; and Mayor Parker presented them a Proclamation recognizing their efforts and wishing them continued success; and proclaimed today as "NOAH Day" in Houston, Texas. Council Members Stardig, Johnson, Adams, Lovell and Jones absent.

A Representative thanked all for their recognition and stated that without all partners and their collaborative efforts this would not have happened. Council Members Johnson, Adams, Lovell and Jones absent.

At 2:00 p.m. Vice Mayor Pro Tem Gonzalez called on Council Member Sullivan who invited Mr. Chris Seay a leader in the emerging church discussion, church planter, author, and third generation Baptist pastor and current President of Ecclesia Bible Society to lead all in the prayer and Council Member Sullivan led all in the pledge. Council Members Johnson, Adams, Lovell and Jones absent.

At 2:02 p.m. the City Secretary called the roll. Council Member Pennington absent. Council Members Johnson, Adams, Sullivan and Jones absent.

Council Members Gonzalez and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Pennington absent. Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. MOTION ADOPTED.

Mayor Parker called on the City Secretary who stated that the amount of time reserved for today was 206 minutes; and Mayor Parker stated that when a certain amount of minutes was exceeded for speakers all were limited to one minute presentations and the same was limited for all Council Members discussion collectively. Council Members Johnson, Adams, Sullivan, Noriega and Jones absent.

Council Member Hoang moved the rules be suspended for the purpose of adding Ms. Truc Phan to the list of speakers after Ms. Sharon McNair, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Pennington absent. Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. MOTION 2011-0521 ADOPTED.

Council Member Lovell moved the rules be suspended for the purpose of adding Mr. James Brooks to the list of speakers after Mr. Paul Day, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Pennington absent. Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. MOTION 2011-0522 ADOPTED.

At 2:05 p.m. the City Secretary began calling the public speakers. Council Members Johnson, Adams, Noriega and Jones absent.

Ms. Lori Valencic, 256 E. 5th, Houston, Texas 77007 (713-880-8061) appeared and stated that she lived in Heights South, supported historic designation; and urged a vote in favor of historic designation for their district. Council Members Johnson, Adams, Noriega and Jones absent.

Mr. Edward Mcdowell, 725, Cortlandt, Houston, Texas 77007 (713-863-0450) appeared and stated that he lived in Heights South, opposed their historic designation; and urged it be put on a ballot for vote. Council Members Johnson, Adams, Noriega and Jones absent.

Mr. Robert Stragg, 407 E. 5th, Houston, Texas 77007 (713-539-7194) appeared and stated that he lived in Heights South and did not support historic designation for their area. Council Members Johnson, Adams, Noriega and Jones absent.

Ms. Laurel Johnson, 1038 Columbia, Houston, Texas 77008 (713-502-1268) had reserved time to speak but was not present when her name was called. Council Members Johnson, Adams, Noriega and Jones absent.

Mr. Bart Truxillo, 1802 Harvard, Houston, Texas 77008 (713-861-6236) appeared and stated that the protected historic districts Council voted on were working and a number of Certificates of Appropriateness were not even controversial. Council Members Stardig, Johnson, Adams, Lovell, Noriega and Jones absent.

Mr. Mark Williamson, 1433 Columbia, Houston, Texas 77008 (713-864-4230) appeared and stated that he lived in Heights East and was present representing a number of organizations in favor of all three districts being endorsed; and urged a vote in favor of all three districts. Council Members Stardig, Johnson, Adams, Sullivan, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Al Bettis, 504 Woodland, Houston, Texas 77009 (713-409-4700) appeared and stated that he lived in Woodland Heights and they did not want it turned into a cookie cutter neighborhood. Council Members Stardig, Johnson, Adams, Sullivan, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Sharon Greiff, 826 Woodland, Houston, Texas 77009 (713-580-5676) appeared and stated that she lived in Woodland Heights, was for the petition; and urged a vote in favor of their

historic district. Council Members Stardig, Johnson, Adams, Sullivan, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Joan Carlson, 528 Woodland, Houston, Texas 77009 (713-376-9891) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson, Adams, Sullivan, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Victor Cornejo, 7925 Wilmerdean, Houston, Texas 77061 (832-876-4980) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams, Sullivan, Lovell, Noriega and Jones absent.

Ms. Vicky Schoppe, 8122 DeLeon, Houston, Texas 77061 (713-643-7643) appeared and stated that she lived in Glenbrook Valley, had previously served as civic club president four years and strongly supported historic preservation. Council Members Johnson, Adams, Sullivan, Noriega and Jones absent.

Mr. Johnny Mata, 2121 Fountain View, Houston, Texas 77057 (832-723-3110) appeared, presented information to Council Members and stated that he represented the Greater Houston Coalition for Justice, an umbrella group for 18 civil rights groups, the coalition sent letters to the Mayor and Council Members in April asking the issue be put to a vote and it acknowledged serious infractions by the Director of Planning and Development. Mayor Parker, Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Rudy Mendez, 8010 Glen Valley, Houston, Texas 77061 (713-649-5499) appeared and stated that he resided in Glenbrook Valley and was opposing their being designated as a historic district. Mayor Parker, Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Sharon McNair, 7834 Santa Elena, Houston, Texas 77061 (713-847-6685) appeared and stated that she lived in Glenbrook Valley and was present supporting their becoming a historic neighborhood. Mayor Parker, Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Truc Phan, who was previously added to the Speakers List, appeared and stated that she lived at 8023 Glendale and was present opposing her house being in a historic district; and urged a no vote for their neighborhood. Mayor Parker, Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Richard Hall, 519 Bayland, Houston, Texas 77009 (713-802-9949) appeared and stated that he lived in Woodland Heights; their neighborhood needed preserving; and urged a vote in favor of their historic designation. Mayor Parker, Council Members Johnson, Adams, Sullivan, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Vicky Bettis, 504 Woodland, Houston, Texas 77009 (713-397-9336) appeared, presented information to Council Members and stated that she was speaking for herself and 14 other residents; that their deed restrictions gave little protection; and urged a vote in favor of their historic designation. Council Members Johnson, Adams, Sullivan, Noriega and Jones absent.

Mr. Chad Shaw, 616 Highland, Houston, Texas 77009 (713-798-8087) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams and Jones absent.

Ms. Renee Cross, 3004 Beauchamp, Houston, Texas 77009 (832-788-8698) appeared

and stated that she lived in the Woodland Heights; and urged a vote in favor of their historic designation. Council Members Johnson and Jones absent.

Ms. Byron King, 528 Woodland, Houston, Texas 77009 (713-962-7444) appeared and stated that he lived in the Woodland Heights, their deed restrictions were designed by the neighborhood and still in place; and today's divisive efforts to impose a historic designation could not muster the support. Council Members Johnson and Lovell absent.

Mr. Bill Baldwin, 205 Bayland, Houston, Texas 77008 (713-863-1600) had reserved time to speak but was not present when his name was called. Council Members Johnson and Lovell absent.

Mr. Albert Tran, 8306 Glen Valley, Houston, Texas 77061 (713-885-8895) appeared and stated that he lived in Glenbrook Valley; and urged a no vote for their historic designation. Council Members Johnson and Lovell absent.

Mr. Preston Clark, 7711 Lakewind, Houston, Texas 77061 (713-855-8100) appeared and stated that he lived in Glenbrook Valley, was in favor of historic designation; and urged a vote in their favor. Council Members Lovell and Noriega absent.

Ms. Martha Salazar, 6930 Bellfort, Houston, Texas 77061 (713-643-1304) had reserved time to speak but was not present when his name was called. Council Members Lovell and Noriega absent.

Mr. Eric Horne, 8102 Colgate, Houston, Texas 77061 (832-228-4575) appeared and stated that he lived in Glenbrook Valley; and urged a vote in favor of their district. Council Member Noriega absent.

Mr. Zac Trahan, 1801 Driscoll, Houston, Texas 77019 (713-295-9447) had reserved time to speak but was not present when his name was called. Council Member Noriega absent.

Ms. Susan Prospere, 521 E. 8th, Houston, Texas 77008 (713-860-6422) appeared and stated that she lived in Heights South and had been held hostage by the historic preservation process. Council Member Noriega absent.

Mr. Don Sanders, 1128 Courtland, Houston, Texas 77008 (713-863-1197) appeared and stated that he lived in Heights East and his wife had a law office in Heights South; played a guitar and sang a song and stated that he was in favor of the Heights districts. Council Member Noriega absent.

Ms. Angela Dewree, 505 Arlington, Houston, Texas 77007 (713-880-3613) appeared, presented information and stated that the Heights South Historic District worked; it was developed in a compatible manner; and urged a vote in favor of their historic neighborhood. Council Member Noriega absent.

Mr. Tomas Paez, 835 Columbia, Houston, Texas 77007 (713-582-4457) appeared and stated that he lived in Heights South and was present urging a no vote on their historic designation and allow him to demolish and rebuild. Council Members Lovell and Noriega absent.

Ms. Shannon Cunningham, 407 E. 5th, Houston, Texas 77007 (832-282-2625) appeared and stated that she lived in the Heights South; zero support was gathered for this ordinance; and urged a no vote on their historic district. Council Members Lovell and Noriega absent.

Ms. Marianne Smith, 818 Highland, Houston, Texas 77009 (713-899-9137) appeared and

stated that she lived in Woodland Heights and supported their historic district as deed restrictions were not sufficient. Council Members Lovell and Noriega absent.

Mrs. Margaret Blackstone, 525 Woodland, Houston, Texas 77009 (713-869-4029) appeared and stated that she lived in the Woodland Heights; was present in support of the Woodland Heights historic district; and urged a vote in favor of their district. Council Member Noriega absent.

Mr. Raymond Blackstone, 525 Woodland, Houston, Texas 77009 (713-869-4029) appeared and stated that he lived in the Woodland Heights in a 100 year old bungalow, supported adoption of their historic district; and urged a vote in their favor. Council Members Johnson and Noriega absent.

Mr. Stan Cross, 3004 Beauchamp, Houston, Texas 77009 (832-248-1585) appeared and stated that he grew up in Glenbrook Valley and lived in Woodland Heights; and urged a vote in their favor to protect their neighborhood. Council Members Johnson and Noriega absent.

Mr. Jim Weston, 3301 Morrison, Houston, Texas 77009 (713-816-0444) appeared and stated that he lived in Woodland Heights; was present asking Council for support for their historic district; and urged a vote in their favor. Council Members Johnson and Noriega absent.

Ms. Carolyn Hall, 519 Bayland, Houston, Texas 77009 (713-802-9949) had reserved time to speak but was not present when her name was called. Council Members Johnson and Noriega absent.

Mr. Lawrence Rennell, 520 Omar, Houston, Texas 77009 (713-880-2977) appeared and stated that he lived in Woodland Heights in a 100 year old cottage and present in opposition to the Woodland Heights historic district; that the petition did not have support; and urged a no vote. Mayor Parker, Council Members Johnson and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Larry Hall, 529 Euclid, Houston, Texas 77009 (713-753-6543) appeared and stated that he lived in the Woodland Heights and was present in support of historic designation for their area. Mayor Parker, Council Members Johnson, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Greg Wilson, 8015 Glendale Court, Houston, Texas 77061 (281-460-2338) appeared and stated that he lived in Glenbrook Valley, was very opposed to the historic district and it did not have majority support. Mayor Parker, Council Members Johnson, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Areceli Ablaza (did not wish to give address) 713-906-3036) appeared and stated that her name was Areceli Gutierrez and was present on behalf of Dr. Barnard Banario and read a letter from her which was in opposition to the Glenbrook Valley historic designation. Mayor Parker, Council Members Johnson, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Duc Nguyen, 8302 Glen Valley, Houston, Texas 77061 (713-894-8877) appeared and stated that he lived in Glenbrook Valley, against the historic district; and urged a no vote on their designation. Mayor Parker, Council Members Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. George Christy, 8007 Erie, Houston, Texas 77061 (713-641-3305) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Ann Collum, 7511 Glenbrae, Houston, Texas 77061 (713-645-0241) appeared and stated that she lived in Glenbrook Valley, was for their historic designation; and urged a vote in favor of their district. Mayor Parker, Council Members Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Van Tran, 7639 Glen Prairie, Houston, Texas 77061 (713-847-9495) appeared and stated that she lived in Glenbrook Valley, was present opposing them being a historic district; and urged a no vote. Mayor Parker, Council Members Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Antonio Gonzalez, 8202 Glenloch, Houston, Texas 77061 (832-880-6005) had reserved time to speak but was not present when his name was called. Council Members Rodriguez and Noriega absent.

Ms. Elda Gonzalez, 6706 Meadow View, Houston, Texas 77061 (832-566-8122) appeared and through her interpreter, Council Member Gonzalez, stated that she lived in Glenbrook Valley and was present opposing the historic district and wanting to retract her original signature. Council Members Rodriguez and Noriega absent.

Ms. Deborah Jean, 8011 Glen Valley, 77061 (832-715-7068) appeared and stated that she lived in Glenbrook Valley and was present opposing their historic designation and she did not believe it had enough support; and asked they consider that during their vote. Council Members Johnson, Rodriguez and Noriega absent.

Ms. Berta Monge, 7727 Glenlea, Houston, Texas 77061 (713-649-2404) appeared and stated through her interpreter, Council Member Gonzalez, that she lived in Glenbrook Valley and was present opposing their historic designation as did most of her neighbors. Council Members Johnson, Rodriguez, Costello and Noriega absent.

Mayor Parker stated that for anyone who would be reserving time and needing a translator, they could mention that when calling in and someone would be present for them; and thanked Council Member Gonzalez for stepping in. Council Members Johnson, Rodriguez, Costello and Noriega absent.

Mr. T. C. Burton, 8102 Glencrest, Houston, Texas 77061 (713-649-3103) had reserved time to speak but was not present when his name was called. Council Members Johnson, Rodriguez, Costello and Noriega absent.

Ms. Delores Robinson, no address (no phone) appeared and stated that she lived in Glenbrook Valley, was present opposing their historic designation as many neighbors; and urged a no vote. Council Members Johnson, Rodriguez, Costello and Noriega absent.

Mr. Phillip Wattenbarger, 8015 DeLeon, Houston, Texas 77061 (713-302-8071) appeared and stated that he lived in Glenbrook Valley, was in opposition to their being a historic district and they did not had majority support. Council Members Johnson, Rodriguez, Costello and Noriega absent.

Mr. Charles Owens, 7638 Glen Prairie, Houston, Texas 77061 (713-645-5208) appeared and stated that he lived in Glenbrook Valley, was completely against their historic district; that Planning did a report showing they did not have the majority support; and urged a no vote. Council Members Johnson, Rodriguez and Noriega absent.

Mr. Karlan Karner, 8102 Glencrest, Houston, Texas 77061 (713-649-3103) had reserved time to speak but was not present when his name was called. Council Members Johnson,

Rodriguez and Noriega absent.

Ms. Elizabeth Ayers, 8015 De Leon, Houston, Texas 77061 (832-675-0193) appeared and stated that she lived in Glenbrook Valley and present asking for a no vote on their historic designation. Council Members Johnson, Rodriguez and Noriega absent.

Ms. Sarita Covarrubias, 7719 Wynlea, Houston, Texas 77061 (832-533-6922) appeared and stated that she lived in Glenbrook Valley and was opposed to the historic district; that they did not have majority support for it; and urged a no vote. Council Members Johnson, Rodriguez and Noriega absent.

Mr. Larry Neely, 8006 Colgate, Houston, Texas 77061 (713-649-2383) appeared and stated that he lived in Glenbrook Valley and was opposed to them being a historic district. Council Members Johnson, Rodriguez and Noriega absent.

Ms. Mary Neely, 8006 Colgate, Houston, Texas 77061 (713-649-2383) had reserved time to speak but was not present when her name was called. Council Members Rodriguez and Noriega absent.

Mr. W. L. Orsak, 7907 Pecan Villas, Houston, Texas 77061 (281-685-5497) appeared and stated that he lived in Glenbrook Valley and was in opposition to their historic district. Council Members Stardig and Rodriguez absent.

Mr. Mark Williams, 1710 W. T. C. Jester, Houston, Texas 77008 (281-788-7628) appeared and stated that the historic district process was flawed; and urged they say no to their historic district. Council Members Stardig, Rodriguez and Lovell absent.

Ms. Mary Wassef, 1127 Winston, Houston, Texas 77009 (713-398-8719) appeared, presented information and stated that the value of homes in non-protected districts had risen while those in protected districts were stagnant. Council Members Stardig, Rodriguez and Lovell absent.

Mr. Joe McLaughlin, 4299 San Felipe, Houston, Texas 77027 (281-685-6215) appeared and stated that he was present on behalf of the Texas Campaign for the Environment Leaders of the Sierra Club, Apollo Alliance and Service Employees International Union Texas State Council and urged support of a motion tomorrow referring to two waste management contracts, Items 52 and 53 sending them back to the Neighborhood Protection Committee as there were no hearings and an inclusive discussion and plan was needed. Council Members Rodriguez and Lovell absent.

Ms. Maria Espinosa, 12227 Gladewick, Houston, Texas 77077 (no phone) appeared and stated that her concern was the sanctuary city policy and would ask the city to rescind the policy for security of Houstonians and Texas. Council Member Rodriguez absent.

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

Mr. William Beal, no address (no phone) had reserved time to speak but was not present when his name was called. Council Member Rodriguez absent.

Ms. Yolanda Broussard, 11835 Murrway, Houston, Texas 77048 (832-364-8387) had reserved time to speak but was not present when her name was called. Council Members Sullivan and Rodriguez absent.

Mr. Tri Troung, 2200 Jefferson, Houston, Texas 77002 (713-298-8054) appeared with a translator who stated that his name was Michael Nguyen and he would be translating for Mr. Troung; and Mr. Troung stated that he was a restaurant owner at 2200 Jefferson and in 2006 during the flood he had to close and he had building violations which accumulated to 200 fines and went to court and was adjudicated, however, because of his poor English and he was not represented by a lawyer, he was not aware the fines had to be paid within 30 days after judgment; and Council Member Stardig stated on a point of order, was Mr. Nguyen speaking for him or translating; and Mr. Nguyen stated that he spoke with him outside the Chamber; and Mayor Parker stated that the Rules of Council were only one person could be represented; and upon questions, Mr. Nguyen stated that he was with the Mayor's Citizen Assistance Office and present to translate for Mr. Troung; and Mayor Parker stated that Mr. Troung was to speak and then Mr. Nguyen was to translate, and Mr. Troung stated through his translator, Mr. Nguyen, that he had a restaurant at 2200 Jefferson and he received over 200 tickets because of a hurricane for building violations, it was multiple violations over the course of one day; he went to court and was willing to pay the \$15,900 but did not have enough money until June 30<sup>th</sup> which was 30 days after the judgment; but he could pay over a course of a few months and signed the agreement, however, he was not aware of a \$25.00 fine per violation and that would amount to \$5,000. Council Member Sullivan absent.

Mayor Parker stated that they had set a meeting for him with the Chief Prosecutor Randy Zamora and he would have opportunity to discuss whether it was possible to work out a payment plan and could raise the issue of no language services for him to fully understand; and Mr. Nguyen interpreted for Mr. Troung who stated that there was a translator last time but she did not do it correctly and that was why there was this issue; and Mayor Parker stated that she would make sure there was a translator there as a part of this issue. Council Member Sullivan absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Mr. Tri Troung, seconded by Council Member Bradford. All Voting aye. Nays none. Council Member Pennington absent. Council Member Sullivan absent. MOTION 2011-0523 ADOPTED

Upon questions by Council Member Jones, Mr. Nguyen interpreted for Mr. Troung that he was selling the restaurant, however, if he did not pay by June 30<sup>th</sup> he had to refinance and figure out a way to pay over years; and Mayor Parker stated that she was having the Legal Department arrange a meeting with the Chief Prosecutor Randy Zamora so they could make sure he was fully informed with adequate translation and whether he could work out a payment schedule; and Mr. Nguyen stated he was worried about a high interest rate and wanted a payment plan. Council Members Clutterbuck, Sullivan and Noriega absent.

Council Member Hoang moved the rules be suspended for the purpose of extending the time for questions of Mr. Tri Troung, seconded by Council Member Bradford. All Voting aye. Nays none. Council Member Pennington absent. Council Members Clutterbuck, Sullivan and Noriega absent. MOTION 2011-0524

Council Member Hoang stated that it seemed he had a language barrier and his office would volunteer to facilitate; and Mayor Parker stated that she appreciated it; and Council Member Hoang informed to Mr. Troung in Vietnamese. Council Members Clutterbuck, Sullivan and Noriega absent.

Mayor Parker stated that she would like the translator for Mr. Trong to introduce himself again; and Mr. Nguyen stated that his name was Michael Nguyen with the Mayor's Citizens Assistance Office; and Mayor Parker asked that he forgive her for not knowing he worked for her; and Mr. Nguyen thanked all for their time. Council Members Clutterbuck, Sullivan and Noriega absent.

Ms. Natalie Taylor, 6106 Bending Oaks, Houston, Texas 77050 (832-884-1021) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Sullivan and Noriega absent.

Mr. Dwight Baxter, 3427 Wentworth, Houston, Texas 77004 (832-546-5910) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan and Noriega absent.

Mr. Byron Schirmbeck, 4727 Black Stone, Baytoen, Texas 77561 (281-728-7220) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan and Noriega absent.

Ms. Alice Toya, (no address or phone number given) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Sullivan and Noriega absent.

Mr. Bart Porter, (no address or phone number given) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan and Noriega absent.

Ms. Sabrina Fairchild, (no address or phone number given) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Sullivan and Noriega absent.

Mr. Don Hooper, 3547 Wood Valley, Houston, Texas 77025 (713-553-8955) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan and Noriega absent.

Mr. Braxton Hicks, (no address or phone number given) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan, Hoang and Noriega absent.

Mr. Clyde Bryan, 10802 Pepper Lane, Houston, Texas 77079 (713-545-4878) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan, Hoang and Noriega absent.

Mr. Kenneth Calloway, (no address or phone number given) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan, Hoang and Noriega absent.

Mr. Randall Kallinen, 511 Broadway, Houston, Texas 77012 (713-320-3785) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Sullivan, Hoang and Noriega absent.

Mr. Ted Weisgal, 12137 Stone West, Houston, Texas 77035 (281-546-6793) appeared, presented information and stated that he was present regarding libraries frequently closed and people panhandling in neighborhoods; that on the esplanade of Chimney Rock a little past the Meyer Branch Library on West Bellfort there was a gentleman with a prosthetic leg panhandling and there was something wrong; and Mr. Weisgal's time expired. Council Members Clutterbuck, Sullivan, Hoang and Noriega absent.

Mr. Richard Arnold, 5118 Klein Brook, Houston, Texas 77006 (832-205-3340) appeared and stated that he had been present before but nothing had changed; that he had asked

someone look at his situation before he was out of a job and that would now be in two days; that he had not received an EPE in the last two years and he believed to be laid off in the classification he was laid off in he should have been given an unscheduled EPE and management was aware he had no EPE in two years; and again urged the Mayor and Council help correct the situation. Council Members Clutterbuck, Sullivan, Hoang and Noriega absent.

Council Member Adams stated that in her amendments they talked about the EPEs and about past performance; that she made a public request on concerns brought to Council two weeks ago about retaliation and OIG reports against one person and to this day still had not received the list; that she had issues and waited two weeks and considered this disrespectful; and Upon questions by Mayor Parker, Council Member Adams stated that employees were stating a list of employees filed an OIG investigation against an individual and the particular person was promoted to a higher position in HR and when it was time for layoffs that person who the OIG investigation was against was promoted and laid off all who filed the OIG investigation against them; that she had a verbal request for reports. Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Mr. Richard Arnold, seconded by Council Member Jones. All voting aye. Nays none. Council Member Pennington absent. Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. MOTION 2011-0525 ADOPTED.

Mr. Heilman stated that the Council Member's request was researched and out of the 138 HR employees laid off one individual had filed a complaint with the Office of Inspector General was what their research reflected; and Council Member Adams stated that if Mr. Arnold was saying this was different; and Mr. Arnold stated he knew for a fact it was different; and Council Member Adams stated that they needed to see if his name was the one on the list because if not they knew it was not accurate. Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Mr. Richard Arnold, seconded by Council Member Adams. All voting aye. Nays none. Council Member Pennington absent. Council Members Clutterbuck, Sullivan, Rodriguez and Costello absent. MOTION 2011-0526 ADOPTED.

Upon questions by Council Member Jones, Mr. Arnold stated that he was to be laid off as of this coming Friday; and Council Member Jones stated that she was curious to know why Council Member Adams was not provided a written response and apart from that if what she said was true how could they go forward; that she remembered Mr. Arnold and other employees coming to Council including the president of HOPE and she could not understand why there was no follow-up; and Mr. Heilman stated that he apologized for her not receiving the information sooner, it was his fault. Council Members Clutterbuck, Sullivan, Rodriguez and Costello absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Mr. Richard Arnold, seconded by Council Member Jones. All voting aye. Nays none. Council Member Pennington absent. Council Members Clutterbuck, Sullivan, Rodriguez and Costello absent. MOTION 2011-0527 ADOPTED.

Council Member Adams stated that her concern was the routine of missed EPEs and the ordinance was based on low performance EPEs and she was trying to gather letting someone go with a 3.6 and 3.85 and she had concerns on what basis of employee performance terminations were based; and Mayor Parker stated that as she indicated in the budget process it was a subject of Meet and Confer and they agreed to set up an EPE Reform Committee with HOPE; and upon questions, Mr. Heilman stated that after being laid off one's avenue of appeal

was to go to the Civil Service Commission; and Mr. Arnold stated that he went to the meeting and his appeal took one minute and he was not allowed to speak; and Mayor Parker stated that she would task Mr. Reid, her HR Director, with following up on his case and asked Mr. Arnold if he had conversations with Mr. Reid, and Mr. Arnold stated that he spoke with Director Reid and Director Reid spoke with Director Mario Diaz, and he made no recommendations to Director Diaz, that he told him that he was simply waiting on some resolution from the Houston Airport System, that he did not understand how an HR Director for the City of Houston could not make some kind of recommendations when policies and procedures had been egregiously skipped and at cost to him, and Mayor Parker stated that she would follow up with Mr. Reid. Council Members Stardig, Clutterbuck, Sullivan and Costello absent.

Upon questions by Council Member Johnson, Mr. Arnold stated that he was being laid off from a position he was never given an EPE in. Council Members Stardig, Clutterbuck, Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

Mayor Parker stated that she was trying to get Mr. Reed on the phone and would run it down and make sure he was reengaged in this. Council Members Stardig, Clutterbuck, Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

The City Secretary stated that someone who was called previously was out of the room at the time and now present and again called on Mr. Don Hooper. Council Members Stardig, Clutterbuck, Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

Mr. Don Hooper, 3547 Wood Valley, Houston, Texas 77025 (713-553-8955) appeared and stated that he was present last week requesting a copy of city contract from Mr. Costello that he put on his Houston Conflict of Interest Questionnaire and he received a message back from a Legal staff member that the Conflict of Questionnaire was inaccurate and it was not a contract, but he would still request the account number for that contract be given to them and if Mr. Costello's Conflict of Interest Statement was inaccurate he would request it be corrected and he still wanted a copy. Council Members Stardig, Clutterbuck, Sullivan, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

Mayor Parker stated that she would make that request to the Legal Department; that it was either correct or not correct and if it was not correct he needed to file an amendment; and upon questions, Mr. Heilman stated that he was speaking with a Council Member and had not heard the question; and Mayor Parker stated that Mr. Hooper was present before and this had to do with Council Member Costello's previous and current contracts with the City of Houston; that Mr. Cheatham was present at the time; that Mr. Hooper stated Mr. Cheatham responded that Mr. Costello's personal financial statement was incorrect in listing the contract and she was suggesting to the Legal Department that they needed to make sure Council Member Costello filed an amended report; and Mr. Hooper stated that it was actually his Conflict of Interest Questionnaire that was inaccurate and he had a copy of the email if it would help; and Mr. Heilman stated that he would follow-up with Mr. Cheatham. Council Members Stardig, Clutterbuck, Sullivan, Rodriguez, Costello and Lovell absent.

Mr. Tony Morris, 2400 S. Loop West, Houston, Texas 77054 (832-785-4855) appeared and stated that he was reporting on the Gay Pride Parade, it had become very monumental and was now one of the largest and he wanted to report during the past parade there was a confrontation between missionary workers and people attending; that the missionary people were very confrontational and would not let visitors of the parade walk down the street and there were no officers for about one and a half to two hours and the station nearby was closed.

Upon questions by Mayor Parker, Mr. Morris stated that it was around 1:00 p.m. to 2:30 p.m. and he needed more time. Council Members Stardig, Sullivan and Costello absent.

Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Mr. Tony Morris, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Pennington absent. Council Members Stardig, Sullivan and Costello absent. MOTION 2011-0528 ADOPTED.

Mr. Morris stated that Officer Salazar who was a sergeant came and brought about six officers and saw how confrontational the ministers were and eventually was able to get them to move off the corner and provided them a place to do their presentation and he made sure visitors and ministers were able to do what they wanted and all had a good time. Council Members Stardig, Sullivan and Costello absent.

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

Mr. Paul Day, 3815 Mayfield Oaks, Houston, Texas 77088 (713-3207377) appeared and stated that he was a police retiree and now worked for the Harris County Sheriff's Department and was present on the sanctuary city bill; that he was looking at the ordinance in effect since 1992 and would ask Council to reconsider rescinding it as it had been 20 years in existence and things had changed; and the county had a better plan on impacting illegal immigration problems and he would like to speak with them individually. Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent.

Mr. James Brooks, who was previously added to the speakers list, appeared and stated that he was present offering gratitude to Council Members who worked so hard getting demolition projects through on Airport, particularly Council Members Adams and Bradford; that it was appreciated and their community wanted them to know they did and the land was now vacant and the community had ideas for it and would like to speak with them. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Mr. Brooks for all he did in the community and stated that if they could get the right people they would see what they could come up with; that he was speaking of single family homes on Airport and the community had asked a long time to have something done and they were able to clear all 50 something dangerous buildings and it was now a beautiful clear site and any ideas the community had they should feel free to share with them; that the area was in a flood plain and they could not build, but Laura Stangent could give ideas on what could be done. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Jonathan C. C. Day, 624 Highland, Houston, Texas 77009 (832-368-5500) appeared, presented information and stated that he supported the Woodland Heights being a historic district and if Council was on the fence and had not made up their minds they should consider why the people speaking on this were present, he was not here for money and they should be careful of someone standing here because of their financial interests. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Rhonda Barron, 407 Arlington, Houston, Texas 77007 (713-230-7927) appeared and stated that she lived in the pending Heights South Historic District and wanted to thank Council Members who voted no on Heights East and West Districts, she thanked them for listening to the people; that the process was flawed and a non vote should not equal a yes vote; that their data showed 40% of the people signed some form of opposition while 26% signed nothing.

Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Eric Mealus, 640 Cortlandt, Houston, Texas 77007 (713-241-1016) appeared and stated that he was a resident of the proposed Heights South Historic District and was asking for a no vote on the district as the majority of homeowners did not support the district, it would cost homeowners and the city money and the process was a sham. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Joe Ablaza, 8022 Glendale, Houston, Texas 77061 (713-644-1298) appeared and stated that he was a resident of Glenbrook Valley and was opposed to historic status; that it only had 45% support and it was not needed; and urged a no vote. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Leticia Ablaza, 8022 Glendale, Houston, Texas 77061 (no phone) appeared with a large poster and stated that the deadline on submitting petitions had passed and the Planning Department publicly said the level of support in Glenbrook Valley was 45% and it was not the 51% needed for the old ordinance or the 67% Council voted for; that the majority did not want it; and urged a no vote from Council. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Maria Vasquez, 8003 Arletta, Houston, Texas 77061 (713-644-6639) appeared and stated that she lived in Glenbrook Valley and was present opposing the historic ordinance for Glenbrook Valley; that she was also present for many who did not get on the list; and urged a no vote. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Zoe Ablaza, 8022 Glendale, Houston, Texas 77061 (713-644-1298) appeared, presented information and stated that she was present speaking on behalf of an elderly neighbor Ms. Bernice Romeo who asked her to voice her opinion for her and read a letter from Ms. Romeo stating she would like Council to vote no on the Glenbrook Valley historic designation. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Kathleen Powell, 1224 Columbia, Houston, Texas 77008 (713-862-5335) appeared, presented information and stated that she had done research on historic districts and had not found one where there was not at least a simple majority of support by homeowners; that they could have community based preservation and the city did not have to manage their neighborhoods; and urged Council ask the districts to come back and show majority support. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Reverend Joe Angel Lopez, 13334 Wells River Drive, Houston, Texas 77041 (832-891-2724) appeared and stated that he made a promise to Mr. Tri Troung who was losing his restaurant that he would be respectful to him, but to Council Member Hoang those in the Chinese/Vietnamese community would not tolerate that he never spoke up for him; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was President of the U. S. and being attacked 24

hours a day; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Laurel Johnson, 1038 Columbia, Houston, Texas 77008 (713-502-1268) who was previously not present when her name was called was recalled and appeared and stated that she was a Heights South resident and did not support the creation of a historic district for their area. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Chad Shaw, 616 Highland, Houston, Texas 77009 (713-798-8087) who was previously not present when his name was called was recalled and appeared and stated that he lived in Woodland Heights and was urging Council to support their historic designation. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Martha Salazar, 6930 Belfort, Houston, Texas 77061 (713-643-1304) who was previously not present when her name was called was recalled and appeared and stated through an interpreter that she was present opposing the Glenbrook Valley historic designation. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Clyde Bryan, 10802 Pepper Lane, Houston, Texas 77079 (713-545-4878) who was previously not present when his name was called was recalled and appeared, presented information and stated that he was present last week and spoke on technology being used by the website and what he passed to Council Members was an image from that website; that the drainage committee was trying to impose the voodoo science on citizens of Houston and proceeded to explain the image, with the street not being able to be defined, etc.; until his time expired. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

At 3:51 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, June 29, 2011. Council Member Pennington absent. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Costello, Lovell and Bradford absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, June 29, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney, Legal Department; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present. Council Member Jarvis Johnson absent on personal business.

At 8:17 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:12 a.m. Mayor Parker called the meeting to order and stated that the first item of business was going to be a Mayor's Report and recognized Council Member Rodriguez for a point of order. Council Member Lovell absent.

Council Member Rodriguez moved to suspend the rules to consider Item No. 6 out of order and requested a roll call on the item, after the Mayor's Report, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0529 ADOPTED.

**MAYOR'S REPORT** - Update on impact of drought on the City of Houston water system

Mayor Parker stated that she wanted to update Council Members on what was happening with the water system, that they understood that they were in a prolonged drought and cities around them had instituted water rationing, there had been a lot of discussion about what steps were necessary for the system, they were in a slightly different position than many of the surrounding communities, but obviously they were not immune to the effects of the drought and she had asked the Public Works Director, Mr. Dan Krueger, to come in and give them an update.

Mr. Krueger reviewed a PowerPoint Presentation titled "PW State of the Houston Water System", a copy of which is on file in the City Secretary's office for review.

Council Member Sullivan stated that as Mr. Krueger stated Lake Houston was down and his constituents had a number of access points where they drive across either the San Jacinto River or the lake and they were seeing all of the sand bars, they were starting to receive some phone calls and emails and social conversation about could they dredge, remove the sand bars and get rid of the sand and asked Mr. Krueger to talk about if that was possible, practical or if there would be a benefit with respect to water capacity, that some people thought that if they could dredge a certain area alongside a bulkhead that they would then be able to get their boat up to their own property bulkhead and it might also increase lake capacity.

Mr. Krueger stated that he would candidly would see that any such action would have very incremental advantage from a reservoir perspective and that was the primary functioning of the lake, that he understood the desire might be to do that, that any such actions would have to be permitted before they could be undertaken; that the input would be through their Houston Permitting Center and all of their permitting functions had moved from 3300 Main to the new Houston Permitting Center within the last couple of weeks, that it was now located at 1002 Washington Ave., that he would have to see what the particular scope of the work was, that he was addressing purely the City restriction with regard to such activity.

Mayor Parker asked Mr. Krueger if he would follow up with the Council Member to give him a more complete answer, that she could see the desire of citizens, while the lake was so low, if they wanted to do work around their own property, this was a time to do that, that it would be good to have that information.

Council Member Gonzalez stated that with regard to main breaks, what communication measures were they implementing to make sure that they were communicating with the community and businesses when they did have one so that they would understand what to expect and they could manage those expectations, were they going to be in for a prolonged time where water might be out of service, what were they doing to outreach to them, and why were they seeing an increased number of those breaks and what were they doing to lower those going forward, what was the current status of that. Council Member Bradford absent.

Mr. Krueger stated that what they were experiencing was largely weather driven, with hot dry weather causing clay soils to shrink, that put some movement, some differential stresses and strains on the pressurized pipes in the ground which manifest then in breaks, so the change in the hot dry weather would be the most effective for bringing the number of breaks down, certainly while it was going to continue as long as the drying effect they would still have these differential stresses, that they might think the weakest parts of the system were breaking first and they were addressing these, but it was going to take a combination of, number one, change in the weather, as well as increased effort in the repairs that were required to maintain the system in order to address this, that certainly they did have additional information available, the Mayor held a press conference and there had been an increased extent of statements though the media to address where they were and conservation measures, that when there was a

break they encouraged the public to call 3-1-1 and let them know, that their average response time now was four and a half days for a line break, they usually had that in under two, that there would be some inconvenience to customers when the break was repaired because they had to isolate the break by shutting down the service for the temporary period of time when the repair was in fact made, so the sequence was usually first an investigatory effort by the Utility Maintenance, as to what valves exactly did they need to turn to isolate the break and who would be inconvenienced by the temporary shut down, and then the extent of door hanger type notification on when the repair exactly would be made each time they did a break repair, that they were doing several thousands of those a month now, that they were notifying the adjacent owners and residents of the actual shut down once they isolated the problem.

Council Member Pennington asked if they listed those locations when they were made aware of one, did they put it on a priority list and could they tell their constituents that they needed to look at the website, was there any way to tell when a break had been located and was actually under consideration for being fixed, and Mr. Krueger stated that they did not list the open breaks on the website, they would expect to respond to them, it was a couple of days on the average, but they would expect to respond to them in a sufficiently quick turn around time where they did not need to put them on a website, they depended more on immediately communicating to the impacted community of when they were going to shut down in a temporary fashion to conduct the repair and a standard repair would take a matter of hours, they basically looked at the planning factor to get two repairs in an eight hour period per crew; and Council Member Pennington stated as to the profile of Lake Houston, as he understood the lake filled up quicker then it was anticipated to fill up many years ago and so there may have been a problem with the profile at the bottom anyway and he wondered if they had an assessment now of what the capacity of the lake reservoir was now versus what the design capacity was and whether such things as Council Member Sullivan suggested, that it might be worthwhile for consideration for the lake, particularly since they were having a heavy use of ground water, and Mr. Krueger stated that they had not resurveyed the entire profile of the lake recently, to his knowledge, but if he might come back to him with the last time they measured and what they would see from that. Council Members Clutterbuck and Sullivan absent.

Mayor Parker stated that she wanted to thank Mr. Krueger for the update, and that the next item would be Item No. 6, that there was a request for a roll call vote. Council Members Clutterbuck and Sullivan absent.

6. **ORDINANCE** relating to employment terms and conditions, compensation, and benefits of classified Fire Fighters of the City of Houston; ratifying the 2011 Agreement between the City of Houston and the **HOUSTON PROFESSIONAL FIREFIGHTERS ASSOCIATION, also known as the INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO-CLC, LOCAL UNION 341**, containing other provisions to reorganize and/or rename certain classifications, ranks and pay grades within the Houston Fire Department, and containing other provisions relating to the foregoing subject; suspending the operation of certain ordinances; providing for severability – was presented. Council Member Sullivan absent.

**ROLL CALL VOTE:**

Mayor Parker voting aye	Council Member Gonzalez voting aye
Council Member Stardig voting aye	Council Member Rodriguez voting aye
Council Member Johnson absent on personal business.	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 absent	Council Member Bradford voting aye
Council Member Hoang voting aye	Council Member Jones voting aye
Council Member Pennington voting aye	<b>ORDINANCE 2011-548 ADOPTED.</b>

Mayor Parker stated that she believed they would have a signing of that contract at the conclusion of the Council meeting. Council Member Sullivan absent.

**CONSENT AGENDA NUMBERS 1 through 48**

**MISCELLANEOUS** - NUMBER 1

1. RECOMMENDATION from Director Department of Public Works & Engineering for payment of funds for traffic signal operations and maintenance on the Metro Light Rail Traffic Signal System pursuant to the Operations and Maintenance Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** - \$209,917.18 General Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and I – RODRIGUEZ** – was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0530 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBER 2

2. **APPLIED BIOSYSTEMS, LLC** for ABI Prism Genetic Analyzers for Houston Police Department \$77,172.72 - Grant Funds – was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0531 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 3 through 48

9. ORDINANCE appropriating \$2,000,000.00 out of Homeless And Housing Consolidated Bond Fund (Fund 4501); approving and authorizing Grant Agreement between the City of Houston and **4500 TRAVIS, LLC** to provide \$1,900,000.00 of the appropriated funds to assist with the acquisition and construction of a 192 unit single resident occupancy facility to be located at 4500 Travis Street in Houston, Texas, that will provide affordable housing to low and moderate income persons, with a preference to veterans; approving and authorizing the use by the City's Housing and Community Development Department of the remaining \$100,000.00 of the appropriated funds for administrative and project-delivery costs related solely to the foregoing transaction - **DISTRICT D – ADAMS** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
11. ORDINANCE appropriating \$2,500,000.00 from Parks Consolidated Construction Fund (Fund 4502) and approving and authorizing an Interlocal Agreement between the City of Houston, Texas (The "City") and **HOUSTON INDEPENDENT SCHOOL DISTRICT**, and a Sponsorship Agreement between the City and Fourth Ward Redevelopment Authority, relating to development and use of a tract of land near 1011 Taft Street, Houston, Texas, for field and related facilities – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
12. ORDINANCE amending Ordinance No. 2007-812 (Passed on July 3, 2007) to increase the maximum contract amount for contract between the City of Houston and **COASTAL PUMP SERVICES, INC** for Submersible Pump Repair Services - \$275,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2011-549 ADOPTED.
14. ORDINANCE awarding contract to **SPRINT SOLUTIONS, INC** for Next Generation Wireless Devices and Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$20,000,000.00 - Central

Service Revolving Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

15. ORDINANCE amending Ordinance No. 2009-1116 to expand the purposes for which funds appropriated may be expended to include Purchasing Hardware, Software, Ancillary Equipment and Professional Services to support the City's Active Directory and Exchange System Project – was presented. All voting aye. Nays none. ORDINANCE 2011-550 ADOPTED.
16. ORDINANCE appropriating \$262,634.00 out of Parks Consolidated Construction Fund, awarding construction contract to **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Blackhawk Park Phase III; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. ORDINANCE 2011-551 ADOPTED.
17. ORDINANCE amending Ordinance 2008-0989 to increase the maximum contract amounts and approving first amendments to the Professional Landscape Architectural Task Order Contracts between the City of Houston and **M2L ASSOCIATES, INC** and between the City of Houston and **JAMES PATTERSON ASSOCIATES, INC d/b/a WHITE OAK STUDIO** (for the Parks & Recreation Department); appropriating \$1,189,388.00 from the Parks Consolidated Construction Fund, \$110,000.00 from the General Improvement Consolidated Construction Fund, and \$267,822.00 from the Parks Special Fund, \$78,800.00 from the Park Capital Project Fund, and \$36,500.00 from the Parks & Recreation Dedication Fund; allocating \$26,180.00 from the Park Special Revenue Fund – was presented. All voting aye. Nays none. ORDINANCE 2011-552 ADOPTED.
18. ORDINANCE appropriating \$20,000.00 out of Street & Bridge Consolidated Construction Fund and awarding Construction Manager At-Risk Agreement to **PEPPER-LAWSON CONSTRUCTION, L.P.** for Traffic and Transportation Maintenance Facility Replacement **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-553 ADOPTED.
20. ORDINANCE de-appropriating (1) \$61,000.00 out of Reimbursement of Equipment/Projects Fund, previously appropriated by Ordinance 2009-0284 for Data and Telecom Equipment, (2) \$30,000.00 out of Julia Ideson Library Contributions Fund, previously appropriated by Ordinance 2009-0284 for Engineering/Materials Testing Services under the existing contract with **ALLIANCE LABORATORIES, INC**, and (3) \$100,000.00 out of General Improvement Consolidated Construction Fund, previously appropriated by Ordinance 2010-1044 for the Job Order Contracting Program; re-appropriating \$61,000.00 out of Reimbursement of Equipment/Projects Fund, \$30,000.00 out of Julia Ideson Library Contributions Fund, and \$100,000.00 out of General Improvement Consolidated Construction Fund for the Julia Ideson Library Restoration and Addition Project (Project); appropriating the Additional \$1,274,000.00 out of Julia Ideson Library Contributions Fund, and \$564,000.00 out of Public Library Consolidated Construction Fund for the Project; providing additional funding for a Manager-At-Risk Contract with **BALFOUR BEATTY CONSTRUCTION LLC, f/k/a SPAWMAXWELL LP** approved in Ordinance 2007-1471 and funding for security, contingencies, and furniture, fixtures and equipment related to construction of facilities financed by Reimbursement of Equipment/Projects Fund, Julia Ideson Library Contributions Fund, General Improvement Consolidated Construction Fund, and Public Library Consolidated Construction Fund; delegating authority to the Director of the General Services Department to issue purchase orders for the Project - **DISTRICT I – RODRIGUEZ** – had not been received, and the City

Secretary announced it would be considered at the end of the Agenda if received during the meeting.

- 20a. RECOMMENDATION from Director General Services Department for supplemental allocation of \$300,000.00 for Construction Management At-Risk Contract with **BALFOUR BEATTY CONSTRUCTION, LLC**, for Phase II of the Julia Ideson Library Restoration and Addition Project – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
22. MUNICIPAL Setting Designation Ordinance prohibiting the use of groundwater in the upper groundwater bearing unit located beneath a 22.5 acre site located at 5436 Clay Avenue, Houston, Texas and portions of Clay Street, Hughes Street and Polk Avenue Rights-of-way, City of Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-554 ADOPTED.
23. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within Abstract 645 P W Rose; **AYRSHIRE SUBDIVISION, SECTIONS 1-15; AYRSHIRE SUBDIVISION, SECTIONS 16 & 17, amended, BRAES HEIGHTS SUBDIVISION, SECTIONS 1-3 and 5-13; BRAES HEIGHTS SUBDIVISION, SECTION 1, amended; BRAES HEIGHTS SUBDIVISION, SECTIONS 1 & 3, partial replat; BRAES HEIGHTS SUBDIVISION, SECTIONS 2 & 3; replat; BRAES OAKS SUBDIVISION, SECTION 1, amended; BRAES OAKS SUBDIVISION, SECTION 1, replat; BRAES OAKS SUBDIVISION, SECTIONS 1 & 2; EMERALD FOREST SUBDIVISION; and SOUTHERN OAKS SUBDIVISION, SECTION 2**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2011-555 ADOPTED.
24. ORDINANCE appropriating \$46,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Memorial Drive Paving and Drainage from North Kirkwood Road to North Eldridge Parkway; providing funding for CIP Cost Recovery relating to construction financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. ORDINANCE 2011-556 ADOPTED.
25. ORDINANCE approving and authorizing an Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the West/East Brays Bayou Bike/Pedestrian Bridges - **DISTRICTS C - CLUTTERBUCK and D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2011-557 ADOPTED.
26. ORDINANCE consenting to the addition of 30.831 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 282, of Harris County, Texas**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2011-558 ADOPTED.
29. ORDINANCE appropriating \$747,500.00 out of Street & Bridge Consolidated Construction Fund for the relocation of a pipeline for the Ley Road Reconstruction Project; approving a Pipeline Adjustment Reimbursement Agreement with **ENTERPRISE TEXAS PIPELINE LLC - DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2011-559 ADOPTED.

30. ORDINANCE appropriating \$68,425.00 out of Street & Bridge Consolidated Construction Fund for the relocation of a pipeline for the Ley Road Reconstruction Project; approving a Pipeline Adjustment Reimbursement Agreement with **EXPLORER PIPELINE COMPANY - DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2011-560 ADOPTED.
32. ORDINANCE appropriating \$1,631,719.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HR GREEN INC** for Montrose Area and Midtown Drainage and Paving (Sub-Project II); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-561 ADOPTED.
33. ORDINANCE appropriating \$986,500.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WILBUR SMITH ASSOCIATES, INC** for Sagemont Drainage and Paving; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. ORDINANCE 2011-562 ADOPTED.
34. ORDINANCE appropriating \$805,000.00 out of Street And Bridge Consolidated Construction Fund; approving and authorizing Professional Engineering Services Contract between the City of Houston and **SCIENTECH ENGINEERS, INC** for Neighborhood Street Reconstruction Project 464; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. ORDINANCE 2011-563 ADOPTED.
35. ORDINANCE appropriating \$274,440.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation; approving and authorizing an amendment to Professional Engineering Services Contract between the City of Houston and **CLR, INC** for the Paving extension of Buffalo Speedway from West Airport Boulevard to Holmes Road (Approved by Ordinance No. 2006-0153); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2011-564 ADOPTED.
37. ORDINANCE appropriating \$901,600.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LJA ENGINEERING & SURVEYING, INC** for Almeda Sims Wastewater Treatment Plant and Sludge Processing Facilities Improvement - Package 3; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2011-565 ADOPTED.
38. ORDINANCE appropriating \$2,504,930.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HDR ENGINEERING, INC** for Chemical Containment and Chemical Feed Systems Improvements and additional Bulk Tanks for Lime, Caustic, Polymer, Alum and Ammonia at the East Water Purification Plant; providing

funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. ORDINANCE 2011-566 ADOPTED.

39. ORDINANCE appropriating \$1,109,792.00 out of Metro Projects Construction Fund, awarding construction contract to **TOTAL CONTRACTING LIMITED** for Intersection Pavement Improvements Contract for Wilcrest at Kipp Way, UH Entrance #1 at Calhoun, Beechnut at Commerce Park, Griggs at Redwood and Fondren at Lipan; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; F - HOANG and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-567 ADOPTED.
41. ORDINANCE appropriating \$708,000.00 out of Convention & Entertainment Construction Fund and authorizing a transfer of \$185,000.00 to the Street & Bridge Consolidated Construction Fund, awarding contract to **JERDON ENTERPRISES, L.P.** for Reconfiguration of Avenida de las Americas in support of relocation of Historic Train and Historic Homes; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund **DISTRICT I – RODRIGUEZ** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
42. ORDINANCE appropriating \$2,619,645.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **TERRA RENEWAL WEST LLC** for Solids Removal from Wastewater Facilities; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. ORDINANCE 2011-568 ADOPTED.
43. ORDINANCE appropriating \$363,100.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **DESERT EAGLE, LLC dba PANORAMA** for NWHC MUD No. 25 Lift Station Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. ORDINANCE 2011-569 ADOPTED.
44. ORDINANCE appropriating \$7,988,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **LEM CONSTRUCTION CO., INC** for Pumping Station Upgrades; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; B -**

**JOHNSON; C - CLUTTERBUCK; D - ADAMS and F - HOANG** – was presented. All voting aye. Nays none. ORDINANCE 2011-570 ADOPTED.

45. ORDINANCE awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Concrete and Asphalt Restoration 1; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - 2 Years with one option year - \$1,093,455.90 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2011-571 ADOPTED.
46. ORDINANCE No. 2011-479, passed second reading June 22, 2011  
ORDINANCE granting to **MIDSTATE ENVIRONMENTAL SERVICES LP, A Texas Limited Partnership**, 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. ORDINANCE 2011-479 ADOPTED THIRD AND FINAL READING.
47. ORDINANCE No. 2011-480, passed second reading June 22, 2011  
ORDINANCE granting to **TEXAS PRIDE SEPTIC, INC, 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 - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. ORDINANCE 2011-480 ADOPTED THIRD AND FINAL READING.
48. ORDINANCE No. 2011-481, passed second reading June 22, 2011  
ORDINANCE granting to **THERMO FLUIDS, INC, 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 - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. ORDINANCE 2011-481 ADOPTED THIRD AND FINAL READING.

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

**RESOLUTIONS AND ORDINANCES**

3. RESOLUTION designating the **HEIGHTS SOUTH AREA** of the City of Houston as a Historic District - **DISTRICT H – GONZALEZ** – was presented.

After discussion by Council Members, a roll call vote was called on Item No. 3.

**ROLL CALL VOTE:**

Mayor Parker voting aye	Council Member Gonzalez voting aye
Council Member Stardig voting aye	Council Member Rodriguez voting aye
Council Member Johnson absent on personal business.	Council Member Costello voting aye

Council Member Clutterbuck voting no  
Council Member Adams voting aye  
Council Member Sullivan voting no  
Council Member Hoang voting aye  
Council Member Pennington voting no

Council Member Lovell voting aye  
Council Member Noriega voting aye  
Council Member Bradford voting no  
Council Member Jones voting no  
RESOLUTION 2011-0015 ADOPTED.

4. RESOLUTION designating the **WOODLAND HEIGHTS AREA** of the City of Houston as a Historic District - **DISTRICT H – GONZALEZ** – was presented.

A roll call vote was called on Item No. 4.

ROLL CALL VOTE:

Mayor Parker voting aye  
Council Member Stardig voting aye  
Council Member Johnson absent on  
personal business.  
Council Member Clutterbuck voting no  
Council Member Adams voting aye  
Council Member Sullivan voting no  
Council Member Hoang voting aye  
Council Member Pennington voting no

Council Member Gonzalez voting aye  
Council Member Rodriguez voting aye  
Council Member Costello voting aye  
Council Member Lovell voting aye  
Council Member Noriega voting aye  
Council Member Bradford voting no  
Council Member Jones voting no  
RESOLUTION 2011-0016 ADOPTED.

5. RESOLUTION designating the **GLENBROOK VALLEY AREA** of the City of Houston as a Historic District - **DISTRICT I – RODRIGUEZ** – was presented.

A roll call vote was called on Item No. 5.

ROLL CALL VOTE:

Mayor Parker voting aye  
Council Member Stardig voting aye  
Council Member Johnson absent on  
personal business.  
Council Member Clutterbuck voting no  
Council Member Adams voting aye  
Council Member Sullivan voting aye  
Council Member Hoang voting aye  
Council Member Pennington voting no

Council Member Gonzalez voting aye  
Council Member Rodriguez voting aye  
Council Member Costello voting aye  
Council Member Lovell voting aye  
Council Member Noriega voting aye  
Council Member Bradford voting no  
Council Member Jones voting no  
RESOLUTION 2011-0017 ADOPTED.

7. ORDINANCE approving and authorizing amended and restated Meet and Confer Agreement between the City of Houston and the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM** – was presented.

Upon questions by Council Members, Mayor Parker stated that if they had specific questions for the City Attorney they could try to answer anything at the Council table, that she knew that Council Member Pennington was very interested and had worked on the unfunded pension liability issue, that it was hard to negotiate when they had no leverage and State law did not allow them a lot of leverage in this, that it was their request to the Municipal Pension, that rather than forcing them to the actuarially determined amount to accept an amount that was easier on their budget; that as part of the budget process there was that motion that was passed that they create a committee, private and public sector committee, to address that very issue. Council Members Rodriguez and Lovell absent.

Mr. Feldman stated that a lot, in terms of the process, and the standards that had to be followed were governed by a specific statute that created HMEPS, which of course that process was controlled by the legislature, however, while they had limited to virtually no leverage he had

found the HEMPS Board to be open to listening to ideas and suggestions and if they had some specific ideas or requests with respect to standards that was certainly something he could sit down with the External Affairs Committee of HMEPS and discuss, that of course they had actuaries, they had a full time staff and consultants that were specifically employed to insure that they follow requisite and sound actuarial and fiduciary standards, but if they had specifics he would be glad to present that to them to see what they could work out, that it was an awkward process, at best, that was created by a statute, the agreement had provided and continued to provide that the City appointees, which included the Mayor's and Controller's appointees and two from Council could not participate in any committee dealing with Meet and Confer issues, which made sense because there would be a conflict there, but it also said that they could not participate in committees dealing with personal issues, that as a matter of fact, however, the Mayor's appointee to the Board, Craig Mason, actually served on the personal committee, so as a practical matter the only issues that City appointees could not be involved in were Meet and Confer issues, which made sense from a conflict standpoint. Council Members Rodriguez and Lovell absent.

Mayor Parker stated that she agreed that once they were appointed to that Board they had a fiduciary responsibility to the Board, not to the City, but it was a perceived conflict and that was a concession that was made many years ago. Council Members Rodriguez and Lovell absent.

After further discussion and questions by Council Members, Mr. Feldman stated that in the course of the negotiation with HMEPS the Mayor was correct they had very little to leverage, that he certainly, given his own experience, at least tried to give the illusion of leverage, they needed to recognize that if they just followed the statute there would be a lesser number of people on the Board and the Council would have no appointees at all, because that was not provided for by statute, that it was something that was agreed to in an earlier Meet and Confer Agreement that Council would have two appointees, they started the negotiations with HMEPS wanting to reduce the number of Council appointees and he stood hard and fast that they would not do that and there was no way in the world that he would present an agreement to Council suggesting that they would agree to a lesser number of appointees, that they did negotiate over the number, they did not negotiate over an increase, they negotiating over avoiding a decrease and they did need to recognize that they were the unfortunate beneficiaries of a statute that places them in a very difficult position, that HMEPS could have taken the position that they were not going to agree to anything and that they would just follow the statute much as the Firefighter Pension System did, in which case the Council would have had no appointees and they would be paying \$130 million for the Fiscal Year 2012 instead of \$98.5 million for Fiscal Year 2012, that at the end of the day the answer lay in Austin at the Legislature. Council Members Hoang, and Lovell absent.

Mayor Parker stated that they in fact could vote the proposal down and the actuarially determined amount would be the \$130 million, and Mr. Feldman stated \$133 million to be in fact, and Mayor Parker stated that they would default to the State law on appointees, and Mr. Feldman stated that was correct. Council Members Hoang and Lovell absent.

After further discussion and questions by Council Members, Mayor Parker stated that since they did not have an agreement with HMEPS and the default position was a significant negative to the City, they were in negotiations up until last week on this, the budgeted amount was approximately \$80 million, that she did not want to say that it was strictly a negotiated position, but there was money in termination pay and health benefits costs and some other items that could be transferred into this amount now that they had negotiations concluded with HMEPS. Council Members Hoang and Lovell absent.

After further discussion and questions by Council Members, Mayor Parker stated that her instructions to Mr. Feldman were yes, to maximize the City's presence, and Mr. Feldman stated

that it was inherently difficult to negotiate a reduction in the required contribution and at the same time ask for a concession on the number of appointees so he found himself essentially treading water from the inception and it was all he could do to keep them at the same level in terms of number of appointees that they did have, that unfortunately in these difficult times they just did not have any bargaining chips to deal with, that he hoped that they understood and believed that he did the very best that he could under the circumstances, that he thought the most important issue was to make sure that they got their contributions down as much as possible, given their budgetary constraints, that the number of appointees was a non monetary issue and again, they wanted to decrease and most of the negotiations was spent just holding down the fort. Council Members Lovell and Noriega absent.

Upon further discussion and questions by Council Members, Mayor Parker stated that it was the habit of the administration, and was a long standing practice, that when there were changes to personnel items, like health benefits and so forth, they were covered for Council Members so it was not correct that they would have to find that within their own budgets, and Mayor Parker asked Mr. Dowe if he would answer where the money was going to be transferred from for the \$8 million that was actually going to impact. Council Members Rodriguez, Lovell and Noriega absent.

Mr. Dowe stated that in most departments there would not need to be a transfer into the department, that as Mayor Parker pointed out Council budgeted differently, it was a different situation than the other departments, that they felt in other departments, with the reductions that they had in layoffs was less of an impact to staffing then they had initially anticipated, that they believed that within the departments, in the line items of Unemployment Insurance, Termination Pay and General Government they would cover it from those line items, and Mayor Parker stated the largest departments being fire and police and because of negotiations with fire and police they had budgeted for layoffs in those departments, those layoffs would not take place, so that money was available to cover pension payments. Council Members Rodriguez, Lovell and Noriega absent.

After further questions by Council Members, Mr. Dowe stated that this was not the ideal situation to be conducting Police Meet and Confer, Fire Meet and Confer, Fire Pension negotiation, Municipal Pension negotiations at the same time that they were trying to deal with 747 layoffs, that ideally this would have been concluded and they would have been able to fold it into the budget, it was a lot of work to get everything they did into the budget this year; that as to where do they absorb it, that as he expressed, they would have savings in line items like Termination Pay and Unemployment Insurance, but this would certainly be a topic for Budget and Fiscal Affairs where they talked at length as to where this was going to come from throughout the year and they would need more detail, he understood, than what they were giving them right now and they would have lots of opportunity and he would absolutely commit to laying that out for the Council Members in Budget and Fiscal Affairs going forward.

After further discussion Mayor Parker stated that the item was taggable, they made a request and she would ask the City Attorney to explain the impact.

Mr. Feldman stated that yes, the item was technically taggable, that he included language in the agreement that in the event it was approved after July 1, 2011, that the rate would revert to the agreed upon rate, however being a cautious lawyer if they did go beyond July 1, 2011 they still would at least, technically, have exposure to pay the higher actuarial required contribution until an agreement was approved, that he would also like to point out that the matter of bringing this up this week as opposed to earlier where Council would have more time to digest it before the end of the Fiscal Year and the expiration of the agreement, that the agreement would expire on June 30, 2011, that it was not purposeful at all, that he began the negotiations two months ago, they got the monetary issue out of the way within two weeks, that what he did not expect, and what he had spent the entire time doing, was staving off HMEPS

request that either the number of Council appointees be decreased or the ability of Council to appoint a person of their choosing be limited, that what he had spent the last six weeks doing and it was not until late last week that he was finally able to convince the HMEPTS External Affairs Committee to leave the basic paradigm intact, that while he had requested that the item not be tagged, in an abundance of caution, it was technically taggable, their exposure under those circumstances would be very limited, although there would still be some exposure.

After further discussion by Council Members, Council Member Costello stated that he wanted to update his colleagues that at the August 9, 2011 Budget and Fiscal Affairs meeting they would have a quarterly update on the pension system and he would take the advice of the previous chairman that they make sure they do that first so that they spend a lot of time on that, and then they would explore with the members of the committee whether or not they wanted that sub committee on pension systems, and Council Member Costello stated that Mr. Feldman had indicated that if the item was tagged the liability that they would have, the differential between the \$133 million versus the \$98 million for a one week period, or say for discussion purposes one pay period, because apparently they allocated the money per pay period, so just to inform his colleagues, if they tagged the item that liability could be as much as \$1.3 million; and Council Member Costello asked Mr. Feldman what the definition of ARC was, because he was trying to get a better feel for what the termination data on this particular contract that they were going to approve because it looked like it was open ended, when did the contract terminate, and Mr. Feldman stated that the contract terminates once the City's contribution reached the actuarial required contribution rate, ARC, that currently the actuarial required contribution rate for HMEPS was 23.6%, that could vary, however, from year to year and the fact of the matter was that the City's contributions to HMEPS for a period of years had not actually been close to the actuarial required contribution rate, that the goal of HMEPS, in an ideal world, an admirable goal, was to get to the actuarial required contribution rate, what they anticipated, based on current forecast, assuming they did not have to keep going back to the well and asking for concessions, was that the rate would be reached within four years, that these type of agreements typically had very long terms, in any event this was intended to create a shorter term in actuality. Council Members Sullivan, Rodriguez and Lovell absent.

After further discussion by Council Members, Mayor Parker stated that the underfunding was presented in the MOFAR every month and asked Mr. Dowe if he knew when next it would be updated, that it was spread out across the three pension in the monthly report, and Mr. Dowe stated that no later than the August 2011 update that they had to Budget and Fiscal Affairs. Council Members Sullivan, Rodriguez and Lovell absent.

After further discussion and questions by Council Members, Mayor Parker stated that as they knew the bulk of their budget was police and fire and there were negotiations with the Police Pension and the Fire Union as part of the budget, but they had to, as a precaution, set aside money for termination pay and unemployment benefits, that those funds would not be used and they were going to pull from those funds; and Mr. Dowe stated that those were restricted accounts that the Finance Department had set the budget for and instructed departments not to pull from, so in an ideal world that would be something that they would just monitor throughout the year, not let departments transfer into other lines and they would pull, that when this came up, as Mr. Feldman stated, a couple of weeks back he had a sense, because of the changes that had gone on in the departments, that there was quite a bit of money there, that ideally he would work throughout the year and pull that back into the General Fund, but at this point they would do it earlier rather than later, that he would give how much was in that fund at the Budget and Fiscal Affairs meeting, and Mayor Parker stated that it was a restricted account to the departments, it was not a restricted account in the sense that the had many accounts in the City of Houston that could only be spent on one purpose, that this was money that was identified by Finance and was allocated to each department budget but the departments did not have discretion over it, just as there were certain items that appeared on

Council budgets, that it was restricted in the sense that Mr. Dowe had control over it. Council Member Rodriguez absent.

A vote was called on Item No. 7. Council Members Clutterbuck and Jones voting no, balance voting aye. Council Member Johnson absent on personal business. Council Member Rodriguez absent. ORDINANCE 2011-572 ADOPTED.

8. ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION & VISITORS BUREAU** for the promotion of tourism and the solicitation of Convention business - 3 Years – was presented, and tagged by Council Member Jones. Council Member Rodriguez absent.
10. ORDINANCE appropriating \$400,000.00 from the TIRZ Affordable Housing Fund (2409); approving and authorizing Grant Agreement between the City of Houston and **JACKSON HINDS GARDENS, INC** (“Owner”) to assist owner to restructure its senior loan and thus continue the development and operation of a 111-unit single room occupancy complex to house very-low income residents - **DISTRICT H - GONZALEZ** – was presented, and tagged by Council Member Jones. Council Member Rodriguez absent.
13. ORDINANCE awarding contract to **FCC ENVIRONMENTAL, LLC**, for Parts Immersion Cleaning Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one year options - \$782,969.25 - General, Enterprise and Fleet Management Funds – was presented, and tagged by Council Member Jones. Council Member Rodriguez absent.
19. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **JULIA IDESON LIBRARY PRESERVATION PARTNERS, INC**, Approved by Ordinance No. 2007-1205 (Passed by City Council October 31, 2007), for repair, restoration and additions to the Julia Ideson Building at the Central Library

Council Member Sullivan stated that he consulted with Council Member Rodriguez earlier about Item Numbers 19 and 20, since it was in his district and would like some help from the administration as to maybe a short presentation, maybe in a committee or at Council regarding the progress at the library, and Mayor Parker stated that she thought it was entirely perfect to have a full presentation to update everybody, that many Council Members had asked to tour the construction site and see what was going on over there, that most of the funds were privately raised funds and they were nearing the closeout of construction and that was why all of these items were coming forward, that she would be happy to schedule it with the appropriate Council committee, or she was happy to schedule a Mayor’s Report. Council Member Clutterbuck absent.

After further discussion by Council Members, a vote was called on Item No. 19. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Member Clutterbuck absent. ORDINANCE 2011-573 ADOPTED.

21. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to Professional Architectural Services Agreement between the City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC** for Miscellaneous Projects for the Houston Airport System (Project 615B) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I – RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Member Clutterbuck absent. ORDINANCE 2011-574 ADOPTED.

27. ORDINANCE consenting to the addition of 30.831 acres of land to **NORTHPOINTE WATER CONTROL AND IMPROVEMENT DISTRICT**, for inclusion in its district – was presented, and tagged by Council Member Sullivan. Council Members Clutterbuck and Costello absent.
28. ORDINANCE consenting to the addition of 7.9326 acres of land to **PORTER MUNICIPAL UTILITY**, for inclusion in its district – was presented, and tagged by Council Member Sullivan. Council Member Costello absent.
31. ORDINANCE appropriating \$858,400.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HALFF ASSOCIATES, INC** for Pleasantville and Glendale Area Drainage and Paving (Sub-Project I); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT B – JOHNSON** – was presented, and tagged by Council Member Jones.
36. ORDINANCE appropriating \$1,977,940.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Rehabilitation of Grit Removal Systems at Southwest and Upper Braes Wastewater Treatment Plants and New Grit Removal System and Bar Screen Repair / Replacement at Almeda Sims Wastewater Treatment Plant; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and G - PENNINGTON** – was presented, and tagged by Council Member Jones.
40. ORDINANCE appropriating \$1,438,700.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for a Safe Sidewalk Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** – was presented, and tagged by Council Member Jones.

**NON CONSENT AGENDA** - NUMBER 49

**MISCELLANEOUS**

49. **SET A PUBLIC HEARING DATE** regarding the proposed amendment of Chapter 40, Code of Ordinances to extend the provisions of the Civility Ordinance to the **EAST DOWNTOWN MANAGEMENT DISTRICT - DISTRICT I – RODRIGUEZ - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - JULY 13, 2011** – was presented.

Council Member Gonzalez moved to set a public hearing for Wednesday, July 13, 2011, 9:00 a.m., regarding the proposed amendment of Chapter 40, Code of Ordinances to extend the provisions of the Civility Ordinance to the East Downtown Management District, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0532 ADOPTED.

**MATTERS HELD** - NUMBERS 50 through 54

50. RECEIVE nominations for Positions 11 and 13 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two-year term – **(This was Item 62 on Agenda of June 1, 2011, POSTPONED BY MOTION #2011-414)**

Council Member Lovell stated that she was nominating Mr. R. Maverick Welsh to Position 13 of the Houston Archaeological and Historical Commission Board of Directors, that his resume had been distributed to Council Members.

Council Member Pennington stated that he was nominating Ms. Kimberly F. Weill to Position 13 of the Houston Archaeological and Historical Commission Board of Directors, that her resume had been distributed to Council Members.

Council Member Adams stated that she was nominating Mr. Douglas Elliott to Position 11 of the Houston Archaeological and Historical Commission Board of Directors, that she had passed out a copy of his resume to Council Members.

Council Member Rodriguez moved to close nominations for Positions 11 and 13 of the Houston Archaeological and Historical Commission Board of Directors, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0533 ADOPTED.

51. RESOLUTION supporting the implementation activities by the Bacteria Implementation Group (more commonly known as the "BIG") for local watersheds in Houston, Texas, that do not meet the water quality standards for bacteria – **(This was Item 8 on Agenda of June 22, 2011, TAGGED BY COUNCIL MEMBERS COSTELLO and BRADFORD)** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. RESOLUTION 2011-0018 ADOPTED.
52. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ABITIBI-CONSOLIDATED CORPORATION** (Approved by Ordinance No. 2005-0736) for the purchase of Comingled Recyclable Materials – **(This was Item 17 on Agenda of June 22, 2011, TAGGED BY COUNCIL MEMBERS NORIEGA and JONES)** – was presented. Council Members Clutterbuck and Sullivan absent.

After discussion by Council Members, Council Member Gonzalez moved to postpone Item No. 52 for one week, seconded by Council Member Jones. Council Members Clutterbuck and Sullivan absent.

Mayor Parker stated that a one week delay she would certainly support that and asked if it was the will of Council that it go to committee, or for those Council Members interested receive a briefing, and Mayor Parker stated that there was no call for committee at this point, that she would ask the Director to contact each office. Council Members Clutterbuck and Sullivan absent.

A vote was called on Council Member Gonzalez motion to postpone Item No. 52 for one week. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Sullivan absent. MOTION 2011-0534 ADOPTED.

53. ORDINANCE approving and authorizing second amendment to Lease Agreement between the City of Houston and **CHAMPION RECYCLING CORPORATION** (Approved by Ordinance Nos. 92-0391 and 98-0361) for the construction and operation of a Waste Paper Processing Plant – **(This was Item 18 on Agenda of June 22, 2011, TAGGED BY COUNCIL MEMBERS NORIEGA and JONES)** – was presented. Council Members Clutterbuck and Sullivan absent.

Council Member Gonzalez moved to postpone Item No. 52 for one week, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Sullivan absent. MOTION 2011-0535 ADOPTED.

54. ORDINANCE appropriating \$666,173.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC**, for Lift Station Renewal / Replacement (Approved by Ordinance No. 2005-0332); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – (**This was Item 42 on Agenda of June 22, 2011, TAGGED BY COUNCIL MEMBER JONES**) – was presented. Council Member Jones voting no, balance voting aye. Council Member Johnson absent on personal business. Council Members Clutterbuck and Sullivan absent. ORDINANCE 2011-575 ADOPTED.

**Items received during meeting.**

9. ORDINANCE appropriating \$2,000,000.00 out of Homeless And Housing Consolidated Bond Fund (Fund 4501); approving and authorizing Grant Agreement between the City of Houston and **4500 TRAVIS, LLC** to provide \$1,900,000.00 of the appropriated funds to assist with the acquisition and construction of a 192 unit single resident occupancy facility to be located at 4500 Travis Street in Houston, Texas, that will provide affordable housing to low and moderate income persons, with a preference to veterans; approving and authorizing the use by the City's Housing and Community Development Department of the remaining \$100,000.00 of the appropriated funds for administrative and project-delivery costs related solely to the foregoing transaction - **DISTRICT D – ADAMS** – was before Council. Council Members Clutterbuck and Sullivan absent.

After discussion by Council Members, a vote was called on Item No. 9. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Sullivan and Hoang absent. ORDINANCE 2011-576 ADOPTED.

11. ORDINANCE appropriating \$2,500,000.00 from Parks Consolidated Construction Fund (Fund 4502) and approving and authorizing an Interlocal Agreement between the City of Houston, Texas (The "City") and **HOUSTON INDEPENDENT SCHOOL DISTRICT**, and a Sponsorship Agreement between the City and Fourth Ward Redevelopment Authority, relating to development and use of a tract of land near 1011 Taft Street, Houston, Texas, for field and related facilities - was before Council. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Sullivan and Hoang absent. ORDINANCE 2011-577 ADOPTED.

14. ORDINANCE awarding contract to **SPRINT SOLUTIONS, INC** for Next Generation Wireless Devices and Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$20,000,000.00 - Central Service Revolving Fund – was before Council. Council Members Sullivan and Hoang absent.

Council Member Costello offered the following written motion to amend Item No. 14:

"I move to amend Section 4 of the ordinance to reduce the maximum contract amount from \$20 million to \$13.5 million." Council Members Sullivan and Hoang absent.

After discussion by Council Members, Council Member Clutterbuck stated it was her intention to tag the amendment as well as the main item, that for purposes of discussion she was happy to remove her tag and add it towards the end.

After further discussion by Council Members, Mayor Parker stated that Council Member Clutterbuck stated that she was tagging the amendment and the main item, and Council Members Stardig, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Gonzalez, Rodriguez, Costello, Lovell, Noriega, Bradford and Jones stated that they would tag Item No. 14 and the amendment.

20. ORDINANCE de-appropriating (1) \$61,000.00 out of Reimbursement of Equipment/Projects Fund, previously appropriated by Ordinance 2009-0284 for Data and Telecom Equipment, (2) \$30,000.00 out of Julia Ideson Library Contributions Fund, previously appropriated by Ordinance 2009-0284 for Engineering/Materials Testing Services under the existing contract with **ALLIANCE LABORATORIES, INC**, and (3) \$100,000.00 out of General Improvement Consolidated Construction Fund, previously appropriated by Ordinance 2010-1044 for the Job Order Contracting Program; re-appropriating \$61,000.00 out of Reimbursement of Equipment/Projects Fund, \$30,000.00

out of Julia Ideson Library Contributions Fund, and \$100,000.00 out of General Improvement Consolidated Construction Fund for the Julia Ideson Library Restoration and Addition Project (Project); appropriating the Additional \$1,274,000.00 out of Julia Ideson Library Contributions Fund, and \$564,000.00 out of Public Library Consolidated Construction Fund for the Project; providing additional funding for a Manager-At-Risk Contract with **BALFOUR BEATTY CONSTRUCTION LLC, f/k/a SPAWMAXWELL LP** approved in Ordinance 2007-1471 and funding for security, contingencies, and furniture, fixtures and equipment related to construction of facilities financed by Reimbursement of Equipment/Projects Fund, Julia Ideson Library Contributions Fund, General Improvement Consolidated Construction Fund, and Public Library Consolidated Construction Fund; delegating authority to the Director of the General Services Department to issue purchase orders for the Project - **DISTRICT I – RODRIGUEZ** – was before Council. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-578 ADOPTED.

- 20a. RECOMMENDATION from Director General Services Department for supplemental allocation of \$300,000.00 for Construction Management At-Risk Contract with **BALFOUR BEATTY CONSTRUCTION, LLC**, for Phase II of the Julia Ideson Library Restoration and Addition Project – was before Council, moved by Council Member Gonzalez, seconded by Council Member Jones. All voting aye. Nays none. Council Member Johnson absent on personal business. MOTION 2011-0536 ADOPTED.

Mayor Parker stated that these items would be the subject of the Mayor's Report next week.

41. ORDINANCE appropriating \$708,000.00 out of Convention & Entertainment Construction Fund and authorizing a transfer of \$185,000.00 to the Street & Bridge Consolidated Construction Fund, awarding contract to **JERDON ENTERPRISES, L.P.** for Reconfiguration of Avenida de las Americas in support of relocation of Historic Train and Historic Homes; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund **DISTRICT I – RODRIGUEZ** – was before Council. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-579 ADOPTED.

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

Council Member Gonzalez stated that he wanted to express his condolences to the family and friends of Mr. Wayman Berdell Jones who passed away on Saturday; that he wanted to congratulate all involved in the planning and execution of the second annual Independence Heights Juneteenth Parade on Saturday, that he appreciated the work of their community leaders in putting together the great family event, that he wanted to congratulate all involved in the All Pro Sports Day that took place at Burrell Elementary immediately following the parade; that it was his pleasure to speak at the kickoff for Hip Hop for HIV Awareness and wanted to thank his colleague Council Member Johnson, that Greenspoint Mall was in District B and he had been a strong advocate for the last five years, that the event was currently taking place at Greenspoint Mall, it was one of the largest HIV testing events in the Nation and provided free and confidential testing for young adults; that Independence Day was next Monday and that meant that Lindale Park's Annual Fourth of July Parade was back, that he wanted to thank the Lindale Park Civil Club for their hard work on the parade and their continued commitment to the neighborhood. Council Members Sullivan, Rodriguez, Noriega and Jones absent.

Council Member Adams stated that the groundbreaking for Scottcrest Park took place on

Saturday and she wanted to thank Congressman Al Green for appropriating the funds to be able to renovate the park, and State Representative Boris Miles and all of the Super Neighborhoods in the community and to thank her staff and Director Joe Turner and his staff; that on Saturday she had a wonderful time with the Gridiron Classic with the NFL Players at the Houston Texans Y.M.C.A., that she wanted to say thank you to all of the parents, the Y.M.C.A. staff and the Houston Texans for allowing this great day of fun and she wanted to thank her staff; that today would mark the last week for many of the City of Houston employees who were affected by the layoff, that she wanted to give a public shout to her friend PSO, Public Safety Office, Joanne Sulistine, that she wanted to thank her for everything she had done for the City of Houston and for almost 20 years serving in that position; that on Saturday, July 2, 2011 there would be a special called meeting by the community of Sunnyside, that the previous administration had worked really hard to help curtail concrete crushing companies in the neighborhood, that now they were trying to rise up again, that she wanted to thank the Legal Department for all that they try to do to keep everything on point and really trying to fight, that the Legal Department won their appeal with Southern Concrete so now they needed to see where they move from here, that the meeting would be at 4600 Reed Road at 10:00 a.m. Council Member Rodriguez absent.

Mayor Parker stated that it was real dedication to have a big community meeting on the Fourth of July weekend and if she would share with her colleagues the information. Council Member Rodriguez absent.

Council Member Hoang stated that he appreciated Congressman Al Green, Director Joe Turner and the many activists in the community and his staff to attend the groundbreaking of the walking trail at the Alief Community Park, that it was a great event with many volunteers who came out. Council Members Rodriguez and Noriega absent.

Council Member Stardig stated that last Friday they concluded the Farmers Market and movie night series, that the event was a huge success with a great turnout, that a little boy came up and she was explaining that they would see them again next year, if not sooner, and he said they were not having movie night again next Friday and she said no, that it cost money and they had sponsors and had certain commitments, and he asked if he brought a movie could they have another movie night, so she thought the community really appreciated it and the kids had a great time, that she wanted to thank her staff, who worked really hard on this, that she wanted to than Susan Christian, Special Events, Director Joe Turner, Parks and Recreations, Mark Bowen, Urban Harvest and their corporate sponsors, that she wanted to thank all who helped out on the series; that she wanted to thank Mayor Parker for coming out to the district and speaking with Campbell Woods Civic Club, that she thought it was something that was needed; that there were things they needed to fine tune in their ordinances and one of things they talked about was parking in yards, that her staff had already identified the common issues in that and the enforcement, that they were working with City Legal and she was just told that City Legal had sort of put a stop on it until they got the word from Mayor Parker so she hoped that she could make a note and work on that with them to move forward; that tonight they would be having a meeting and TIRZ 17 was having the presentation of the regional drainage study at the campus of the Houston Community College at I-10 West and Beltway 8. Council Members Clutterbuck, Adams, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that she was happy to ask the Legal Department to work with her, that she was always appreciative of Council Members who wanted to step up and do the heavy lifting on an ordinance and this was an ordinance that actually came out of District A and if she wanted to fix it that was great and if Mr. Feldman would assign attorneys to work with her. Council Members Clutterbuck, Adams, Rodriguez, Lovell and Noriega absent.

Council Member Pennington stated that he wanted to wish everyone a Happy Fourth of July, that he had an occasion to read from a presentation of a symposium that was held at Rice

University a few years ago regarding Thomas Jefferson. Council Members Adams, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Jones stated that she wanted to congratulate HISD on passing a Freedom from Discrimination, Harassment and Retaliation Policy; that she had a great time at the Pride Parade on Saturday; that she wanted to wish her niece Jasari a Happy 5th Birthday; that she wanted to ditto what Council Member Adams stated, that she thought the victory so far with Southern Crush Concrete was important and they just had to keep on in that battle to make sure they stopped companies that were not good neighbors to the people around them; that as to the TIRZ 17 meeting tonight, that either herself or staff had been to everyone of their meetings because it was important to her, that there would be some detention projects, which was important, because that had been a big point of contention there; that she wanted to thank Roland and Karen Garcia who gave her a feather from one of their pet peacocks, Mr. Blue; that she had the opportunity to be the Summer Promotion speaker at Marshall Middle School and they gave her a t-shirt, that it was for their Summer Promotion, that it had all of their names on the back, that they were going to do great on their TAKS tests. Council Members Pennington, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Bradford stated that he wanted to express sympathy and condolences to the family of Mr. Clarence Vick, that he was shot and murdered early Monday morning, June 27, 2011, in his front yard in the 3800 block of West Hampton, the Hiram Clarke area, that he was making a plea to people in that community that if they heard or saw anything which may be evidence and would help them locate the person or persons responsible for the murder and robbery, that they could call the Police Department if they wanted to remain anonymous at 713-222-TIPS. Council Members Pennington, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Sullivan stated that when Item No. 6 was voted on earlier he was not present, that unfortunately he had stepped for a phone call and take a personal break and thought he had time to get back in and cast a "yes" vote for Item No. 6, but he was not able to, that he did not want anyone to think that his absence on that vote was intended to be anything, no message there, that obviously he supported their firefighters, always had and always would, that not just firefighters in Clear Lake and Kingwood, but all Houston firefighters. Council Members Pennington, Gonzalez, Rodriguez and Noriega absent.

Council Member Lovell stated that she wanted to say thank you to everybody today, the citizens, Planning Department, her fellow Council Members and to everyone on the passage and voting of the three new historic districts, that she knew it was a hard journey and she just wanted to thank everyone, that she believed that the new ordinance would make this an easier path and clearer path and way to historic preservation; that she wanted to thank the Houston Independent School District Board of Trustees for it's recent unanimous vote to give full equality and protection to all students and employees by revising the HISD Non Discrimination Policy to include sexual orientation, gender identity and gender expression, that this was long coming for their students and their teachers to afford them full equality and protection, that she was deeply grateful for this vote and believed it would help not only their teachers, but most of all the students, that this now afforded them the protection that they deserved and needed; that she thought the Pride Parade was fabulous, the great crowds, she saw many of her fellow Council Members having a great time, that for her it was a very emotional experience, it was her last time riding down the parade route as a Council Member, that to the people who put on the parade, she knew it was a lot of work, time and effort and she wanted to thank them for a job well done. Council Members Sullivan, Pennington, Gonzalez, Rodriguez, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that she wanted to remind them about the special called Southern Concrete meeting, that it would be held at 4600 Reed Road at Saint Francis of Assisi Catholic Church at 10:00 a.m.; that a couple of months ago they brought up an issue about

landlords who continued to rent their property out once they had been deemed unlivable and or tagged by the City of Houston for demolition, they brought up one particular gentlemen's name and she mentioned various properties that he owned throughout the City of Houston and various districts, that she wanted to thank Donna Edmundson and the legal team who had gathered the properties in District D and were able to file a suit against the owner, that this time the owner took it seriously because he had not taken any of the notices seriously in the past, that he met with the Legal Department last Monday about a solution where he was going to have to demolish or repair all of those homes in District D that were on the list and bring them up to standards, that there were several that needed to be demolished, but if they did not like his solution and if he did not comply with the agreement they were going to pursue the law suit, that she thought they needed to continue to hold those landlords accountable when they tired to take advantage of those individuals and the low income communities to rent them substandard housing and expect them to repair them at their expense. Council Members Sullivan, Pennington, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she wanted to thank Council Member Adams for pointing that out and bringing the issue to their attention so that they could jump on it, that there was a very different attitude in the Legal Department on these neighborhood issues and they were going to clean up the City. Council Members Sullivan, Pennington, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that as they approached the celebration of her personal favorite holiday, the Fourth of July, the celebration of the signing of the Declaration of Independence, that they knew that the signers of the Declaration of Independence took great risks and daring to put their names on a document that repudiated their current government, that they had every reason to believe at that time that they might be hanged for their very brave actions, and as had been her habit Council Member Clutterbuck read about some of those brave men. Council Members Stardig, Sullivan, Pennington, Gonzalez, Rodriguez, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:31 a.m. Council Member Johnson absent on personal business. Council Members Stardig, Sullivan, Pennington, Gonzalez, Rodriguez, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary