

City Council Chamber, City Hall, Tuesday, August 2, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 2, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig Jarvis Johnson, Ann Clutterbuck, Wanda Adams, Mike Sullivan, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega; 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 Al Hoang absent on city business. Council Member Oliver Pennington absent on personal business.

At 1:37 p.m. Mayor Parker stated that Council would begin presentations with Council Member Gonzalez. Council Member Gonzalez invited the Molina family to the podium and stated that they had created a Houston institution having created one of Houston's oldest Tex/Mex restaurants and they were celebrating 70 years; and Mayor Parker presented the Molina family a Proclamation wishing them continued success and proclaimed August 2, 2011, as "Molina Cantina Day" in Houston, Texas. Council Members Clutterbuck, Sullivan, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

A Spokesperson for the family stated that Houston was their home where their grandparents met; and thanked all for the recognition. Council Members Clutterbuck, Sullivan, Rodriguez, Costello, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that they were the "Houston Story", what this city was all about which was people with dreams and a little money, hard work and success; and thanked them for their work on committees also. Council Members Clutterbuck, Sullivan, Rodriguez, Costello and Jones absent.

Council Member Adams invited those present with the Houston Arts Alliance to the podium and stated that the Alliance was created in June of 2006 to commission art work, etc., and had launched programs and free theater night, etc., and continued to fulfill its mission to nurture, fund, advocate and promote participation for the arts; and Mayor Parker congratulated the group for their great work and presented them a Proclamation proclaiming August 2, 2011, as "Houston Arts Alliance Day" in Houston, Texas. Council Members Clutterbuck, Sullivan, Rodriguez, Costello and Jones absent.

Spokespersons for the group stated that they appreciated all the city had done and thanked them on behalf of the 250 plus grantees and artist the program gave funding to and for the recognition. Council Members Clutterbuck, Sullivan, Rodriguez and Jones absent.

Council Member Noriega stated that she appreciated the support and coaching, etc., given to the small arts groups as it was so important for them to survive. Council Members Clutterbuck, Sullivan, Rodriguez, Lovell and Jones absent.

Mayor Parker invited those present with HTV to the podium and stated that HTV was filming the Council Meeting and making it available to all citizens; that in March 1985 Council passed a proposal to develop cable access to the City of Houston and it was established to provide an avenue to provide local government programs, highlight public service and educate viewers about their communities and operations started in 1986 and because of their 25 years now in providing great service presented them a Proclamation proclaiming August 2, 2011, as "HTV Day and their 25th Anniversary Day" in Houston, Texas. Council Members Clutterbuck, Sullivan, Rodriguez, Lovell and Jones absent.

Council Member Johnson thanked the Mayor for recognizing such a wonderful team and

stated that they were always there and brought professionalism and told the story right. Council Members Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez thanked the Mayor for recognizing HTBV's 25 years which was a tremendous achievement and stated that they had a very professional team and a first rate product. Council Members Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Mr. Dwight Williams, spokesperson for the group thanked Mayor Parker for supporting HTV when she was a Council Member, Controller and now as Mayor; and thanked his staff and interns and everyone for the recognition. Council Members Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

At 1:59 p.m. Mayor Parker called on Council Member Noriega who invited Reverend Chuck Schneider with the Sagemont Church to lead all in prayer and Council Member Noriega led all in the pledge. Council Members Clutterbuck, Rodriguez, Lovell and Jones absent.

At 2:02 p.m. the City Secretary called the roll. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Clutterbuck, Lovell 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 Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Clutterbuck, Lovell and Jones absent. MOTION ADOPTED.

Mayor Parker stated that today there was a capacity crowd and her usual statement was the doors needed to remain unblocked and when possible take a seat in the Chamber; that in looking at the list she did believe they hit the one minute rule; and asked the City Secretary to explain the Rules of Council; and the City Secretary stated that there were 209 minutes reserved for speakers and under the Rules of Council once it was greater than 150 minutes it would be announced each speaker would be allowed one minute; and furthermore when the provisions of this section were invoked the question time for City Council Members shall be limited to a cumulative total of one minute for each speaker; and so irregardless of the amount of time reserved each speaker today would be limited to one minute. Council Members Clutterbuck, Rodriguez, Noriega and Jones absent.

Council Member Adams moved the rules be suspended for the purpose of adding Ms. Tamara Bell at the end of the Agenda Speakers, seconded by Council Member Costello. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Clutterbuck, Rodriguez, Lovell, Noriega and Jones absent. MOTION 2011-0581 ADOPTED.

At 2:00 p.m. the City Secretary began calling the public speakers. Council Members Clutterbuck, Rodriguez, Lovell and Jones absent.

Ms. Maria Xiquin, 7215 Sharpview, Houston, Texas 77074 (832-816-9814) appeared and stated that information on the expansion of Bush Airport was released yesterday at the transportation hearing and it was 200 pages; and urged Council Members and Houstonians have time to process the information and asked they take a step back for transparency. Council Members Clutterbuck, Rodriguez, Lovell and Jones absent.

Council Member Lovell thanked Ms. Xiquin for coming and attending the TIA Committee Meeting; that issues were talked through and the meeting was held as the deal was completed

Friday and many wanted information. Council Members Clutterbuck, Adams, Rodriguez and Jones absent.

Ms. Tiffany Hogue, 7906 Braesview Lane, Houston, Texas 77071 (713-492-2788) appeared and stated that she was also speaking on the expansion and lease at Bush Airport and up for vote tomorrow; that Council should listen to input before deciding, in L.A., San Francisco and New York all major hubs went bad and taxpayers foot the bill; that Houstonians wanted a world class airport, but it should be done right and time should be taken. Council Members Clutterbuck, Rodriguez and Jones absent.

Upon questions by Council Member Gonzalez, Ms. Hogue stated that she was asking for transparency and an open process, this could be an awesome deal and they wanted a good airport, but wanted to see details. Council Members Clutterbuck, Rodriguez and Jones absent.

Ms. Lena Williams, 2705 Isabella, Houston, Texas 77004 (225-266-4297) appeared and stated that she was not opposed to expansion of the airport but she too wanted transparency and time to allow others to review the documents. Council Members Clutterbuck, Rodriguez and Jones absent.

Upon questions by Council Member Adams, Ms. Williams stated that her concern was the time, it was finalized Friday and a 200 page document came out Monday and that was not proper time for anyone to be heard. Council Members Clutterbuck, Rodriguez and Jones absent.

Mayor Parker stated that it was possible to tag the item if Council Members wanted another week as this was the first presentation and for the public this expansion took place completely on city property with use of city resources. Council Members Clutterbuck, Rodriguez and Jones absent.

Mr. Philip Boyko, 505 Bastrop #310, Houston, Texas 77003 (713-626-2201) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Rodriguez and Jones absent.

Ms. Elsa Caballero, 4299 San Felipe, Houston, Texas 77027 (832-729-7092) appeared and stated that she too was present saying they were not against the expansion of the airport, but did have concerns which they started bringing up weeks ago when they asked for information; that 260 pages were received yesterday and they were asking for time. Council Members Clutterbuck, Rodriguez and Jones absent.

Council Member Lovell stated that they had the committee meeting yesterday and did hear concerns and now they had information and it was explained the item could be tagged; and Ms. Caballero stated that they looked forward to additional meetings to go over information provided. Council Members Clutterbuck and Rodriguez absent.

Mr. Ezra Brown, 10229 Rockaway, Houston, Texas 77016 (713-491-8907) appeared and stated that the citizens had concerns on the airport expansion as they lacked time to review documents presented yesterday; and they had called Council Member Johnson asking for a tag tomorrow. Council Members Clutterbuck and Rodriguez absent.

Ms. Jamadeline Pope, 3455 Anita #B, Houston, Texas 77004 (832-889-0496) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Sullivan and Rodriguez absent.

Ms. Elizabeth Ashton, 505 Bastrop, Houston, Texas 77003 (713-222-2472) appeared and

stated that she lived in the East Downtown Management District (EaDo) and was pushing for the civility ordinance; that they wanted to take care of the homeless, but some loiters showed up and the ordinance needed to be extended to their area for a World Class City. Council Members Clutterbuck and Sullivan absent.

Mr. Hershel Donny, 505 Bastrop, Houston, Texas 77003 (713-446-8760) appeared and stated that EDO was growing and prospering and the area needed to be kept desirable by growing in the right direction and the homeless needed to be kept from sleeping, etc., on sidewalks. Council Members Clutterbuck and Sullivan absent.

Ms. Christy Hartman, 505 Bastrop, Houston, Texas 77003 (713-446-2456) appeared and stated that she lived in EaDo for six years and worked with authorities in shelter management to have the civility ordinance passed; that the Star of Hope had vulnerable women and children and within an approximate one mile radius there were 61 registered sex offenders and about half were at the Star of Hope Men's Shelter. Council Members Clutterbuck and Sullivan absent.

Mr. Bob Foley, 505 Bastrop, Houston, Texas 77003 (713-857-5097) appeared and stated that he was asking Council to approve the extension of the civility ordinance to the eastside neighborhood as it would allow EaDo to develop more rapidly and increase its vitality and its tax base; and less time spent loitering allows more time for them to be counseled and begin a better life. Council Member Sullivan absent.

Ms. Marilyn Fountain, 6897 Ardmore, Houston, Texas 77054 (713-440-5345) appeared and stated that Star of Hope was the oldest of its kind having been there since 1907 and their great success was due to their donors and volunteers; that their desire was to have each person who came be provided shelter and protection and find hope in living and go forward as a productive citizen. Council Member Sullivan absent.

Upon questions by Council Member Rodriguez, Ms. Fountain stated that they did support efforts of EaDo in bringing structure; that Star of Hope wanted to expand and eventually move the women and family to a new site in 2013. Council Member Sullivan absent.

Ms. Tina Araujo, 815 Live Oak, Houston, Texas 77003 (713-504-2042) appeared and stated that she was with the East Downtown Management District and present to affirm the collaborative effort done in their community with residents, social service agencies, HPD, etc., and they were hoping council would vote to affirm the will of property owners and residents and allow all to move forward. Council Member Sullivan absent.

Council Member Gonzalez thanked Ms. Araujo for being present and her advocacy for the community and stated once concern was from neighboring communities, in particularly Super Neighborhood 63 the Second Ward community, regarding displacement of people into their communities; and upon questions, Mr. Araujo stated that they did not want to negatively impact surrounding neighborhoods and had been coordinating with management districts and the Chamber, but not reached out to designated groups outside the designated area but could. Council Members Stardig, Adams, Sullivan and Lovell absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Ms. Tina Araujo, seconded by Council Member Jones. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Stardig, Adams, Sullivan and Lovell absent. MOTION 2011-0582 ADOPTED.

Council Member Gonzalez stated that they would put her in contact with them and see if issues could be resolved. Council Members Stardig, Adams, Sullivan and Lovell absent.

Council Member Jones stated that her question was to the Administration, she had sent a memo as she wanted to make sure the ordinance was followed and based on her reading the ordinance said 45 days to be presented from the time of signatures and still she received no answer and she understood petitions were submitted in October and she wanted to know about that 45 day period. Council Members Stardig, Adams, Sullivan and Lovell absent.

Mayor Parker asked if something in the ordinance provided a 45 day...; and Mr. Heilman stated that he was not familiar with that but could find out and respond; and Mayor Parker stated that she would be glad to follow-up. Council Members Stardig, Sullivan and Lovell absent.

Ms. Tamara Bell, 3248 Charleston, Houston, Texas 77021 (713-825-8449) appeared and stated that she was vice chair of the Super Neighborhood Alliance and present with a great concern of the Department of Neighborhoods to be created, the first line of defense was neighborhood protection and she asked for definitive descriptions of what they did as their power should not be liquidated. Council Members Sullivan and Lovell absent.

Mayor Parker stated that she was the driving force behind the creation of the Department of Neighborhoods and she had consolidated all divisions into one area as she wanted them to work closely together and they would proceed down the path and she would make every effort to make sure they got to Super Neighborhood Meetings, she had seen them there and she would make sure that she had an opportunity as a Super Neighborhood Council to visit with the principles there. Council Members Sullivan and Lovell absent.

Council Member Adams stated that she and the Mayor met this morning on the same issue and she felt their number one concern was communication of the foundation on where they were going and they needed to find out from the Mayor when they would have the structure, how it would be defined, etc. Council Members Sullivan and Lovell absent.

Council Member Adams moved the rules be suspended for the purpose of extending the time for questions of Ms. Tamara Bell, seconded by Council Member Jones. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Sullivan and Lovell absent. MOTION 2011-0583 ADOPTED.

Mayor Parker stated that she already did the consolidation, they were divisions under the Mayor's Office and she would continue with them in that direction; that whether they created the Department of Neighborhoods or not the goal was to have the constituent and enforcement pieces in the same place so they could provide a seamless range of services; that she wanted it elevated to equal footing with other city departments and it being as critical to the city as Solid Waste for example. Council Members Sullivan, Gonzalez and Lovell absent.

Council Member Adams moved the rules be suspended for the purpose of extending the time for questions of Ms. Tamara Bell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Sullivan, Gonzalez and Lovell absent. MOTION 2011-0584 ADOPTED.

Upon questions by Council Member Bradford, Ms. Bell stated that she spoke to Ms. Flowers and had not received information needed; that she wanted definitive information, she had seen the department depleted and it was the only line of defense for non-criminal activity to turn to. Council Members Sullivan, Gonzalez and Lovell absent.

Mayor Parker stated that there would be no change in funding and she was trying to lift it

up. Council Members Sullivan, Gonzalez and Lovell absent.

Council Member Bradford moved the rules be suspended for the purpose of extending the time for questions of Ms. Tamara Bell; and Mayor Parker stated seeing no objections he should proceed. Council Members Sullivan and Lovell absent.

Council Member Bradford stated that the proposed consolidation should assist with Neighborhood Protection services being delivered better and he did support the consolidation, but he had a concern with the Anti-Gang Prevention part being placed under that umbrella and he would ask all to work with Ms. Flowers and give it opportunity to work. Council Members Sullivan, Rodriguez and Lovell absent.

Council Member Stardig moved the rules be suspended for the purpose of extending the time for questions of Ms. Tamara Bell, seconded by Council Member Jones. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Sullivan, Rodriguez and Lovell absent. MOTION 2011-0585 ADOPTED.

Council Member Stardig stated that she took her concerns to the Mayor and she wanted the Director to come back and have open dialogue with the committee and move forward with the structure in place and in writing and allow feedback as many had experience in this and she would request her coming back to committee; and Mayor Parker stated that she spoke earlier with Council Member Adams, chair of the committee, and spoke about the need for her to sit with her along with you as vice chair and they go into more detail and Ms. Flowers would be reporting directly to their committee. Council Members Sullivan, Rodriguez and Lovell absent.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Ms. Tamara Bell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Sullivan and Rodriguez absent. MOTION 2011-0586 ADOPTED.

Council Member Jones stated that many around the table had the same concerns as Ms. Bell; that people were not getting information in advance of Council making decisions and she would respectfully submit they figure out some kind of process so before they commit as a body they go to people who elected them and hear their input and then move forward; and Ms. Bell stated that they did want to be apart of the conversation. Mayor Parker, Council Members Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Cindi Payton, 1224 Troulon, Houston, Texas 77072 (713-231-357) appeared and stated that she was a member of Citizens Against Red Light Cameras that 181,000 or more voted to remove cameras and she did not know why their vote did not count; that she never heard of an election where the vote was overturned by a federal judge; and would like an explanation. Council Members Sullivan, Rodriguez, Noriega and Jones absent.

Ms. Tomy McNeil, 4944 Woodway Drive, Houston, Texas 77056 (713-632-2900) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan, Rodriguez, Noriega and Jones absent.

Mr. Terry Dry, 804 Stanford, Houston, Texas 77019 (832-359-9894) appeared and stated that he was always told this nation was great, his vote counted, but it appeared it did not; that it was voted to turn the cameras off and if they were not he wanted to know where all Council Members stood on the issue for next election purposes. Council Members Adams, Sullivan, Rodriguez, Noriega and Jones absent.

After an outburst in the Chamber Mayor Parker stated that as respectfully as she could she would say there were no such displays allowed in the Council Chamber and police would clear the chamber if there was no order; that there was a process and all would be heard from, if they felt overwhelmed with enthusiasm and wanted to show support for a speaker they could stand silently, but cheering, clapping, etc., would cause them to be removed. Council Members Adams, Sullivan, Rodriguez and Jones absent.

Mr. Tom Berkovich, 3115 Brookgrove Drive, Kingwood, Texas 77345 (281-360-7998) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan, Rodriguez and Jones absent.

Mr. John Vaughn, 6222 Iron rock, Houston, Texas 77087 (713-248-2829) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan, Rodriguez and Jones absent.

Ms. Shannon Work, 13602 Apple Tree, Houston, Texas 77079 (713-851-3628) appeared as many stood in support and stated that she was also present against the red light cameras; that she voted against Proposition III, but her main reason in being present was the precedent of overturning the will of the voter; and implored a long look be taken. Council Members Adams, Sullivan and Rodriguez absent.

Mr. Frank Lynn, 7322 Bridge Oak Drive, Houston, Texas 77088 (713-876-4159) appeared as many stood in support and stated that he was present as the vote of the people on red light cameras had been overturned and many were upset; that he voted against them and this should be taken to federal court, the cameras needed to come down. Council Members Adams, Sullivan and Rodriguez absent.

Miss Divya Kompella, 148 S. Brooksedge Circle, The Woodlands, Texas 77382 (713-376-7286) appeared and stated that she was a sophomore in the Woodlands and studies showed about 1,000 people died from accidents yearly due to red light runners and cities responded with red light cameras; that California was estimated to receive about \$330 million from the cameras, but Arizona recently banned cameras; that her study was whether cameras were for safety or revenue and she won first place, her objective was to keep public opinion aside. Council Members Adams, Sullivan and Rodriguez absent.

Upon questions by Council Member Noriega, Miss Kompella stated that her project focused on whether it was revenue or safety and she found traffic cameras were not for revenue in the Woodlands where she focused on, but she could not say if it was for safety as there the number of accidents prevented because of cameras were not recorded. Council Members Adams and Sullivan absent.

Council Member Jones stated that she was always excited to see young people in the political process; and urged her to keep it up; that they actually came into the room to hear youth such as her talk so they did pay attention. Council Members Adams and Sullivan absent.

Mr. Bob Schoellkopf, 7326 Shady Grove Lane, Houston, Texas 77040 (713-466-0008) appeared, presented information and stated that this was about families helping families; that calls were made across the State of Texas by him to City Secretaries and all used a lottery system to draw positions on the ballot and all would welcome that change to Houston. Council Members Sullivan and Noriega absent.

Mayor Parker stated that the City of Houston did use a lottery system to determine ballot order, they drew lots so he already won. Council Members Sullivan and Noriega absent.

Council Member Jones asked that Mr. Schoellkopf sum up his statement; and Mr. Schoellkopf stated that it was a good system and some may want their mother or grandchild to draw. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Patricia Schoellkopf, 7326 Shady Grove Lane, Houston, Texas 77040 (713-466-0008) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Anthony Collins, 6202 Starlake, Humble, Texas 77396 had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Madine Lewis (did not wish to give address nor phone number) appeared and stated that on July 14th she did not bargain for her Yellow Cab driver of cab 537 to kiss all over her and now her mouth was breaking out; and she described her situation in the cab until her time expired. Council Members Clutterbuck, Adams, Sullivan and Noriega absent.

Mayor Parker stated that she had a document with the history of complaints and apparently HPD was not aware she wished to pursue charges; that Yellow Cab, HPD and the D. A.'s Office were aware of the issue; and she should visit with Sergeant Baltazar and they would take her complaint and formalize it; and she would ask that she contact Mr. Komenski who was the president of Yellow Cab. Council Members Stardig, Clutterbuck, Adams, Sullivan, Lovell and Noriega absent. (NO QUORUM PRESENT)

Ms. Nia Colbert, General Delivery Post Office, Houston, Texas 77052 (832-253-4735) appeared and stated that she had a mental disability and in the June 21st session Mayor Parker waived documents which would have shown she was legally evicted and the case was still in the 14th Court of Appeals; that Langwood senior residents banned together to bring attention to deteriorating quality of life issues and she believed she was targeted and she had been fighting her battle. Council Members Stardig, Adams, Sullivan, Lovell and Noriega absent.

Ms. Melissa Murry, 1414 Castle Court #1, Houston, Texas 77006 (713-499-0640) appeared and stated that she was present concerning an accident on Bissonnet with HFD and thanks to Council Members Lovell and Bradford's offices the matter was resolved; and she was present to express thanks. Council Members Stardig, Adams, Sullivan, Lovell and Noriega absent.

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

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

Ms. Krystal Muhammad, 7125 Reed Road, Houston, Texas 77087 (713-261-3558) appeared as others stood in support and stated that for 27 weeks they had been picketing for an independent civilian review board with subpoena and prosecutorial power to hold HPD accountable; that she was asking Council to place the item on the Agenda and she wanted to know their positions on the matter; that Council Member Jones was the only one vocal and Council Member Bradford stated that he believed they should have one also; and it was sad the

vote on traffic cameras was not being recognized. Council Members Stardig, Adams, Sullivan, Lovell and Noriega absent.

Council Member Jones stated that for the record she supported a civilian review board with subpoena powers; and Mayor Parker asked if she also supported prosecutorial authority; and Council Member Jones stated that yes she did. Council Members Stardig, Adams, Sullivan, Lovell and Noriega absent.

Minister Johnny Jeremiah, 4801 Doolittle, Houston, Texas 77033 (713-545-3028) appeared as others stood in support and stated that he wanted to know everyone's position on the cameras; that he had something which said the federal judge had no jurisdiction; that the Texas Transportation Code 707.03 said if the people voted for something the Council had the right to go to them. Council Members Stardig, Adams, Sullivan, Lovell and Noriega absent.

Mayor Parker stated that she stated publicly over and over and did not know why she was not being heard, but she understood the will of the voters and turned cameras off; that she was doing her best to keep cameras off permanently, however, she was not willing to take \$20 million out of the city budget when she already had to lay people off and she was trying to limit damages; that it was her intention to turn them off permanently even though she did believe they saved lives. Council Members Stardig, Adams, Sullivan and Noriega absent.

Pastor Patrick Ngwolo, 3308 LaBranch, Houston, Texas 77004 (512-203-6810) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Ms. Cynthia Pharms, 4700 Wenda, Houston, Texas 77033 (713-734-5606) appeared as others stood in support and stated that she was present on behalf of Citizens Against Red Light Cameras and their Constitutional rights were violated by them not being off; and when voices were not heard people gave up voting; and on Renew Houston she called it Rescrew Houston and that was another issue. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Jones stated that she heard and did question the legal strategy that was being used because she thought there was a way to get out; that she had not been able to figure out what the federal question was which got this in the federal court; that as a Council Member elected by the people she tried to get transparent government and she had no clue the cameras would be turned on and she would respectfully suggest whenever they did anything they allowed the people to help guide them. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Ms. Sandra Hines, 4421 Alvin, Houston, Texas 77051 (832-374-5585) appeared as others stood in support and stated that they were fed up with bad decisions and poor representation by their government leaders; that they voted against traffic cameras and they were back on; that their oath was to represent the people and now they were facing taxation without representation and she believed an impeachment was in order if they could. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Jones stated that in the order the judge had in court it was not ordered the cameras be turned back on and it was misinformation. Council Members Stardig, Sullivan, Rodriguez, Lovell and Noriega absent.

Mr. Jim Ash, 120 Tiffany Drive, Brandon, MS 39042 (281-224-1892) appeared and stated that two years ago he led a group of people who had red light cameras removed from college Station and he came to give a perspective; that when he was in these speakers position he

thought Council Members were against him but did not realize that they were victims of the red light camera interest; that people needed to look at how such companies treated citizens and government before entering into the contracts as it should be about saving lives, but it was about saving their business and they would sue. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Council Member Jones stated that during this she learned other jurisdictions which had this happen did turn the cameras on and waited to be sued and defended with all they had and she was curious as to why Houston was taking a different position. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Mr. Clyde Phillips, 2821 Barbee, Houston, Texas 77044 (713-528-3073) appeared as others stood in his support and stated that people in his precinct knew the cameras were a source of revenue, but they wanted to know if it was possible for this to go before Council and he understood they were not back on but the Mayor was turning them on. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Council Member Jones stated that it was her understanding the cameras were on and the City Attorney week before last acknowledged it could go before Council if they wanted and they could vote on it. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Mayor Parker stated that she was doing her best to deal with the issue and get it resolved. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Mr. Charles Smith, 8020 Cora, Houston, Texas 77088 (281-225-1993) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Mr. Paul Kubosh, 1619 Lubbock, Houston, Texas 77007 (281-850-0171) appeared as others stood in support and stated that the \$20 million figure as to what the city would owe came straight from ATS and no where else, it was fiction and the Mayor adopted it as fact; that this was not a legal but a political issue and this would never go away; that before they launched another petition drive he wanted to hear from Council Members where they stood and if they were silent they would say they were standing with the Mayor and ATS. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Council Member Jones stated that she believed cameras should be turned off and they should fight ATS and listen to citizens and she did not vote for the drainage fee but when the election came she tried to do the best she could to come up with something fair. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Council Member Adams moved the rules be suspended for the purpose of adding Ms. Tyra Burkes to the list of speakers, seconded by Council Member Jones. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Stardig, Sullivan, Rodriguez and Noriega absent. MOTION 2011-0587 ADOPTED.

Mr. Randy Kubosh, 1619 Lubbock, Houston, Texas 77007 (281-850-0171) appeared as others stood in support and stated that 186,000 voted for removal of the traffic cameras; that citizens wanted to know where Council Members stood and they wanted it on the Agenda because in November an election was coming and if Council Members were silent he would recommend all vote against every elected official in the running next November. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Council Member Jones stated that if she had authority to put this on the agenda she would and if given opportunity to vote in Council she would vote to follow the will of the people. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Mr. Michael Kubosh, 1619 Lubbock, Houston, Texas 77007 (281-850-0171) appeared as others stood in support and stated that the Mayor had said regardless of how the federal judge ruled she was not turning cameras back on; that this was about the people and she would be supported if she stood by them. Council Members Stardig, Sullivan, Rodriguez and Noriega absent.

Council Member Lovell stated that when this was passed years ago why did Mr. Kubosh not go out then, according to City Charter, and gather signatures; that the Charter clearly stated they had 30 days if they did not like an ordinance to do so and beyond that time was up; and Mr. Kubosh stated that they did come and talk about cameras, but all knew to get 20,000 signatures and have them verified in 30 days was just about impossible and that was why they would be helping to change the Charter. Council Members Stardig, Sullivan and Rodriguez absent.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Mr. Michael Kubosh, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Stardig, Sullivan and Rodriguez absent. MOTION 2011-0588 ADOPTED.

Council Member Jones stated that the notion citizens had to mount up and run a campaign within 30 days after Council did something; that many times citizens did not even know what Council did until the bad things they did hit them and she would submit if it was the Charter then it needed to be changed as it absolutely put citizens in a lose/lose and it was fundamentally unfair. Council Members Stardig, Sullivan and Rodriguez absent.

Mr. Michael McHugh, 4800 Calhoun, Houston, Texas 77004 (713-823-2321) appeared as others stood in support and stated that he was present expressing dissatisfaction of the city turning on the cameras; that he was happy the Mayor said she would appeal the decision, but how did this happen to be the same district court where general counsel for ATS Judge Heppner's father just happened to serve; that cameras did not fill their purpose when it came to public safety and many were installed at some of the most congested intersections in the city while more dangerous intersections were not watched. Council Members Stardig, Sullivan, Rodriguez and Costello absent.

Council Member Adams stated that she had a question for Legal; that with the order from federal court, could cameras be cut off today if they wanted them to; and Mr. Heilman stated that they were working with the Mayor on the best strategy to protect the taxpayer's dollars and while they could cut them off they believed they were proceeding in the best interest of the citizens. Council Members Stardig, Johnson, Sullivan and Costello absent.

Mayor Parker stated that the answer was yes they could. Council Members Stardig, Johnson, Sullivan and Costello absent.

Council Member Lovell stated was Mr. McHugh questioning Judge Hughes integrity when he said because George Hittner was Judge Hittner's son that he was influencing; and Mayor Parker stated that time was expired, but she thought his statement was pretty clear. Council Members Stardig, Johnson, Sullivan and Costello absent.

Mr. Pansilo Caballero, 1370 Aston, Houston, Texas 77055 (832-266-4777) appeared as others stood in support and stated that today many were present regarding the vote on the

traffic cameras, but today there did not seem to be legal counsel, how could they enter a contract and not give voters a say, it was disturbing; that also the language used on the issue and on the rain tax issue was very conflicting and confusing and whatever happened to this Council needed to change. Council Members Stardig and Johnson absent.

Mayor Parker stated that to answer his question they actually changed the City Attorney and the Mayor since this contract was amended in 2009. Council Members Stardig, Johnson and Lovell absent.

Reverend Andrew Burks, 5606 Beldart, Houston, Texas 77033 (832-722-1210) appeared as others stood in support and stated that he was against the traffic cameras and he wanted to know what the federal question was to get the lawsuit into federal court versus state district court. Mayor Parker, Council Members Stardig, Johnson and Adams absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Bradford stated that he would like to hear a response from the City Attorney's Office to Reverend Burks question; and Mr. Heilman stated that he would visit with the City Attorney and they would visit with Reverend Burks after the meeting; and Council Member Bradford stated that he would like someone to start visiting publicly with some issues and when would Council be involved in the process; that the question had not so much to do with the red light cameras today, but the vote of the people, there were 186,000 people who said they wanted the Council body to do something and his question was when would Council be allowed to engage in the process, it was a fair question. Mayor Parker, Council Members Stardig, Johnson and Adams absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Reverend Burks, seconded by Council Member Jones. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Mayor Parker and Council Member Johnson absent. Vice Mayor Pro Tem Gonzalez presiding. MOTION 2011-0589 ADOPTED.

Council Member Noriega stated that she would like to know if the City Attorney was available; and Vice Mayor Pro Tem Gonzalez stated that they were checking. Mayor Parker and Council Member Johnson absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Adams moved the rules be suspended for the purpose of hearing from Mr. Travis McGee after Ms. Tyra Burks, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Johnson absent. MOTION 2011-0590 ADOPTED.

Mr. Irving Pass, 2250 Holly Hall #154, Houston, Texas 77054 (713-797-9891) appeared as others stood in support and stated that he voted against the cameras, but this was now another issue; that the Mayor said she was doing what she could to get them off, but the Police Chief came out on July 22nd saying he wanted to install more cameras; and all should want them off as that was what the people voted. Council Members Johnson and Jones absent.

Mr. Freddy Warner, 2803 Ferndale, Houston, Texas 77098 (713-448-6717) appeared and stated that he worked for the Memorial Herman Health Care System and was present on behalf of the emergency departments in the trauma centers across the State of Texas which benefited from funds generated regrettably from behaviors such as running red lights; that the trauma centers continued to operate at a significant shortfall and with a considerable reduction from the state budget they were truly looking for every dollar to render the highest possible care. Council Members Johnson and Jones absent.

Upon questions by Council Member Noriega, Mr. Warner stated that they had gotten money from the state and in the aggregate grasping for a number with respect to the total amount of funds generated from both the Driver Responsibility Program and the Red Light Camera, through the Comptrollers Office their system derived approximately one tenth of the total amount of trauma funds generated across the state so it was a significant amount of money; that the state budget cycle they would basically have a reduction from \$75 million per year biennium to \$57.5 million and that was significant and the red light camera funds was \$7 million to \$8 million for their system. Council Members Johnson, Adams and Jones absent.

Mr. Phillip Owens, 10231 Glenfield, Houston, Texas 77070 (713-201-0658) appeared as others stood in support and stated that he was a campaign manager for Citizens Against Red Light Cameras and present to speak on behalf of over 186,000 people who voted to take them down; that if city was so concerned with defending the right and outcome of the voters why were they not accepting the offer from Citizens Against Red Light Cameras and joining in the lawsuit. Council Members Johnson and Adams absent.

Upon questions by Council Member Jones, Mr. Owens stated that instead of finding excuses for why the cameras had to be on they should find a reason to stand with the people, they had spoken. Council Member Johnson absent.

Mr. Andy Taylor, 405 Main, Houston, Texas 77022 (713-412-4025) appeared and stated that all were entitled to their opinion but no one was entitled to misrepresent facts; that the question of how did you wind up in federal court had a simple answer, diversity jurisdiction; that ATS the company he represented, if you look at its state of incorporation and principal place of business the answer was Arizona so it could be sued properly in federal court, but there was a misrepresentation when thinking if you went to state court it would have been a different result, it was not true; that they sued the city of College Station and won, this case was already won in state court so the federal court decision was just consistent; that another thing missing in the debate was they had a Constitution, the City Charter was a Constitution and it said you had to act within 30 days. Council Members Johnson and Sullivan absent.

Council Member Jones stated that she heard a lot and she always ruled with the people who elected her; that it troubled her that this had happened across the state and all was consistent except Houston; that the red light issue did not get started by will of the voters but by 14 people on Council and a Mayor previous to those now who decided what was best for the people and the definitive response as to whether red light cameras were good or bad she thought ultimately should lie with the people and if Council started this then they should end it. Council Members Johnson and Sullivan absent.

Council Member Lovell moved the rules be suspended for the purpose of extending the time for questions of Mr. Andy Taylor, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Johnson and Sullivan absent. MOTION 2011-0591 ADOPTED.

Upon questions by Council Member Bradford, Mr. Taylor stated that he did not represent the City of Houston, but the city was looking at what the contract required, they were looking for the court's blessing to terminate the agreement, because they did, but his company filed a counter claim raising the election issue; that he was only explaining why there was diversity jurisdiction; and Council Member Bradford stated that the city was in the best position to explain and define why they were doing what they were and also there was a terminate for convenience clause in the contract and the 30 days relating to the City Charter the City Attorney was appealing the issue; and Mr. Taylor stated that the 30 days was a different issue. Council

Members Johnson and Sullivan absent.

Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Mr. Andy Taylor, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Johnson and Sullivan absent. MOTION 2011-0592 ADOPTED.

Mr. Taylor stated that they were talking about protecting the will of the people and the 30 day rule came from the will of the people, they voted in the City Charter and they, not Council, said there was a 30 day rule and if they did not like that rule they needed to change it; and Council Member Bradford stated that the City Attorney's Office was appealing that point and he was very disappointed they had a non-representation on the record from the City Attorney's Office on this issue, somebody from the City Attorney's Office should be speaking on this point now. Council Members Johnson and Sullivan absent.

Mayor Parker stated that she did want to be clear, the City Attorney had made himself available to every member of Council to discuss this issue; that it was a long standing practice and policy of this city that they not discuss legal strategy in open session and many of Council who was complaining today had met privately with him discussing the issue; that if they could get him back to City Hall she would be happy to have him hear but he would not answer the questions having to do with city legal strategy; and Council Member Bradford stated that with all due respect this was city policy and his question was when would Council be involved on the decision of the red light cameras; and Mayor Parker stated that they would continue to make the City Attorney available to any Council Member who wished to discuss the city's legal strategy. Council Members Johnson and Sullivan absent.

Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Mr. Andy Taylor, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Johnson and Sullivan absent. MOTION 2011-0593 ADOPTED.

Mayor Parker stated that she would take the matter under advisement. Council Members Johnson and Sullivan absent.

Council Member Jones stated that she found it curious that they had counsel for the red light camera explaining why the city did what it did, it made you think and then some at the Council Table had not been told about anything until after it was done and then it was by memo and after the fact or after business hours and this Council Member did not know anything about the red light camera until after all was done and decided and that was her complaint and it was scary when opposing counsel was telling them why they did what they did. Council Members Johnson and Sullivan absent.

Mr. Randy Locke, P. O. Box 66062, Houston, Texas 77266 (281-832-6433) appeared as others stood in support and stated that the Mayor was out of order when she usurped the authority of all voters in Houston and she made a mockery of the word "Justice". Council Members Johnson and Sullivan absent.

Council Member Jones stated that when the vote first came down she respectfully would submit to everyone to go look at the film of the Council Meeting when City Attorney Feldman sat in his seat and told Council their legal strategy and what they would be doing, he talked about the termination for convenience, etc., so the notion he could not talk about legal strategy now made you think again; that she would like to know what was different now from before. Council

Members Johnson and Sullivan absent.

Mr. Tom Zakes, 1217 Prairie, Houston, Texas 77002 (713-228-2827) appeared as others stood in support and stated that he heard someone say what they decided to do was in the best interest of the citizens; that he was involved in politics since he was young and thought the reason they had a government was to follow the public's instructions; that he thought it was we the people and not you the government. Council Members Johnson and Sullivan absent.

Mr. Roger Gordon, no address (512-636-2540) appeared and stated that he was co-counsel with Andy Taylor on behalf of the camera company and it was 11 months ago today they stood in Council saying exactly how this would play out, they told them what the Charter limitations were and their interpretation of it and with their prerogative they went a different direction and they were not present to rehash that legal issue; that Judge Hughes ruled and the Fifth Court would likely rule on it as well, but he would mention whether or not the city would continue with its obligation; that the Kubosh's were wrong at every venture of the debate, when they sued the city and lost, when they told Council to place it on the ballot and wrong now; that he would agree this was no longer a legal question, but political. Council Members Johnson and Sullivan absent.

Council Member Bradford stated that it was not the Kubosh's who said to put it on the ballot, it was the City Attorney David Feldman over the objection of Council Member Clutterbuck who said they had a duty to place it on the ballot; that his question was whether there was a termination for convenience clause in the contract and if so had the city exercised it as of this date; and Mr. Gordon stated that there was, but there was no longer that termination for convenience provision and he did not want to come and advise Council when they had able counsel to do so; and Council Member Bradford thanked Mr. Gordon and stated that he made his point. Council Members Johnson and Sullivan absent.

Mayor Parker stated that she wanted to make sure all heard that; and upon questions, Mr. Gordon stated it was correct that there was no termination for convenience clause because the previous Mayor amended the contract and took it out, and further in 2009 the Texas Legislature was considering eliminating state wide the authority for cities to operate red light camera programs and the only way a city could continue said program was if they had an existing contract which would be grandfathered in. Council Members Johnson and Sullivan absent.

Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Mr. Roger Gordon, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Members Johnson and Sullivan absent. MOTION 2011-0594 ADOPTED.

Mr. Gordon stated that the previous Council and Mayor exercised their authority to enter into the contract and chose to obligate the city to five more years of the program and they could now choose to get out but they would still pay under the contract and if Mr. Kubosh and his supporters would like to put \$20 million up and have the city walk away they would invite them to do so. Council Members Johnson and Sullivan absent.

Council Member Lovell stated that it was stated Mr. David Feldman the City Attorney put this on the ballot and Council Member Clutterbuck was the only one and it was not true, the City Attorney had no right to place anything on the ballot it was by vote of this Council something was placed on the ballot and she wanted the information correct. Council Members Johnson and Sullivan absent.

Upon questions by Council Member Jones, Mr. Gordon stated that the consideration for moving the termination for convenience was the ability to continue the program for five more

years in the event the Legislature banned the red light camera programs; and Mayor Parker stated that a number of Council Members who were present now were present at that time. Council Member Sullivan absent.

Mr. Ed Parton, 1102 Lisa Lane, Kingwood, Texas 77339 (281-723-3828) appeared as others stood in support and stated that the citizens were unhappy the cameras were on; that he was told it was about safety, but if so why were the lights shortened on the yellow caution and some times as much as three seconds and then why were cameras not put at every intersection where there was a major accident and why not in areas where people constantly ran the lights. Council Members Sullivan and Rodriguez absent.

Upon questions by Council Member Jones, Mr. Parton stated that he would like to know if whoever allowed the contract to be drawn up placing the city in a position where they had to pay \$20 million to do away with them was still with the city and if so what was the next harebrain idea they may get which would penalize citizens; and Council Member Jones stated that she was sure someone from the Administration or Legal would answer this, but if they made a decision based on what the Legislature was considering shame on them. Council Members Stardig, Johnson, Sullivan and Rodriguez absent.

Upon questions by Council Member Jones, Mayor Parker stated that there was not enough present to extend, but it had been asked and answered; that there was a new City Attorney and Mayor since that was done. Council Members Johnson, Sullivan and Rodriguez absent.

Mr. Fernando Herrera (did not wish to give address) (281-706-6051) appeared as others stood in support and stated that he would thank Council Members Bradford and Jones for speaking up and listening to the will of the people; that this was an important issue and people were losing confidence in Council; that 186,000 voted and urged this be brought back to the vote of the people. Mayor Parker, Council Members Sullivan and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Craig Stewart, 1269 W. 17th, Houston, Texas 77008 (281-736-6706) appeared as others stood in support and stated that ATS versus the City of Houston; that the city put cameras in and now there was a dispute in court; that the city should not have tried to get around the State Legislature and put in a bad contract; that someone had to take responsibility. Mayor Parker, Council Members Sullivan and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Bradford stated that what Council was going to do was unknown until they had opportunity to act and they could not act if it was not on the Agenda; that Council acted on advise of the City Attorney when he said there was a duty to place the item on the ballot over the objection of Council Member Clutterbuck who said otherwise. Mayor Parker, Council Members Sullivan and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Adams moved the rules be suspended for the purpose of extending the time for questions of Mr. Craig Stewart, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Mayor Parker, Council Members Sullivan and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding. MOTION 2011-0595 ADOPTED.

Council Member Jones stated that no one told her that consideration for removal of termination for convenience was because the state might pass something and they needed to beat them and no one told her they were getting rid of the termination of convenience; that Council Members saw so many Agenda items they could not go through every item, but they

learned things and brought things back and amended them because of them being uninformed and this was no different. Mayor Parker, Council Members Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Yolanda Macias (did not wish to give address nor phone number) appeared with a picture of her four year old son and stated that she was not present with any political reasoning in mind, but to speak on behalf of her four year old son who on July 30, 2010, was killed by someone who ran a red light; that she heard everyone speaking against the cameras, but she believed with her heart they did provide safety; that everyday she had to deal with this and her pain was unbearable at times; that people here had a vote, but her son did not because someone took his life and it was her reality to face daily; that she may change no one's mind, but she wanted all to understand while approaching red lights to be mindful of the lives which could change in a second. Mayor Parker, Council Members Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Noriega stated that she was so sorry; that Ms. Macias was very brave to come before them today and her sharing her story was appreciated. Mayor Parker, Council Members Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that she too felt very badly about what happened and if someone ran a red light she was sorry; that she too appreciated her coming to share her story and government was about hearing everyone. Mayor Parker, Council Members Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Richard Fason, 1302 Waugh Drive #13, Houston, Texas 77019 (713-876-5855) appeared as others stood in support and stated that no one wanted people to run red lights, but the question was about the consent to be governed and the issue went to the core aspects of their form of government; and he thought it was the plaintiff who determined to choose federal court under diversity jurisdiction, they had an option to file in state court, but his question was whether the city decided to go to federal court and why that specific court was chosen. Mayor Parker, Council Members Johnson, Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Jones, Mr. Fason stated that his concern was about citizens feeling whether they were represented; and Council Member Jones stated that Council Members had little time to go through things with a fine tooth comb and they relied on the City Attorney's Office to tell them what was important and not and if relevant things were left out they made a decision it was problematic. Mayor Parker, Council Members Johnson, Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Eric Dick, 4325 Tulsa, Houston, Texas 77092 (713-510-4500) appeared and stated that if they were going into a hole for \$20 million why was the city unjustly enriching from the contract; why were they making money; why look at expanding the cameras and the case was in appeal would the money be refunded if the city lost the appeal; that the will of the people had to be followed. Mayor Parker, Council Members Johnson, Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated for the record he brought up another point and she had no clue they were expanding cameras and she did not agree with that either. Mayor Parker, Council Members Johnson, Sullivan, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Don Cook, 7954 Glenheath, Houston, Texas 77061 (713-705-5594) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members

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

Mr. Dewayne Lark, 10954 Buffum, Houston, Texas 77051 (281-543-5310) appeared as others stood in support and stated that he felt the Mayor had all good intentions and she should check the City Attorney and she should tell all that the cameras were on was because of a judge's order and if she could not say that she should not, but the issue would not go away and they would have to find a resolution. Council Members Johnson, Sullivan and Lovell absent.

Ms. Tyra Burkes, who was previously added to the Speakers List, appeared as others stood in support and stated that she was directing this to the Mayor and it was about citizens who paid taxes to this city; that as time went by they would owe more money and once people decided they would not pay the ticket the city would be in the hole for more. Council Members Johnson, Sullivan and Lovell absent.

Mr. Travis McGee, 4800 Pederson, Houston, Texas 77033 (832-488-7709) appeared as others stood in support and stated that the cameras did not save lives responsible people and good honest police work did; that with \$20 million they could have got good police officers and this was all about money. Council Members Johnson, Sullivan and Lovell absent.

Council Member Jones stated that sometimes people had to run lights, sometimes the time between the yellow and red was so short to stop was more dangerous than to go through it and with an officer you could explain, but not with the cameras; that sometimes someone was barreling down on you and you had to get out of the way, but cameras did not show all that. Council Members Stardig, Johnson, Sullivan and Lovell absent.

Ms. Ashley Authorlee, 11212 Westpark #534, Houston, Texas 77042 (832-860-1628) appeared and stated that she was with Mama D's Pantry, a nonprofit organization who worked to raise awareness on the problem of hunger and to provide assistance to the low income and disadvantaged individuals; that what set them apart from other organizations was they went to the individuals homes to give them food and over 150,000 families went without food daily. Council Members Stardig, Johnson, Sullivan, Lovell and Jones absent.

Mr. David Thorne, 40 FM 1960 West #261, Houston, Texas 77090 (832-286-5925) appeared, presented Council Members information and stated that in July George Greanias the president and CEO of METRO issued an apology to all followed by a one week suspension without pay for making a mistake; that once and twice could be a mistake, but 14 times the public was told from February to July of admission to accessing pornographic websites while on duty and that was not a mistake; that the respect was lost and the penalty which eluded to the violation of oath of office given to public officials and employees for violating public trust must be applied to him, his staff and board members and termination without benefits. Council Members Stardig, Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Adugna Alamrew, 15906 Clayton Bend, Houston, Texas 77082 (832-282-9288) appeared and stated that he was speaking on behalf of Space City Cab for the second time; that they were requesting a taxicab permit which they deserved; that they were organized on 2007 and started requesting in 2008; that they paid about \$10,000 a year for their permit without any benefit. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, and Noriega absent. (NO QUORUM PRESENT)

Council Member Jones stated that she received something stating the city would be issuing medallions tomorrow and she had many questions from drivers; that once issued they could not take it back and again she wanted to know when they would know about things before they happened, the medallions were valuable and she wanted the process fair and she understood this was not coming before Council, it was just something being done; and Mayor Parker stated that representatives were present from ARA if someone wanted to meet with them about the issue; that the allocation of medallions was actually decided under the previous Administration. Council Members Stardig, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Gary Ocbayohannes, 6303 Jessamin, Houston, Texas 77081 (713-446-8679) appeared as others stood in support and stated that he was the chairman of the small cab company association and they appealed to Council and then took legal action and the case was under the appellate court, but the Mayor and Council decided to distribute tomorrow and he thought the government was supposed to protect the law, it was still in appellate court the case was still not resolved. Mayor Parker, Council Members Stardig, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Johnson stated this was for the Legal Department and in regards to the taxicab industry it was mentioned they filed an injunctive relief or whatever to stop the medallions from being distributed, did the city get served and if so why were they still passing out medallions; and Mr. Heilman stated that he was not familiar with the litigation, he could follow-up with the responsible section and advise him; and upon further questions, Mr. Ocbayohannes stated that the case was in the courts and it was not decided; and Council Member Johnson stated that he wanted Legal to get him information so the information could be given to those present. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Christopher Oakafor, 802 Pecan Place Drive, Houston, Texas 77071 (713-799-3501) appeared as others stood in support and stated that he was never so disturbed coming here as he was today; that last week he went to the airport and was told to bring his car and he would get a medallion and now here today from red lights to medallions it seemed no one knew where it all was coming from; that it had been in courts about a year and adjourned about two times; that he had been coming 25 years and never pushed around this much. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated for the record the previous speaker stated the Mayor and Council were issuing medallions tomorrow, but respectfully this Council Member was issuing nothing tomorrow; that she had nothing to do with this decision and it was scary when constituents told her of things when government didn't and it seemed this was the same thing which happened over the red light debate and they would be put into a legal pickle with damages attached and if this was still in the courts she did not know why they were moving forward. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that to all who were present on the previous issue Ms. Tina Paez with ARA was present to speak with them for an update. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Steven Sherman, 11715 Brandlon, Houston, Texas 77072 (281-879-5688) appeared

and stated that on the red light camera issue the whole session had gone unanswered except by two people; and he would defer his time for answers. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated she wanted to be clear, he was deferring his time to those sitting at the Council Table to say whether they were for or against cameras; and he stated she was correct. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Alexander I. Scaskevich, 2016 Main, Houston, Texas 77072 (713-253-4890) appeared and stated that he was present regarding the shooting at the Greyhound Bus Station, the red light cameras and a question regarding city bathrooms; that the Mayor was told of a problem at the bus station and apparently did not understand and now a shooting; that on red lights she did not listen and from what he understood because of the Mayor's background he understood transvestites were now allowed in the ladies restrooms. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Deborah Thomas, 6115 Kashmere, Houston, Texas 77026 (713-491-7299) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Diane Williams, 12750 W. Brae #1401, Houston, Texas 77031 (832-596-1280) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Louis Bundage, 701 San Jacinto, Houston, Texas 77052 (no phone) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Byron Thomas, 11514 Sand Stone Drive, Humble, Texas 77396 (713-299-7798) appeared, presented information and stated that he was wrongfully discharged from his employment as an inspector for the Department of Public Works; that he was hired in 2000 and indefinite suspended in 2011 and it was not clear why; that he was initially accused of stealing and then it changed to took from the city and then it was he did not give a full history of his criminal charges on his application in 2000 and to the best of his knowledge he did; that he provided exemplary service and would like to be reinstated. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Thomas stated that he did have a hearing; that he talked about 35 to 40 minutes and during the hearing it was discovered he did not steal or take anything; and Council Member Jones stated that she would look at what he provided. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that a representative with HR was present and he may want to speak with him at this time. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO

QUORUM PRESENT)

Ms. Wendy Walker, 6357 Westheimer, Houston, Texas 77057 (832-523-9722) appeared and stated that she was the proprietor of the Jamaica House, a restaurant, her goal was to offer diverse cuisine and culture and they would like to see more done on the part of the city to expose all to the different options existing in the Caribbean area as related to dining options and welcomed Council Members to come sample their dishes and consider their services for events. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Ms. Walker stated that they were in the Galleria Area between Fountainview and Hillcroft and they were an approved city vendor since November. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Reverend Joe Angel Lopez, 13334 Wells River Drive, Houston, Texas 77041 (832-891-2724) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Linder Gatterson (did not wish to give address nor phone number) appeared and stated that the Mayor walked out every time; that when she was last present the only one who took any concern was Council Member Jones; that her issue was serious and her paperwork showed the unfairness of her EPE and of her being laid off and she was still waiting for someone to contact her; that on the 19th she was told to talk to the man in the back but all he said was he would give it to his supervisor and no one had contacted her. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that if she was instructed to speak with someone what was supposed to happen and if someone was supposed to get with her why they hadn't and Vice Mayor Pro Tem Gonzalez stated that she was referred and he was supposed to speak with his supervisor and apparently it had not happened but they would follow-up and make sure it happened; and Council Member Jones stated that she wanted to know what happened also. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Byron Schirmbeck, 4727 Blackstone, Baytown, Texas 77521 (281-728-7220) appeared and stated that he was the petition organizer who got the red light camera issue on the ballot in Baytown and there as of now cameras were not functioning or issuing tickets; that the main reason was the city took a strong stance to uphold the will of the voter and waited for the camera company to sue and it was pending in state court which was a proper venue; that Mr. Taylor was wrong about College Station, there was no court of record for the decision, it was a mediated decision and the cameras were down. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that she wanted to make sure she heard what she thought she heard, he just said there was no court decision in College Station; and Mr. Schirmbeck stated that the court accepted the mediated settlement. Mayor Parker, Council Members

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

Mr. Clyde Bryan, 10802 Pepper Lane, Houston, Texas 77079 (713-545-4879) appeared, presented Council Members information and stated that he had been before Council a number of times requesting information on Council Member Costello's conflict of interest disclosure; that the City Attorney said he had given him all the contracts, but he indicated on his disclosure they still did not have three of the primary contracts to Costello, Inc. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Stardig, Mr. Bryan stated that the ones indicated with a black square they received and those blank were not received; and upon further questions, Vice Mayor Pro Tem Gonzalez stated that it was their understanding it was a matter for the City Attorney's Office to respond; and upon further questions, Mr. Heilman stated that he was under the impression all records were provided, he would follow-up with the appropriate section. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Don Hooper (private number and address) appeared and stated that to follow-up the Mayor told him they would have all contracts before he left the Chamber last time he was present, but he did not, though they did have over \$28 million in contracts and he knew the City Attorney had a conversation with the District Attorney about this and represented to Mr. Barnhill they were turned over and that was a lie. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Richard Arnold (did not wish to give address) (832-205-3340) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

At 4:29 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, August 3, 2011. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

The Houston City Council reconvened at 9:00 a.m. Wednesday, August 3, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, 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 Members Al Hoang absent on city business. Council Members Oliver Pennington absent on personal business. Council Member Edward Gonzalez out of the city on city business.

At 8:13 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:08 a.m. Mayor Parker called the meeting to order and stated that they had two public hearings. Council Members Johnson, Clutterbuck, Sullivan, Lovell and Jones absent. (NO QUORUM PRESENT)

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** regarding amendments to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NO. 17 (MEMORIAL CITY ZONE)** -

DISTRICTS A - STARDIG and G – PENNINGTON – was called. Council Members Johnson, Clutterbuck, Sullivan, Lovell and Jones absent. (NO QUORUM PRESENT)

Mr. Ralph De Leon, Administration and Regulatory Affairs, stated that on May 31, 2011 the Board of Directors of the Memorial City TIRZ approved amendments to the TIRZ Project and Financing Plan and forwarded them to the City for consideration, that this public hearing was a statutorily required part of the City review process, that each Council office had been given a copy of the proposed amended plan for the TIRZ and an official City statement had been distributed to each of them, that as explained in the body of the proposed amendments and as shown in Exhibit 1 the proposed amendment restated the goals and objectives of the original plan, including the design and construction, the public infrastructure, streets, roadways, public utility systems and parks, that a new project category included in the amended plan included provisions for the design and construction of flood remediation infrastructure, including property acquisition, that present today was Mr. Rafael Ortega, the lead engineer with Lockwood Andrews Newnam, who assisted in the development of a TIRZ 17 Regional Drainage Study, they would like to give them a short presentation outlining the proposed flood remediation infrastructure recommendations included in the study. Council Members Johnson, Clutterbuck, Sullivan, Lovell and Jones absent. (NO QUORUM PRESENT)

Mr. Ortega appeared and stated that he wanted to recognize the Chairman of the Board, Mr. Chuck Turet, who was also present, and reviewed the TIRZ 17 PowerPoint Public Hearing Presentation, a copy of which is on file in the City Secretary's office for review, that in closing they were looking to spend in the neighborhood of \$22 million outside the current boundaries should Council accept their request to annex these additional areas. Council Members Clutterbuck, Adams and Jones absent.

Mr. De Leon stated that City staff had worked with the Memorial City Redevelopment Authority on the proposed amended plan and would shortly bring forth a recommendation for City Council to approve the amended plan. Council Members Clutterbuck, Adams and Jones absent.

Mayor Parker requested the City Secretary to call the public speakers. Council Members Clutterbuck, Adams and Jones absent.

Ms. Lois Myers, 9701 Westview Dr., Houston, Texas 77055 (713-461-7447) appeared and stated that she had a handout for the Council Members, that while they were grateful for the detention pond there was a problem getting flood water from west side of Bunker Hill Bridge to the east side where the pond was to be put because TIRZ 17 made the two box culverts under the bridge way to small, they needed to be enlarged ASAP, that the bridge was for drainage and kind of looked like a mass of cement wall or something, that not only did the entire Hammerly watershed come down from the northwest at Hammerly and Gessner, the Fidelis Properties that were on the other side of the bridge right at the bridge, forty two acres of cement from the Fidelis Properties entered into that bridge also and could not get out, the waters back up and overflow the banks at Pine Lake, that people brought them into their homes, wrote testimonies that they would see in the packet that the water did backup at the bridge which the TIRZ and LAN (Lockwood, Andrews and Newnam) said did not happen, that it did, then the water flowed northward and then east across Bunker Hill, from the west to the east, which LAN (Lockwood, Andrews and Newnam) was also denying and they had testimonies that it did happen, that she also had photographs showing that there was a continuous ditch line from Bunker Hill to Gessner, that also it was undersized, the numbers showed it, one part drainage to six parts mobility on the Bunker Hill Project, that no other project was so shorted on drainage, and she wanted for them to look at the old versus the new TIRZ plan, that what she had noticed was mainly they were far short on drainage, the old plan put \$45 million for mobility and the drainage was \$32,000, which included things that were not just for drainage, but in the new plan they

would notice that they had used fancy footwork with wording to change categories into infrastructure improvements for roadways including what they called public utilities, that the important thing was that she thought the Council needed to ask TIRZ 17 to move over to the drainage side the extra \$8 million that they were adding to the previously existing budget of \$45 million for mobility and add it to the \$26 million that was there for drainage, that now there was \$53 million for mobility on the plan they were proposing and only \$26 million for drainage and when they took out the \$8 million for the detention pond that was not going to work unless they could get the bridge fixed that was going to leave about \$18 million left for drainage in the 30 year life span of TIRZ 17, that it was way to undersized for drainage, to please make those changes as soon as possible so they would not flood again, which would happen. Council Members Clutterbuck, Sullivan and Lovell absent.

Council Member Jones stated that she was thankful that Ms. Myers helped make them aware about what was going on in their neighborhood. Council Members Clutterbuck, Sullivan and Lovell absent.

Mr. Robert Bruce 430 Hollow Dr., Houston, Texas 7024 (713-465-9484) appeared and stated that he was present to beg the City Council to act to prevent additional severe flooding of their homes in the area drained by Drainage Ditch 153, which was downtown stream of the huge TIRZ 17 development in west Houston, that Drainage Ditch 153 was not a ditch but a narrow, shallow, crooked and brush soaked stream which was partially blocked by very large downed trees, that it was in no way suitable for carrying large volumes of water, that during 2008 and 2009, despite their strong protest, a \$16 million Houston taxpayer funded project was installed to drain TIRZ 17 water through an underground conduit and together with existing conduits provided cross sectional flow area capacity of 132 square feet discharging into 153, that the only drainage outlet from their section of 153 was an 81 square foot culvert beneath Memorial Drive, that with 132 square capacity end and 81 square feet out simple arithmetic made it painfully obvious to the most casual observer that this project's drained water would backup, create a lake and flood their homes, which it did, that on 4/28/09 heavy rain put TIRZ 17 drainage water into down stream homes within a several square mile area, some to a depth of four feet, that water backed up to a depth of at least 12 feet above the top of the culvert beneath Memorial Drive, creating a large lake, filling drainage arteries, flooding homes, sending a knee deep river rushing across Memorial Drive, that due to the flooding homes had been demolished with no intent of rebuilding unless there was drainage relief, that this left untended lots and significantly reduces their property taxes, they were appalled that City of Houston officials knowingly sacrificed their homes to developer interests, that today the TIRZ 17 budget, up for Council approval, contained a project, Memorial Drive Drainage and Mobility Improvements, T 17 31B, this would be followed later by a Tallowood Culvert enlargement, that together they would add 52 additional square feet of water carrying capacity to the existing 132 square feet for a total of 184 square feet capacity discharging into W153, again with only 81 square feet discharge capacity, that this would certainly flood more homes to greater depths, that it was that simple, that they implored Council to ban any new discharges from any source into ditch W153. Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Jones stated that she remembered people from this area coming to ask them not to allow the Fidelis Property be built and elevated, they had flooding meetings at the Flooding and Drainage Committee, and they told them prior to April 28, 2009, if they allowed them to build elevated that their properties would flood because the water would not have anywhere to go, that despite that they allowed the development and on April 28, 2009 houses that never flooded always flooded, that people to this day had not been able to move back into their homes, there were a lot of seniors on fixed income who could not afford flood insurance and their homes had not been repaired, that she hoped that they listened to what these constituents had to say, that she sent the Mayor two emails respectfully requesting that these

constituents be able to speak with her, that it was a huge issue. Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Noriega asked Mr. Bruce how increasing detention in this TIRZ district flood his house, and Mr. Bruce stated that it would help to avoid flooding of their house, there was a very suitable location of vacant land, 15 acres on Memorial Drive, that could be used for detention ponds that would relieve flooding in their area, and Council Member Noriega asked if that would be in addition to what they discussed today, and Mr. Bruce stated that was correct, that the City of Bunker Hill was providing new drainage to Buffalo Bayou, huge new conduits, that Houston could do the same thing for them with their much greater resources and their drainage fees that they were collecting from citizens, and Council Member Noriega asked if the proposal on the table helped or hurt and Mr. Bruce stated that it hurt, that was for another area, that it did not affect them, and Council Member Noriega asked if he was saying that this detention would not affect him, and Mr. Bruce stated that it was correct, that it was north of I-10, they needed detention south of I-10; that they were begging them to ban anymore discharges from any source into W153. Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Ms. Virginia Gregory, 9806 Westview Dr., Houston, Texas 77055 (713-465-5814) appeared and stated that she was in the Spring Branch Association area, which was bounded by Blalock by on the east side, Gessner on the west, Long Point on the north and Briar Branch Creek, AKA 140-0100, that for clarification she wanted to only discuss the parts that affected her neighborhood, which were those portions that were north of I-10, that just like Mr. Bruce was saying there was a confusion of what was where, that she was only going to talk about the north side and how it affected her neighborhood, that through a bunch of different things that had happened since the TIRZ got started in 9/2009, that everybody prior to 9/2009 was required to have detention, after 9/2009, when the TIRZ got started not a single property required detention and if anything all properties were elevated and no detention was required, they were talking about everything from the Fidelis Properties to the Room Store, everything that had been built up had required no detention, the only detention pond in their neighborhood was put in by Metro Nation in about 1991 or 1992 and the main thing was that last month they gave it away to Cross Point Church, that Cross Point Church was going to convert the detention pond to a football field, that she understood also that the detention pond that used to semi function overflowed on the backside and flooded about 15 homes, the water went over the backside of the banks because there were no cutoffs, that it was like an overflowing commode it could not stop, that on top of that there had been variances and all these things going on with the Planning Commission and Public Works and Engineering and she did not know how to stop it, that historically what had happened also was that in 2008, before Ike, was when they put in the box culverts in the Briar Branch Creek and they only had one part of the bridge finished and even then it dammed up and flooded some homes on Pine Lake, that Briar Branch Creek, no matter what LAN said, did get out of it's banks on the west side, they claimed it did not, that it did get out of the banks on the west side, they had affidavits, that the main issue that had in particular was that in this case there was a detention pond that was a gift that was going to be on the east side of the bridge, on the east side of Bunker Hill, that the problem was how to get the water from the west side to the east side if the box culverts could not take it, so therefore the question was if this was a good location to put a detention ditch if the water could not make it there, if the water dammed up before it even hit the bridge what was the advantage of having a detention pond to the east a couple of hundred yards, that she was respectfully requesting that the issue be revisited and possibly the best location for the detention pond should be somewhere along the 151, which ran north south on Whittey Road and went into the 140, that the 140-01-00, Briar Branch Creek, was conjoined with the 151, and historically when it flooded the bus barn for the Spring Branch School District had water almost three and a half feet high, on the fence line, and that was how water went down Whittey Road and went into the neighborhood, that she was requesting that all detention be onto the northwest side, which was where the water came from,

that why would they put a detention pond where there were no flooding issues; that they were under VCP1525 with the TECQ and every time the storm sewer overflow they went into the sanitary sewers, which were where the nine extraction wells pump all of the water into and there were approximately 64,800 gallons of toxic waste that were considered at high levels, and she had the document that went to the City of Houston, Public Works and Engineering Department, stating "the application for waste water capacity" and it said that the system was going to be pumping 64,800 gallons a day, that when they flood these pumps were still going, it was not a matter of just having regular flood water going into their home, the sanitary sewers overflowed because the 64,800 was going into them and they could not take it, they overflowed and toxic waste went into the houses, and in her neighborhood particularly most of the people were elderly, that she had gone to the TECQ and requested that put in a special system where they stop pumping when the water got above a certain level, that the TCEQ was just like the City of Houston, there was no money, they were slow, that she had been working on this since they got flooded in 2009 and she did not know what else to do. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Jones stated that she wanted to thank Ms. Gregory for being present, that she had educated her and she knew more about flooding then she thought she would ever know about flooding and hoped that her colleagues were listening. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

The City Secretary stated that Mr. Le Roy Hammer had indicated to Finance that he would also like to speak, so after Mr. Browne she would call him. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Mr. Ed Browne, 41 Rollingwood Dr., Houston, Texas 77080 (713-365-9902) appeared and stated that he did not want to seem ungrateful for the detention pond and they thanked Mayor Parker for redirecting TIRZ 17 more towards drainage than mobility, that was a tremendous benefit, that he had a handout to pass to the Council Members and stated that it was a diagram from the Briar Branch Creek Drainage Study; that he was the MC DDC Director and Chairman, that they were formed after the 2009 flood, they hired Jim Blackburn, who hired Hydrologist Larry Dunbar, and described the exhibits that he handed out, a copy of which is on file in the City Secretary's office for review and stated that the bridge was based on faulty data, so if they build a detention pond on the east side of the bridge the water could not get to it, that it was \$8 million, they were in times of austerity and they would like for that money to be usefully spent, if they enlarged the bridge it would probably work fine and they welcomed a detention pond, but they needed one that worked. Council Members Clutterbuck, Sullivan and Rodriguez absent.

After further discussion by Council Members, Council Member Noriega stated that it was helpful to them to have specific information that gave them an idea of how they might go forward and asked if her understanding was correct that the bridge access did not allow enough flow for the detention pond to be effective in his opinion, and Mr. Browne stated that was his opinion and the opinion of their hydrologist. Council Members Clutterbuck, Sullivan and Rodriguez absent.

Upon further questions by Council Member Jones, Mr. Browne stated that if the bridge was enlarged sufficient to pass the water through the detention pond would be fine where it was, that if the bridge was not enlarged it needed to be somewhere else, that he would request that they have an independent hydrologist review Larry Dunbar's findings because Public Works was using a program which did not show the widening of I-10, it showed Old Katy Road, the old MKT Rail Line, it showed the wrong pipelines under the roadways, it did not show the pipelines that were connected to Briar Branch Creek at Windover, that it was so out of date that it was almost pathetic. Council Members Clutterbuck, Sullivan and Rodriguez absent.

The City Secretary stated that they had been informed that there were two other people in the audience that wished to be heard and she would call them.

Mr. La Roy Hammer appeared and stated that he had lived in the area, where Fonvillas and W153 ran through Woodland Hollow onto Memorial and the area of drainage out of that area was Memorial Drive and the opening in Memorial Drive was the size of a door, that the size of the land approaching it, and the beginning of the dam at Memorial Drive, was the size of a wall with a four foot panel at the top, there was over 1,000 square feet of water sitting up there trying to get through 81 square feet, that 81 square feet ran 1,000 feet on the other side of Memorial Drive south going into Buffalo Bayou, which was a third of the area above Memorial Drive, that he saw it flood in Fonvillas when he lived there and he had lived in the area 40 some years, and he had seen it rise very high before flooding, probably only a foot and a half under his foundation all the way up into his property in Woodland Hollow, that he was going to aim more directly of where he felt he needed to go in this because he could not solve all of the other detention problems and everything else, but this was an obvious dam in the middle of everything else that was trying to get to Buffalo Bayou because earlier the engineer stated how the waster flooded from 151 to the drainage through Memorial all the way over to 153 when flooding occurred and they could not even stand that because they were being fed more water in to the areas that were already underground dumping into them, that something had to be done and he could not even envision it himself, but that 1,000 feet that closed down to a 9 by 9 hole, that used to be 70 foot wide and 20 feet deep, all the way down to 1,000 feet approaching Buffalo Bayou, something had to be done there, they could ignore it or at least announce to the public and everyone else that it was impossible because of all the damage that it would do to property around it and whatever else was going on, but he asked some of these questions in June 2008 to the contractor and the City and he hired an engineering firm that was an engineering firm specifically in the area of hydrology to ask the questions of the City and the contractors so he could give them an idea of what they were facing, that no one ever answered him, he had notes and minutes of the meeting where they agreed and no one ever responded to them, that he kept asking all the way into 2009 and then April hit them and he quit asking the question, but there was a problem in the area of 153. Council Members Clutterbuck and Sullivan absent.

After discussion by Council Members, Council Member Noriega stated that she would like to suggest that the speakers input be regarded with all respect and that they really address the pieces of this that they could, that she wanted to say to everybody whose house had flooded that she was sorry, that the part that they could address most easily was the engineering, they just had to find money and figure it out, that the part where they were concerned that they had not been heard, she wanted to say to them that they were hearing them, that she thought there were pieces of this that were going on that may not show, she appreciated how much real work they had done to give them data and diagrams and calculations and all of that and thought they were going to try to do their very best to figure out what the best solution was and they wanted to do that with them as partners. Council Members Clutterbuck and Sullivan absent.

Ms. Roberta Prazak appeared and stated that she had a handout to pass to the Council Members, that in 2005 the TIRZ spent approximately \$40,000 to have an open house for the public, they had lots of very colorful charts showing them everything they were going to do in the neighborhood, to the tune of \$22 million, which coincidentally was the same amount they were asking for now, that if they looked at the pictures of the poster boards of the big displays that were there at the \$40,000 open house they would notice the Barryknoll Kings Ride realignment, how important that was, it never happened, Lumpkin Road, with all of the drainage improvements, never happened, Old Katy Lane, with all of those nice things, all of the drainage improvements, never happened, Town and Country Way Extension, never happened, Bunker Hill Road, all the drainage improvements, sure they put in Bunker Hill Road, they heard all of the speakers talk about the lack of drainage, that again, they came and gave the nice dog and pony

shows, but they were the people who lived there, they were the people who really knew, they heard Mr. Hammer and Mr. Bruce talk about how they knew it was going to happen, how they told them it was going to happen, and it did happen, that part of the reason they knew that was that she was looking through the Houston Business Journal one day and she saw advertised the Fonvillas Project, so she marched down to 611 Walker, bought the plans, went through 142 pages of engineering plans, that she was a registered nurse, but she had a daughter who was a civil engineer and she could read engineering plans pretty well and she said that it looked like it was going to dump water into Hollow right below her, that she went and walked the creeks and said this was going to cause huge problems in their neighborhood, that Mr. Bruce and Mr. Hammer hired a hydrologist, talked to the City and said that this was going to flood them, and sure enough it did happen and it continued to happen and the TIRZ was not very nice to them, they call and ask for things and the TIRZ was rude, that she did not like that, that it was their money and the TIRZ acted like it was not tax money, but it was public money, it was their money and they had a right to know how it was being spent. Council Members Clutterbuck and Sullivan absent.

Mr. Greg Adams appeared and stated that was President of Spring Branch Civic Association, where much of the flooding that had been discussed on the north side was happening, that he wanted to thank Mayor Parker and all of her staff for all of the communications and the efforts put forth on their part, they appreciated that, that he was present to discuss the detention pond placement, that as had been indicated the bridge was not sufficient enough to get the water down to that side and also the ditch, which he believed was 140-0105, that ran behind Spring Rock and Confederate went and fed into Briar Branch Creek, that he saw a City of Houston study last night where there was 72 inches of drainage and when it got to Briar Branch Creek the culvert was about this big that the water had to go through, that it was the homes on the other side of that restrictor that flooded, so the water was not coming out of that, that he had seen nothing addressed about changing that in any of the plans that were done, so that was their main concern, that during the April 2009 flood event that restrictor was completely cut off and one of the neighbors looked like it was professionally done because it matched all of the rest of the ditch, so they now knew from that that definitely caused backup into their neighborhood, that also once this was finished, if they could please have a final copy of the study from LAN, with the engineering seal on it, so that they would know who did what and the preparation for this, that they appreciated very much their ears and their concern. Council Members Clutterbuck and Sullivan absent.

Mayor Parker asked if there were any other public speakers. Council Members Clutterbuck and Sullivan absent.

Council Member Lovell moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. Council Members Clutterbuck and Sullivan absent. MOTION 2011-0596 ADOPTED.

2. **PUBLIC HEARING** to consider the readoption of the Houston Youth Recreation Programs Standards of Care as codified at Article XII, Chapter 32 of the Code of Ordinances, Houston, Texas in compliance with Section 42.041(b) of the Texas Human Resource Code – was called. Council Members Clutterbuck and Sullivan absent.

The City Secretary stated that no one had reserved time to appear on this hearing and Mr. Joe Turner, Director, Parks and Recreation Department, would make comments on the hearing. Council Members Stardig, Clutterbuck, Sullivan and Jones absent.

Mr. Turner stated that today they were present to conduct a public session on the After

School Program and the ordinance that did that, that the Recreation and Parks Department conducted After School Programs in about 50 of their centers and a Summer Enrichment Program, that the Texas Human Resources Code exempted City Operated Youth Programs from State Child Care Licensing requirements and the City annually adopted the Standards of Care after a public hearing, that in 2002 Houston adopted a Youth Recreation Program Standards of Care as Article XII of Chapter 32 of the Houston Code of Ordinances, that they were present today in anticipation of Council readopting the current Standards of Care and Houston Parks and Recreation requested the City Council readopt Article XII, Chapter 32, Code of Ordinances in order to comply with 42.04 1 B 14 of the Texas Human Resource Code. Mayor Parker and Council Members Stardig and Clutterbuck absent. Council Member Noriega presiding.

After questions by Council Members, Mr. Turner stated that they were not changing anything they were keeping it the same, that they had to adopt it annually each year, that present with him was Ms. Kay Joshua who did all of the program and managed all of the programming for all of their community centers and the programs that they do, that they would be cranking up again, that the Summer Enrichment Program that Kay helped to do the programming for ended one week from Friday and then their After School Enrichment Program would be beginning September 6, 2011, right at 50 of the community centers. Council Members Stardig and Clutterbuck absent.

After further questions by Council Members, Ms. Joshua stated that the Houston Parks and Recreation Department would have a marketing booth at the back to school fest and they would have two staff representatives there who would promote their After School Enrichment Programs. Council Members Stardig and Clutterbuck.

After further discussion by Council Members, Mayor Parker asked if there was anyone present who wished to speak at the public hearing, hearing none asked for a motion to close the hearing. Council Member Stardig absent.

Council Member Lovell moved to close the public hearing, seconded by Council Member Adams. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. Council Members Clutterbuck and Sullivan absent. MOTION 2011-0597 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 61

MISCELLANEOUS - NUMBER 3

3. RECOMMENDATION from Director Department of Public Works & Engineering to approve refund for Water & Sewer Accounts for Harris County Auditor - \$83,618.26 - Enterprise Fund – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0598 ADOPTED.

ACCEPT WORK - NUMBERS 4 through 8

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$824,355.41 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Ring Neighborhood Library Renovation for the Houston Public

Library - 9.91% over the original contract amount - **DISTRICT A - STARDIG** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0599 ADOPTED.

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$161,803.00 and acceptance of work on contract with **GULF COAST LANDSCAPE SERVICES, INC** for Hermann Park Lake Picnic Area Phase II - 5.0% over the original contract amount - **DISTRICT D - ADAMS** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0600 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,534,676.35 and acceptance of work on contract with **METRO CITY CONSTRUCTION L.P.** for Wastewater Collection System Rehabilitation and Renewal 0.098% under the original contract amount – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0601 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,441,078.15 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 4.55% over the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS and I - RODRIGUEZ** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0602 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,505,727.56 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Water Line Replacement in Southampton - 5.31% under the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0603 ADOPTED.

PROPERTY - NUMBERS 9 through 13

9. RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Hiki Corporation, a Texas corporation, et al; Cause No. 951,771; for a total consideration of \$55,588.00; for acquisition of Parcel AY8-126, in connection with **HOMESTEAD ROAD GRADE SEPARATION PROJECT, Ley Road - Firnat - DISTRICT B - JOHNSON** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0604 ADOPTED.

10. RECOMMENDATION from City Attorney to settle eminent domain case styled City of Houston v. LMT Tradewinds L. P., a Texas limited partnership, et al; Cause No. 934,856; for a total consideration of \$230,000.00; for acquisition of Parcel AY3-050, in connection with **KEEGANS' BAYOU BIKEWAY PROJECT - DISTRICT F - HOANG** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0605 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joel Hiller of W. W. Bickerstaff & Associates, Inc., on behalf of Bob Don Company Ltd., (Guy J. Robertson, Jr., Manager), for abandonment and sale of a ±35-foot-wide storm sewer easement, in exchange for the conveyance to the City of a ±25-foot-wide storm sewer easement, both within Tracts 9A, 9B, and 12, out of the W. P. Morton Survey, A-539, Parcels SY11-107 and LY11-015 - **DISTRICT A - STARDIG** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0606 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown and Gay Engineers, Inc, on behalf of Belle Meade Investment 2006 L.P. (John Jeff Gray, III, President), for the abandonment and sale of a ±139-square-foot portion of a 15-foot-wide access easement and a ±12-square-foot portion of a 7-foot-wide sanitary sewer easement, both located in Unrestricted Reserve A. Belle Meade Subdivision, out of the A. C. Reynolds Survey, A-61, Parcels SY11-119A and SY11-119B - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0607 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel LY8-040, located at 5710 Yale Street, owned by Ronald Heron and wife, Yvonne Heron, for the **YALE STREET IMPROVEMENTS PROJECT from Tidwell to Parker** - \$189,851.00 Street & Bridge Consolidated Construction Fund - **DISTRICT H - PENNINGTON** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0608 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 18A

14. ORDINANCE appropriating \$72,647.30 out of Park Capital Project Fund for Construction of a Deck at the Memorial Park Tennis Center for the General Services Department – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-632 ADOPTED.
- 14a. **SPECIALTY CONSTRUCTION** for Construction of a Deck at the Memorial Park Tennis Center for the General Services Department - \$66,043.00 and contingencies for a total amount not to exceed \$72,647.30 - **DISTRICT G - PENNINGTON** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal

business. Council Member Gonzalez out of the city on city business. MOTION 2011-0609 ADOPTED.

16. **AMEND MOTION #2007-923, 9/5/07, TO INCREASE** spending authority from \$1,130,125.00 to \$1,412,656.25 on award to **HD SUPPLY WATERWORKS** and from \$1,370,908.00 to \$1,713,635.00 on award to **AQUA-METRIC SALES COMPANY** for Water Meters and Water Meter Replacement Parts for the Department of Public Works & Engineering - \$625,258.25 Enterprise Fund – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0610 ADOPTED.
17. **APPROVE SPENDING Authority** to Purchase Bearings, Seals, Couplings, and Related Hardware Items from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering, awarded to **APPLIED INDUSTRIAL TECHNOLOGIES - TXLP** - \$633,325.00 Enterprise Fund – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0611 ADOPTED.
18. ORDINANCE appropriating \$1,550,378.60 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Sanitary Sewer Lines for the Public Works & Engineering Department – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-633 ADOPTED.
- 18a. **PM CONSTRUCTION & REHAB, L.P.** for Emergency Repair of Sanitary Sewer Lines for the Department of Public Works & Engineering - \$1,550,378.60 - **DISTRICT G - PENNINGTON** – was presented, moved by Council Member Rodriguez, seconded by Council Member Rodriguez. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0612 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 19 through 61

19. RESOLUTION approving and authorizing Local Matching Funds for Five Projects selected in the 2009 Transportation Enhancement Program Call for Projects administered by the Texas Department of Transportation - **DISTRICTS A - STARDIG; D - ADAMS; F - HOANG; G - PENNINGTON and I - RODRIGUEZ** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. RESOLUTION 2011-021 ADOPTED.
21. RESOLUTION designating certain properties within the City of Houston as historic landmarks:

Seth S. Lamb House	2421 Brentwood Drive	<u>DISTRICT G - PENNINGTON</u>
John C. McEwen House	3819 Olympia Drive	<u>DISTRICT G - PENNINGTON</u>
River Oaks Corporation House	2164 Troon Road	<u>DISTRICT G - PENNINGTON</u>

– was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. RESOLUTION 2011-022 ADOPTED.

22. ORDINANCE supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue Refunding Bonds in one or more series designations, authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of Certain Water and Sewer System Junior Lien Revenue Refunding Bonds, Series 2001A; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of and subscription for Certain Escrowed Securities; authorizing Bond Insurance, Escrow Verification and Engagement of an Escrow Agent, a Co-Bond Counsel Agreement, and a Special Disclosure Co-Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-634 ADOPTED.
30. ORDINANCE relating to the Retail Water Rates of Aqua Texas, Inc, Aqua Utilities, Inc & Aqua Development, Inc dba Aqua Texas, approving a Settlement Agreement relating to an increase in the Water Rates that shall constitute the Legal Retail Water Rates of Aqua Texas until changed as provided by the Texas Water Code; providing for the filing of rate schedules and tariffs; providing for the repeal of conflicting ordinances - **DISTRICT E – SULLIVAN** - had been pulled from the Agenda by the Administration, and was not considered.
32. ORDINANCE amending Ordinance No. 2009-0113 to add a maximum contract amount and amending Ordinance Nos. 2009-0170, 2009-0208, 2009-0288, 2009-0526, 2009-0689, and 2009-1253 (original ordinances) to revise the maximum contract amount; approving and authorizing first amendments to contracts with **GATEWAY TO CARE, TEXAS SOUTHERN UNIVERSITY, ALZHEIMER'S ASSOCIATION - HOUSTON & SOUTHEAST TEXAS CHAPTER, ASIAN AMERICAN FAMILY COUNSELING CENTER, CHINESE COMMUNITY CENTER, INC, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, COUNCIL FOR HEALTH EDUCATION AND DEVELOPMENT, L.L.C. and MONTROSE COUNSELING CENTER, INC**, respectively, to extend the term of the contracts for elderly services \$36,182,632.01 - Grant Fund – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-635 ADOPTED.
33. Omitted
35. Omitted
37. ORDINANCE approving and authorizing a Sub-Grantee Award Agreement between **HARRIS COUNTY, TEXAS** and the City of Houston to accept FY2009 Port Security Grant Program Funding for Port Area Responders Radio Initiative - \$3,879,600.00 - Grant Fund – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-636 ADOPTED.
39. ORDINANCE appropriating \$5,039,196.00 out of Tax Increment Funds for Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine,

City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), and Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), for administrative expenses, payments to certain Redevelopment Authorities and payment to the Harris County Affordable Housing Fund pursuant to the Tri-Party Agreement between the City of Houston, Harris County, and **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**, and as provided herein – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-637 ADOPTED.

41. ORDINANCE approving and authorizing Amendment No. 4 to an Air Show Agreement between the City of Houston and **COMMEMORATIVE AIR FORCE, INC** for Conducting Annual Air Show at Ellington Airport - **DISTRICT E - SULLIVAN** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-638 ADOPTED.
42. ORDINANCE appropriating \$826,313.00 out of Airports Improvement Fund and approving and authorizing contract for Professional Architectural/Engineering Services between the City of Houston and **AECOM TECHNICAL SERVICES, INC** for a New Air Traffic Control Tower at Ellington Airport (Project No. 629); providing funding for the Civic Art Program - **DISTRICT E - SULLIVAN** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-639 ADOPTED.
44. ORDINANCE establishing the north and south sides of the 1800-1900 block of North Boulevard within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-640 ADOPTED.
45. ORDINANCE establishing the north and south sides of the 1800-1900 block of North Boulevard within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-641 ADOPTED.
46. ORDINANCE repealing Ordinance No. 1999-1374 that designated the south side of the 1300 block of West Pierce Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-642 ADOPTED.
47. ORDINANCE appropriating \$149,115.00 out of Parks Special Fund for Townwood Park Community Center Project (Approved by Ordinance No. 2007-0072) - **DISTRICT D - ADAMS** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-643 ADOPTED.

48. ORDINANCE awarding contract to **QA SYSTEMS, INC** for Laptop Computer Repair Services for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,189,125.00 - General Fund – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-644 ADOPTED.
49. ORDINANCE amending Ordinance No. 2005-0137 (Passed on February 16, 2005) to increase the maximum contract amount for the Interlocal Agreement between the City of Houston and **HARRIS COUNTY DEPARTMENT OF EDUCATION** for Record Storage and Retrieval Services for Various Departments - \$1,938,660.57 - General, Enterprise, Property & Casualty and Grant Funds – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-645 ADOPTED.
50. ORDINANCE appropriating \$56,000.00 out of General Improvement Consolidated Construction Fund to the In-House Renovation Revolving Fund for Improvements at Miller Outdoor Theatre **DISTRICT D - ADAMS** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-646 ADOPTED.
51. ORDINANCE amending Ordinance 2011-578 (Passed June 29, 2011) to correct a clerical error on the Julia Ideson Building - Restoration and Addition Project - **DISTRICT I - RODRIGUEZ** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-647 ADOPTED.
52. ORDINANCE appropriating \$267,950.00 out of Parks Consolidated Construction Fund; awarding construction contract to **CARRERA CONSTRUCTION, INC** for Hermann Park Upgrade of Electrical Distribution System; 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 construction management and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-648 ADOPTED.
54. ORDINANCE consenting to the addition of 357.822 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 105**, for inclusion in its district – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-649 ADOPTED.
56. ORDINANCE appropriating \$594,500.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **OTHON, INC** for Easthaven Boulevard (Bryant to Ledge) 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 I - RODRIGUEZ** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-650 ADOPTED.

57. ORDINANCE appropriating \$1,247,365.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **S&B INFRASTRUCTURE, LTD.** for Engineering Services associated with the design of water line replacement in Spring Shadows West Area and Forest Pines Area; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-651 ADOPTED.
58. ORDINANCE appropriating \$1,215,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PEPE ENGINEERING, LTD.** for Water Line Replacement in Westchester 1 Area and Ashford Forest Area; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT G - PENNINGTON** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-652 ADOPTED.
60. ORDINANCE appropriating \$795,425.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, L.P.** for Design of Water Line Replacement in Windsor Village Area; 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. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-653 ADOPTED.
61. ORDINANCE No. 2011-624, passed first reading July 20, 2011
ORDINANCE granting to **FCC ENVIRONMENTAL, LLC A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-624 PASSED SECOND READING IN FULL.

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

Council Member Jones stated that she wanted to recognize Ms. Alanis Ardoin, who was in the audience, and asked her to stand, that she was 12 years old and planned to become an attorney and wanted to become involved in politics, that she was shadowing her today and currently was taking debate and public speaking, that she had also shadowed Judge Mark Carter, that she wanted to thank her for being in the Council Chamber, and Mayor Parker stated that she wanted to welcome Ms. Ardoin.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

15. **APPLIED BIOSYSTEMS, LLC** for Forensic Chemicals and Test Kits for the Houston Police Department - \$1,619,951.62 - General Fund – was presented, moved by Council Member Lovell, seconded by Council Member Rodriguez.

After discussion by Council Members Bradford and Jones, a vote was called on Item No. 15. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. Council Member Adams absent. MOTION 2011-0613 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 19 through 61

20. RESOLUTION designating certain properties within the City of Houston as landmarks and protected landmarks:

Dr. John Hoskins Foster House 320 Branard Street **DISTRICT C - CLUTTERBUCK**
Morrow-Jones House 3453 Inwood Drive **DISTRICT G - PENNINGTON**

– was presented. Council Member Sullivan voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. RESOLUTION 2011-0023 ADOPTED.

23. ORDINANCE **AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to appeals from administrative adjudication hearings; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability – was presented.

After discussion by Council Member Sullivan, a vote was called on Item No. 23. Council Members Sullivan and Bradford voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-654 ADOPTED.

24. ORDINANCE **AMENDING SECTION 28-46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to aggressive panhandling; containing findings and other provisions relating to the foregoing subject; providing for severability - was presented. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-655 ADOPTED.

25. ORDINANCE **AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding in an area within the East Downtown Management District as a designated area covered by such article; containing findings and other provisions relating to the foregoing subject; providing for severability - **DISTRICT I – RODRIGUEZ** – was presented, and tagged by Council Member Jones.

26. ORDINANCE **AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the creation of the Department of Neighborhoods; authorizing the transfer of certain approved Fiscal Year 2012 Budget Funds – was presented.

After discussion by Council Members, Mayor Parker stated that Item No. 26 had been tagged by Council Members Jones, Adams and Stardig.

- 26a. ORDINANCE amending Exhibits "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2011-0490), to amend the Master Classification Ordinance to add one new job classification; providing a repealer; providing for severability – was presented, and tagged by Council Members Jones, Adams and Stardig.
27. ORDINANCE amending the City of Houston Construction Code by adopting the International Energy Conservation Code and the ASHRAE 90.1 Standard, together with local amendments to each, as the City's Commercial Energy Conservation Code and making other revisions to other volumes of the Construction Code; containing other provisions relating to the foregoing subject; containing a repealer; containing a savings clause; providing for severability – was presented.

After discussion by Council Member Adams, a vote was called on Item No. 27. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-656 ADOPTED.

28. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a utility easement and an attendant aerial easement; vacating and abandoning the easements to Niazi Family Investments, Ltd., abutting owner, in consideration of its conveyance to the City of a sanitary sewer easement, payment to the City of \$2,100.00, and other consideration; in the Almeda Square Replat, James Hamilton Survey, A-877, Harris County, Texas - **DISTRICT D – ADAMS** – was presented. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-657 ADOPTED.
29. ORDINANCE relating to the Retail Gas Utility Rates of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy and as CenterPoint Energy Texas Gas; approving a Settlement Agreement relating to an Interim Rate Adjustment subject to refund and otherwise maintaining current rates in effect until changed; providing for the filing of rate schedules and tariffs; providing for the repeal of conflicting ordinances – was presented, and tagged by Council Member Jones. Council Member Noriega absent.
31. ORDINANCE amending Ordinances Nos. 2009-0142, 2009-0170, 2009-0208, 2009-0287 and 2009-0288 (original ordinances) to revise the maximum contract amount; approving and authorizing first amendments to contracts with the **SALVATION ARMY, THE CITY OF LAPORTE, THE CITY OF SOUTH HOUSTON, TEXAS, THE CITY OF JACINTO CITY, TEXAS, BAYTOWN MEALS ON WHEELS, (FORMERLY FAITH PRESBYTERIAN CHURCH OF BAYTOWN, TEXAS), and PURFOODS, LLC dba MOM'S MEALS**, respectively, to extend the term of the contracts for Nutrition Service Providers for Seniors; approving and authorizing second amendments to contracts with **INTERFAITH MINISTRIES FOR GREATER HOUSTON, THE JEWISH COMMUNITY CENTER OF HOUSTON, TEXAS, YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON and NEIGHBORHOOD CENTERS, INC**, respectively, to extend the term of the contracts for Nutrition Service Providers for Seniors - \$39,058,642.63 - Grant Fund – was presented. Council Member Noriega absent.

After discussion by Council Member Sullivan, a vote was called on Item No. 31. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-658 ADOPTED.

34. ORDINANCE amending City of Houston Ordinance No. 2010-372, passed on May 12, 2010, which approved and authorized the submission to the United States Department of Housing and Urban Development of the 2010 Consolidated Action Plan (Also referred to as the 2010-2014 Consolidated Plan and 2010 Action Plan), including the Community Development Block Grant Application for the 36th Program Year - **DISTRICT I – RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-659 ADOPTED.
36. ORDINANCE approving and authorizing a Sub-Grantee Award Agreement between the **TEXAS DEPARTMENT OF PUBLIC SAFETY** and the City of Houston to accept FY2010 Buffer Zone Protection Program Funding to protect and secure critical infrastructures and key resources; declaring the city's eligibility for such grant; authorizing the Director of the Mayor's Office of Public Safety & Homeland Security to accept such grant funds; authorizing the Director of the Mayor's Office of Public Safety & Homeland Security to execute the agreement and any subsequent amendments, and to apply for and accept all subsequent awards, if any; pertaining to the program – was presented, and tagged by Council Member Sullivan.
38. ORDINANCE approving and authorizing a revised Economic Development Agreement between the City of Houston, Texas, and **HEB GROCERY COMPANY, LP** for the development and operation of a grocery store in the Gulfgate Shopping Center; containing findings and other provisions related to the foregoing subject; containing a repealer - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-660 ADOPTED.
40. ORDINANCE approving and authorizing Amendment No. 1 to Airport Use & Lease Agreement by and between the City of Houston and **CONTINENTAL AIRLINES, INC** for Terminals B and C at George Bush Intercontinental Airport/Houston - **DISTRICT B – JOHNSON** – was presented.

After discussion by Council Members, Council Members Jones, Noriega and Johnson stated that they would tag Item No. 40.

- 40a. ORDINANCE approving and authorizing second amended and restated Special Facilities Lease Agreement by and between the City of Houston and **CONTINENTAL AIRLINES, INC** for Terminal B at George Bush Intercontinental Airport/Houston - **DISTRICT B – JOHNSON** – was presented, and tagged by Council Members Jones, Noriega and Johnson.
43. ORDINANCE approving and authorizing contract between the City of Houston and **RESEARCH HORIZONS, LLC, d/b/a PHOENIX MARKETING INTERNATIONAL**, for Professional Consulting Services relating to Customer Satisfaction Surveys for the Houston Airport System; providing a maximum contract amount - 5 Years - \$914,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. Council Member Sullivan voting no, balance voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-661 ADOPTED.

53. ORDINANCE consenting to the addition of 312.6 acres of land to **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 18**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. Council Member Costello absent. ORDINANCE 2011-662 ADOPTED.
55. ORDINANCE consenting to the addition of 432.63 acres of land to **HARRIS-MONTGOMERY COUNTIES MUNICIPAL UTILITY DISTRICT NO. 386**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-663 ADOPTED.
59. ORDINANCE appropriating \$1,219,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Water Line Replacement in Buckingham Area and Jensen Drive Area; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-664 ADOPTED.

NON CONSENT AGENDA - NUMBER 62

MISCELLANEOUS

62. **SET A HEARING DATE** regarding the third amended Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TEN (LAKE HOUSTON ZONE) DISTRICT E – SULLIVAN - HEARING DATE - 9:00 A.M. - WEDNESDAY - AUGUST 17, 2011** – was presented.

Council Member Costello moved to set Wednesday, August 17, 2011 for a hearing regarding the their amended Project Plana and Reinvestment Zone Financing Plan for Reinvestment Zone Number Ten (Lake Houston Zone), seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0614 ADOPTED.

MATTERS HELD - NUMBERS 63 through 71

63. RECOMMENDATION from Director Finance Department for approval of FY2012 Budgets submitted by the **HOUSTON ARTS ALLIANCE, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, MILLER THEATRE ADVISORY BOARD, INC, and THEATER DISTRICT IMPROVEMENT, INC** for the support, advancement and promotion of the Arts – (**This was Item 1 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBER BRADFORD**) - was presented, moved by Council Member Lovell, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0615 ADOPTED.
64. RECOMMENDATION from Director Finance Department for approval of Supplemental Budgets submitted by the **HOUSTON ARTS ALLIANCE, MILLER THEATRE ADVISORY BOARD, INC, THE MUSEUM DISTRICT ASSOCIATION, and the THEATER DISTRICT**

IMPROVEMENT, INC for the promotion of the Arts – **(This was Item 2 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBER BRADFORD)** - was presented, moved by Council Member Lovell, seconded by Council Member Adams. All voting aye. Nays none. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0616 ADOPTED.

65. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,566,523.50 and acceptance of work on contract with **TRIPLE B SERVICES, L.L.P.** for Trinity Houston Gardens Drainage Improvements - 0.08% under the original contract amount - **DISTRICT B – JOHNSON – (This was Item 3 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBER JONES)** - was presented, moved by Council Member Lovell, seconded by Council Member Adams. Council Member Jones voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0617 ADOPTED.
66. **HEWLETT PACKARD COMPANY** for Technology Hardware through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department - \$720,668.67 - Equipment Acquisition Consolidated Fund – **(This was Item 6 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBER JONES)** - was presented, moved by Council Member Lovell, seconded by Council Member Adams. Council Member Jones voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2011-0618 ADOPTED.
67. ORDINANCE approving and authorizing second amendment to contract (Approved by Ordinance No. 2002-0952) between the City of Houston and **ACS STATE AND LOCAL SOLUTIONS, INC** for EMS Ambulance Fee Collection Services - 5 Years – Revenue – **(This was Item 11 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBER BRADFORD)** – was presented.

After a lengthy discussion by Council Members, a vote was called on Item No. 67. Council Members Clutterbuck and Jones voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-0665 ADOPTED.

68. ORDINANCE establishing the City-YMCA Joint Homeless Housing Fund in the Housing Special Revenue Fund; establishing the sources and uses of the Fund therein for Homeless Housing Programs funded jointly by the City and the YMCA; authorizing the deposit into the fund under the Fund of the \$285,293 reimbursed by the YMCA pursuant to the grant agreement approved by Ordinance No. 98-476; approving and amendment to the grant agreement approved by Ordinance No. 98-476 – **(This was Item 18 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBER JONES)** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-0666 ADOPTED.
69. ORDINANCE approving and authorizing contract between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** for Research Services pertaining to a National Institute of Justice Grant Award for a project titled Action Research to enhance investigations and prosecutions of sexual assaults in Houston; establishing a maximum contract amount \$80,890.03 - Grant Fund – **(This was Item 22 on Agenda of July 20,**

2011, TAGGED BY COUNCIL MEMBER JONES) – was presented.

After discussion by Council Members, a vote was called on Item No. 69. Council Member Jones voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-0667 ADOPTED.

70. ORDINANCE amending Ordinance No. 2009-1359, as amended, to increase the maximum contract amount for contract between the City of Houston and **RON SMITH & ASSOCIATES, INC** (Contract #4600009345) for Latent Print Support Services - \$2,832,036.00 - General Fund – **(This was Item 23 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBERS JONES and BRADFORD)** – was presented.

After discussion by Council Members, a vote was called on Item No. 70. Council Members Sullivan, Bradford and Jones voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-0668 ADOPTED.

71. ORDINANCE awarding ten Job Order Contracts between the City of Houston and **VANCE INSTALLATIONS, LLC, DSW HOMES, LLC, CBIC CONSTRUCTION AND DEVELOPMENT, LLC, GREAT AMERICAN INSULATION, INC, BROWN STERLING BUILDERS, INC, TLC ENGINEERING, INC, HORIZON INTERNATIONAL GROUP, LLC, PEDRAZA HVAC, INC, EXCELSIOR DEVELOPMENT, INC, and LONE STAR ROOFING HOME REPAIR SERVICES, INC** for the General Services Department Residential Energy Efficiency Program, contingent on contractor's submission of all required contract documents; providing a maximum contract amount 1 Year - \$5,000,000.00 per contract – **(This was item 24 on Agenda of July 20, 2011, TAGGED BY COUNCIL MEMBERS JONES and SULLIVAN)** – was presented.

After discussion by Council Member Costello, a vote was called on Item No. 71. Council Members Clutterbuck, Sullivan, Costello and Jones voting no, balance voting aye. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2011-0669 ADOPTED.

Mayor Parker stated that before they started the Council presentations she should note that there were two Council birthdays on Friday, Council Member Costello and Ms. Anna Russell, and Mayor Parker stated that they were glad that Anna kept having birthdays and Ms. Russell stated that she was to, it was so much better than the alternative.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Stardig stated that Saturday she attended the US 290 Program groundbreaking ceremony to officially kickoff the construction for the interchange, that they wanted to thank all who were there; that Monday was the reopening of the Spring Branch Medical Center, that they had the potential for hundreds of new jobs back into the Spring Branch Community, that she wanted to thank everyone who came out to celebrate the reopening; that on behalf of the Mayor and her colleagues she would be presenting a proclamation to Colonel Mark Kempsey during the Astros game Minute Maid Park, that she would honor and acknowledge him and celebrate his tenure and his wife for supporting those families of the soldiers that support those overseas serving their Nation and State. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Jones stated that had a great time at the Houston Taipei Society 50th

Anniversary, that the Houston Taipei Society was the first Sister City relationship in the City; that she wanted to tell a happy story, that last Wednesday she got a fax from a constituent, Jacqueline Bostic, who was a freedom fighter in Fourth Ward, that she notified her office that there were about 10 homes that were going to be foreclosed on yesterday, Tuesday, and all of the first time homeowners were current on their mortgages but behind on their HOA fees, that the fees were small, \$60 per year, but these were poor people who the City had given down payment assistance to help purchase the homes in Fourth Ward and who Houston Housing Finance had financed them, that some of the fees were \$3,000 or \$3,500, that they found out late Wednesday, that her staff worked to try to figure out how to help these people stay in their homes, that they knew that most of these people were seniors, that come Monday they still did not have the homeowners names and they wrote a letter to the homeowners and took them to the doors and they got the people to call so they could work together to stop the foreclosures, that she was happy to say that nobody got their homes foreclosed on, that she wanted to thank every one who worked on this and now they just had to work on some other things so they would not have these same problems in the future. Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent.

Council Member Costello stated that on behalf of the Mayor and his fellow colleagues he had the opportunity to give a proclamation to a runner by the name of Pat Farmer on July 22, 2011, that this was a gentleman who was a former Parliament Member from Australia who was running from the North Pole to the South Pole on behalf of the International Red Cross to raise \$100 million and all money raised running through America was going to the American Red Cross, that he was averaging 80 kilometers a day, which was over 50 miles a day, that he was a world record holder and a number of endurance runs, including running 1,000 miles on a track continuously, which he thought was incredible, that on Saturday he had the opportunity to run with him and a young lady by the name of Kate Taylor, 16 years old, and they ran between 16 and 18 miles and got some very interesting stories along the way and he wanted to share one with his colleagues, that he had two children, he was a widower, his wife died 16 years ago, that his daughter, 16, was at one boarding school and his son, 14, was at another, that he was very depressed in the first couple of days trying to cross the North Pole and he was in his tent, bundled up, and had his satellite phone and texted his kids telling them how depressed he was and was not quite sure he was going to finish the event, and he had only just started, and the text from his daughter was "Dad we're very proud of you, you're doing it for a great cause and the town was very happy, you're family is rooting for you and Dad we love you", and he said that a minute later he got a text from his 14 year old son that said, "Dad it's the North Pole, what did you think", that from then on he said he had been motivated every day, that it was a truly incredible story and he wished him success, he was currently in Mexico and had to be in Brownsville by July 29, 2011 to meet his crew, so he wished him the best. Council Members Clutterbuck, Rodriguez, Noriega and Jones absent.

Council Member Bradford stated that there had been concerns and a call for citizens to cooperate with the police, there had been in the last 45 to 60 days, murders, abductions and sexual assaults in the Third Ward area, that the police officers actually believed that some of these crimes were solvable if in fact some of the citizens in the neighborhood that may have seen something or heard something would come forward and provide information to the police, that there had been rappers that in their songs subscribed to a school of thought or practice that there should be no snitching to the police and they heard Quaneil X and others in the community and call on citizens to abandon this practice to the extent of no snitching to the police, that public safety was a community responsibility, that neighborhoods were only as safe as the citizens that lived and worked there were willing to play their part to help send a strong message that crime was not going to be tolerated, that he knew there were officers who were working hard to try to bring closure to some of the recent crimes that had occurred in the Third Ward Community particularly and did believe that there were witnesses out there that held key pieces of information to help solve some of the crimes, that contact, communication, trust

building and information exchange, in that order, that the more contact there was between the officers and citizens in the community led to communication, that more communication led to the building of trust and the building of trust led to the exchange of information and officers needed information to solve and prevent crimes in neighborhoods across Houston, Harris County, Texas, that he would join those in the community in a call for citizens to work with the police, cooperate with the police and pass information on to the officers and help the officers bring those to justice who were responsible for those very serious crimes that had occurred very recently in their community, that he lived in the area and knew that there were very responsible people who lived in the area as well, but the safety of their City hinged in large part of the job that the citizens were willing to do to assist the police officers in keeping their City safe; that he thought the officers were doing a good job with limited resources in some areas and some neighborhoods across Houston were doing a really fantastic job working with the officers and doing what they could to help improve the safety in their particular neighborhoods. Council Member Clutterbuck absent.

Council Member Rodriguez stated that he wanted to thank City Attorney David Feldman and his office for their help on the Fourth Ward Homeowners Association issue, that it was actually his office that received the initial call and they intervened and reached out to the City Attorney's office to get some resolution to this item, that they were in town working on the issue and Ms. Bostic did contact them, so that was how it really got resolved, that he knew that it was a private homeowner issue but they did work with the residents to bring some relief to these folks. Council Member Clutterbuck absent.

Mayor Parker stated that she knew that the Legal Department was on it with him very early. Council Member Clutterbuck absent.

Council Member Sullivan stated that he wanted to congratulate Pasadena Independent School District for receiving recognized status from the State of Texas, they would be submitting a request to the Mayor's office for a proclamation for them and would ask their Board and Superintendent to come to Council; that they had a new South Sector Manager in his Council office, Ms. Allie Van Deventer, that she came on board yesterday and would be focusing on the Clear Lake area and Ellington issues and came to them from State Representative Byron Cook's office, that it created an opportunity for him to assign the Port of Houston area of his Council district to Kelly Waterman in his office, that he wanted to congratulate both of them. Council Members Johnson, Clutterbuck, Rodriguez and Noriega absent.

Council Member Lovell stated that their office to was notified and they worked with Council Member Rodriguez office and the Legal Department to help the residents in the Fourth Ward with the homeowners association, that she thought they talked Thursday and by Monday afternoon the Legal Department had come to a resolution on the issue, figured out a payment plan and she wanted to thank them for their hard work, to Mr. Feldman and to Carolyn Lacey; that the Houston Library would implement new hours at most of the library locations effective Monday, August 8, 2011, that the most notable change for library customers was the reinstatement of Saturday hours at 16 neighborhood libraries, that changes in hours came after a review of Houston's patterns and a response to customer requests for Saturday access to their neighborhood library; her compliments to Director Dr. Rhea Lawson and her staff for listening to the concerns and finding a way to keep the libraries open; that she wanted to congratulate Army First Sergeant Monica Denkins, a Houston native, who was recently named Solider of the Year, that fellow service members nominated Sergeant Denkins for the award presented by the Military Times Newspaper, that the honor recognized military personnel for their dedicated and outstanding service, that Sergeant Denkins was born and raised in Houston where she graduated from Jack Yates Senior High School, that she was stationed for Korea and was responsible for providing information technology services to 8,000 US Military customers, that to her and her family they were very proud of her, and her comment was that there was

nothing greater than serving their Country. Council Members Sullivan and Rodriguez absent.

Council Member Johnson stated that he would be hosting a Caregiver Conference on Friday, August 5, 2011 from 8:30 a.m. to 1:00 p.m. at the Houston Community College Campus at 1265 Pinemont Drive; that he had made mention of this for quite some time and this weekend he would be the Co-Chair of the 21st Annual International Jazz Festival which would be this Friday and the kickoff would be at the House of Blues; that on August 12, 2011 he would be hosting a back to school drive, that they would be working with North Forest Independent School District, that everybody had heard about TEA's decision to close down North Forest but the school year would continue so with the cloud hanging over the head of many of these students they were going to need more and more resources as they continued to prepare themselves to move to the next phase of their life, that North Forest would have a graduating class and he wanted to make sure that those students had a good year. Council Members Clutterbuck, Sullivan, Rodriguez and Lovell absent.

Council Member Noriega stated that she wanted to announce two meeting of the Public Safety Committee, that on August 11, 2011 they would have a meeting to discuss an update on pipeline safety and the Houston Police Department Helicopter Division issues; that on August 18, 2011 they would have an update on the Crime Lab. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Adams stated that she wanted to say Happy Birthday to Anna Russell and Council Member Costello; that on Saturday they partnered with the Texas Organizing Project to do a workshop on Hurricane Ike Repair, that she wanted to commend the Housing and Community Development Department for doing a wonderful job; that she wanted to thank the Crestmont Village Civic Association for hosting them last night, that they were receiving a lot of complaints about the Parking in Yards Ordinance and the enforcement issue; that tonight she would join Tom Joiner, who hosts the Morning Show for the Power of a Graduate Degree to encourage professionals to go back to grad school; that Thursday there would be an Impact of Racist Ideology and Jim Crow Law at the Holocaust Museum at 5101 Carolina Street; that she wanted to thank a good Samaritan who took a call from their office, that many of them probably saw the story about bees this week and he came in and removed the bees on Saturday, that he did not want any publicity, that she wanted to thank him for removing a swarm of bees; that this weekend she presented a proclamation to the Chinese American Citizens Alliance for their 51st National Convention; that on a more sensitive issue, she had the opportunity to meet with some of the GLBT Community in the Near Town Montrose area and one of the topics of concern was crime in the area and some of the families in the community being afraid to go to various clubs at night and how if they were fearful for their lives they tried to find a place of escape and some of the clubs had jumped on board and if someone feared for their life they could run into a nightclub and feel safe, that one of the concerns they had brought to her and she wanted to bring it to Mayor Parker and Chief McClelland was that they were asking for sensitivity training for some of the police officers to be able to know how to handle some of the issues that were affecting the GLBT Community because of some of the crimes that were being reported and some were not, that she just wanted to see if there was something they could bring to the table and something that the Houston Police Department would like to do. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Mayor Parker stated that every Houston Police Officer had cultural awareness training specific to the GLBT Community, if there was a particular issue that the officers who patrolled Montrose needed to be aware of she was happy to ask the captain over that area to sit down with the community, if Council Member Adams would just let them know. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

Council Member Jones stated that she went on Thursday to a townhall at HCC for a film by Bruni and Calbillo, "The Case of Joe Campos Torres", that it was a movie from way back and was done by KPRC; that she would ask everyone to go back and look at that film; that going back to the Fourth Ward, she did not know what any other Council office did, but she had emailed streams between herself and Doris Montiff who was the General Counsel for the Houston Finance Corp, who worked with her since Monday to try to figure out how to stop the houses from being foreclosed on, and Ms. Tajio for the new Fourth Ward Homeowners Association, that she had emails from her, and she had a number of homeowners call her because they trusted her, that she wanted to thank everyone who seemed to have the same purpose ultimately which was to stop people's homes from being foreclosed on. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

Council Member Adams stated that on August 13, 2011 would be the Back to School event in partnership with the City of Houston Parks and Recreation, that it would be at the George R. Brown Convention Center, that she wanted to thank all of the sponsors; that she would be joining Mayor Parker at a townhall meeting in the Hobby Airport area tonight, that it would be one of the new communities that she would be taking over with the new redistricting; that the Texas Greek Picnic would be on Saturday in the front of City Hall; that last week she attended the Delta Sigma Theta Regional Conference; that yesterday they had the issue with Red Light Cameras and one of her concerns that she did not bring up yesterday was that after all of this one of the major reasons she was a supporter was the partnership between the Red Light Cameras, the City of Houston, the State and the Trauma Center money, that the City of Houston paid due diligence of \$39 million to the State and the reason she had concern was because the Medical Center sits in District D, that knowing that they paid \$39 million and only \$8 million was received by the Trauma Center there was \$31 million that was sitting in the State Comptroller's office, that was an issue and a problem, that she did not know what they had to do to get that money released to the Trauma Centers, but they did their part, that they needed to look at ways to be able to recover that money for the Medical Center. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:34 p.m. Council Member Hoang absent on city business. Council Member Pennington absent on personal business. Council Member Gonzalez out of the city on city business. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary