

The Houston City Council reconvened at 9:00 a.m. Friday, August 19, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Anne Clutterbuck, Mike Sullivan, Al Hoang, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney, Legal Department; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present. Council Members Jarvis Johnson and Wanda Adams absent. Council Member Oliver Pennington absent on personal business.

At 10:54 a.m. the City Secretary read the description or caption of the item on the Agenda.

ORDINANCE repealing Article XIX, Section 45-481 through 45-487 entitled Photographic Traffic Signal Enforcement Systems of the Code of Ordinances, Houston, Texas.

At 9:10 a.m. Mayor Parker called the meeting to order.

At 11:00 a.m. Mayor Parker called the meeting to order and requested the City Secretary to call the roll. Council Member Pennington absent on personal business. Council Members Gonzalez and Rodriguez absent.

Mayor Parker stated that Ms. Russell had already read the caption on the item, that they seldom had special meetings of Council so just as a regularly scheduled Council meeting they had an opportunity for the public to speak before they acted on the item, that they had four people who had signed up to speak on the item. Council Members Gonzalez and Rodriguez absent.

Mayor Parker asked Ms. Russell to call the list of public speakers. Council Members Gonzalez and Rodriguez absent.

Ms. Sandra Massie Hines, 4421 Alvin, Houston, Texas 77051 (832-374-5585) appeared and stated that she was present today to inform them that they trusted them, the people of the City trusted them to represent their best interest and she was present today on behalf of they, the people, and as well those citizens who were unable to attend today, that she wished to appeal to their good sense, to their common sense and to their integrity as stewards of the City of Houston, that it was the people's wish that the red light cameras be turned off, that she also supported Mike Sullivan's suggestion, an ideal, to dismantle the cameras when they were off, that she had so many senior citizens who had received the red light cameras (citations), from family members going to pickup medicines or handle their business and it was traumatic to them, and she represented those people who were underserved and those elderly who were unable to pay, that what hurt the most in these last few weeks and months was how City Council did not think that silencing the voice of the people would mean so much to so many citizens, one person's decision to overturn the people's will had hurt them all, that good government was a government for, by the people and of the people, and again she would just ask that they do the right thing, they swore to represent the people of the City of Houston, Texas, the people had spoken. Council Member Rodriguez absent.

Mr. Paul Kubosh, 1619 Lubbock, Houston, Texas 77007 (281-850-0171) appeared and stated that they had to be really tired of this, he knew there was talk about tagging it, that tagging would only postpone the inevitable, the inevitable was that they were going to vote, if they tagged it they were just going to infuriate more and more of the people, and for those who were thinking about tagging it, did they really want their last major vote as a public official tagging something that had to do with an election like this, was that really how they wanted to end their career, he hoped they thought about, and furthermore he appreciated Council Member Sullivan's heart and spirit when it came to the red light cameras, he thought there was an issue with an amendment that he thought would go in direct conflict with the federal judge's order, and

contrary to a misprint with KUHf he did not want the cameras on, that the last thing he wanted to know, when it came to the settlement, whenever they hear there was a settlement this weekend, he wanted to encourage all of them to look closely as to how they computed the damages and what the damages were, that he did not think there was anyway possible that they were liable for their campaign expense, but as they pointed out so much, he was a traffic lawyer and not a civil lawyer, so they needed to look at that very closely, and one thing that he would like to ask and maybe City Attorney Feldman could answer this, who was the mediator, could they have the answer, who was the mediator who was mediating it, that he thought the public would like to know who the mediator was.

Mr. Feldman asked Mayor Parker if she wished him to respond, and Mayor Parker stated that if a Council Member asked him that question he was welcome to respond.

Council Member Jones asked who was the mediator, and Mr. Feldman stated that he did not believe that it was appropriate to answer that question, that as any trial lawyer knew the matter of mediation was intended to be a confidential process, there was a specific rule that governed the confidentiality of it, that he could state that the mediator was jointly agreed to by the parties, that she was an individual with an outstanding reputation in the legal community, who had been an excellent lawyer, as well as a mediator, and could be neutral in all respects, which was why she was mutually agreed to by the parties, that he hesitated to identify her however because he was fearful that if he did then she would be besieged with questions by the media, which would be unfair to her, so as a trial lawyer, as one who appreciated the confidentiality of the mediation process he hoped they would respect his opinion.

Upon further questions by Council Members, Mr. Feldman stated that it was not a court ordered mediation, it was a voluntary mediation.

Mr. Randall Kallinen, 511 Broadway, Houston, Texas 77007 (281-850-0172) appeared and stated that he wanted to thank the Mayor and City Council Members for calling this special meeting on a very important issue, that six years ago he was at Council before they implemented the red light camera system and said the various problems with the red light camera system, and now it was six years later and they were coming to this juncture, that they may wonder why people like the former president of the ACLU of Houston, like himself, and Tea Party Activist, Mike Kubosh, might see eye to eye on something, a little bit to the left and a little bit to the right, it was because this was about good government, this was about the people's will not be asserted, that one thing he would like to mention, he did appreciate Council Member Sullivan wanting to take the cameras down, however there was a judge's order in place just not to take them down for now and he thought that would unnecessarily rile the judge for no reason and it was not necessary as long as they repealed the ordinance, so he did respect his fervor for taking them down like a lot of people wanted, however at this time that probably would not be prudent and give a reason, maybe, for the judge to enter a temporary restraining order or other items, so he would urge them not to do that, but he would urge them to repeal the ordinance, that as far as tagging, he was at Council six years ago, they had constantly debated the red light camera for six years, what was it that needed tagging at this juncture, did somebody have a question after six years. Council Member Noriega absent.

Mr. Michael Kubosh, 1701 Lubbock, Houston, Texas 77007 (281-850-0172) appeared and stated that how befitting that it appeared he was the last speaker on the issue, that he remembered starting the issue six years ago with his brother Paul, that he had been called a lawyer in the Chamber, and had now been called a Tea Party Activist and he had also been referred to as the guy who started up this vocal minority, so perhaps he liked the vocal minority representative the best, but actually they were not the vocal minority, they were the majority, and the people had spoken, do not tag this, please, do not add an amendment to it, vote to repeal the ordinance, that if they put an amendment on it it could very well cause the federal

judge to strike it down, that if there was a question about the amendment he would like to hear Mr. Feldman's ideas about it because he thought it would be in direct conflict, that he knew what the federal judge said and it would be in direct conflict with what the judge's order was, they did not want to violate the federal judge's order.

Mayor Parker stated that she was glad they could finally agree on something, not to violate the federal judge's order, at least in that respect.

Mayor Parker asked if there were any other speakers on the list, and the City Secretary stated no, and Mayor Parker asked if there were speakers in the Chamber that wished to speak.

Mr. Josh Verde, 610 W. Clay, Houston, Texas 77019 (713-382-4061) appeared and stated that his request was simple and easy to follow, honor the will of the voters, that the voters spoke last fall, their message was clear, this had been dragged entirely to long, it was time today to do the right thing.

Council Member Gonzalez moved to close the hearing held during the special called meeting, seconded by Council Member Costello. All voting aye. Nays none. Council Members Johnson and Adams absent. Council Member Pennington absent on city business. MOTION 2011-0647 ADOPTED.

ORDINANCE repealing Article XIX, Section 45-481 through 45-487 entitled Photographic Traffic Signal Enforcement Systems of the Code of Ordinances, Houston, Texas - was presented.

After discussion Council Member Lovell stated that she would tag Item No. 1.

Mayor Parker stated that Council Member Lovell had tagged Item No. 1 and that would end the discussion.

After discussion Council Member Bradford moved to override the tag, seconded by Council Member Jones, and a roll call vote was called.

After further discussion Council Member Bradford asked if he could discuss overriding the tag, and Mayor Parker stated no, that it was a procedural motion, and Mr. Feldman stated that it was purely a procedural motion, and Mayor Parker stated that her ruling was that they just go to a vote on overriding the tag.

ROLL CALL VOTE:

Mayor Parker voting no	Council Member Gonzalez voting no
Council Member Stardig voting no	Council Member Rodriguez voting no
Council Member Johnson absent	Council Member Costello voting no
Council Member Clutterbuck voting aye	Council Member Lovell voting no
Council Member Adams absent	Council Member Noriega voting no
Council Member Sullivan voting aye	Council Member Bradford voting aye
Council Member Hoang voting no	Council Member Jones voting aye
Council Member Pennington absent on Personal business.	MOTION 2011-0648 FAILED

After further discussion by Council Members, Council Members Gonzalez and Hoang stated that they would tag the Item.

Mayor Parker stated that Council Members Hoang, Gonzalez and Lovell had tagged the

item.

Council Member Sullivan requested that Council Members release their tag for an amendment and the tags were not released and Council Member Sullivan further stated that he had passed out the amendment before the item was tagged.

Mayor Parker stated that the item was tagged.

There being no further business before Council, the City Council adjourned at 11:17 a.m. Council Members Johnson and Adams absent. Council Member Pennington absent on personal business.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary