

City Council Chamber, City Hall, Tuesday, September 20, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 20, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Ann Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, Jolanda "Jo" Jones; Mr. David Feldman, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marta Crinejo, Agenda Director, present. Council Member Jarvis Johnson absent on personal business. Council Member C. O. "Brad" Bradford out of the city on city business.

At 1:37 p.m. Mayor Parker stated that presentations would begin with Council Member Adams. Council Member Adams invited Dr. Iraj Semareh Jabbary to the podium and stated that Dr. Jabbary moved to the U. S. at 19 years old from Iran and not knowing any English; that he graduated from Texas Southern University and attended the University of Texas Dental Branch in Houston; that a community benefactor and his employees had given out a total of 15,200 bicycles since 2008 and this year their goal was 10,000; that they give school supplies and touch the lives of thousands of children and their parents and he lives his life to change one life at a time; and Mayor Parker presented Dr. Jabbary a Proclamation commending Dr. Jabbary and those at ABC Dental for all their work and commitment; and proclaimed today as "Dr. Iraj Semareh Jabbary Day" in Houston, Texas. Council Members Stardig, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Dr. Jabbary thanked God for giving him the ability to accomplish everything in life; that the City of Houston honored him today and he accepted it on behalf of the ABC Dental Staff who was an amazing group of individuals always working with love and devotion. Council Members Stardig, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that the city had gone through a transition with new health insurance plans and she wanted to recognize two departments who had gone above and beyond to encourage their employees in their wellness initiative and invited the representative of Health and Human Services, Municipal Courts and Human Resources to the podium; that the Move It Lose It Live It Challenge was a 12 week program and Health and Human Services and Human Resources led their department executives through a pilot program from January through April and she congratulated them on a successful program and presented a trophy to them on their success; and Municipal Courts was the first to hit the goal therefore winning the challenge of going beyond the contractual goal for a 90% or higher on health assessments and presented Judge Hartle a trophy for their department success. Council Members Stardig, Sullivan, Hoang, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck invited representatives of Anheuser Bush to the podium and stated that today it was her pleasure to recognize today as Global Beer Responsible Day which was sponsored by Anheuser Bush and their local distributor Silver Eagle to encourage drinking responsibly; and Mayor Parker presented representatives of Anheuser Bush a Proclamation proclaiming today as "Global Beer Responsible Day" in Houston, Texas. Council Members Stardig, Rodriguez and Jones absent.

The Representative for Anheuser Bush and Silver Eagle on behalf of all employees at Silver Eagle Distributors and Anheuser Bush thanked Council for the distinction and advised they would be out in the market place all year round talking about drinking responsible, particularly focusing on this Friday. Council Members Stardig, Rodriguez and Jones absent.

Council Members Noriega, Pennington and Lovell thanked all at Anheuser Bush and

Silver Eagle for being such good corporate citizens and for promoting such an important issue. Council Members Stardig, Rodriguez and Jones absent.

Mayor Parker invited Mr. Gerardo De Leon and Mr. Edward Sanchez to the podium and stated that each year during Hispanic Heritage Month the City of Houston recognized outstanding leaders in the Latino Community and this year she would recognize two today and next week others; that because of their voluntarism and playing major roles in shaping the community and helping others and presented Mr. De Leon with the Mayor's Hispanic Heritage Public Safety Award and proclaimed today "Gerardo De Leon Day" in Houston, Texas and presented Mr. Edward Sanchez with the Mayor's Hispanic Community Activist Award and proclaimed today as "Edward Sanchez Day" in Houston, Texas. Council Members Stardig, Rodriguez and Jones absent.

Council Members Noriega, Rodriguez, Lovell, Pennington and Gonzalez congratulated and commended recipients and thanked them for all their good works in the community. Council Members Stardig, Rodriguez and Jones absent.

Recipients thanked the Council for the recognition and stated that they would continue in their efforts.

At 2:05 p.m. Mayor Parker called on Council Member Costello who led all in the prayer and pledge.

At 2:06 p.m. the City Secretary called the roll. Council Member Johnson absent on personal business. Council Member Bradford out of the city on city business.

Council Members Gonzalez and Costello moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Member Bradford out of the city on city business. MOTION ADOPTED.

Council Member Hoang introduced the Beijing Delegation who were present and asked they stand to be recognized. Council Member Jones absent.

Mayor Parker stated that they were proud to have them in the City of Houston and their attendance in the Council Meeting. Council Member Jones absent.

Mayor Parker stated that there was an unfortunate incident where officers visiting the City of Houston were injured at the training academy today and she would be leaving the meeting to visit them in the hospital. Council Member Jones absent.

At 2:09 p.m. the City Secretary began calling the public speakers. Council Member Jones absent.

Ms. Jane West, 2114 Lubbock, Houston, Texas 77007 (832-721-9080) appeared, presented information to Council Members and stated that she was present on behalf of the Washington Avenue Coalition, Memorial Park Super Neighborhood 22 bringing to Council's attention that Item 33 involved old railroad right-of-way the community had been active on many years; that the city acquired it in 2007 for the purpose of providing safer routes of travel for bicycles and hikers and it should be memorialized in any agreement dealing with the right-of-way to make it clear to all parties. Mayor Parker and Council Member Hoang absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Jones, Vice Mayor Pro Tem Gonzales stated that he had a meeting on this issue and the explanation for it not being in the agreement was it dealt

with a TxDOT project for detention ponds and not specific for any hike and bike trail and they provided information it would not preclude a hike and bike trail and he asked for more information; and Council Member Jones stated that if it was not in the four corners of the agreement and you drafted it then if there was any ambiguity it went against you and if it was understood then it should still be put in and she was not satisfied with the explanation. Mayor Parker and Council Member Hoang absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Costello stated that he looked at the construction plans and there was ample space for a trail; and Ms. West stated that it would be helpful to the community if it was pointed out on the plans. Mayor Parker, Council Members Adams and Hoang absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that they did have a meeting with the Deputy Director right after this meeting. Mayor Parker, Council Members Adams and Hoang absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Noriega, Ms. West stated that they would like the language included in the agreement and another issue was trees just planted by the Parks Department may be adversely impacted by the plans, they were hard to understand; and Council Member Noriega stated that she did not see why they would not do this, why not fix it. Mayor Parker, Council Members Clutterbuck, Adams, Hoang and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Pennington stated that he would second Council Members Noriega and Jones suggestion, particularly since the trail was not to be constructed right-a-way; that he dealt with bureaucracy over the years and conditions could change, something else could be put in and preclude the construction of the trail unless it was in the agreement and in addition to that administrators could change their minds over a period of time; and Vice Mayor Pro Tem Gonzalez stated those were his points in the meeting and he offered suggestions of putting some of the language into the existing joint use agreement and he received something in writing just passed out at the table; that Deputy Director Menendez was present and he could meet with Ms. West and others present on the issue and see if it could be resolved prior to tomorrow. Mayor Parker, Council Members Clutterbuck, Adams, Hoang and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Paul Kubosh, 1619 Lubbock, Houston, Texas 77007 (281-850-0171) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Adams, Hoang, Lovell and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Tom Dornbush, 6110 Tyne, Houston, Texas 77007 (713-869-1185) appeared and stated that he was vice president of the Washington Avenue Coalition Memorial Park Super Neighborhood Council and a board member of the White Oak Bayou Association and Citizens Transportation Coalition and all those organizations shared a concern for the connectivity of the bike system in Houston to the neighborhoods green spaces; and they were asking for the city to formerly reiterate, perhaps as an amendment, the commitment made verbally to the community that the remaining right-of-way would be for mobility; that another issue was the TxDOT construction would destroy the majority of the wooded area and ravine along the southern boundary of the right-of-way. Mayor Parker, Council Members Clutterbuck and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Stardig stated that if it was not in writing it did not count; that there was no secret hand shakes and real estate was in writing so if the intent was to support this for the community then it did need to be in writing. Mayor Parker, Council Members Clutterbuck and

Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that a memo was just distributed in writing from the director, he had not read it, but they would see if it was sufficient. Mayor Parker, Council Members Clutterbuck and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Noriega, Mr. Dornbush stated that TxDOT made the statement previously that after construction they would reforest the right-of-way which was a buffer zone for many new residences; and Council Member Noriega stated that was another wrinkle and another piece needing to be in writing. Mayor Parker, Council Members Stardig, Clutterbuck and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that she would say again, if it was not within the four corners of the contract then it was not there; that the memo; Council Member Gonzalez spoke of was not the contract and it did not cure the legal problem; that putting it in the contract made it available later because at a minimum those elected after would have the contract to use as a guide and not all supporting materials and if it was not placed in the contract her vote on the item would be no. Mayor Parker, Council Members Stardig, Clutterbuck, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that there was a meeting set with the Deputy Director and the community to see if more steps were needed and that was why he tagged the item last week to try and get them where they needed to be; and he appreciated the input from around the table. Mayor Parker, Council Members Stardig, Clutterbuck and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Lisa Sacaris, 5540 Petty, Houston, Texas 77007 (832-265-7733) appeared and stated that she was a resident of Cottage Grove and civic association member and had been present before; that since 2005 members of various organizations came before Council expressing wishes and concerns regarding the MKT right-of-way which was adjacent to the Union Pacific Rail Yard; that in the past they got promises from TxDOT when trees were removed they would be replaced and they were promised last year a trail connection with a pedestrian bridge across White Oak Bayou near T. C. Jester as well as a link to T. C. Jester of the trail; and they were urging for the trails concrete conclusion in the contract. Mayor Parker, Council Members Stardig, Clutterbuck and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez thanked Ms. Sacaris and all who came on the issue, it was very important for the community and he was very committed and working to obtain the funding. Mayor Parker, Council Members Stardig, Clutterbuck and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that she remembered walking the property and understanding the importance and history as to how they even got to where they were; that she would hate for the city to let people coming in now change things for those who were there since the beginning; that this city needed to listen to those who invested and it was disrespectful to not make this absolutely clear to anyone wanting to partner. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Ken Rahming, 12054 Greenglade, Houston, Texas 77099 (713-632-4012) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Sullivan, Hoang, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Ruth L. Mayes, 2630 Steelhead Drive, Houston, Texas 77045 (281-501-2114) appeared, presented information and stated that she was a victim of organized crime for many years; that it began when she lived at 4509 County Street; that papers were stolen and she was missing a large part of her closing papers and needed a copy; that she also asked for a statement from HOPE this year regarding her down payment and was told by Ruth that Mr. Chris Butler said it was cancelled, but the copy of the attached check proved it was reinstated; and urged Council get a statement that the down payment had been reinstated in 2009. Mayor Parker, Council Members Clutterbuck, Sullivan, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that she heard Chris Butler, who worked in the Housing Department, and heard the words HOPE and down payment assistance and those were buzz words to her for housing issues; and she would work with her to try and get answers. Mayor Parker, Council Members Clutterbuck, Sullivan, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that he would also ask someone from the Citizens Assistance Office to join them as well as no one from Housing was present. Mayor Parker, Council Members Clutterbuck, Sullivan, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Charles Cupp, 1237 Althea Drive, Houston, Texas 77018 (713-213-0654) appeared and stated that his neighborhood had a water leak and someone put a pump to pump the water up to the trees and someone else took a pump and filled a large can and then it pumped where it was needed, but it worked incredibly and saved it from going down the drain and he brought pictures for Council to view. Mayor Parker, Council Members Clutterbuck, Sullivan, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that they appreciated the innovation, but the leak did need to be repaired and they appreciated it being reported. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Romin Jahangiri, 5321 Hidalgo, Houston, Texas 77056 (281-935-7585) appeared and stated that he was present regarding the drainage fee; that they owned several commercial properties within Houston and most recently his tenants mentioned they could not afford the new drainage fee and may be vacating their property; that they were located on the northside close to the county and they may move just outside the city limits; that Mayor Parker thought the drainage fee was good for the growth of Houston, however, with small businesses relocating because of the fee the city would get smaller; that his suggestions would be to maybe have a revote, the \$5.00 monthly fee was misleading as for bigger properties the fee was more into the thousands and another suggestion would be to cap the fee on commercial properties; and maybe only charge a drainage fee when water services were provided as their property may go vacant and that would leave them with thousands in fees to pay on top of taxes they already paid. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Cupp stated that bills were sent to individual tenants; that one property was 3-1/2 acres, to add together all drainage fees it was \$4,000 annual; that his tenants said to split it they would pay around \$200.00 monthly and that was one property. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Pennington stated that if Mr. Jahangiri would send him information he

would be glad to look at it; that he did not know what would be done with his suggestions, but there were probably tweaks needed to the system and he hoped to have the Flooding and Drainage Committee to consider it at some point. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT) (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he wanted to be clear this was passed by vote of the community and Council was charged with implementing the ordinance; and Mr. Jahangiri stated that the Mayor had said it was for growth of the city and the fee would be \$5.00 and that was misleading and if there was a revote ...; and Vice Mayor Pro Tem Gonzalez stated that Mr. Gary Norman attempted to contact him and was present but with someone else at this time and he should speak with him at this time. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. William Beal, did not wish to give address or phone number, had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Willie Nelms, 16707 Lone Quail Court, Missouri City 77489 (281-438-9158) appeared, presented a letter for viewing and stated that she was present regarding an outrageous sewer bill on an above ground pool; that she spoke to the Water Department to get a form to fill the pool and was told they no longer had the form, but to go ahead and fill it and she would only be charged for water used and she did; that the August bill was high and she was told it was because she filled the pool and she said no the pool was not filled in August; that in September someone came to check meters and the pool was filled in September, but the August bill was never corrected; that in September the water bill was \$18.00 and the water in the pool was \$128.00 and no problem, but the problem was the \$168.00 for sewer and there was no sewer for the above ground pool; that pool water is never changed and there is no sewer in it, it was filled in 2006 the first time, but it had to be fixed and refilled because of the hurricane. 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 he was trying to read a memo received on this and it was confusing, part of it was the sewer fee and then the pool fill adjustment; that they did go do inspections and he asked for Mr. Norman to step back in; and Council Member Jones stated that her question was that the same water was used and if this was a rule she thought it to be an unfair rule and perhaps the ordinance establishing the fees needed to be looked at again; that if you used something you should pay for it and if not you should not have to pay for it and that portion of the ordinance, requiring the fee whether you use it or not, needed to be pointed out and they put it before a committee and then let the public tell them what they thought about it and if they wanted it changed it should be and that was her respectful request; and Vice Mayor Pro Tem Gonzalez stated that he would like Ms. Nelms to visit with Mr. Norman at this time and then he could follow-up with the Administration; and Council Member Jones stated that was nice but she had just made a request; and Vice Mayor Pro Tem Gonzalez stated that she could make that request to the Mayor. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Mark Spear 9634 W. Airport Boulevard, Houston, Texas 77031 (281-933-7008) appeared and stated that he lived in Glenshire, Fondren Southwest Houston and his street was like World War III, it was deadly and dangerous; that people went down the street averaging 50 to 60 miles an hour; that two days ago his neighbors were hit pulling in their drive and the little

girl had a head the size of a bowling ball and the little boy had a bad neck and shoulders and they went to intensive care and that was an average occurrence; that last month a car went through seven yards and through two garages with cars; and continued to review occurrences until his time expired. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Lovell, Mr. Spear stated that six to seven months ago he had to dive to keep two little girls from being hurt; and Council Member Lovell stated that she understood he spoke with his civic association and she spoke with his Council Member; and upon questions, Mr. Spear stated that he did request a traffic study but did not know if one was done; and Council Member Lovell stated that one was needed along with additional police presence and if he had a solution she was willing to listen; and Mr. Spear stated that the street should be closed and left as it was prior or a street light in the middle or speed humps; and Council Member Lovell stated that a traffic study would determine that, but at this time there was no funding for speed humps and the civic association would have to pay for them.; and she would speak with Mr. Jonathan Newport who was Council Member Clutterbuck's Chief of Staff and see if he would request a traffic study Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Hoc Nguyen, 8115 Riptide, Houston, Texas 77072 (832-475-9044) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Jimmie Modest, 10218 Tangires, Houston, Texas 77041 (713-466-7410) appeared and stated that he had a problem with police in the Carverdale Area, they been illegally arresting people for no probable cause; that he just got out not to long ago because someone made a 911 call and said ungodly things to an officer on a pay phone and they stopped him on his bicycle and he asked why he was being arrested and was told his fingerprints and DNA was taken off the payphone, but he was not even near the phone and arrested about three miles away; that the judge said probable cause, but when he asked what probable cause the judge said he did not know; and he continued explaining his case, procedure and release until his time expired including that they took money from people's wallets. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he heard different issues which were him thinking he was unlawfully arrested, determining probably cause and the probation system; and upon questions, Council Member Jones stated that there were a number of issues; and upon questions, Mr. Modest stated that it was HPD officers taking money; and Council Member Jones stated that he needed to file at Internal Affairs on that and he should maybe go to Commissioners Court regarding what judges did; and she would get information to him at this time; and Vice Mayor Pro Tem Gonzalez stated that Sergeant Baltazar with HPD was present and could help assist him also. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Jackie Mitchell, 13210 Skyview Green Drive, Houston, Texas 77007 (832-338-3235) appeared, presented information to citizens Assistance and stated that he was present representing a company called My Precious Cargo and trying to bring awareness to things happening; that 10 states had existing laws regarding unattended vehicle child laws updated in March 2011, and here in Texas there had been six deaths this year; that he had technology which helped with child safety devices; that he would like it walked into the House and

introduced and get legislation. Mayor Parker, Vice Mayor Pro Tem Gonzalez, Council Members Clutterbuck, Sullivan, Hoang, Rodriguez and Noriega absent. Council Member Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Mr. Mitchell stated that he was asking for the city to learn about the product, to possibly implement it within daycares or schools or busses anything transporting a child. Mayor Parker, Vice Mayor Pro Tem Gonzalez, Council Members Clutterbuck, Adams, Sullivan, Hoang, Rodriguez and Noriega absent. Council Member Lovell presiding. (NO QUORUM PRESENT)

Council Member Lovell stated that they could do something to assist and first was they were getting ready to go into session and would be putting together a legislative committee to review legislation and decide which priorities they would like to assist in getting passed and would recommend he bring the information back probably next year, but did not have a date; that also they could get information to the Health Department and multi-service centers and Council Members always had information to be picked up in their offices when visitors came and that was about all that could be done. Mayor Parker, Vice Mayor Pro Tem Gonzalez, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez and Noriega absent. Council Member Lovell presiding. (NO QUORUM PRESENT)

Ms. Maria Abraham, 3427 Cave Springs Drive, Kingwood, Texas 77339 (832-881-0104) appeared and stated, as others stood in support, that she had worked with the City of Houston 16 years and her position was Community Services Inspector of Neighborhood Services and as of September 30th she would be laid off; that she was one of the inspectors not offered a position after obtaining her license and spending a lot of money and time on it; that this had been extremely hard on her and her family and her EPE was 4.55 and she had been promoted four times; that she had been in Neighborhood Protection seven years and dedicated a lot of time and effort and she felt she had not been considered by her performance or seniority and thought it was based on a ten minute interview which she was told she would have the morning she arrived to work and was unprepared; that she was also told they would receive a lot of help from Human Resources on obtaining employment, but so far did not get a very good response as she called and went automatically to voice mail; that she applied for many positions she was qualified for but so far heard nothing; that her deadline was September 30th and did not want to lose her time or seniority; that she was a single parent and urged she be considered. Mayor Parker, Vice Mayor Pro Tem Gonzalez, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Council Member Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that they heard this before about the last minute notice of interviews and that was problematic to her; that also they had this discussion about whether 41 were laid off or not and a misrepresentation she thought about if they got certification then they had a job, but Ms. Abraham was saying she did get the certification so there went that argument; that also what concerned her was a representation made by the HR Director that they were not doing things for longtime employees, so there were representations made which were turning out to be not true and decisions being made were affecting real people; that they were helping families to be homeless; that if they were letting people go it should be fair and no sham interviews and she wanted accurate information and in advance; that they were wrong for what they were doing to her and she hoped she had a good lawyer; that the way the department was doing things was wrong; and she wanted HOPE to remember in the future negotiations how they were negotiated with this time. Mayor Parker, Council Members Clutterbuck, Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Lovell, Ms. Abraham stated that she was informed on her layoff meeting of two numbers to call for service and told laid off employees had priority, but

she spoke to someone in Human Resources who told her they had no priority, they were applying and they had to wait; and Council Member Lovell stated that this has been a difficult year for the city and they had great empathy for what happened, but she thought their duty now was to figure out how to help them move forward and she wanted to know from the HR Department if there was a designated line or designated person in HR taking calls from laid off employees and that was not going to an answering machine, but a direct line where they could get information and second, she wanted to know if when they applied for jobs there was a letter to them from the City of Houston stating they were laid off but not because of their performance. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Jason Hursey, 4299 San Felipe, Houston, Texas 77027 (281-222-1788) appeared and stated, as others stood in support, that he was an organizer at HOPE and present regarding current concerns on the layoff which occurred under the Department of Neighborhoods; that laid off employees were not getting a response at the hotline and someone asking why they were getting no answer got a rude response and 15 numbers to pass on to members; that many employees had given long tenured service and had a good performance record and that should raise them up on the priority list, but they were having to compete; and in July Ms. Flowers announced a position of customer service representative which she gave out prior to a job posting being presented and Ms. Abraham was clearly qualified for the job; and an employee should not be notified of an interview the same day it was to be held. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Adams stated that she wanted to commend HOPE; that she believed them on the line; that she talked to Director Reid and she tried to be respectful for leadership and not call out names, but Director Reid knew no one was answering the line, because she called in his presence and he called and no one answered and he was supposed to fix it; that she knew who answered the phone and did not want to call out their name because she wanted Director Reid to handle it, but it went to one individual who did not answer the phone and it was the number passed out to all 741 employees laid off; that she was sad to hear he had not fixed it and she just tried calling him and he did not answer; that City of Houston employees were the city's backbone and she did believe in process, but she wanted answers on how it was determined who was laid off and who did not get laid off and they were waiting for people to pass certification, but they laid off people who already had it; that her concern was transparency and lack of communication back to elected officials and they were not getting answers to what they were asking and now she was asking again and next time would be calling out names; that she wanted it fixed by the end of today, city employees should not be disrespected; and Mr. Hursey stated that they were told employees were to be reimbursed for training and there was no defined process in place for those who did get certifications with receipts in their hands and still not knowing who to give them to; and Council Member Adams stated that Landon Taylor was present and she was asking him before Council let out today to have sent to them what the process was on this. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she thought they were wrong for what they did and how they did it and those needing reimbursement clearly needed their money for bills, etc., and she would respectfully request to whoever how many actually used the process they had and got placed somewhere else out of the 41 who received layoff notices, she wanted a hard number of those they actually moved, she was disappointed and wanted to know if they were actually walking the walk. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Clutterbuck, Adams, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Lorraine Adamore, 12248 Copper Tree Lane, Houston, Texas 77035 (713-534-7538) appeared and played a recording from her phone which was mostly inaudible; and Vice Mayor Pro Tem Gonzalez stated that her time was running and it was fairly inaudible and she may want to explain; and Ms. Adamroe stated that this was an HPD officer from the Auto Theft Division, they were involved in stealing her car and \$8,000 worth of stuff in it; that she went to Internal Affairs and they would not let her file and put her out of the building and had her go to Dallas, Texas, and pickup her car; that she lost all she had as she was a Katrina evacuee; and they wont let her on the bus with her baby because she had to put up the stroller and hold it and could not do so with her back. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Ms. Adamore stated that it was HPD officers; she went to Internal Affairs here in Houston and they put her out of the building and would not let her file charges on Travis; and Council Member Jones stated that Sergeant Baltazar was present and she should speak with him at this time regarding Internal Affairs and the city did not control the bus and she needed to go to METRO. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Paul Kubosh, 1619 Lubbock, Houston, Texas 77007 (281-850-0171) who was now present appeared and stated that he was present regarding an agenda item, a \$4.0 million contract for the computer system at the City of Houston; that he was speaking for it as he noticed how many were thanking Judge Hartle today on how smooth the Municipal Courts was running, but it made him feel bad Council actually thought that as it was worse under this Administration, they now had a five hour delay; that he came last August and said there was a real problem; that people struggling to make it day to day were down there; that they needed to check numbers they reported to the state year to year on gross revenue from the courts and they would find out that whenever they started trying to save money with the five hour delay because of cops getting overtime they cost them more revenue, about four times more a month than what was saved. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that Council heard all the time about how police came after one o'clock and they sat there all day, having to leave for lunch, pay parking, etc., they knew what was going on and it was a war on the poor; that this was not the first time she said they had to find a way to minimize the inconvenience for people, many did not get paid not being at work plus the fees, etc., they had to pay while there; and thanked him for reminding all and suggested all Council Members going to the courts and seeing how it really ran. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Pennington thanked Mr. Kubosh for coming and stated that he was very interested in the Municipal Courts and he would be very interested in his statistics and in attending the courts. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Costello, Mr. Kubosh stated that he was in favor of Item 32 as the computer system they now had added an extra two hours a day to every court

docket. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez thanked Mr. Kubosh for coming and stated that he often asked if the officer delay was working and they said it was being assessed, but he did not remember getting an update and he would request it. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Michael Green, 7913 W. Bayland, Houston, Texas 77044 (281-250-8486) appeared and stated that he was homeless; that he talked to Council about a school building which would make a perfect homeless shelter in August and today wanted to emphasize its importance; that he went to the Coalition of the Homeless for information and got into a tug of war; that he left and went to HUD and talked to Sandra Warner and had a long discussion about where their money came from, he was trying to find where the money came from. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Green stated that he was trying to find out from the Coalition what they were going to do with the homeless as the homeless was in a position which was governed by the 26 plus organizations, trapped in other words; and Council Member Jones stated that the Coalition of the Homeless received some funding from the City of Houston through HUD; that every year there were two public hearings where the City of Houston Housing Department told how they intended to spend the federal dollars the city received from HUD, one grantee was the Coalition for the Homeless and she knew he was homeless but she would be happy to let him know when the hearing dates were so he could come and ask questions and she had his phone number and her staffer would get an address for mailing purposes for him. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that Mr. Eichenbaum was also present and could speak with him at this time. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA-34511) appeared and stated that why was it so long for failing justice; yes, officials dropped the ball on his concerns; why so many cowardly people; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Patricia Martin, 6060 Belarbor #33, Houston, Texas 77033 (832-266-0049) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Hattie Jean Morgan, 2828 Collingsworth #48, Houston, Texas 77026 (832-405-6855) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang 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) appeared and stated that he was forced to come again today; that police failed

to take action which they had knowledge of; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Issac Jefferson, 2102 DeSoto, Houston, Texas 77091 (713-682-2185) appeared and stated that he had a contract with the City of Houston on weed cutting and debris removal and during the last year they had several, but now had not worked since July and they were trying to get in contact with those in charge, but could not get them; that he wondered what future his company had with the department; that also they had a couple of invoices which had not been paid and lastly since they changed hands... Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Adams stated that she did thank Mr. Jefferson for coming, but there were several transitions within Neighborhood Services; that the good news was they had given authorization for his payment and he should be receiving the total amount between seven and ten business days, it was the total amount from invoices received in July and August; and Mr. Jefferson stated that they had some invoices being reviewed from before they changed hands; and Council Member Adams stated that it would be the total amount of his invoices. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she heard the same story from different people, there was no system in place to pay people timely; that some she knew who did contracting with federal, county and state chose not to with the city because it took too long to pay and she could not understand how someone could submit an invoice in July and now in September they had to come to Council to get paid and she would like the system looked into; that she was hoping he would be paid within seven to ten days and on work, they could not promise work, but with an RFP as it came up he would be in the hopper; and upon questions, Mr. Jefferson stated that he had a contract, not for "x" amount of work, but when they completed a group of lots they would be issued another order of lots; and Council Member Jones stated that if he was not paid within the seven to ten days to let her know. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he was sorry he had to come to Council about this, but there was a transition of business operations and a creation of a department itself and it created delays and then there was an internal audit which took place within the department and they probably should have communicated better with him and returned phone calls so he would know, but hopefully this would be resolved in the seven to ten days and if not he should let them know. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Don Hooper, address private (713-553-8955) appeared and stated that he was present a number of times and he did thank Council Member Costello for giving them the contracts, but on September 8th Council Member Costello participated in a debate at the League of Women Voters where he disclosed he was a minority contractor and they had been trying to get a hold of contracts he had with the City of Houston since April and he wondered how to do that without knowing the names of his minority partners of his contracting company. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Costello stated that Mr. Hooper obviously had a lot of time to

continuously come down here, it was always good to see him and to be perfectly honest and frank if he looked at the debate he was accused of having ownership in a minority firm, but he only owned one company, Costello, Inc., and he only owned 16% of it and his firm had a minority ownership in another company, (IGT) Infrastructure Good Texas, which did not do work here in the City of Houston. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Michael Kubosh, 1701 Lubbock, Houston, Texas 77007 (281-850-0172) appeared and stated that he had been Council's eyes and ears at the Municipal Courts now for about 16 years and the last program, ICMS Program, was actually a big mess and it failed and refailed and now they were trying to come up with CSMART Program; that he saw a lot of the same things in it he saw in the ICMS Program and they were not able to do things which needed to be done; that they also heard from his brother the problems with the 5-1/2 hour delay and they did need to go to the court and see who was there as it was minorities and they were being hammered and losing their time, etc., and this was bad; that the presiding judge was allowing attorneys over the years to enter pleas, involuntary pleas on people to have them found guilty if they were late for court or if they did not show up and it should be addressed. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Costello, Mr. Kubosh stated that he was in favor of Item 32. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that Mr. Kubosh jogged her memory, she could not remember the name, but she was supposed to get a response from Judge Hartle about the policy they had which allowed lawyers to plea people and she did not believe she got it and she believed that it did violate state bar rules; and Mr. Kubosh stated it was State Bar Opinion 599 and she had asked for a report; and Council Member Jones stated that people were entitled to their day in court and a lawyer could not get someone to sign something saying they could do what they wanted if they did not show up and then plea them to something; that some had lost their CDL's which was how they earned their living, some had really punitive things happen to them because the city was lazy and she would follow-up on it; and Mr. Kubosh stated that they had four years to go back on the forfeitures they avoided by entering the involuntary pleas which were in violation of the state bar opinion and it was probably a million dollars waiting for them and urged they go after the money and restore the people who were harmed by the unethical lawyers. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Pennington thanked Mr. Kubosh for coming and stated that they knew the system purchased last by the Municipal Courts was not working and he thought they declared the contract in default, but they had to continue to pay them while they looked for a new system, which was a bad situation, but he would be pleased to receive any recommendations he had and to spend time in the courts; that it was difficult to assess it unless you had experience with it as he and others did; that it was all some citizens saw and it did need to be improved; and Mr. Kubosh stated that he could look back and see that he came against the ICMS Program before it was ever put it, he begged Mayor White not to do it. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Mary Jane Buschlen, 5703 Cornish, Houston, Texas 77007 (832-661-3663) appeared

and stated that what she just heard in discussion in the conference room was that Public Works and Engineering feared the city would lose important federal funding opportunities if they changed the language in the Texas Railroad Joint Use Agreement, Agenda Item 33, and that was what they were requesting; that they did not want to add any more anxiety to them, but she would remind everyone they had diligently reminded them and Council over the years the intended purpose of the MKT and the Cottage Grove Civic Club found it acceptable today after discussion that the language of the ordinance prefacing this agreement, which would occur tomorrow, was being modified by the City Legal Department to include a paragraph assuring the hike and bike extension would be completed in the future. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated to update everyone, he did thank Ms. Buschlen for her patience and they met with other community members of her community and Public Works and he would get an update; and thanked her for the update at this time and her proactive efforts. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Ms. Buschlen stated that if the language was in the ordinance, as long as it was clear; that it was okay to leave the agreement alone, but the assurance they needed would be in the ordinance which accompanied it or the RCA which accompanied it; and Council Member Jones stated that she would appreciate an email from them, if they were okay with it then she was also. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that as the District Council Member for the area he did thank all for support of the issue and his specific intent and goal was to get the bike trail done, he was very supportive of it and was working with the Administration to try and get federal funding and he thought there was good opportunity to get it complete. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Kinnear Kern, 4299 San Felipe, Houston, Texas 77027 (713-403-8888) appeared and stated, while others stood in support, that she was a dispute resolution manager at HOPE Union and present to address events of last Tuesday's Civil Service Commission; that last time she was present they heard how the ordinance was not followed within the Department of Neighborhoods and they appealed the issues through the only avenue they had, the Civil Service Commission, and they all stood up to the session last Tuesday and when it came time for the layoff appeals to be heard the city representative Mr. Fleming was not present, nor had he submitted documentation for review and in response to that an employee of city Legal who was present at the commission for other cases called Mr. Fleming and put him on speaker phone and at that point the chair of the commission asked him what he would like for the commission to do and Mr. Fleming then indicated he would like the session reset so the city could submit documentation despite the fact the city had been aware of the appeals for a month prior to the scheduled session and had not bothered to submit documentation or even show up; that the chair granted his request and delayed the review for another two weeks. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Lovell, Ms. Kern stated that what happened put laid off employees at a considerable disadvantage and their appeals were now being heard on September 27th which was three days prior to the effective date of their layoffs and they were

asking that date of layoffs be extended so they would have additional time while their appeals were reviewed and in addition to the high EPEs and many years of seniority of all laid off in Neighborhood Protection they would ask the city make every effort to find them other employment within the city; and Council Member Lovell thanked Ms. Kern for coming and stated that truly did stink that they did not show up and they took time away from employees who had to now look for work; that she agreed with her it did stink and a letter from every Council Member should go out stating that should never happen again; that the phone not being answered did stink also, how could you help people if you could not answer a line, it was callous disregard for a situation, the HR Department had not done it and shame on them; that there better be quick action on how they remedy things which had not happened and all should at least get a letter from their department stating they were laid off not because of poor performance, but budget constraints and she would be more than happy to call Houston Works and set up times where they could start going through and looking for employment and she saw no reason why a department head would have someone who was a former city employee interviewing not given consideration to their years of service, they did it at the Airport and she would suggest every department do the same; that they would call HR and Ms. Flowers tomorrow and ask those things be done and maybe all Council should show up at the next appeals process and make sure that the person who should be there was there. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that they hear the same story all the time and they lay off and fire people with excellent EPEs, but they had a department director, respectfully, who seemed to be making every kind of mistake you could make and yet she was still there and she did not understand that; and she did not think any adult was lost to the fact that in tough economic times tough decisions had to be made, but people did expect what was done to be fair and accountability was the name of the game and her question was how long did they allow the person at the top of that department to keep doing these things and it be okay as it gave the city a credibility problem. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Elvis Malveaux, 7116 Goforth, Houston, Texas 77021 (713-748-2653) appeared, presented information and stated, as others stood in support, that she was a Hurricane Ike victim and a member of the Texas Organizing Project; that she came last week with many others for accountability from the city for the millions of relief dollars which came to the city for low income families; that Mayor Parker's statement last week misled thousands of Houstonians, she boasted of the program being on track and according to state records work was completed on 13 Houston homes with the funds, she also said there was no more money but she would imagine she was aware of the millions more estimated in round two slated for Houston and in what she presented was the method for distribution of funds. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Lovell stated that today HGAC put out a schedule which was very accelerated to go to the General Land Office on the second round of housing and she could get her the schedule and what the proposed housing funding was and there would be public meetings and input and November 11, 2011, was when HGAC would send their recommendations to the General Land Office; and her office would make sure she received information so she could be aware of public meetings, etc. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones thanked Ms. Malveaux for coming and stated that on page two of

the handout it talked about the Texas Department of Housing and Community Affairs and she was glad to hear the HGAC was doing stuff, but it was irrelevant to this specific issue; that when you use TDHC money you had to report to the state what they were doing with the money they received from them and they were talking about properties incomplete or those which did not qualify and they talked about construction underway for 50, but they completed 13 and it was her understanding at last week's meeting representation was made; and upon questions, Ms. Malveaux stated that representation was made 242; and Council Member Jones stated official records dated the week ending September 9, 2011, from the Texas Department of Housing and Community Affairs said 13 were completed; that this was important because (TOP) the Texas Organizing Project had been on top of the issue and they had to sign off on things and she relied on them to get answers, when she needed data they had it and when the city received money from TDHCA they should probably roll with what they said. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Timothy Cheng, 19331 Dickerson Park, Spring, Texas 77373 (832-859-3053) appeared and stated, as others stood in support, that he was an employee with the City of Houston since 1995; that he was senior payroll clerk in the Department of Neighborhood Protection and during his time he always had strong evaluation and he was the fourth high in layoff; that he received numerous accommodations for his work which they would see in his packet and his experience and community involvement and city dedication; that his last EPEs were 4.59 and 4.54 and 4.39; that he worked for the city 16 years and volunteered at Sunday School, etc. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that they had this discussion over and over, the same story with a different employee and she apologized to him on how he was treated and hopefully they could work this out and if he paid for certifications she hoped he was refunded. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Mr. Cheng for doing an outstanding job shown with his EPEs; and upon questions, Mr. Cheng stated that one time he spoke with someone on the phone about a position he applied for, he was told he had not received the application, but he had hand carried it; and Council Member Jones stated that she wanted to know what happened with the applications once they were received in HR, did they communicate with the department on how many positions were available, etc., he was an exemplarily employee and she wanted clarity and someone needed to take ownership on where they failed; that people were being hired in the City of Houston and why were their own not being given first dig; that she also wanted to know how many people they actually rehired since they started laying off people, notice started May 17th. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that also the way things were done in that department would motivate some to be mediocre employees because it seemed they did reward mediocrity by allowing people without the best EPEs to keep jobs and that was a bad bar to set and it showed while they were bringing in new people with no experience in the area that they would rather have people with no clue. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

At 4:23 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until

9:00 a.m., Wednesday, September 21, 2011. Council Member Johnson absent on personal business. Council Member Bradford out of the city on city business. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, September 21, 2011

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, September 21, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney, Legal Department; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present. Council Member Melissa Noriega absent on personal business. Council Member C. O. "Brad" Bradford out of the city on city business.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:05 Mayor Parker called the meeting to order, and recognized Council Member Gonzalez. Council Members Johnson, Hoang and Lovell absent.

Council Member Gonzalez moved to suspend the rules to consider Item No. 1 out of order, seconded by Council Member Adams. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Members Johnson, Hoang and Lovell absent. MOTION 2011-0733 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS:**

- Position One - **MS. PHILAMENA BAIRD**, appointment, for a term to expire 8/31/2012
- Position Two - **MR. MARK D. LEE**, reappointment, for a term to expire 8/31/2012
- Position Four - **MR. MATTHEW ROGERS, JR.**, appointment, for a term to expire 8/31/2013
- Position Five - **MR. GREGORY D. COMPEAN**, appointment, for a term to expire 8/31/2013
- Position Eleven - **MR. STEPHEN M. FRAGA**, reappointment, for a term to expire 8/31/2013

- was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Members Johnson, Hoang and Lovell absent. MOTION 2011-0734 ADOPTED.

Mayor Parker and Members of Council congratulated the newly appointed or re-appointed members of the Harris County-Houston Sports Authority Board of Directors and thanked them for their service to the City of Houston. Council Member Johnson absent.

Mayor Parker stated that they were going to be moving to the Mayor's Report, an update on the water situation in the City of Houston and also what was happening in their parks, that before that she wanted to give Council Members an update, that she would apologize for having to leave the Council Meeting yesterday, as they knew and probably saw on the news last night they had an unfortunate accident with some visiting members of a Chinese Delegation, they had two very large Chinese Delegations in town, one from Beijing and the other from Shenzhen,

who was their Sister City, and they were all police officers and were in Houston for 10 days for training with the Police Department, there was an unfortunate accident at the test track at the academy and with six Chinese Police Officers and two HPD Officers involved, four in each car, all had been released except three of the Chinese Officers, that they were at two different hospitals and she visited both last night, one was going to be remaining at Memorial Hermann with broken bones, one had a broken leg, which was set yesterday, and another was held over night for observation for some internal bleeding, but they all would be recovering, that these were senior police officers, that one who was hospitalized was equivalent to an Assistant Chief of Police, the other was the Deputy Mayor over police affairs for the City of Shenzhen and then their Senior Traffic Administrator, that they regretted the incident but were certainly glad that they would be recovering, but they had assigned Mandarin speaking Houston Police Officers to assist with the consulate and their interpreters, that they were being well cared for, they could tell they were cops, "oh no it doesn't hurt, we're fine", that they appreciated their patience. Council Members Johnson, Adams, Gonzalez, Rodriguez and Lovell absent.

MAYOR'S REPORT - Drought conditions update

Mayor Parker recognized Director Daniel Krueger, Department of Public Works, who reviewed a PowerPoint slide overview presentation, a copy of which is on file in the City Secretary's office for review. Council Members Johnson, Gonzalez, Lovell and Jones absent.

Mayor Parker stated that she would note that there were a lot of contractors that had never done work with the City before that were working with them on the water line repairs and she appreciated the work to get them on. Council Members Johnson, Gonzalez, Lovell and Jones absent.

Mayor Parker recognized Mr. Joe Turner, Director, Parks and Recreation Department, who reviewed a PowerPoint slide presentation titled "Drought, Trees and Fires/Protecting Our Parks", a copy of which is on file in the City Secretary's office for review. Council Members Johnson, Gonzalez, Rodriguez, Lovell and Jones absent.

Mayor Parker stated that they were doing an unprecedented amount of work around Memorial Park, which was their most forested park that was in the City and in close proximity to houses, that they had been meeting with the homeowners in the area and all of the affected agencies, they had to have a plan for how they access interior areas of the park if they had to fight fires, but there were things like 100 polo ponies out there in the middle of the park, how do they get them out of the park because of their location, things like that, that there was actually a full evacuation plan for Memorial Park. Council Members Johnson, Gonzalez and Jones absent.

Mr. Turner stated that was correct, it was still in final stages but was almost there, how they dealt with every piece in that park, that when they met with Lon Patterson, the Regional Fire Coordinator, he gave them and the Houston Fire Department some better ideas of how to defend the polo area, how to handle the horses in it, and then they had broken the park down into zones, they had established an evacuation plan, the concept of evacuating 10,000 people out of a part was pretty overwhelming so they had worked through with HFD different ways to zone that park down, they had broken their piece of the park down into zones so they had people responsible every day for those zones, and particularly for them as a department so they knew actually who they had working that day in that park, off premise locations to go to if that park happened to have a fire and then once that got in they knew they had to multiply that through quite a few other parks, that HFD had been invaluable to them as a department, that he talked to his team about fires and after 26 years nobody in his department had ever seen anything like this, they never really had a major park fire of any sort, so to say how they deal with it because of their natural areas, particularly the Houston Fire Department, there were

water issues in lots of their parks that they were dealing with and managing and managing all of the water hydrants trying to get everything put into place, that some new concepts came up yesterday on how to possibly trying to control the fires in all of the parks. Council Members Johnson, Gonzalez and Jones absent.

Upon questions by Council Members, Mayor Parker stated that Item No. 17, on today's agenda, being pulled was a revenue issue, that she had assured Mr. Turner that this was an emergency situation, he was not having to eat this out of his own budget, if they could identify monies that they could reprogram from other departments and as the revenue situation for the City eases up she would move money in so he could bring in the crews and take care of this; that on the water side that was an Enterprise Fund and fortunately for them they did have money in the Water Sewer System, it was not a revenue issue for them but Mr. Turner had to make some severe cuts and they were having to restore his funding in order to get the foresters back out there. Council Members Johnson, Gonzalez and Jones absent.

Mr. Tuner stated that the reason they had the first emergency purchase order, and they actually had a second one coming they had those funds in their budget, their tree contractor walked on them in July, walked on the City as their contract, so immediately the Strategic Purchasing Department put together an emergency purchase order together for them, they had just about finished that one and the second one would be coming probably next week, an emergency purchase order, that with SPD helping them very fast they put a new RFP out for their normal tree contract, the one they lost, and that moved through as quick as he had every seen anything as a bid process, they opened those bids on September 1, 2011 and that was going through, that hopefully that RCA would be at Council maybe next week or week after, so they all understood that was his normal operating RCA tree contractor that he lost and that had \$350,000 in it for the current year that they had in their budget, that they had \$450,000 to work with in their budget but they knew that number was going to grow larger than that, and the Mayor, as she stated, was working to find the funds to help them work with a different process to where they could move faster at these trees. Council Members Johnson, Gonzalez and Jones absent.

Upon further questions and discussion by Council Members, Mr. Krueger stated that they had issued one citation on a private side leak and it was just a circumstance of the tenant and a landlord both refusing to do anything with the leak and basically saying to cite them they were not going to fix it so they did, and Mayor Parker stated that they issued one citation for a barbecue as well, someone refused to put out the barbecue pit; that as to the revising the Water Conservation Ordinance, Mr. Krueger stated that they already had staff working as they experienced all of the issues of implementing the conservation measures per the code, keeping track of the issues and compiling what they thought they needed to do to improve it, that he would agree that there was some work that he thought they could do yet with regard to criteria and certainly looking ahead there was some work through the conservation measures themselves at what might be more effective for the public; and Mayor Parker stated that she had asked Mr. Krueger to keep a list because they intended to revise the ordinance, that she thought it was a fairly thought out ordinance, but theory and practice were different and what they were experiencing showed them where the stresses were in the ordinance and she did not want to amend it and if they got more information they would have to amend it again, they were working with it as it was and tracking so they could do a comprehensive overhaul. Council Members Johnson, Gonzalez and Jones absent.

Upon further questions by Council Members, Mayor Parker stated that they did have on their website a list of where all of the breaks were, they could see they were the areas with older infrastructure, and Mr. Krueger stated that they did keep track of that and they continually use their maintenance data as a driver for where they were taking their replacement program, they did replace in excess of 100 miles per year of their water lines through the capital program and

continued to do so, but yes it would be captured and factored in to where they needed to go next with replacement, that he would comment that it was the older more brittle pipes where they were seeing the extent of breaks, it was cast iron AC pipes not in the new PVC more flexible pipes. Council Member Johnson absent.

After further discussion by Council Members, Mayor Parker stated that it was not that Memorial Park was more important than the other parks, it was drier and there were more dead trees than some of the other parks and their priority in removing trees were trees that may be hazardous to people, in Memorial Park particularly their first course was not to take the trees down in the interior part, it was to take the trees down around the trail system, that they were monitoring all of the trees; that as to Inwood Golf Course, those trees were still on the priority list, homes were people and the ones that just fell in the parks they would get to them, and Mr. Turner stated that they were there either on Monday, Thursday or Friday at Inwood taking out some trees, that what they were doing, as the Mayor mentioned, it was a safety issue they were dealing with, that before the contractor walked on them they had \$30,000 additional put into their contract, right now it would be in the new contract, but it was a matter now of their just putting what was first that had to come down, that they were looking for those trees that had to come down, but he had only four people who did that and the other key was if they would let 3-1-1 know they were monitoring all of those to try to figure out which trees needed to come down first, and Mayor Parker stated that it was not four people who took down the trees, there were four people who said which trees were dead and had to go. Council Members Johnson, Pennington and Rodriguez absent.

After further discussion and questions by Council Members, Council Member Adams requested an update on street repairs and Mayor Parker stated that she would talk to Director Krueger about that, that she did know they had been completing the citywide pavement assessment so that they could prioritize the streets but because of these extreme conditions they may have to modify that listing and prioritize some of these streets, that she would talk to Director Krueger about how to best present it to Council; that she would remind Council Members that they had hired Mr. Dale Rudick who would be the Rebuild Houston point person in the Public Works Department, in moving these things forward, that she would like to have him come to Council to talk about where they were and all of the money coming into that system which would be the money that was available for a lot of the street repairs that needed to be done. Council Members Johnson, Clutterbuck and Rodriguez absent.

Mayor Parker stated that she wanted to thank Mr. Krueger and Mr. Turner for excellent presentations, and that they would move to the consent agenda. Council Members Johnson, Clutterbuck and Rodriguez absent.

CONSENT AGENDA NUMBERS 1 through 31

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 5

3. **EMSYSTEM, LLC** for Maintenance and Support Services of the EMTrack Patient Tracking System for the Office of Emergency Management of the Mayor's Office - 1 Year - \$63,571.32 Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. MOTION 2011-0735 ADOPTED.
4. ORDINANCE appropriating \$1,879,000.00 out of Water & Sewer System Consolidated Construction Fund for Sole Source Purchase of Three Centrifuge Systems for the Public Works & Engineering Department – was presented. All voting aye. Nays none. Council

Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0801 ADOPTED.

- 4a. **ALFA LAVAL, INC** for Three Centrifuge Systems for the Department of Public Works & Engineering – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. MOTION 2011-0736 ADOPTED.
5. APPROVE spending authority to Address Emergency Repair of Water Line Breaks in an amount not to exceed \$4,700,000.00 for the Department of Public Works & Engineering, to **REYTEC CONSTRUCTION RESOURCES, INC** - \$1,400,000.00, **RESICOM, INC** - \$1,400,000.00, **REPIPE CONSTRUCTION LLC** - \$1,300,000.00 and **WACHS WATER SERVICES** - \$600,000.00 Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. MOTION 2011-0737 ADOPTED.

ORDINANCES - NUMBERS 8 through 31

8. ORDINANCE approving and authorizing Interlocal Agreements between the City of Houston and the **TEXAS DEPARTMENT OF PUBLIC SAFETY, THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** and **FORT BEND COUNTY**; for their participation in the Houston Auto Crimes Task Force Grant/20 Program – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0802 ADOPTED.
9. ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, providing up to \$133,883 in General Funds to assist in the administration and operation of the Emergency Mobile Outreach Program – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0803 ADOPTED.
10. ORDINANCE approving and authorizing agreement between the City of Houston and the **HOUSTON KOREAN SCHOOL**, to provide \$500,000.00 in Community Development Block Grant Funds for acquisition of a building at 1809 Hollister Road to be used to provide comprehensive social, health care and educational services to low and moderate income persons - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0804 ADOPTED.
11. ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, as landlord, and **EL CENTRO DE CORAZON**, as tenant, for space at 7037 Capital, Houston, Texas, for use as a facility to provide health care services to low-income City residents for the Health & Human Services Department - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0805 ADOPTED.

12. ORDINANCE approving and authorizing grant application and contract with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the FY 2012 Current Population Statistics Cities Readiness Initiative Grant (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services to expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$523,603.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0806 ADOPTED.
13. ORDINANCE approving and authorizing grant application and contract with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the FY 2012 Current Population Statistics-Laboratory Response Network-Public Health and Preparedness Grant (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services to expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant \$208,125.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0807 ADOPTED.
14. ORDINANCE approving and authorizing grant application and contract with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the FY 2012 Public Health Emergency Preparedness Grant (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services to expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$1,271,937.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0808 ADOPTED.
17. ORDINANCE authorizing the issuance of purchase order(s) to **DRC EMERGENCY SERVICES, LLC** for Emergency Tree Removal Services relating to drought disaster relief for the City of Houston - \$4,500,000.00 - General Fund - had been pulled from the Agenda by the Administration, and was not considered. Council Member Johnson absent.
20. ORDINANCE amending Ordinance No. 2006-918, as amended, to increase the maximum contract amount for contract between the City of Houston and **BFI WASTE SERVICES OF TEXAS, LP dba ALLIED WASTE SERVICES OF HOUSTON** for Non-Hazardous Waste Collection; Transportation and Disposal Services for Various Departments - \$335,773.80 General, Enterprise and Other Funds – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0809 ADOPTED.
21. ORDINANCE appropriating \$762,768.00 out of Water & Sewer System Consolidated Construction Fund and awarding Construction Contract to **INLAND ENVIRONMENTS, LTD.** for Asbestos/Lead Abatement and Demolition at Department of Public Works & Engineering Water Plants, 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 project management and construction oversight and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0810 ADOPTED.

22. ORDINANCE appropriating \$225,067.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing agreement between the City of Houston and Texas Department of Transportation for the Rehabilitation of sanitary sewer and water main lines on Farther Point Bridge at Buffalo Bayou; providing funding for CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0811 ADOPTED.
23. ORDINANCE appropriating \$1,917,400.00 out of Metro Projects Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund WBS N-00610A-0109-4 - **DISTRICTS A - STARDIG; E - SULLIVAN and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0812 ADOPTED.
24. ORDINANCE appropriating \$1,409,000.00 out of Metro Projects Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund WBS N-00610A-0118-4 - **DISTRICTS A - STARDIG; B - JOHNSON and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0813 ADOPTED.
25. ORDINANCE appropriating \$1,048,000.00 out of Metro Projects Construction Fund, awarding contract to **RESICOM, INC** for Safe Sidewalk Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund - WBS N-00610A-0119-4 - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; F - HOANG and G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0814 ADOPTED.
26. ORDINANCE appropriating \$1,723,200.00 out of Metro Projects Construction Fund, awarding contract to **RESICOM, INC** for Safe Sidewalk Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund - WBS N-00610A-0120-4 - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member

Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0815 ADOPTED.

27. ORDINANCE appropriating \$532,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R J CONSTRUCTION COMPANY, INC** for Fuqua Lift Station Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0816 ADOPTED.
28. ORDINANCE appropriating \$800,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R J CONSTRUCTION COMPANY, INC** for Quail Glen Lift Station Renewal; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0817 ADOPTED.
29. ORDINANCE appropriating \$918,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PELTIER BROTHERS CONSTRUCTION, LTD.** for Pump and Lift Station Replacement for Westway Utility District; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0818 ADOPTED.
30. ORDINANCE appropriating \$2,949,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Crane-Englewood Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0819 ADOPTED.
31. ORDINANCE granting to **HERITAGE-CRYSTAL CLEAN, 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 **FIRST READING** – was presented. All voting aye. Nays none. Council

Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0820 PASSED FIRST READING IN FULL.

Mayor Parker and Members of Council congratulated the Houston Korean School and the Centro de Corazon. Council Member Johnson absent.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,283,079.14 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project No. 448 - 3.20% over the original contract amount - **DISTRICTS D - ADAMS and E – SULLIVAN** – was presented, and tagged by Council Member Adams. Council Member Johnson absent.

ORDINANCES

6. ORDINANCE authorizing dedication to the public of two recreational easements in the Westchase District, out of the Henry Woodruff Survey, A-844, and the Fort Smith Survey, A-1308, Harris County, Texas; authorizing dedication of Easement and Maintenance Agreement, and a dedication of Easement and Maintenance and Indemnity Agreement - **DISTRICTS F - HOANG and G – PENNINGTON** – was presented. Council Member Johnson absent.

After discussion by Council Member Pennington a vote was called on Item No. 6. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-821 ADOPTED.

7. ORDINANCE providing for the assessment, levying and collection of Ad Valorem Taxes for the City of Houston, Texas for the Year 2011 – was presented, and tagged by Council Member Sullivan. Council Member Johnson absent.
15. ORDINANCE approving and authorizing contract between the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the City's Immunization Program (2012-039053); approving the acceptance and disbursement of funds thereunder - \$673,154.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0822 ADOPTED.
16. ORDINANCE approving and authorizing the Director of the City of Houston Department of Health & Human Services to accept grant funds from the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the Women, Infant and Children Program; declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services Department to expend the grant funds, to sign contracts relating to the grant with the approval of the City Attorney and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$5,693,646.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0823 ADOPTED.

18. ORDINANCE awarding contract to **CONOCOPHILLIPS COMPANY** for Unleaded Gasoline for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$88,075,000.00 - Fleet Management Fund – was presented. Council Member Johnson absent.

After discussion by Council Members, Mayor Parker stated that Item No. 18 was tagged by Council Member Jones. Council Member Johnson absent. (Note: Council Member Jones released her tag later in the meeting.)

19. ORDINANCE awarding contract to **MOTIVA ENTERPRISES, LLC** for Low Emission Diesel Fuel for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$47,425,000.00 - Fleet Management Fund – was presented, and tagged by Council Member Jones. Council Member Johnson absent. (Note: Council Member Jones released her tag later in the meeting.)

MATTERS HELD - NUMBERS 32 and 33

32. ORDINANCE appropriating \$4,395,000.00 out of the Equipment Acquisition Consolidated Fund for the Municipal Courts Case Management System Developed by the Information Technology Department – **(This was Item 11 on Agenda of September 14, 2011, TAGGED BY COUNCIL MEMBER JOHNSON)** – was presented. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-0824 ADOPTED.
33. ORDINANCE approving and authorizing a Joint Use Agreement between the City of Houston, the Texas Department of Transportation, and the Union Pacific Railroad Company for the Reconstruction of Washington Avenue and to Construct Storm Sewer and Detention Ponds **DISTRICTS A - STARDIG and H – GONZALEZ – (This was Item 14 on Agenda of September 14, 2011, TAGGED BY COUNCIL MEMBERS STARDIG and GONZALEZ)** – was presented. Council Member Johnson absent.

After discussion Council Member Gonzalez stated that he would offer the following written motion to amend Item No. 33:

“I motion that Item 33 on the Agenda of September 21, 2011, a joint use agreement between the City of Houston, the Texas Department of Transportation, and the Union Pacific Railroad Company be amended by:

1. Adding a new Section 2 as follows and renumbering the remaining Sections that follows accordingly:

Section 2. Nothing in the attached Agreement is intended to yield any ownership rights of the City in the affected property or to modify any intended use of the property by the City as described in Ordinance #2007-1175 for a hike and bike trail and related purposes.”

Council Member Gonzalez further stated that he did have to point out some disappointment with Public Works in general, this was another opportunity where this issue impacted constituents of District H, in particular the Cottage Grove Community, they had a previous item come up with the 380 and a development there and now with this item, that having a little bit notice from them that this item was going to come up would have been helpful so that they could have navigated through some of these issues prior to that, but nonetheless they worked it out after the tag last week in a collaborative manner and working with the Mayor and her

executive team to get it done that he was helpful to them for helping them get there of course ultimately the community for also being willing to sit at the table and work with them to come up with better language, that he was supportive of the project. Council Member Johnson absent.

Mayor Parker stated that she wanted to thank Council Member Gonzalez for his patience on this and the community's as well, that she wanted to emphasize that nothing that was in the original document had any impact on future hike and bike trails, that if they adopted his amendment they would specify that it had no impact on future hike and bike trails, that the community wanted that assurance and they were happy to provide it. Council Member Johnson absent.

After discussion by Council Members, a vote was called on Council Member Gonzalez motion to amend Item No. 33. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. MOTION 2011-0738 ADOPTED.

A vote was called on Item No. 33 as amended. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Member Johnson absent. ORDINANCE 2011-825 ADOPTED AS AMENDED.

Mayor Parker recognized Council Member Pennington. Council Member Johnson absent.

Council Member Pennington moved to override the tag on Item Numbers 18 and 19 for the purpose of discussing whether the delay in the vote would cost the City money, that he understood that somebody was trying to get that information, that he did not know what the term of the existing contract that they had but there was discussion of substantial savings with the new contract and he thought that ought to be taken into consideration before they tagged the money. Council Member Johnson absent.

Mayor Parker stated that if Council Member Pennington would hold his motion she would make sure they would ask those questions and would recognize him as soon as that answer came to the floor, that they could do that during the course of Council presentations. Council Member Johnson absent.

Council Member Jones stated that she would release her tag for the purpose of discussion and Mayor Parker stated that they did not have any information and could not discuss it right now. Council Member Johnson absent.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Sullivan yielded his time to Council Member Clutterbuck. Council Member Johnson absent.

Council Member Clutterbuck stated that she requested the opportunity to have some of her colleagues time to be able to give her colleagues a report and update on yesterday's Houston Galveston Area Council meeting, that they handled a 9-1-1 strategic plan for the 13 county regional area, a contract and purchasing management agreement to allow them to collaboratively expand their abilities to buy things cheaper for the taxpayer, and electric agreement, they did a lot of planning for criminal justice and for clean vehicles, they had some discussion about Meals On Wheels, that a number of important issues, they also passed and received money for a regional DWI Selective Traffic Enforcement Program, the STEP Program, to be able to enhance their abilities to do DWI enforcement throughout the region, that one of the most important things that they dealt with yesterday related to second round funding for

Hurricane Ike relief and a distribution from the Federal Government to the State and then the State distributed it down through the Council of Government, the HGAC, that the first round of funding was greatly limited because they would recall there were several storms that year, that for some reason the Federal Government and the State decided to lump together Dolly, the Rio Grand Valley damage and Hurricane Ike all together in one, they remember that Hurricane Ike was the second most expensive hurricane in the history of the United States, that it led to inequitable distribution of funds so round two was trying to address that a little bit more, that they as a City actually ended up benefiting a little bit more from round two structured funding than did some of the regional areas in the Houston Galveston Area Council and of course that could be a source of challenge, that she had a hand out on the second round funding, that the Houston Galveston Area Council would take action on this method of distribution in mid November, that it was a very aggressive plan but the good news was that it had added housing rather than infrastructure dollars, which the City of Houston ended up benefiting from, that also it required an active citizen participation process, including making the draft method of distribution available 15 days for public comment, that it reduces the lead time for executing this method of distribution, that it also needed to take into account long term recovery planning and explained how they were contributing to the State's distribution, that it totaled over \$300 million on this one action item alone. Council Members Johnson and Adams absent.

Council Member Lovell stated that to add on to Council Member Clutterbuck's statement, having Buddy Grantham, who was the expert on all of this and sitting on a committee, put the City of Houston in a good position, that he was so knowledgeable and was always very good about letting them know what was going on and get their input; that they were having a DRA Committee meeting at 1:30 p.m. in the Council Chamber, that on Thursday, September 29, 2011 at 10:00 a.m. she would be hosting a special called meeting of the Transportation, Infrastructure and Aviation Committee; that yesterday evening she attended at Baker Ripley House a wonderful event, that Vice Mayor Pro Tem Gonzalez was present representing the Mayor and he spoke very well on the City's behalf, that Council Member Adams was also present, that she wanted to complement Comcast, that there was a new program called Internet Essentials, it allowed low income families in Comcast service areas to receive internet access for only \$9.95 per month and included a free modem and upon enrolling families would have the option of buying a low cost computer for \$149.95, that the program price would never go up and families would receive free internet training, as well as top notch security software, that families that qualified for a free lunch program would qualify for this program, that families would have three years to apply for the program and could stay in the program until their children graduated from high school, that Comcast estimated that around 2 million people nationally would be eligible for this program and Comcast was funding the program on their own dime, that families that would like to sign up may call 1-855-8-INTERNET (1-855-8-468376) and request an application, that she wanted to say thank you to Comcast, that the opportunities that it gave to a lot of the children in the City was incredible, that it would put them on equal footing and equal levels in their learning experiences and opened up the world not only to them but to their parents. Council Members Johnson, Sullivan and Hoang absent.

Council Member Gonzalez stated that he was proud to have been a part of the 43rd Annual Fiestas Patrias Parade on Saturday; that yesterday he was pleased to take part in the launch of Comcast's Internet Essentials Program that he knew it would be a great success, for more information go to www.internetessentials.com; that he wanted to shout out to the Houston Public Library because through the "We Can Project" they were also helping bridge the digital divide for a lot of the low income communities; that the Secretary of Homeland Security, Janet Napolitano, visited Houston yesterday to discuss protecting their City and the launch of the new safety campaign, "If you see something, say something", that homeland security was a massive undertaking and Federal dollars made sure their City and families were safe, to learn more about the campaign and how to help locally go to www.iwatchhouston.org; that on Sunday, September 25, 2011 was the last trap, neuter and release day of the month for unknown cats in

zip codes 77011 and 77023. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Mayor Parker stated that she wanted to thank Council Member Gonzalez for representing her, that it was a great program, that there were two hospitals that she had to visit, she was in Humble and Spring. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Council Member Adams stated that she wanted to thank Vice Mayor Pro Tem Gonzalez for doing a great job and thanks to Comcast; that on Saturday she participated in the first commemorative stamp issue day of the Barbara Jordan Commemorative Stamp, that it was a beautiful stamp to recognize an outstanding leader, that it was held at Texas Southern University; that tomorrow would be the Minority Business Council Annual Business Expo at the George R. Brown Convention Center; that on Friday she would participate in a breakfast honoring His Excellency Jacob Zuma, President of the Republic of South Africa at Texas Southern University; that she wanted to welcome a new community church to District D, the Greater Grace Outreach, they would have an open house dedication service at 10800 Scott Street; that on Monday she visited the Crestmont Village West Apartment Complex, that this community was shutdown due to Ike and they transitioned some of the residents to a new complex that was not affected, that on Monday Nancy Brewer, Public Works, met her out there because the roof caved in on a senior because of some hidden damages that occurred by Ike, that she wanted to commend them for a job well done; that last week she had the opportunity to meet in Albuquerque, New Mexico, as a member of the City of Houston Deferred Compensation, that she was the Council appointee for the 457 Deferred Compensation Plan, she attended the National Association of Government Deferred Contribution Administrative Annual Conference, that the City of Houston 457 Plan received the 2011 Leadership Recognition Award for all of the things they tried to do for the City of Houston employees to encourage them to save money. Council Members Johnson, Sullivan and Lovell absent.

Mayor Parker stated that she had an update, that Council Member Jones had removed her tag on Item Numbers 18 and 19 so that they could have some discussion, that the direct question was would it have an impact, would it cost the City money or would it have an impact on the contract to delay the item, not directly but as stated to Mr. Feldman she understood that because they were doing a joint contract with Metro that it may have an impact on the Metro side of the ledger, and Mr. Feldman stated that it was correct, the City's contract was not effective until October 1, 2011, but Metro could not act until the City's contract was effective. Council Members Johnson and Sullivan absent.

Upon questions by Council Member Jones, Mr. Feldman stated that Metro had nothing to act on until the City had a contract, and Mayor Parker stated that it was simply information, the pricing would begin October 1, 2011 and Metro could not move forward on their piece of the contract until the City did their piece of the contract, that she did not know at this point if they had a board meeting in the interim but it may throw them off of their cycle, that it was her understanding that the City was going to pass theirs this month and they were going to pass theirs and both contracts were going to begin October 1, 2011, that it would not impact the City of Houston, but they believed it would impact Metro's ability, that if Metro could not get their contract done by October 1, 2011, it would have a financial impact on Metro. Council Members Johnson and Sullivan absent.

Council Member Jones stated that was fine, that she would not tag the item. Council Members Johnson and Sullivan absent.

Mayor Parker stated that Council Member Jones had released her tag on Item No. 18. Council Members Johnson and Sullivan absent.

18. ORDINANCE awarding contract to **CONOCOPHILLIPS COMPANY** for Unleaded Gasoline for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$88,075,000.00 - Fleet Management Fund – was again before Council. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Members Johnson and Sullivan absent. ORDINANCE 2011-826 ADOPTED.

Mayor Parker stated that there was a same issue on Item No. 19, and Council Member Jones stated that she would not tag Item No. 18, and Mayor Parker stated that she appreciated the courtesy. Council Members Johnson and Sullivan absent.

19. ORDINANCE awarding contract to **MOTIVA ENTERPRISES, LLC** for Low Emission Diesel Fuel for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$47,425,000.00 - Fleet Management Fund – was again before Council. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Members Johnson and Sullivan absent. ORDINANCE 2011-827 ADOPTED.

Council Member Clutterbuck stated that she wanted to express her profound appreciation and recognition to Council Member Adams, that she and her entire team had been working on raising money and going out and purchasing air conditioners for needy families throughout Houston and they (District C office) had been able to distribute four of them to District C residents, that it was another level of dedication and interest she had in her service to the people of Houston and how she brought her faith to action, that on behalf of the District C residents who had received the air conditioning units, thank you for your efforts. Council Members Johnson, Sullivan and Jones absent.

Council Member Hoang stated that he appreciated and recognized the hard work of those who coordinated all of the events with the Shenzhen delegation and the Chinese Division delegation, as well as the Lily Choir, who came to the City of Houston, that the Lily Choir was here on Friday and on behalf of the City of Houston it was an honor for him to welcome them; that he wanted to thank Comcast for providing services to the City of Houston and the constituents in District F, that it was an honor for him to be at the Ripley Center. Council Members Johnson, Clutterbuck, Sullivan and Jones absent.

Mayor Parker stated that it was wonderful that the Police Department was getting so incredibly diverse that they had a multiple of Mandarin and Chinese speakers that could help out within the Police Department and many other languages spoken around the world, that certainly in an incident like yesterday's they were appreciative of that, and Council Member Hoang stated that the Chinese delegation looked at Houston with great respect because they had officers talking in their own language, and Mayor Parker stated that the fact that in the last week they had three different Chinese delegations which showed the increasing ties with China which would be really good for the future of Houston. Council Members Johnson, Clutterbuck and Sullivan absent.

Council Member Stardig stated that yesterday she attended the Passages for Women Breakfast event commemorating the last 25 years of service to women, that it was a residential treatment home in Spring Branch that offered addiction treatment for women for dual diagnosis and other addictive disorders, that she wanted to thank Donna Baker, Clear Channel, for hosting a table and being involved and making her aware of the great opportunities that the great institution had; that she was not able to attend the Comcast event but wanted to commend them as well, they were located in District A and knew they had done a great deal of outreach to all of them with their new program; that she was at a ribbon cutting yesterday, Spring Branch

ISD reopened another new school in the area, Shadow Oaks Elementary, that next Tuesday, Spring Branch ISD would also reopen the new Edgewood Elementary School; that she wanted to recognize what an outstanding school board they had in Spring Branch ISD and the Superintendent, Dr. Klusmann, who had done a fantastic job of rebuilding their schools and taking care of their students and the quality of education was a result of that; that she wanted to encourage all of their neighbors to ensure that everyone was safe, that tomorrow she would join Houston Fire Department in their "Get Alarmed Houston Program", that members of the Houston Fire Department, her office and volunteers from local community emergency response teams, CERT, would be canvassing the areas of Spring Branch to educate neighbors about fire safety and to install smoke detectors if needed; that she had an excellent time on Saturday at the Fiestas Patrias Parade celebration. Council Members Johnson, Clutterbuck, Sullivan and Lovell absent.

Council Member Pennington stated that last Thursday he attended the West Side Civic Association PIP meeting at the West Side Police Station and met the Mayor's new appointee, Captain Michael Skillern, that he gave a great report that crime was down about 10% in that area and citywide, that all of the HPD and individuals who were involved in crime prevention should be congratulated, that there was also a riveting presentation by an FBI Agent who was in charge of counter terrorism for the Middle East, that apparently Houston was kind of the center for that and he talked about some of the incidents and it was very informative; that Friday he attended his second wellness event of the week, Houston West Chamber of Commerce event, the Mayor was also in attendance and spoke; that last night he attended the Briar Forest Super Neighborhood meeting and the primary speaker was Jennifer Dykes of the Harris County Flood Control District, that the Flood Control District was developing a long range plan over the next year to reduce the flood levels on Buffalo Bayou, that he believed she said by 1%, that would affect a large number of homes based upon the elevation of water that went into those homes, that they would be looking not only at Buffalo Bayou but the various tributaries to Buffalo Bayou, that the information about what they were doing was available on their website. Council Members Johnson, Clutterbuck, Sullivan and Lovell absent.

Council Member Jones stated that she went on a trade mission to Ghana, that she helped facilitate a lot of deals that were going to bring tax dollars to the City, that there were a number of them and she would be giving a briefing at the next IBI Committee meeting, but one of the exciting ones, since they were talking about water today and had a Mayor's Report on it, that the water system there was not as developed as Houston's was so they had a company that was going to be packaging water in Houston to be shipped off to Ghana, which meant they were going to be creating jobs and businesses would have more money to pay Houston in taxes; that she wanted to talk about the one year anniversary of Asher Brown's passing, that on Friday, September 23, 2011, from 7:00 p.m. to 8:00 p.m. at the Jade Buddha Temple, 6969 West Branch Drive, Houston, Texas, David and Amy welcomed everybody to come out and celebrate his life, that there would be a candlelight visual around the Lotus Pond; that she wanted to invite anyone who believed their mortgage was unaffordable and who lived in that house and did not own another one to the NACA Save the Dream Event at the George R. Brown Convention Center, Thursday, September 22, 2011 through Monday, September 26, 2011, that all services were free, that it was a nonprofit and HUD certified organization. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Council Member Rodriguez stated that he wanted to thank the administration and Public Works on the passage of Item No. 26, the Safe Sidewalk Programs, that they had 15 projects that would serve Country Club, Denver Harbor, Magnolia Park, Eastwood, Pecan Park, Meadow Brook, Downtown and Fourth Ward, that he wanted to thank the administration for listening and Public Works for working with their office to get these projects going, it was a great start and hopefully his constituents would see some improvements in the very near future on some of these sidewalk issues, especially when they were near schools; that he wanted to congratulate

Judge Armando Rodriguez on a wonderful Fiestas Patrias Parade; that he wanted to congratulate the Mayor for a wonderful kickoff to Hispanic Heritage Month; that he wanted to give kudos to the Chronicle and their Real Estate writer, Nancy Sarnoff, she wrote a wonderful article about historic Hobby neighborhood seeing a revival. Council Members Johnson and Sullivan absent.

Council Member Lovell stated that it really was great seeing the article in the newspaper, especially highlighting Glenbrook Valley now that it was a historic district and how it added to the neighborhood; that on yesterday she attended the Legacy Luncheon, she believed it was their 30th Anniversary and they honored Jackson Hicks, that it was well deserved, Jackson had done so much through the City, charitable but especially to the GLBT Community, that his efforts in raising money for AIDS and HIV was incredible, that she wanted to say congratulations to Legacy, their Montrose clinic was open. Council Members Johnson and Sullivan absent.

Council Member Adams stated that she wanted to give a shout out to Leadership Houston and all of class of 30, that she would be participating this round in Leadership Houston and was really excited; that she would like to encourage her colleagues to join Mayor Parker in the wellness challenge. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Mayor Parker stated that as a reminder the Farmers Market was open today and encouraged everybody to begin to get back into the rhythm of attending.

There being no further business before Council, the City Council adjourned at 11:24 a.m. Council Member Noriega absent on personal business. Council Member Bradford out of the city on city business. Council Members Johnson and Sullivan absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary