

City Council Chamber, City Hall, Tuesday, September 27, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 27, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Ann Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Mr. Xavier Herrera, Citizens Assistance Office and Ms. Marta Crinejo, Agenda Director, present. Council Member Melissa Noriega absent on personal business.

At 1:37 p.m. Mayor Parker stated that presentations would begin with Council Member Sullivan. Council Member Sullivan invited Montgomery County Commissioner Ed Rinehart to the podium and stated that they worked closely on a number of issues and today he wanted to thank him for his work and commitment for the Lake Houston Wilderness Park, a 5,000 acre urban wilderness park; that the city and county worked together on this park; and Mayor Parker stated that Lake Houston Park was a hidden treasure, an absolute wilderness experience and presented Commissioner Rinehart a Proclamation thanking him for his work and proclaimed today as "Commissioner Ed Rinehart Day" in Houston, Texas. Council Members Stardig, Johnson, Adams, Rodriguez, Costello, Lovell and Jones absent.

Commissioner Rinehart stated that it was an honor for him to be a part of Lake Houston Wilderness Park; that they had over 12,000 miles of walking trails and it was tremendous to all; that they were grateful for the City of Houston helping to make this possible and they wanted to continue the partnership. Council Members Stardig, Johnson, Adams, Rodriguez, Costello, Lovell and Jones absent.

Vice Mayor Pro Tem Gonzales stated that on behalf of the City Council they thanked him for providing such a wonderful asset. Council Members Stardig, Johnson, Adams, Rodriguez, Lovell and Jones absent.

Council Member Pennington invited representatives of the Hellenic Cultural Center of the Southwest to the podium and stated that the Greek culture was prevalent in our society and was an integral part of the Houston community for more than 100 years and his granddaughter would be dancing in the festival next week; that the Annual Greek Festival was located on the grounds of the Annunciation Orthodox Cathedral on Yoakum; and Mayor Parker presented a Proclamation to the group proclaiming the month of October as "Hellenic Cultural Month" in Houston, Texas. Council Members Stardig, Johnson, Adams, Rodriguez, Lovell and Jones absent.

Representatives invited all to the festival and stated that the park and ride was at Lamar High School; and thanked Council for the Proclamation. Council Members Johnson, Adams, Rodriguez, Lovell and Jones absent.

Council Member Clutterbuck stated that it was always a lot of fun to celebrate Hellenic Cultural Month and cap it off with the amazing festival at the amazing Annunciation Orthodox Cathedral; and thanked them for their contributions to the city. Council Members Johnson, Rodriguez, Lovell and Jones absent.

Mayor Parker invited Mr. Luis R. Cano and Ms. Sonia Christina Lopez to the podium and stated that each year during Hispanic Heritage Month the City of Houston recognized outstanding leaders in the Latino Community and it was an opportunity to reflect on the amazing contributions the Hispanic Community gave to the City of Houston daily, but strong influences on the culture of the State of Texas particularly and they always recognized leaders and today

she would honor two more honorees; and because of their voluntarism and playing major roles in shaping the community and helping others presented Ms. Sonia Christina Lopez with the Mayor's Hispanic Heritage Youth Activist Award and proclaimed today "Sonia Christina Lopez Day" in Houston, Texas and presented Dr. Luis R. Cano with the Mayor's Hispanic Heritage Education Award and proclaimed today as "Dr. Luis Cano Day" in Houston, Texas. Council Members Rodriguez, Lovell and Jones absent.

Mr. Cano thanked the Mayor, Council Member Gonzalez and the Hispanic Advisory Committee who made the selection and stated he was honored and humbled; and all children regardless of their status needed to be educated, he had met children who had been discouraged of continuing their education because of their immigration status; and Ms. Lopez thanked her parents for getting her started in volunteering and for all their support. Council Members Rodriguez, Lovell and Jones absent.

Vice Mayor Pro Tem Gonzalez congratulated and commended recipients and thanked them for all their good works in the community. Council Members Rodriguez, Costello, Lovell and Jones absent.

At 2:05 p.m. Vice Mayor Pro Tem Gonzalez called on Council Member Bradford who invited Mr. Lawrence Payne, his Chief of Staff to lead all in the prayer and he led all in the pledge. Council Members Sullivan, Rodriguez and Costello absent.

At 2:14 p.m. the City Secretary called the roll. Council Member Noriega absent on personal business. Council Members Johnson, Sullivan and Lovell absent.

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

Council Member Jones stated on a point of order she would like the Mayor to join her at the podium with some members of the Trade Delegation to make a presentation to her; that recently she led a trade delegation to Accra, Republic of Ghana and it was very productive and she presented to the Mayor the bilateral partnership agreement and a kente from the Mayor of Accra; and Mayor Parker thanked her for it and stated it was appreciated. Mr. Val Thompson with the Houston International Trade Development Council stated that they thanked Mayor Parker for giving them the opportunity to allow Council Member Jones to sign on her behalf for the partnership agreement. Council Members Stardig, Sullivan and Lovell absent.

Council Member Hoang moved the rules be suspended for the purpose of moving Mr. Aijaz Khowaja and Mr. Michael Nguyen to the two minute speakers, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Members Stardig, Sullivan and Lovell absent. MOTION 2011-0739 ADOPTED.

At 2:19 p.m. the City Secretary began calling the public speakers. Council Member Sullivan absent.

Mr. Troy Anthony, 4022 Acorn Drive, Porter, Texas 77365 (713-412-0268) appeared and stated that he lived in Oak Manner in the Kingwood Area and for the past five months they were trying to prevent a drug and alcohol facility from coming in; that the City of Houston Deed Enforcement Division basically agreed with their deed restrictions and normally it would not be allowed, however, they were falling back on the Federal Housing Act which they said the individuals were disabled and protected by law; that many in the community were opposed but they were told there was nothing could be done and they should go to the federal level and talk

to representatives which they did and a press release was issued that it did not fall under the Federal Housing Act and he was present for clarification. Council Member Sullivan absent.

Mayor Parker stated that she appreciated him coming, but she did want to clarify something; that the City of Houston did assist neighborhoods in preserving deed restrictions, but it was her understanding they believed the Americans Disability Act did trump deed restrictions in this case and also that the lots in question were not deed restricted and that was why the city did not believe they could intervene; and Mr. Anthony stated that was the first he heard of that. Council Member Sullivan absent.

Mr. Aijaz Khowaja, 11226 S. Wilcrest Drive, Houston, Texas 77099 (713-977-7462) appeared, presented information and stated that their not for profit foundation, Ibn Sina Foundation, was to provide quality and affordable health care ; that this year they projected to serve over 60,000 patients and they had created more than 100 jobs in the area, but it has come under scrutiny by the Harris County Appraisal District, they were proposing to revoke their tax exempt status based on their belief they were not a non-profit entity since they charged a nominal fee from patients to cover overhead cost; and they were requesting Council's intervention as they truly were a nonprofit organization. Council Member Sullivan absent.

Mayor Parker thanked Mr. Khowaja for coming and stated that many were familiar with their foundation and their great charitable work; that she was not sure how they got crossways with the Harris County Appraisal District, but they could not necessarily provide legal advise though many Council Members she was sure was interested in making sure they continued to provide the great work already being provided. Council Member Sullivan absent.

Council Member Hoang stated that if Sina was already denied by HCAD for their nonprofit status and wanted to tax them because they claimed a fee; and upon further questions, Mr. Khowaja stated he was correct and their expenses were very high; that on an average cost per patient visit was \$67.00 and they recovered 66% from patients and they lose about \$1.1 million a year; that they filed an appeal and were denied; and today they were requesting support from Council to help resolve the issue; and Council Member Hoang stated to Mayor Parker that they need to do something for Ibn Sina because they were a great foundation having served over 100,000 clients last year; and Mayor Parker stated that she would point out HCAD was an independent entity; and upon questions, Mr. Khowaja stated that they were a 501c3; and Mayor Parker stated that she would bet there were volunteer lawyers who may could help and Council Members could perhaps come together around that. Council Members Clutterbuck and Sullivan absent.

Council Member Clutterbuck advised the City Secretary previously that she would be leaving the meeting on city business at 2:30 p.m. and would be absent the balance of the meeting. Council Members Clutterbuck and Sullivan absent.

Council Member Adams thanked Mr. Khowaja for all he did; that she learned of him in 2001 from Dr. Sekula-Gibbs and now had opportunity in District D where he was building a clinic to give him all her support; and upon questions to Mayor Parker, Mayor Parker stated that ... Council Members Clutterbuck and Sullivan absent.

Council Member Hoang moved the rules be suspended for the purpose of extending the time for questions of Mr. Aijaz Khowaja, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Members Clutterbuck and Sullivan absent. MOTION 2011-0740 ADOPTED.

To Council Member Adams question, Mayor Parker stated that they would probably research and make sure their 501c3 status was current and active and if so it would make no

difference to them what the Harris County Appraisal District decided to do, but it might trigger a series of reviews by the various government entities which worked with them. Council Members Clutterbuck and Sullivan absent.

Council Member Jones stated that she knew harm to them would hurt the investment in the community; that she would draft something for them and did not know if it would help or not, but she would also speak with HUD and see if they could encourage the Appraisal District to appreciate what they did was a community service and not a for profit; that she would work with them. Council Members Clutterbuck and Sullivan absent.

Mr. Michael Nguyen, 11210 Bellaire #1118, Houston, Texas 77072 (281-827-8019) appeared and stated that he was executive director of a 501c3 non profit and he was present to call for an extension; that their housing was funded by a HUD program, senior apartments for 62 years and older; that September 15th a young driver lost control and hit the fence and two cars of residents and they were lucky no one was hurt; and he did want to thank Council Members who gave them a prompt response. Council Members Clutterbuck and Sullivan absent.

Mayor Parker thanked Mr. Nguyen for coming and stated that Sergeant Baltazar with HPD and Mr. Roberto Medina with Public works was present and there was a process for requesting speed humps and she wanted to make sure he was in the process with correct studies, etc, and he could speak with them before leaving. Council Members Clutterbuck and Sullivan absent.

Council Member Hoang stated that several Council Members had already responded to his letters; that he saw a ninety degree curve and the damage to the fence; and upon questions, Mr. Nguyen stated that it was the third accident recently and he believed a stop sign or speed hump, something to slow drivers down would work; that they did apply for application for traffic study, but heard nothing yet; and Council Member Hoang stated that he saw the area and knew without something placed there more accidents would be coming. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

Ms. Nakila Nash, 13502 Northborough Drive #911, Houston, Texas 77067 (832-322-8886) had reserved time to speak but was not present when her name was called. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Ms. Belvin Davis, 12943 Pinesage Drive, Houston, Texas 77045 (832-366-4282) appeared, presented information, and stated that she was a registered child care giver in Houston and was present asking the City of Houston to reconsider the Building Code for registered and licensed family homes to the five children per home; that she had information on the ratio per provider that the state gave and the city and the city was cutting them from 12 children to 5 children and many questions needed to be answered; that the cut would make many families have to go look again for daycare and it would cut their income and cause many to be unemployed; and urged the number be reconsidered. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

Upon questions by Council Member Adams, Mayor Parker stated that she believed the state law said the total number of children must never exceed twelve and maybe fewer depending on the ages of the children; and she would ask the City Attorney to address the broader question; and Mr. Heilman stated that they would look to the state law for guidance on the number; that he did not see the number five limitation in the ordinance; and Ms. Davis stated that it was the Building Code which authorized the licensed and registered family homes 5 children; and Mr. Heilman stated that he would follow-up with the appropriate section and visit with her. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Rodriguez absent.

Upon questions by Council Member Johnson, Ms. Davis stated that she had children from

two months to twelve years old; that she had a registered family home and in her care she had a ten month old, four year old and five year old; that they were licensed by the state with a twelve ratio. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Rodriguez absent.

Council Member Johnson moved the rules be suspended for the purpose of extending the time for questions of Ms. Belvin Davis, seconded by Council Member Jones. Mayor Parker stated that there was no quorum for a vote, but hearing no objections allowed the questioning to continue. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Rodriguez absent.

Upon further questions by Council Member Johnson, Mr. Heilman stated that he was going to look into the ordinance, review and they would advise. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

Council Member Hoang moved the rules be suspended for the purpose of extending the time for questions of Ms. Belvin Davis, seconded by Council Member Johnson. All voting aye. Nays none. Council Member Noriega absent on personal business. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent. MOTION 2011-0741 ADOPTED.

Council Member Hoang stated that he had the same problem in his district with residential child care, they were in business a long time and received the city's letter; that the Building Code was 1991 and they were trying to see if they were grandfathered, but did not think they were; that the City Attorney was going to research and upon questions, Mayor Parker stated that this was the first time it was brought to her attention and it was in the building code a long time; that they would research it, but she would point out there was a very tragic accident earlier this year and they were inspecting the facilities and looking at their responsibilities so there was much to consider before they undid anything and they would research and she would send all a memo. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

Council Member Jones stated that she was going to ask when this came into effect, but she just cleared it up saying it had been in existence for some time, but she would like to know how they landed at the number five if the state had twelve and perhaps what it was in other jurisdictions; and she was wondering if they could be run out of business by having such a low number; and Mayor Parker stated that there were a lot of neighborhood associations who were very concerned with businesses operating above a certain number of children in their neighborhoods and as a former civic club president she certainly dealt with complaints of multiple kids in a single family home under day care supervision; that they would do due diligence on this; and Council Member Jones stated that she would like a copy of the letter and a reference to Building Code sections specifically. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Council Member Lovell stated that she was registered not licensed; and Ms. Davis stated she was correct; and upon further questions by Council Member Lovell Ms. Davis stated that under state law it was one person, one caregiver, for up to twelve children; and Council Member Lovell stated that registered was different than licensed and under state law being registered she could have twelve children and to her it was unsafe; and as they moved forward with this because there was unsafe situations; that if you were a licensed facility you were required to have two providers for twelve children and she did not think one person with any combination of twelve children could take care of them at the same time; that one reason they moved forward with this was because there was one person in charge of children and they left and it put them in a very dangerous situation and if she became licensed she could have two with twelve children. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Ms. Juanita Sims, 13114 Leading Circle, Houston, Texas 77072 (281-568-8468) had reserved time to speak but was not present when her name was called. Council Members

Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Ms. Sharon Isaac, 3806 Wichita, Houston, Texas 77004 (713-526-9888) appeared, presented information to Council Members and stated that she too was a child homecare provider, she had a licensed home and you could not have twelve children by yourself at one time, but they could have them, just not at the same time; that a licensed home you could have twelve at one time and she had two assistants who helped her and she had been in business fifteen years; that she too was concerned with a cap of five children, she did not want to terminate any one and she had gone through extensive training. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Upon questions by Council Member Gonzalez, Ms. Isaac stated that she had been in business fifteen years and she was just made aware of the five child number two weeks ago when some providers in her area received a letter, she had not received a letter yet; and Council Member Gonzalez stated that the letter from the Fire Marshall's Office seemed to have more of a focus on the Fire Marshals inspection, check list, which they did pass and it made brief mention of the occupants and he would have to refresh his memory. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Council Member Lovell stated that the intent was never to put anyone out of business; that this was her private residence and she may not be able to have her business at home, but she could continue at a commercial building; and Ms. Isaac stated that was correct, but having it at home had a more personal feel and she and most parents were happy with that; and Council Member Lovell stated that this was not the first time the city and state were not in sink, but the bottom line for her was how safe was it for the children. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Council Member Adams stated that she was sure the industry was concerned and saddened with the tragedy which happened and they had brought a valid point; that she supported the protection and what they needed to do, but this Council Member would like to look and make sure.; maybe up the staff number with child number for better ratios. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Pennington absent.

Ms. Lizzie Lovell, 7614 Don Ridge, Houston, Texas 77271 (713-721-5320) appeared and stated that she was present seeking inquiry into services administered through the Health Department in conjunction with the Area Agency on Aging regarding benefits to the elderly in the Houston area; that she and others were denied services without good reason as to why and they were asking it be investigated; that she was approved for dental services since 2007 but had not received any such services and given no reason as to why she was not being served. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mayor Parker stated that she had correspondence to her from the Health Department Director and believed Ms. Kathy Barton was present and could speak with her at this time; that they attempted to communicate with her by mail and perhaps she was not satisfied with the answer, but apparently she required services they were unable to provide through their volunteer dental program and she could meet with Ms. Barton and she would walk her through the options. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mr. Barry Rosette, 5015 Fannin, Houston, Texas 77004 (832-483-3231) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mr. Willie Smith, 3232 Francis, Houston, Texas 77004 (832-208-7698) had reserved time

to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mr. Frank Elias, 10223 Valencia, Houston, Texas 77013 (832-315-8613) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Ms. Carmen Paniagua, 3119 Pecan, Houston, Texas 77087 (713-644-9895) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mr. William Beal, homeless (no phone) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mr. Reginald Ward, 1811 Ewing #5B, Houston, Texas 77004 (281-865-2261) appeared and stated that he stayed in the Museum District and there was a problem with the Houston Police Department when you could not go report something; that in May 2011 he went to report he was being stalked by unknown persons and he went to McKinney and walked in and said he wanted to report what was going on and was told he needed to go to another department there was no one there to take information, an officer then came and escorted him out and said if he went back in he would be arrested; that he called to speak to someone and they said a sergeant would call and one did saying someone would come speak with him and they came and asked if he was a threat to himself or someone else and he said no and he felt they were not there to help and he asked them to leave, but they then handcuffed him and took him to a psychiatric center in Ben Taub Hospital and he was held against his will five days. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mayor Parker stated that she did not hear he had a particular issue with the Houston Police Department, but if he did Sergeant Baltazar was present and could take his complaint. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mr. John Tate, 5868 Westheimer #404, Houston, Texas 77057 (281-687-4859) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Reverend Charles King, 500 Clay, Houston, Texas 77002 (281-433-8140) appeared and stated that he was with the Antioch Baptist Church Downtown and present with the honor of representing Pastor O. B. Winkley and his purpose in being present was to express the church's appreciation for the support received and their permit to establish their sign in front of the church; that they were one of the oldest churches in the city, 1866, 105 years old and dedicated to community service and appreciative of the city as the sign would expand their community service; and appreciated the Mayor's Office, especially Ms. Barreras one of her staff members; that they filed for the sign three years and six months ago and at a standstill until she stepped in and went beyond the call of duty. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Mayor Parker thanked Reverend King for the compliment to Ms. Barreras and stated that she did an outstanding job; that she could only apologize that his application got lost in the bureaucracy and was glad when it was brought to Citizens Assistance they were able to track it and move it forward. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Council Member Rodriguez stated that he appreciated the information and the update; that

they started the process in his office three years ago when he was first elected and he was glad it was finally coming about. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang and Pennington absent.

Ms. Perzetta Hurd, 8010 Wheatley, Houston, Texas 77088 (281-900-8387) appeared and stated that she lived in the Acres Homes Area and her home was involved in the Ella/Wheatley Project, eminent domain, it sat two feet into the easement right-of-way for the project; that the compensation the city was offering would only pay a portion of her mortgage leaving her with a balance and not offering her anything for relocation; that on August 30th she went through the mediation process and was awarded enough to pay off the mortgage, but still nothing for relocation and the City Attorney appealed the decision; that if the City Attorney could appeal the panel's decision why go through the process; that the phase with the judge included different fees she did not have and she was asking they put themselves in her position, how would they feel having someone take their home, still owing a mortgage and having no where to go; that today she was asking they be just and fair with her on the issue, pay off her mortgage and give relocation fees. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

Mayor Parker stated that to be clear it went to mediation and special commissioners were appointed to determine, respectfully it was not the city's obligation to pay off her mortgage, the obligation was to determine the fair market value of properties they condemned and there was a formal process followed; that she was happy to have representatives of Legal meet with her while she was present to determine if any steps were left in the process. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

Council Member Jones stated that she was concerned with what she heard, someone living in their house and the city decided to do something for the greater good and then made them move and she believed it just not right if the city was to condemn her property they at a minimum should pay off the mortgage and pay for relocation services; that she felt they were wrong and if they did not do what was right she would be happy to help guide her to someone who perhaps could help. Mayor Parker, Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Johnson thanked Ms. Hurd for coming and stated that he did speak with Legal regarding her issue and it was most unfortunate that through progress there would be a regression which was the combination of her home and while it may be in order it was not fair; that he understood she may be upside down on her home and owe more than what they were offering; that he would speak with her and Legal and come to a resolution on closing the gap without burdening her or the city; and Mayor Parker stated that someone from Legal was on their way over to speak with her. Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez and Lovell absent.

Mr. Ronald Trotty, 12519 Laurel Meadow Way, Houston, Texas 77014 (281-658-7178) appeared, as others stood in support, and stated that he was a senior inspector with the Neighborhood Protection Department and he had been with the City of Houston since 1985, he was one who was recently laid off; that he had extensive experience in supervising inspection and enforcement procedures used in the administration and implementing of the Building Code and he had served as a liaison between owners, professionals and general public and his last three EPEs were a 4.25, 3.94 and 4.10 and he was in the highest layoffs with 26 years of seniority and he was also a veteran of the U. S. Army; that he was called in and told he would be interviewed that day and he said he was not prepared, but was told he had to interview that day because Ms. Flowers was not available the next day and in the interview Ms. Flowers did not even know which position he was interviewing for and had to ask him; that it was short and he did not have time to prepare and he wanted all to know he also took the Code Enforcement

class for \$300.00 because he was told he would need it so he would not be laid off, he paid it but was not reimbursed or even contacted about it and he would like someone to explain how someone with his veteran status, years of status and excellent EPEs could be exited out of the door while others were kept with less experience, no veteran status and less performance. Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez and Lovell absent.

Council Member Jones stated that she would like to know if a reimbursement schedule was put into place to pay employees back who paid for their license and if so where was it in writing so they could have it to look to and would the September 30th layoffs be extended due to the review of appeals by the Civil Service Commission which she believed was reset until October because if the whole point of the Civil Service Commission was to review whether the layoff was proper how could they do anything final without the process; that she also heard the appeals were reset twice because the city did not come with proper backup and documentation and that was problematic as well as she was certain if a laid off employee came not prepared they would make them go forward anyway and she would submit this was much more serious than that interview; that she wanted to know if any employees laid off from the Department of Neighborhoods had been hired back by the city and if so who were they and what positions did they have; how many laid off employees had received interviews for city positions and who they were and for what positions and why were licensed employees laid off while others without were kept and promoted and she wanted it in writing; and Mayor Parker stated that if she would submit her list in writing it would be helpful. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington and Rodriguez absent. (NO QUORUM PRESENT)

Council Member Gonzalez stated that they had seen HOPE members, city employees, who came to this meeting for many weeks now trying to state their case and it seemed that somehow they should be able to get in a room and work through some of these issues with them; that if the city had a flaw in the process it needed to be corrected or if the city was in the right they needed to make sure it was being communicated effectively as there seemed to be a breakdown somewhere by someone if they were having to keep coming and state their case; that there was an HR Director and department director and it should not be that difficult for them to come and advocate their case, it should not take this many months to get results and he was curious as to what was and could be done and get the right people to the table and get it resolved as they deserved transparency and honesty; and upon questions, Mayor Parker stated that HOPE was meeting on a weekly basis with Mr. Reid and the HOPE Executive Committee met with her earlier today and raised some of the same issues; that Mr. Landon Taylor with Department of Neighborhoods was present and available to answer some questions and some questions were answered but not to the liking of some staff so they were in regular communication; and if Council Member Jones submitted her questions they would share that answer with all Council Members; and they did reimburse for testing and anyone laying out money for the testing on the layoff list would have it reimbursed. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Pennington and Rodriguez absent.

Council Member Bradford stated that the bottom line for Mr. Trotter and others coming he thought rested with were they getting their jobs back and until that was answered in a way where the city examined its process and the city was comfortable it followed proper procedure, protocol, etc., and would not be hiring them back because they appealed the process or results; and upon questions, Mr. Trotter stated that yes he wanted his job back; and Council Member Bradford stated that he did not think anything said in this forum would resolve the fact they were coming here and at some point they would have to say the city did everything proper or they did not do everything proper because of concerns with EPEs, etc.; and upon questions, Mayor Parker stated that she believed about one-third of employees laid off from various departments were placed in various positions within the city but they could update the number and in terms of the EPE process that was a part of the contract signed and there was a formal mechanism to address it and they had their initial meeting; that there were outside experts as well as city staff

and employees working on the EPE overhaul; and Council Member Bradford stated that because of questions on the process used he would request once it was examined and a decision made whether the process would be modified or was okay he would like a report sent to Council Members; and Mayor Parker stated that she believed seven of the laid off employees had grieved to the Civil Service Commission and once they made the termination on whether the process was followed the results would be made available to Council. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Pennington, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Ms. Anika Dowling, 4299 San Felipe, Houston, Texas 77027 (281-224-0459) appeared, as others stood in support, and stated that she appreciated the Mayor's acknowledgement that they did meet earlier and discuss something which pertained to Neighborhood Protection basically on the Civil Service Commission and they appreciated her commitment to review the process; that she heard over and over why were they present and they did not feel the ordinance they worked with the city was followed and they could agree to disagree; that people sitting behind her there were over 20 years and EPEs were high, but they, herself included, the leadership of HOPE negotiated with the city and ordinance which provided for seniority along with EPE, but what was done in Neighborhood Protection was not recognized by the ordinance agreed to; that of the 17 people laid off some had licenses and some great EPEs; that they kept coming as they were not a part of the process and did not know how it was done and would keep coming as this was their lives; and she was asking again on behalf of all those laid off because this was the one that could not be agreed with and would urge Mayor Parker as she looked through the process; that the Civil Service Commission felt there was more to look through and urged the Mayor and Council do the same. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Pennington, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she wanted to acknowledge they did not always agree and it was not the purpose of meeting, but she did appreciate the fact HOPE sat with her on a quarterly basis and they (HOPE) were meeting on a weekly basis with Mr. Reid to make sure issues could be dealt with as they came up; that HOPE worked hard for its members and she acknowledged it and in addition to all other mechanisms they had full access to this venue as well and it was totally appropriate they be here; and Ms. Dowling stated that they did meet with Mr. Reid on a weekly basis as there were so many things to talk about and Neighborhood Protection was a big one. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Pennington, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Upon questions by Council Member Bradford, Ms. Dowling stated that the ordinance as written was consistent to what HOPE agreed to; that one example of what was violated, not consistent with the ordinance was the ordinance went by classification and within that it was placed in tiers based on your EPE and they had someone present who had 20 plus years and a 4.99 EPE and laid off while someone with a lower EPE and lower seniority was kept; that there was opportunity to appeal at Civil Service which was pushed back and now pushed back again. Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that the Administration agreed completely that what happened in Neighborhood Protection was not consistent with the layoff ordinance, they did not believe it fell into the layoff ordinance as it was a departmental consolidation which was treated differently and that was the crux of the dilemma. Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Ms. Dowling stated that the appeals were pushed back; that two weeks ago they were to review items to see if there would be an appeal,

but they started having conversations like they were having a hearing and then shut it down in the middle of the process and told everyone they were pushing it back two weeks; that in other cases of hearing an appeal or review it may not be a big deal, but if you were waiting to be laid off it was huge; that today they reviewed it and decided there was something they wanted to look at and hear the appeal on so they pushed it to October 11th and by then they would already be laid off; and Council Member Adams stated that if she remembered correctly the appeal was extended until September 30th; and upon further questions, Mayor Parker stated that they agreed the appeals process was to take place within the 45 day period, unfortunately at the most recent hearing the City Attorney assigned struck ill at the last minute and did not appear; that she would acknowledge the Civil Service Commission was unsure how to proceed and they delayed it until this morning and then chose to delay another two weeks; that it was not appropriate at this point for the city Administration to try and impose an answer on the Civil Service Commission because they were independent, however, they had the ability if they reinstated someone to award back pay to the date of the layoff, the current layoff stood as of Friday but they could reinstate. Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez and Lovell absent.

Ms. Caroline Klinglesmith, 4299 San Felipe, Houston, Texas 77027 (281-224-0459) appeared, as others stood in support, and stated that she was organizing director with the central region of the country for the International Union AFSCME and she had been here since mid July; that she was sent here to coordinate ratification effort and still here because of what happened in Neighborhood Protection; that the travesty of justice inflicted on their membership; that their union would put any resources they had to continue the fight because they suffered 747 layoffs in July and they were painful and hurt, everyone put out on the street hurt, but they were done the right way, they did not come to Council every week and protest what happened they worked through the process as it was done the right way, but this layoff was not done the right way; they agreed to an ordinance and worked with them on the ordinance fairly and it ended years of selected layoffs; that if they allowed them to revert any department in the city then they allowed them to revert back to the old system; that if they did not fight for their members then where would it end, it would continue through departments month after month; that they could call this reorganization all they wanted, but it was still getting around a fair and equitable ordinance; that Ms. Flowers was director of the department and she should be giving them answers and not Mr. Omar Reid, she made the decisions based on five to ten minute interviews and a man like Mr. Fidel Martinez who proved his worth to this city out in the streets doing the work for ten years was not offered a job because of a ten minute interview; that her union would spend the resources to take their workers through this because it was more than 17 people and those standing in support were from various departments standing in support because they knew an injustice to one was an injustice to all. Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez and Lovell absent.

Council Member Jones stated that she was stunned, she was a part of this governing body who voted on things and she had another question to whoever was responsible, where in the collective bargaining agreement did it say the Department of Neighborhoods was not subject to the layoff ordinance, because she would respectfully submit to them if it was not in the four corners of the agreement or contract then it was not in there, she wanted the specific section; that she also wanted to see where in any memo sent to her Council Office or any of her colleagues offices they were told there were special layoffs or re-orgs not subject to the layoff ordinance because if she would have known it she would never have signed off on it; that she wanted to know if there were anymore secret agreements or ascertains out there she should know about which she would find out about in the future as it was very problematic to her; that they had probationary people with jobs and getting promotions over people with track records and incredibly high EPEs; that whatever the rules of the game are people should have them; and Ms. Flowers still had not answered her questions from three to five months ago; that she asked two questions requiring two numbers, the number of inspectors from the Department of

Neighborhoods laid off and the number rehired and instead she gives the company line and to Ms. Flowers if she was listening she wanted two numbers, how many laid off and how many hired back; that in her opinion it was meant to confuse and set a terrible precedent and would cause problems in any future negotiations because you had to have people at the table in good faith and she would not deal with someone she could not trust; that in court if one party was not prepared they went for it anyway and the fact the Civil Service Commission was moving stuff back because they were unprepared, they had all the resources the HOPE people didn't and now they were past the date of being technically fired and they were wrong for what they were doing. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Rodriguez absent.

Mr. Wade Countryman, 3614 Shady Village, Kingwood 77345 (281-382-3671) appeared, presented information and stated that he and Mr. Anthony, who spoke earlier, wanted to talk about why they did not want the rehabilitation facility in their area; that he had the deed restrictions which stated for that tract of land should not be used except for residential purposes, etc., and he could email it to them if they would like; that they were opposed to the location of the facility and not the facility; that the Kingwood Montessori School was one-tenth of a mile away and Shadow Forest Elementary was four-tenths mile away and the safety and wellbeing of their children was their number one priority and the facility would house up to sixteen men. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Rodriguez absent.

Mayor Parker stated that they continued to meet with Council Member Sullivan to make sure he had all facts and they were aware of deed restrictions in the surrounding neighborhood, but their research indicated the particular lots on which the facility was to be located was not covered by the existing deed restrictions and if they were in error they would invite him to provide them the information and share it with the Legal Department; and Mr. Countryman stated that the facility was already a home and being retrofitted for this purpose and if it did have to be ADA compliant he had questions as it needed an elevator, ramps, etc., and if that one plot did not have the deed restrictions and they could not stop it through that then did it mean the Federal Housing Act superseded the local deed restrictions and this could go next to their house or anyone else's house; and Mayor Parker stated that she lived for years one block from a similar facility which did not accept court referrals and they could make a commitment and legally bind themselves to only have private referrals and it did make a difference to the neighborhood. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Gonzalez and Rodriguez absent. (NO QUORUM PRESENT)

Council Member Jones stated that he was saying Congressman Poe said the facility did not implicate federal fair housing and the city's position was that it did; and upon questions, Mr. Countryman stated that he thought that was right, it seemed everyone was passing it to someone else, they too were confused as they were told it was federal so they contacted Congressman Poe and his legal department did research and said it would fall back to the local jurisdiction and then Council Member Sullivan had been helping and was saying Congressman Poe's office researched it and determined the current circumstances did not invoke the Federal Fair Housing Act and then Mayor Parker sent them a standard response that said, "While there may be other reasons to deny a permit in the given case, it would violate the Fair Housing Act to deny a permit solely because a home is being used as a drug and alcohol rehabilitation center.", however, there was the Texas Fair Housing Act and also a Federal Housing Act from what he understood and the Texas Fair Housing Act specifically prohibited this under Chapter 301 of the Texas Property Code; and Council Member Jones stated that she thought she knew what was going on and to the Administration was there a document which told them why they took the position they took and the law backed it up; and Mayor Parker stated that they provided the information to Council Member Sullivan and could share it with the rest of Council. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Ms. Tiffany Scales, 3806 Smithers Lane, Missouri City, Texas 77459 (713-396-2787) appeared, presented information and stated that she was founder of Toiletries For Families, the bridge between the gaps; that she had passed out flyers for events she had held and was inviting all to her upcoming event for Sunday at the Gallery on 19th Street, it was for domestic violence awareness and she was asking for hygiene and makeup items to be donated; that she had friends, etc., who needed a place to sleep and eat and at one point had six people in a one bedroom apartment, she was on a fixed income and household items became very scarce and had to choose needs over wants even when not her own. Council Members Stardig, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Member Jones stated that she had the privilege of knowing Tiffany and thought she brought to everyone's awareness basic needs people often took for granted; that she dealt with children in the school system who smelled and people thought the parents did not care, but it was they had no money for soap so there was definitely a need. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez thanked Ms. Scales for coming and taking up the cause and stated if someone wanted more information could she let that be known; and Ms. Scales stated that their number was 713-396-2787. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Costello and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Tomaro Bell, 3248 Charleston, Houston, Texas 77021 (713-825-8449) appeared and stated that she was present to congratulate and thank Council Members who came yesterday...; that they were about to be encroached with a cell tower and did not want it and felt it violated requirements the city had in place, nevertheless he was granted a hearing, but thanks to the persistence of Council Member Adams and Council Member Jones they prevailed; that Neighborhood Protection, Ms. Barreros, they came and told them how to proceed; that the lady from Planning presented his packet like he met all requirements and he had not and thanks to Rob Todd who wrote the ordinance the first line prevented him getting what he was requesting and she was asking all to look into the ordinance because if an applicant violated the rules they should not be granted a hearing and he had nothing. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

Mayor Parker stated that they appreciated her and she would find out why they were allowed to go for a hearing when they did not qualify. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez, Costello and Lovell absent. (NO QUORUM PRESENT)

Council Member Adams thanked all for coming yesterday and making their voices heard, thanked Commissioner Todd and stated that the commission followed the rules to the letter and she commended them for doing so, but something needed to be done at the initial phase of the application to keep it from getting so far. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington and Rodriguez absent. (NO QUORUM PRESENT)

Council Member Jones stated that the cell tower was on Ardmore and the National Night Out was on Ardmore; that Rob Todd had a niche understanding of cell towers and it did not surprise her he knew everything; that specifically related to this from Legal she wanted the section of the code of Ordinances which told the prerequisites for having a commission and find out if there was something there and they dropped the ball and make sure it did not happen again, but if there was nothing to stop them from getting to the hearing even if they had nothing

they needed then they needed to consider revising the ordinance. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Dennis Woodward, 943 Thornton Road, Houston, Texas 77018 (713-290-8961) appeared and stated that he was present regarding the tree crisis in Houston hoping to change the course of history with respect to how the city treated nature; that they could change the way they dealt with nature and save about \$3 million in the process right now; that many trees were dead and dying and he assumed the plan was to cut them and haul away as in Ike, it would cost \$4.5 million, but if the contractor left the trees on the ground or moved them slightly they would save millions and increase the tree cover in the city, reduce flooding and increase the likelihood that those alive would continue to survive; and urged they change direction, not haul away and just let it go away by itself. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Mr. Woodard stated that he schooled his children at home and was a gardener; and Council Member Adams stated that she wondered what he did as he was so passionate about environment and trees, etc., Council Member Adams thanked him for coming with creative ways to save the environment; that so many trees had died due to the drought, there were many trees. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that the city had an Urban Forester on staff and they tried to follow good forestry practices; that one concern was leaving them in place would create a fire hazard; and Mr. Woodard stated the way to dispose of a tree properly was to let it decompose and become soil again; and Vice Mayor Pro Tem Gonzalez stated that they would follow-up with the Department Director and thanked Mr. Woodard for coming. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello 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 being here made him wonder what was a woman, he knew what a man was, why so much hate; and continued to express his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Maria Abraham, 3427 Cave Springs Drive, Kingwood, Texas 77339 (832-881-0104) appeared, as others stood in support, and stated that she was present last week and was one of those laid off employees with Neighborhood Protection; that she had been with the city sixteen years and her EPEs were very good; that she was promoted four times and the layoff was a shock, she followed procedures and had her license, she followed all the rules and now was a single parent in a hardship situation; that it was affecting her and her daughter and she was applying with the city and did not know what to do. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Adams stated that she had been communicating with HR and sending cc's to HOPE reps; and upon questions Ms. Abraham stated that since she was present she was told she did not get the Customer I position in her old department and she was not sure who it would be given to; that no one contacted her about her laid off status since she was present last. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang,

Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she had more questions and would add them to her list; that she was sorry about what the city had done to Ms. Abraham and she wanted to know who got the job she applied for in the Customer I Position and did they come within the city or not and if the person came within the city she wanted to see their previous EPEs and how many years of service they had; and Ms. Abraham stated that she wanted Council to take into consideration her sixteen years of service and her commitment to the city; and Council Member Jones stated she also wanted to know why Mr. Reid was the person to talk to about decisions made by Ms. Flowers and in writing, why was it appropriate because he could not say why she made the decisions she made. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Timothy Cheng, 19331 Dickerson Park, Spring, Texas 77373 (832-859-3053) appeared, as others stood in support, and stated that he was an employee laid off from the Department of Neighborhood Protection; that he spoke last week and he had been an employee since 1995 and he had applied for at least seven positions with the City of Houston and not even granted one interview and he was asking Council's help in securing another job with the City of Houston and thanked all those in HOPE. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Vice Mayor Pro Tem Gonzalez, Mr. Cheng stated that he applied for positions even demoting himself, but no one called; that he was a pay grade 13 and even applied for pay grade 10; that he and others were really on their own, but all could be solved with God's help. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Fidel Martinez, 2031 Greenford, Houston, Texas 77049 (713-818-0358) appeared and stated that he spoke about four weeks ago and since had one interview with the City's Public Works Department and he did not qualify; that he applied for several jobs he did qualify for and had an interview on Thursday, the day before he was to be laid off, with Parking Enforcement; that his sergeant fought for him to stay with the HPD Fast Unit and that may be what got him out of Neighborhood Protection as in the interview he was asked if his sergeant was still trying to get him to the Fast Unit and he felt that hinged on his employment. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Adams stated that they had reviewed his resume and it was impeccable, a former veteran who served this country, his EPEs were outstanding and he came daily and did well in his division; that if she was his leader he would not have been laid off; that one thing she did was whenever she had to let someone go she picked up the phone and called a director or someone if she knew there was a vacancy asking for consideration of the individual be given to see if they qualified and she felt if that would have been done they would not be here today, because she saw the vacancy list; that it seemed the wheels kept spinning and no one was stopping them and it was a sad day to have good employees laid off with no justification and she wanted the reason someone with a 4.9 EPE who came to work daily with a license was laid off, but the answer she received was reclassified; that she and some colleagues were not happy and fighting for him and the Administration was looking into this, but her question was were they asking the right questions and was the person providing accurate information because at some point someone should be responding to them; and she would be contacting union reps because

she wanted them to know what responses she was being given; and she hoped someone would really look at his credentials and see he was really a good employee. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that another question she had was she wanted to know if it was true that someone had at least ten years and a high EPE and certification and was laid off and someone had two years and no certification and not; that she wanted it from the powers that be and another question was if it was true then she wanted it explained how Ms. Flowers landed on the decision and wanted that in writing and she wanted the official company line. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373) appeared and stated that his property was taken, criminal charges with Westside Command Station; that Bill White was directly involved; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Paula Harrison, 14410 Brunswick Point Lane, Houston, Texas 77047 (713-549-2585) appeared, presented information and stated that she was again present to discuss public housing for the downtown area and discrimination there; that the Houston House agreed if the Housing Authority would put them on public housing they would be honored to have low income minorities living there; and continued expressing her personal opinions until her time expired. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

At 4:31 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, September 28, 2011. Council Member Noriega absent on personal business. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Pennington, Rodriguez and Costello absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, September 28, 2011

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, September 28, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney, Legal Department; Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present. Council Member Jarvis Johnson absent on personal business.

At 8:31 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:04 Mayor Parker called the meeting to order. Council Members Clutterbuck, Adams, Sullivan and Rodriguez absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 25

ACCEPT WORK - NUMBER 2

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$15,067.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.** for Asbestos Abatement and Demolition at Tidwell Park and Glover Park - **DISTRICTS B - JOHNSON and I – RODRIGUEZ** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck, Adams and Sullivan absent. MOTION 2011-0742 ADOPTED.

PROPERTY - NUMBER 3

3. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joel McMullen of BEC-LIN Engineering, L.P., on behalf of 16400 Partners, LLC., (Michael E. Montgomery, Managing Member), declining the acceptance of, rejecting, and refusing the dedication of a ±10-foot-wide utility easement and the attendant ±15-foot-wide aerial easement, in the Park Ten Section One Subdivision, out of the Washington County Railroad Company Block 3 Survey, A-902 and the David Middleton Survey, A-535, Parcel SY11-113 - **DISTRICT A - STARDIG** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck, Adams and Sullivan absent. MOTION 2011-0743 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 and 4A

4. ORDINANCE appropriating \$316,992.90 out of Water & Sewer System Consolidated Construction Fund for Plugging of Decommissioned Water Wells for Public Works & Engineering Department - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck, Adams and Sullivan absent. ORDINANCE 2011-828 ADOPTED.
- 4a. **WEISINGER INCORPORATED** for Plugging of Decommissioned Water Wells for Department of Public Works & Engineering - \$301,898.00 and contingencies for a total amount not to exceed \$316,992.90 - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK and E - SULLIVAN** - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck, Adams and Sullivan absent. MOTION 2011-0744 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 7 through 25

7. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a right-of-way easement over a portion of Robin Street; vacating and abandoning the easement, and selling a portion of the easement to Antioch Missionary Baptist Church of Christ, "owner", in consideration of owner's conveyance to the City of owner's fee interest in a portion of the street; approving a Lease Agreement and consent to encroach, and designating a utility corridor, all in the Senechal Addition, South Side Buffalo Bayou - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-829 ADOPTED.

9. ORDINANCE approving and authorizing Interlocal Agreement by and among the City, **HARRIS COUNTY**, and the **MENTAL HEALTH MENTAL RETARDATION AUTHORITY OF HARRIS COUNTY** for the Operation of the Crisis Intervention Response Team Program - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-830 ADOPTED.
10. ORDINANCE approving and authorizing Continuation Grant Application and Contract (Contract No. 2012-039146) with the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the HIV Rapid Testing Program; declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services Department to accept and expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-831 ADOPTED.
11. ORDINANCE appropriating \$595,210.59 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), and Reinvestment Zone Number Twenty-Two, City of Houston Texas (Leland Woods Zone) for administrative expenses, payment of project costs, payment to Houston Independent School District, and payments to certain redevelopment authorities as provided herein - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-832 ADOPTED.
13. ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services for the Houston Airport 3 Years - \$150,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Clutterbuck and Adams absent.
14. 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 not been received, and the

City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Clutterbuck and Adams absent.

15. ORDINANCE approving and authorizing the first amendment to the agreement for relocation and maintenance of Engine 982 and the first amendment to the agreement to consent to encroach to be entered into by the City of Houston and **HOUSTON JUNIOR CHAMBER OF COMMERCE ("JAYCEES") - DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-833 ADOPTED.
16. ORDINANCE issuing a permit to **HOUSTON PIPELINE COMPANY LP** to operate, maintain, improve, repair and replace an existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-834 ADOPTED.
17. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **THE TEXAS MEDICAL CENTER** to fund a portion of a transportation study in the Texas Medical Center - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-835 ADOPTED.
18. ORDINANCE consenting to the addition of 12.23 acres of land to **KINGS MANOR MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-836 ADOPTED.
19. ORDINANCE appropriating \$1,887.00 out of Street & Bridge Consolidated Construction Fund and \$12,827.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the replacement of Wynnwood Lane Bridge at Harris County Flood Control District; providing funding for CIP Cost Recovery and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-837 ADOPTED.
20. ORDINANCE appropriating \$180,000.00 out of Water & Sewer System Consolidated Construction Fund; \$102,500.00 out of Drainage Improvement Commercial Paper Series F Fund; and \$102,500.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to the Professional Construction Management and Inspection Services Contract between the City of Houston and **MDA ENGINEERS, INC** (Approved by Ordinance No. 2009-419) for the Water Line Grid Extensions along Bellfort, Richmond, Reed, West Tidwell, Griggs & Brock and to Provide Project Coordination Services - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-838 ADOPTED.

21. ORDINANCE approving and authorizing second amendment to Professional Construction Management and Inspection Services Agreement between the City of Houston and **OMEGA ENGINEERS, INC** for Emergency Repairs of water service connection breaks - \$1,388,000.00 Enterprise Fund - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-839 ADOPTED.
22. ORDINANCE appropriating \$546,250.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TLC ENGINEERING, INC** for Work Order Engineering Services associated with Wastewater Facilities Safety and Security Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-840 ADOPTED.
23. ORDINANCE appropriating \$4,119,450.70 out of Street & Bridge Consolidated Construction Fund and \$1,294,807.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LLC** for Neighborhood Street Reconstruction Project 450; 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 Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-841 ADOPTED.
24. ORDINANCE appropriating \$870,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Piping Rock Lift Station Replacement; 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 G - PENNINGTON** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-842 ADOPTED.
25. ORDINANCE No. 2011-820, passed first reading September 21, 2011
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 **SECOND READING** - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-820 PASSED SECOND READING IN FULL.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MISCELLANEOUS

1. RECOMMENDATION from Director Finance Department for approval of proposed Equipment Acquisition Plan for FY2012 - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. MOTION 2011-0745 ADOPTED.

RESOLUTIONS AND ORDINANCES

5. RESOLUTION designating a certain property within the City of Houston as a landmark and protected landmark - (Colburn House, 301 E 8th Street) - **DISTRICT H - GONZALEZ** - was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. RESOLUTION 2011-0026 ADOPTED.

6. RESOLUTION designating certain properties within the City of Houston as historic landmarks:

Early Republic House	3260 Chevy Chase Drive	<u>DISTRICT G - PENNINGTON</u>
Baker-Jones House	22 Courtlandt Place	<u>DISTRICT D - ADAMS</u>
Murray-Bertrand House	3720 Inwood Drive	<u>DISTRICT G - PENNINGTON</u>
Wahlberg House 816	Arlington Street	<u>DISTRICT H - GONZALEZ</u>
Eugene Rolfs House	67 Tiel Way	<u>DISTRICT G - PENNINGTON</u>
Ernest L. Shult -	2411 River Oaks Boulevard	<u>DISTRICT G - PENNINGTON</u>
John B. Connally Jr. House		

- was presented. Council Member Sullivan voting no, balance voting aye. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. RESOLUTION 2011-0027 ADOPTED.

8. ORDINANCE appropriating \$30,000.00 out of General Improvement Consolidated Construction Fund, \$100,000.00 out of Public Library Consolidated Construction Fund, and \$60,000.00 out of Police Consolidated Construction Fund; approving and authorizing first amendment to the Citywide Roof Consulting Services Task Order Contract between the City of Houston and **BUILDING ENVELOPE CONSULTANTS, LLC** (Approved by Ord. No. 2008-0890) for various City Departments - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-843 ADOPTED.

12. ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services related to Tourism and Economic Development on behalf of the City of Houston - 3 Years - \$150,000.00 - General Fund - was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-844 ADOPTED.

NON CONSENT AGENDA - NUMBER 26

MISCELLANEOUS

26. **SET A PUBLIC HEARING DATE** relative to the creation of **REINVESTMENT ZONE NUMBER TWENTY-THREE, CITY OF HOUSTON, TEXAS (HARRISBURG ZONE) - DISTRICTS B - JOHNSON; H - GONZALEZ and I - RODRIGUEZ - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - OCTOBER 12, 2011** - was presented. Council Members Clutterbuck and Adams absent.

Council Member Gonzalez moved to set a public hearing for Wednesday, October 12, 2011 relative to the creation of Reinvestment Zone Number Twenty-Three, City of Houston, Texas (Harrisburg Zone), seconded by Council Member Hoang. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. MOTION 2011-0746 ADOPTED.

MATTERS HELD - NUMBERS 27 and 28

27. 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 – (This was Item 2 on Agenda of September 21, 2011, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented, moved by Council Member Bradford, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. MOTION 2011-0747 ADOPTED.
28. ORDINANCE providing for the assessment, levying and collection of Ad Valorem Taxes for the City of Houston, Texas for the Year 2011 – **(This was Item 7 on Agenda of September 21, 2011, TAGGED BY COUNCIL MEMBER SULLIVAN)** - was presented. Council Members Clutterbuck and Adams absent.

Council Member Sullivan stated that he tagged the item last week because he wanted to make sure that they spend a moment to let the public know that these numbers had been scrubbed through the Prop 1 and Prop 2 debate and that the tax rate was such that it was almost \$72 million less than allowed by law with respect to Prop 1, that he thought it was a testament to the Council's effort and the Mayor's leadership to make sure that they did pass a budget that allowed them to provide services but for less money and he wanted to highlight that. Council Members Clutterbuck and Adams absent.

Council Member Pennington stated that what he noticed at looking at the information last time was that once the taxes were allocated for the street and drainage projects, which was almost 12 cents that would only leave them paying about 3 cents to 4 cents in debt service, which he thought was wonderful financial planning. Council Members Clutterbuck and Adams absent.

A vote was called on Item No. 28. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Clutterbuck and Adams absent. ORDINANCE 2011-845 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Lovell stated that she would be joining the Greater East End Management District tomorrow morning to break ground on their new livable centers project at the corner of Sampson and Canal Streets, a \$5 million project, that Federal Stimulus Money was paying for the improvements and the project was taking place between the existing curb and property lines so there would be no traffic interruption, that if they had not gone over to Harrisburg the beginning of the rail lines were there, that Ms. Diane Schenke from the Greater East End Management District was present and she wanted to say thank you to them because of their efforts and leadership on the graffiti issue they had been able to prove that the graffiti in the City had gone down considerably, due to do the efforts that once it was up they took it down, they could do it probably 50% cheaper and also they could color map so they would not have many graffiti scars all over the City. Council Member Clutterbuck absent.

Council Member Noriega stated that she appreciated Council Member Lovell comments about the Greater Eastwood Project, that she intended to be there as well, that one of the things that was so exciting about what was going on in the East End was that she was watching 20 to 30 years of work pay off, that she was president of the civic association in Eastwood and had lived there 20 years, that area of town was really transforming, that she wanted to thank Diane Schenke and the group and planned to see them in the morning. Council Member Clutterbuck absent.

Council Member Adams stated that last Thursday the Houston Minority Business Council Annual Business Expo was held at the George Brown Convention Center; that last Friday she had the opportunity to sit and dine with alumni and leadership of Texas Southern University as they honored Jacob Zuma, President of the Republic of South Africa, held at the university museum; that September 28, 2011 she would join the President of the Houston Independent School District, Paula Harris, as well as other members, as they opened the Young Women College Preparatory Academy, at 1906 Cleburne Street, that they would focus on STEM academics; that the upcoming Tuesday many of them would be celebrating National Night Out with their civic organizations and were asking all District D civic clubs and community organizations to organize and meet their neighbors and community members, that as always the District D office would be making their way around the district; that on Friday, September 30, 2011 at 7:30 p.m. there would be a concert of a stellar group of national and renowned and local gospel artists at the New Light Christian Center East 7317 East Houston Road Campus; that she would ask that Public Works either contact her office or do a visit at South Acres, between Cullen and Martin Luther King, that she knew that all the streets in the area were having trouble with cracking, but when the Fire Department called her because the fire trucks were tilting over when they were going down this particular street, that she would pass the Mayor a photo, that the fire trucks were tipping over and they did not like going down that street to make their route, that she wanted to thank Fire Station 55 for hosting them and her staff member Shavonda Johnson for going the extra mile and doing a site visit and taking pictures.

Council Member Stardig stated that last Thursday the Houston Fire Department, Members of CERT, Mayor's Assistance Office and her office took part in Houston Fire Department's "Get Alarmed Houston Campaign", that Engines 5, 50, 49, 77 and Ladder 77 assisted in installing 81 smoke detectors and 16 batteries to homes within District A, that the event helped those who did not have a working smoke detector in their homes and provided them fire safety information, that she wanted to thank all Laura Hunter and Beta Kent, Houston Fire Department, Bill Awkhorn, CERT, and the participants who volunteered their time to assist those in need; that Saturday she attended the John Knox Presbyterian Church Arts and Crafts Bazaar, that it was in its third year; that Sunday she was able to join members of the Shepherd Forest Civic Club at Stonecrest Park for a picnic, it was a great event, that she wanted to thank mounted patrol and all those who participated and supported the event; that also on Sunday she attended the Fifth Annual National Day of Remembrance in Hermann Square, the event honors and remembers the victims of crimes and the names of victims that had been killed in the past year were read, that she wanted to thank the families that had lost loved ones and attended the event to share their stories, that she personally read a list of names from one month which included 27 names and also included Officer Will, that she attended the event to honor one of her District A residents who was murdered the last year, Jonathon Foster, that she wanted to thank Andy Khan for inviting her to be part of the event on Sunday and for her colleagues who were able to attend it was a great event; that yesterday she attended the grand opening of Edgewood Elementary School in the Spring Branch area. Council Members Clutterbuck, Sullivan, Rodriguez and Lovell absent.

Council Member Pennington stated that there would be a public hearing on Reinvestment Zone No. 23, that he wanted to second Council Member Noriega's applause to the people who

were working to improve the East Side, particularly Diane Schenke; that on Monday he met with the Memorial Super Neighborhood, that he wanted to thank Mayor Parker and Public Works Director Krueger for continuing to involve the area in a meaningful basis and the planning for the improvements of Memorial Drive, from Kirkwood West to Eldridge Road; that last night he attended Scenic Houston's annual event where the Mayor was honored for her efforts to improve neighborhoods. Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez and Lovell absent.

Council Member Jones stated that she too attended the event at Texas Southern University; that she attended the Alief Parade, that she wanted to give a shout out to Olle Middle School and Alief Elsik High School, which she attended; that last Friday she attended, also in Alief, a candle light vigil for Asher Brown, who was bullied and took his life in September of last year, that there were a number of parents whose children had committed suicide who came in from all around the Country; that there would be a Housing and Community Development Committee meeting tomorrow, Thursday, September 29, 2011, at 2:00 p.m. in the Council Chamber. Council Members Stardig, Clutterbuck, Sullivan, Rodriguez and Lovell absent.

Council Member Costello stated that on September 18, 2011, which was the last day of the fine arts fair that was sponsored by the Houston Art Alliance, he and his wife spent several hours walking through the Convention Center and looking at some unique art from galleries from all over the Country that were in Houston, that he wanted to give them a quote from Artnet.com Magazine about the event and about Houston, "And for the teeming slate of sales at the inaugural Houston Fine Arts Fair, September 16 through 18, 2011 at the George R. Brown Convention Center, Houston is a new destination on the global arts circle, in terms of art world bravado, dynamic museums and contemporary collectors, Houston just may give Miami and Los Angeles a run for their money", that something that Mayor Parker stated at the Scenic Houston event was that they were changing in image, their City was changing tremendously and they were no longer the cowboy image they were truly a contemporary City and he thought the arts were reflecting that, that he wanted to remind people that were watching that they had several up coming art events, the Bayou Arts Festival, downtown at City Hall, October 8 and 9, 2011 and the Texas Contemporary Art Fair, October 20 and 23, 2011 at the Convention Center. Council Members Clutterbuck, Hoang, Rodriguez and Lovell absent.

Council Member Bradford stated that as had been mentioned, Tuesday, October 4, 2011, was National Night Out and knew that a number of communities had already planned various type of activities and events as well, that he would be making the rounds at different locations across the City of Houston, that the activities generally started about 5:00 p.m. and ran through 9:00 p.m., that he would strongly encourage their neighbors throughout the City of Houston to participate in National Night Out because it was one of many components of community policing which allowed neighbors to establish contact with each other, that there were many neighborhoods across Houston where people really did not know who lived next door or across the street so this was an opportunity to establish contact with the person who lived in their neighborhoods; that the month of October was Domestic Violence Awareness Month, that working together to end the family violence, that it was learned behavior and was a criminal offense, that nearly 25% of women surveyed and 8% of men surveyed said they were raped or physically assaulted by a current or former spouse, partner or date, that it not only effected the victims directly but also impacted the children and the entire family as well, that working together they could change the attitudes and perceptions about domestic violence, that for more information the U.S. Justice Department had a brochure and website as well concerning domestic violence, particularly violence against women, 202-370-6026 or the website to get additional information, that the Houston Police Department and other law enforcement could be contacted, they all had particular units and investigators who were especially trained to deal with domestic violence issues in their community. Council Members Hoang, Rodriguez and Lovell absent.

Council Member Sullivan stated that he would have a townhall meeting in Kingwood, Monday, October 3, 2011, 6:00 p.m. to 7:30 p.m. at Woodbridge Baptist Church, 5707 Kingwood Drive; that yesterday, as they knew, they presented a proclamation to Montgomery County Commissioner Ed Rinehart and as he walked back to his car with him he said how much he appreciated it and how much it meant to him, that he took great pride in the work he had done at Lake Houston Wilderness Park, that he was a good partner for them; that as they prepared for Domestic Violence Month on Sunday they gathered on the steps of City Hall to recognize a ceremony for parents of murdered children, that he wanted to thank Andy Khan for his continued advocacy in areas of victims assistance, that he was a legend within in that subject and known throughout the world not just in this Country, that he wanted to thank members of Houston Police Department who attended; that he wanted to ask Mayor Parker for her assistance on lobby registration reform, one of the key components of it and a goal of his to the Ethics and Council Governance Committee was to have a searchable database and last time he checked they still were not there yet, that he mentioned it to City Attorney Feldman and thought it may be an IT issue, but if they could keep that moving along, that was something that they all agreed to at the Council table and thought it was part of the openness and transparency that they would like to have at City Hall, that right now it was in an Excel format and that was not twenty first century, it was old school, they needed to be able to type in a company name or lobbyist name a full list come up, so if she could move that along he thought it would be good for the public and he would certainly appreciate it. Council Members Rodriguez and Lovell absent.

Council Member Gonzalez stated that he wanted to thank the Neighborhood Centers Independence Heights Facility for inviting him to their Fiesta Taco Fund Raising, which benefited their various programs for youth and adults, a special thank you to Blanca Saldana, Gloria Urteaga and Jose with Fiesta Club Party; that Paws on Patios was now a reality and he was happy that their four legged friends would now be welcomed at selected restaurants, that he wanted to thank Pat Walsh and Paws on Patios for all of their hard work in making this a reality, that he was proud to help and thanked the administration and all those involved in the planning process, that he and the Mayor enjoyed lunch at Ziggy's this week their very first Paws on Patios location; that on Tuesday, October 4, 2011, District H would be celebrating National Night Out, as they heard Council Member Bradford state, and he encouraged all to visit one of their neighborhood celebrations, for more details contact their team at 832-393-3003, that he looked forward to seeing neighbors, friends and families throughout the district; that he would like to congratulate a fellow Saint Thomas Alumnus and friend, Walter Suhr, who today would be celebrating twenty years of "Mango Punch" at Talento Bilingüe de Houston, that he would encourage all of them to stop by and see the Salsa musical group; that on October 8 and 9, 2011, the Bayou Festival Art Festival would be celebrating 40 years on the grounds of City Hall, that over 300 artists would be displaying their work, that for more information please call 713-521-0133, the festival was a family friendly atmosphere and always a good time; that as they heard tomorrow the East End groundbreaking would take place, new sidewalks on Navigation, Sampson and York were upcoming, that he was also glad to see that streets were approved on today's Council agenda, reconstruction for North Super and North Eastwood as well, that he was grateful for all of the work of the East End Management District. Council Members Clutterbuck and Rodriguez absent.

Mayor Parker stated that the two items that were not in earlier had been received so she would ask that the Council Members not go to far. Council Members Clutterbuck, Rodriguez and Bradford absent.

Council Member Adams stated that she wanted to thank Leadership Houston Class 30, this past weekend they had their retreat and it was a wonderful experience; that she wanted to say congratulations to Cadet Class 210 for last night's graduation from the Houston Police

Department Academy. Council Members Clutterbuck, Rodriguez and Bradford absent.

Mayor Parker stated that she wanted to thank Council Member Adams for mentioning that, that she and Controller Green were present to welcome them into service for the City of Houston. Council Members Clutterbuck, Rodriguez and Bradford absent.

Council Member Jones stated that going to what Council Member Bradford stated about October being Domestic Violence Awareness Month and giving the number to the Department of Justice, which she thought was very important, that if people were thinking about leaving they really had to do so carefully because that was when they were in the most danger, that they had an organization locally that worked to help get victims out safely and that was the Houston Area Women's Center, there was a 24 hour hotline for domestic violence, 713-528-2121 and sexual assault was 713-528-7273, that as a warning if they were trying to get someone out, email was not safe or secure to contact anyone who may want to help them because there may be the possibility that the perpetrator had access to their computer email account so the Houston Area Women's Center asked that they not email them because they were concerned about whether they get out safely and not causing them to have harm done to them, they do not reply to request for service via email; that when she spoke about the Housing meeting tomorrow, there would be a presentation by NACA, they just had a conference at the George R. Brown Convention Center over 5 days where a number of people were able to lower their mortgages, lower the principle or the interest, but not everyone heard about so they would have someone come to the committee meeting and hear about it, it was not to late to get connected with their banks to get a more affordable mortgage if possible, that her mom went and her mortgage was actually decreased by \$200 per month. Council Members Rodriguez, Costello and Bradford absent.

Council Member Sullivan stated that he did not get any comment or feedback on his request to help him on the lobby registration issue, and Mayor Parker stated that it was searchable, but not searchable in the way that he would like, that he was right that they needed to get it done, but it had not popped to top of the agenda, but noted and they were working on it. Council Member Costello absent.

Items received during meeting.

13. ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services for the Houston Airport 3 Years - \$150,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent on personal business. ORDINANCE 2011-846 ADOPTED.
14. 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 – was presented, and tagged by Council Member Costello.

There being no further business before Council, the City Council adjourned at 9:44 a.m.
Council Member Johnson absent on personal business.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary