

City Council Chamber, City Hall, Tuesday, October 4, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 4, 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, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Xavier Herrera, Citizens Assistance Office and Ms. Marta Crinejo, Agenda Director, present.

At 1:42 p.m. Mayor Parker stated that presentations would begin with Council Member Stardig. Council Member Stardig invited those present with the Lazybrook/Timbergrove Super Neighborhood Council to the podium and stated that she wanted to congratulate all stakeholders present today for being able to plan and work with new partners within their broader community; encouraged them to maintain a strong ongoing relationship with their city resources and neighbors to build a stronger sense of community; that Mr. Reuben Bella would be their liaison and continue to assist them; and Mayor Parker presented a Proclamation to them and proclaimed today as "Lazybrook/Timbergrove Super Neighborhood Council Day" in Houston, Texas. Council Members Johnson, Rodriguez, Noriega, Bradford and Jones absent.

Ms. Shane Davis with the Super Neighborhood Council thanked all for offering Mr. Donald Perkins to help them pull this together; that without his attention to detail they would not have been able to do it in such a timely manner. Council Member Stardig thanked Council Member Gonzalez for participating and supporting their effort. Council Members Johnson, Adams, Hoang, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Mayor Parker invited Mr. Richard R. Farias to the podium and stated that there were five categories of nominees for the Hispanic Heritage Month Awards and today the recipient was Mr. Richard R. Farias who was dedicated to educating children and adults and a pioneer in the charter school movement; because of this and other services and awards he had won today the City of Houston saluted and commended him for his outstanding dedication as a leader and volunteer in the Hispanic Community and presented him with the Mayor's Lifetime Achievement Award for the City of Houston and proclaimed today as "Richard R. Farias Day" in Houston, Texas. Council Members Johnson, Adams, Rodriguez, Noriega, Bradford and Jones absent.

Mr. Farias stated that it was humbling to be before Council today as he knew they all worked hard for the communities; that he was proud to be a part of the growth of Houston, particularly helping low-income children and families through education, social and health services and community development initiatives; that his new initiative would be known as the American Latino Center for education and research and his greatest challenge was to impact the dropout problem; and thanked all for the recognition. Council Members Johnson, Adams, Rodriguez, Noriega, Bradford and Jones absent.

Vice Mayor Pro Tem Gonzalez congratulated Mr. Farias and his wife and stated that he was a strong leader, trailblazer in the field of education and he was committed to lowering the drop out rate, especially in the Latino community and many lives have been impacted because of him. Council Members Johnson, Adams, Rodriguez and Jones absent.

At 1:55 p.m. Mayor Parker called on Council Member Sullivan who stated that Council Member Rodriguez was called out on city business and was unable to do prayer and pledge and asked that he stand in for him; and Council Member Sullivan led all in the prayer and the pledge. Council Member Rodriguez absent.

At 1:56 p.m. the City Secretary called the roll. Council Members Johnson, Rodriguez and Jones absent.

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

Ms. Carol Caul, 685 N. Post Oak Lane, Houston, Texas 77024 (713-680-2500) appeared and stated that she was present asking the DRA or Council to tag the noise ordinance; that she appreciated efforts toward noise pollution issues, if air pollution issues, smoking, emissions, etc., could be dealt with so could noise pollution; and read a list of suggestions which she filed in great detail with the DRA previously including Council knowing just how loud 75 dba would be; that the FHWA only permitted highways to generate 67 dba. Council Members Johnson, Rodriguez and Jones absent.

Mayor Parker stated that as a part of the Mayor's Report tomorrow they would demonstrate exactly how loud the noises were. Council Members Johnson, Rodriguez and Jones absent.

Mr. John Dale, 13241 autumn Mist Lane, Conroe, Texas 77302 832-465-4379) appeared and stated that he was asking Council to consider alternatives to the proposed contract with DRC, the award was to deal with the dead, diseased and dying trees as a result of the drought and one alternative would be to use the city's own resources and work with contractors who would form certain scopes of work, local businesses and not out of state businesses; that this was not a single cleanup effort but a multiyear situation and a master plan was needed; and continued expressing his views until his time expired. Council Members Johnson, Rodriguez and Jones absent.

Upon questions by Council Member Lovell, Mr. Dale stated that he had customers who did scopes of the work and he and customers such as Timber Solutions saw notice and...; and Council Member Lovell stated that trees were continuing to die and this had been delayed two weeks; and upon questions, Mr. Dale stated that the award of the contract perhaps should be split up in removing, hauling, processing and disposal; that he was not completely familiar with the political process and was not present specifically for an individual but was representing that the award should be to local people or within the State of Texas. Council Members Johnson, Rodriguez, Noriega and Jones absent.

Council Member Sullivan stated that some were on Council when Ike fell upon us and he worked monitoring DRC's performance and applauded the decision of them as contractor for this work; that they performed exceptionally well 24/7 throughout the whole city; that he was not concerned at all about them receiving the contract; and would be fully supportive. Council Members Johnson, Rodriguez, Noriega and Jones absent.

Council Member Adams moved the rules be suspended for the purpose of extending the time for questions of Mr. John Dale, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Johnson, Rodriguez, Noriega and Jones absent. MOTION 2011-0748 ADOPTED.

Upon questions by Council Member Adams, Mr. Dale stated that he was contacted this morning, but missed a call with DRC; and Council Member Adams stated that she knew DRC was looking for local companies; and applauded DRC for all the work they had done, they were nationally recognized for their debris removal; and urged he visit with DRC regarding work for local companies; and Mr. Dale stated that he had nothing against DRC, but thought the scope

of work was smaller than a disaster declaration and felt the money should be spent locally and not with subs brought into the area. Council Members Johnson, Rodriguez, Noriega and Jones absent.

Council Member Gonzalez moved the rules be suspended for the purpose of hearing Mr. Patrick McIlvain at the top of the three minute Non-Agenda Speakers List, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Johnson, Rodriguez, Noriega and Jones absent. MOTION 2011-0749 ADOPTED.

Council Member Adams moved the rules be suspended for the purpose of hearing Dr. Sabrina Echols-Elliott, Ms. Avis Smothers and Ms. Karen Jackson after Mr. Patrick McIlvain, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Johnson, Rodriguez, Noriega and Jones absent. MOTION 2011-0750 ADOPTED.

Mr. Tom Combs, 2930-A Jackson, Houston, Texas 77004 (202-905-7068) appeared and stated that he was vice president for Texas operations for DRC Emergency Services and he thanked all for being able to work with them during Hurricane Ike and they broke records for hauls in the shortest period of time; that Mr. Dale, the previous speaker, made good points and they did need to use as many local contractors as possible to accomplish this work and over the last 12 months they had two outreach workshops with local MWBE and non MWBE contractors; that they wanted every possible dollar to stay in Houston and he felt they would meet or exceed every local goal established; that if the diseased trees were not handled quickly and properly it would spread throughout the community and they would go in and remove trees identified by arborist as unsalvageable and each would be photographed so if a FEMA declaration did come about the city would be able to recoup all cost for those trees inventoried; that the trees would be hauled in closed containers because if they were not they would have pine beetles spreading all over the city; that other trees would be 100% recycled. Council Members Rodriguez, Noriega and Jones absent.

Council Member Stardig stated that she appreciated him meeting with them and good points had been made; that there was a sense of urgency because of safety reasons; and she appreciated Council Member Sullivan's comments on their expertise. Council Members Rodriguez, Noriega and Jones absent.

Mayor Parker stated that Mr. Combs mentioned different trees would be handled differently and some trees would be mulched, some timber harvested and those with beetle infestation had to be contained and destroyed; and Mr. Combs stated that the highest and best use for the logs would be sold to lumber companies and that revenue would go back to the City of Houston; that the second group would be chipped for fuel and the last remaining trees which were diseased, etc., would be used for erosion and landfill cover and it was estimated the offset of revenue going back to the city would be a pretty substantial portion of the project. Council Members Adams, Hoang, Rodriguez, Noriega and Jones absent.

Upon questions by Council Member Gonzalez, Mr. Combs stated that they met with Parks and Solid Waste Departments and all would be documented like a FEMA approved project so if possible they would be able to recoup all funds; that the sensitive part was giving Parks time to identify trees which were truly diseased or dead; and DRC would be donating 20,000 seedlings for the use of community groups and the Parks Department, etc. for an investment in the future; and Mayor Parker stated that they would not be planted until rains started again. Council Members Rodriguez, Noriega and Jones absent.

Council Member Pennington stated that he understood trees needed to be classified, but he did want local companies; and upon questions, Mr. Combs stated that they had exceeded all MWBE goals after Ike and learned a lot and they anticipated more than exceeding goals this

time and any local contractor qualified and wanting to work on this job should call and they would put them to work; and he was set to give Ms. Nancy Sullivan at the Conservancy a briefing. Mayor Parker, Council Members Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Jeanette Rash, 2104 Lyons Avenue, Houston, Texas 77020 (713-228-8872) appeared and stated that she was present on Item 5; that she was privileged to work on the original noise and land use ordinances; that changes from 8:00 a.m. from 7:00 a.m. needed to get to the industry because that was what was negotiated and having a 24 hour operation was a problem so many ordinances included in Chapter 8 ordinances being discussed for change needed to be revisited so the balance could be made for neighborhoods and businesses; that sound was a huge problem even with just people talking at 3:00 a.m. and that was why you could not separate land use ordinances and noise ordinances because even though under the decibel amount you could hear it and if neighborhoods were not protected they became rundown and it impacted all; that Council Members before them worked really hard to protect neighborhoods in this un-zoned city and she urged they be careful in laxing rules which had been very positive. Council Members Stardig, Rodriguez, Noriega and Jones absent.

Upon questions by Council Member Adams, Ms. Rash stated that Council had to be careful in enforcement that they did not let the noise ordinance be a whipping post on a business doing all they could; that one particular neighborhood called every single day on an auto dismantler no matter how hard they tried to comply and that was during the day so it needed to be fair and balanced. Council Members Stardig, Rodriguez, Noriega and Jones absent.

Upon questions by Council Member Hoang, Ms. Rash stated that the decibel level for big machinery was disturbing even when under the decibel levels; that she did not do the testing, but she would be concerned if there was no measurement for the sound. Council Members Stardig, Rodriguez, Noriega and Jones absent.

Mayor Parker stated that she did not think the decibel level was being changed in the proposed ordinance; and Ms. Rash stated that she did not specifically look at that, she looked at daytime hours and some things negotiated versus the decibel level; and Mayor Parker stated that there were minor changes to hours but no change to decibel levels. Council Members Stardig, Rodriguez, Noriega and Jones absent.

Mr. Chris Amandes, 2227 Tangle, Houston, Texas 77005 (713-758-1146) appeared, as others stood in support, and stated that he lived in the South Hampton neighborhood and the Ashby high rise developers recently announced their plans to construct the 23 story apartment building in the middle of one of Houston's most treasured neighborhoods; that the community remained strongly opposed to the project and he urged their permit application be given the closest scrutiny; that the Administration was working on setbacks for such a development but it would not prevent them. Council Members Stardig, Rodriguez, Noriega and Jones absent.

Upon questions by Council Member Clutterbuck, Mr. Amandes stated that the ordinance would require a tall project being built on a collector street provide a meaningful buffer to any nearby residential property and urged that ordinance be passed and resist any efforts to weaken it; and Council Member Clutterbuck stated that she was glad all came today on the importance of the high density ordinance; that she expressed her frustration with Mr. Icken today in that she had to learn about this through media reports and it was her sincere hope communication would be improved and they do all they could to limit traffic which such a high density project such as this would have and that they be updated regularly. Council Members Stardig, Rodriguez and Noriega absent.

Council Member Pennington stated that he would second Council Member Clutterbuck's statements and he wanted to express his approval for the density ordinance, he understood it was approved by the Planning Commission and he would like it approved as soon as possible; and upon questions, Mr. Amandes stated that he worked on the initial drafts of the high density ordinance and pleased with the version presented to the public in June. Council Members Stardig, Rodriguez and Noriega absent.

Mayor Parker stated that the problem with the version passed out of the Planning Commission was not the version Mr. Amandes and others worked on and she felt too many protections were taken out which was why it had not moved yet and she thought Mr. Amandes would agree that perhaps the version which came out of the Planning Commission was not as strong as the one that went in. Council Members Stardig, Rodriguez and Noriega absent.

Council Member Lovell stated that having worked on the density ordinance she had seen both and was urging Mayor Parker to move forward with it, she believed they could move forward and protect neighborhoods; that the version had changed some, but absolutely what was in there was greater protection with predictability and tools. Council Members Stardig and Rodriguez absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Mr. Chris Amandes, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Stardig and Rodriguez absent. MOTION 2011-0751 ADOPTED.

Council Member Jones stated that there were not a lot of issues which garnered such public interest and she was frustrated on the transparency level, if they knew it was coming up why did they have to find out about it on the news; and hopefully it would be done better next time; and Mayor Parker stated that if references were to the fact that the Buckhead folks filed further action she read about it in the news as well, but they were in litigation with them which was why it was a surprise to the City of Houston that they submitted a further application; that they did not withdraw their suit and she could speculate as well as her as to why they might have put this out without dropping the lawsuit. Council Members Rodriguez and Lovell absent.

Council Member Adams stated that she appreciated the Mayor's willingness to get the ordinance moved through and appreciated the community coming down; that the Museum Park Super Neighborhood was going to have the same issue on the corner of Binz and Chenevert and the community did not know and they were getting ready to rise up; that this building would not be even twenty feet away from the driveway of the nearest residence; and she supported and applauded them. Council Members Rodriguez and Lovell absent.

Mr. Jim Rieder, 1802 Albans Road, Houston, Texas 77005 (713-758-2202) appeared, as others stood in support, and stated that he was a member of the community of South Hampton and it was four years ago he first appeared in Council about the possibility of the 23 story building at the corner of two, two lane streets in the middle of one of Houston's cherished neighborhoods; that Council said they would stand with them and stop the project and they were back because the building issue was back. Council Members Adams, Rodriguez and Lovell absent.

Upon questions by Council Member Clutterbuck, Mr. Rieder stated that traffic and safety made this the wrong project in the wrong place and they would rely on Council to help them stop the project and protect all. Council Members Stardig, Adams and Rodriguez absent.

Ms. Ann Kennedy, 1705 North Boulevard, Houston, Texas 77098 (713-524-5224) appeared, as others stood in support, and stated that she wanted to give details, Bissonnet was

a two lane road and turning blocked traffic and Ashby was an even smaller two lane street, this was a dense intersection and streets closest to Montrose had an extremely difficult time turning east on Bissonnet now and the neighborhood was becoming more dense causing basically a parking lot from Montrose to Shepherd in the evenings and adding a building with 200 apartment units and a restaurant with 300 additional cars minimum pouring into the intersection was crazy. Council Members Stardig and Rodriguez absent.

Council Member Bradford stated that he thought it fair to say all Council Members were pro community and pro neighborhood; and upon questions, Mr. Heilman stated that he was not certain of the status of pending litigation but would get the information for him before the end of the meeting; and Council Member Bradford stated that he would like it shared with all at the table as the issue would not be going away and they needed to evaluate the status of litigation which would help them determine what they could do to assist the community; that he was a supporter of the neighborhood; and would appreciate Mr. Heilman getting the information to them all; and Mayor Parker stated that they would get the information to him and for the benefit of the audience nothing had changed to her knowledge in litigation and they would get the current status, but the Buckhead guys had been suing the city and wanted their original plan as it was proposed and they were doing their best to block them by any legal means. Council Members Stardig, Rodriguez and Noriega absent.

Mr. Patrick McIlvain, 1618 Webber, Houston, Texas 77007 (713-705-7058) appeared and stated that he was introducing today the Houston Walk for Mental Health Awareness, the process had been going on about 1-1/2 years; that an interesting fact on mental health issues was in this day and age there was more stigma and less funding than with HIV and AIDS; that the walk was a community based event which did fundraising for nonprofits in the greater Houston area; that what made them unique and different was no finish line; that for many this was a breakthrough and they were building the Arc of Breakthrough and each be given a medal as the one presented to the Mayor and some Council Members and asked if someone would read the inscription on the back. Council Members Stardig, Rodriguez and Noriega absent.

Council Member Bradford thanked Mr. McIlvain for his work in mental health and stated that there was no end to mental health awareness, it was a lifelong journey and a process; that he promoted research and understanding and tolerance and he was asking the community to come out and joint them on Saturday, October 15th; and read the inscription on the back; and he would be there taking part on Saturday; and Mr. McIlvain stated that the walk was Saturday, October 15th at Stude Park and would start at 8:00 a.m.; that they had sixteen agencies who joined with them and they had a mental health expo going on in conjunction with them; and their website was www.thehoustonwalk.org and they should register and be there. Council Members Rodriguez, Lovell and Noriega absent.

Council Member Gonzalez thanked Mr. McIlvain for all his efforts; and upon questions, Mr. McIlvain stated that there were sixteen agencies and it was up to them to get their walkers out there for funds. Council Members Rodriguez, Lovell and Noriega absent.

Council Member Adams thanked Mr. McIlvain for always being an advocate for the mental health community and applauded him for his hard work. Council Members Rodriguez, Lovell and Noriega absent.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Mr. Patrick McIlvain, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Rodriguez, Lovell and Noriega absent. MOTION 2011-0752 ADOPTED.

Council Member Jones thanked Mr. McIlvain for his work and stated that along with

homelessness in Texas mental health was not adequately addressed, it impacted the criminal justice system and there were not enough resources or awareness; that with meds most people could live functional lives and the more awareness the better. Council Members Rodriguez, Lovell and Noriega absent.

Dr. Sabrina Echols-Elliott, 1315 Crystal Lake Circle East, Pearland, Texas 77548 appeared, presented bags to the Mayor and Council and stated that she was the medical director of Butterfly Wellness and present to impress upon all this was Breast Cancer Awareness Month and she was present with Sister Network; that so many women did not have insurance and Butterfly Wellness allowed women to come in for free exams and they connected with Sister Network and the Rose for free mammograms as early detection could save their lives. Council Members Pennington, Rodriguez, Lovell and Noriega absent.

Council Member Stardig thanked Dr. Echols-Elliott for coming and making all aware; that her mother was a two time survivor and so was her two sisters; and thanked her for testing those without access. Council Members Pennington, Sullivan, Rodriguez and Lovell absent.

Council Member Hoang stated that their service to the region was needed, he knew of those going to their agency and were helped and all appreciated what they did. Council Members Sullivan, Rodriguez and Lovell absent.

Council Member Jones thanked Dr. Echols-Elliott for her work; and stated that she recently lost an Aunt to breast cancer and one in remission; that she had a scare this year and again had to go back; that this was serious and she would continue to support them. Council Members Sullivan, Rodriguez and Lovell absent.

Council Member Gonzalez stated that men could also be supportive by encouraging their loved ones to go for testing; and urged they do so. Council Members Sullivan, Rodriguez and Lovell absent.

Ms. Avis Smothers, 11714 Oakshield Lane, Cypress, Texas 77433 (281-256-9991) appeared and stated that she was a breast cancer survivor; that at 40 she went for mammogram testing and it was abnormal, then she went for an ultrasound and it came back suspicious and after her biopsy it showed malignant, so she was the face of a survivor if early detected; and she pleaded to all to get the word out for early detection. Council Members Sullivan, Rodriguez and Lovell absent.

Ms. Karen Jackson, 2922 Rosedale, Houston, Texas 77004 (713-781-0255) appeared and stated that she was founder of Sisters Network, Inc., the only national African American Breast Cancer Survivorship organization in the U. S. and their national headquarters was in Houston; that this was the 25th anniversary of breast cancer awareness and she was present as an 18 year survivor to share their story and invited all to join them in their walk/run as it was how they were funded; that their walk was in April and the shirts and packets presented were for them and for their information. Council Members Clutterbuck, Sullivan, Hoang, Rodriguez and Lovell absent.

Council Member Adams stated that their advertisement with the Mayor included was great for advertising; commended all their work and asked the male Council Members give the shirts and information to their wives; and upon questions, Ms. Jackson stated that their headquarters was located at 2922 Rosedale in the Third Ward. Council Members Clutterbuck, Sullivan, Hoang, Rodriguez and Lovell absent.

Ms. Brenda Mazzone, 4431 Kinloch Drive, Houston, Texas 77084 (281-815-7101) appeared, as others stood in support, and stated that she worked for the Legal Department for

twelve years before being laid off in July; that she never saw a more inefficient and dysfunctional legal department in her twelve years than what she witnessed in the last months before she was laid off; that the current Administration and legal department had succeeded in totally destroying the moral, functionality and work ethic of the whole department; that as a paralegal she was not civil service protected and paralegals in her section had many duties and nonexempt from overtime requirements set by the Department of Labor and they were professionals only when convenient to the city; that a few paralegals were still in their probationary period but they were allowed to keep their job; that she also had documentation raises were given during September and December in 2010 in addition to receiving the 3% agreed to through the union in July of 2010 and some even got more than 3% with most raises being given to upper management, so raises were given out while others were planning for furloughs and layoffs and though paralegals and attorneys were laid off the department had now hired two paralegals and four assistant city attorneys since July; that she did not see how it could be justified and why were none who were laid off called back to work. Council Members Clutterbuck, Sullivan, Hoang and Rodriguez absent.

Ms. Andrea Goodman, 631 shady Brook Drive, Sugarland, Texas 77477 (281-546-0666) appeared, as others stood in support, and stated that she was a city of Houston employee for 12 years at the Houston Emergency Center and present to talk about the HLP time, Hope Leave Time, managers were sending emails to supervisors to read at roll call and making it mandatory that they opt out of the leave time and it was disturbing and discouraging; that the time was very important as it gave them time to go to functions; that at one roll call they handed out the forms and she was asking they not be allowed to do that. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Rodriguez absent.

Mayor Parker stated that the period for opting out had expired; and upon questions, Ms. Goodman stated that she was speaking of something which happened in September; and Mayor Parker stated that if she would submit names of supervisors who in anyway directed employees to opt out she would like those names; and Ms. Goodman stated that they had emails; and Mayor Parker stated that she would like those emails forwarded to them. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Rodriguez absent.

Council Member Bradford thanked Ms. Goodman for coming and stated as the Mayor said the opt out period had closed, but he was concerned when she presented testimony that a supervisor..., it breached the contract and was unethical, improper and wrong for a supervisor to engage in whether an employee should or should not opt in or out of the program, it was for employees to decide and he would like to see a copy of those emails, he would like the names of supervisors and dates and times to know who was present and who witnessed it; and he appreciated the Mayor expressing outrage over this also as it was not permissible. Council Members Johnson, Clutterbuck, Sullivan and Hoang absent.

Mayor Parker stated that Council Member Bradford summed it up well, no supervisor was allowed to do it and she wanted to see the emails and have those names, but she would express frustration as if it was brought to their attention during the opt out period it could have been addressed. Council Members Johnson, Clutterbuck, Sullivan and Hoang absent.

Upon questions by Council Member Noriega, Ms. Goodman stated that she was not too afraid of being retaliated against, this was her first time to speak out; and Council Member Noriega stated that she agreed with the Mayor and Council Member Bradford; and appreciated her bringing this forward. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Council Member Jones stated that she received a number of communications to her office and she would keep them confidential, but they did need to let her know who they were or they

could not verify. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Mr. Juan Rosales, 8041 Ellinger Lane, Houston, Texas 77040 (281-513-2804) appeared, as others stood in support, and stated that he was the lead organizer for the HOPE Union and today was present to discuss issues they were having with access to facilities in the city; that one of his responsibilities was to submit their request to the city and they selected which facilities they wanted to go to and submitted it to an employee in HR by the name of Juan Padilla and he was responsible for sending all their requests to the designated facilities; that they had a lot of issues, one being no response to their request and second on many sites which were approved and they showed up and were told management was not notified and they got kicked out; thirdly they were being placed in areas which had no employees; that at Hobby Airport they were stuck in a conference room and it was frustrating and a waste of time; lastly they were being denied access, particularly in the Neighborhood Protection Department; that since the unfair layoffs happened they were denied access three consecutive times; and urged it be looked into and the issue be fixed. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Mayor Parker stated was Mr. Rosales at the Department of Neighborhoods on Friday; and Mr. Rosales stated that on the past Friday yes he was and they had nine representatives there, but it was the first time...; and Mayor Parker stated that he asked she correct the problem and she did and there were nine representatives there and today he was pretending nothing had changed and she would express her frustration to him; and he should be ashamed of himself. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Mr. Rory Lister, 4299 San Felipe, Houston, Texas 77027 (713-403-8888) appeared, as others stood in support, and stated that he was with the City of Houston sixteen years and worked in Public Works and Engineering; that he was a supervisor and they did receive the email about the opt out forms; and he received a stack of opt out forms on his desk and was asked to give them to employees; that he was an executive board member of HOPE and a supervisor and he gave instruction to employees as to what the form was actually about and that they did not have to opt out, but then he received a phone call from his supervisor asking if he got with his employees about the forms because they needed them turned in; and only two employees opted out. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Mayor Parker stated that it would have been helpful if HOPE would have made a list and before he left if he would please give the name of his supervisor and any emails so they could follow-up through a disciplinary process she would appreciate it. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Lovell absent.

Council Member Jones stated that what she heard was disturbing and her question would be if supervisors were getting the same information it had to come from somewhere and she wanted to know what happened to the person who directed all this; that it was frustrating if the buck did not stop with the person who was over it; that she also wanted to know what the outcome of this was once it was done. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Pennington and Lovell absent.

Ms. Gwen Alexander, P. O. Box 30068, Houston, Texas 77233 (832-887-6765) appeared, as others stood in support, and stated that she was with the city nine years and in Public Works; that she was out on HLP in September and after returning she gave coworkers the form and was told they already received it from her supervisor and they were asked to fill it out and give it back and she felt she did that because it was retaliation against her since she was on the negotiation board and was out on HLP at the time. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Pennington and Lovell absent.

Mayor Parker stated to explain an email was sent out by the HR Department at the beginning of the opt out process and out at the end and one letter was sent to every employee in the pool, but they structured it the same way they did historic preservation and other things, if you did nothing the leave was extracted and they tried to air it on the side of HOPE; and she needed names to follow-up. Council Members Stardig, Johnson, Clutterbuck, Sullivan and Pennington absent.

Council Member Noriega stated that if this was an isolated incident you had someone with an issue, but if everywhere it was something different, and Mayor Parker stated she agreed with what she said if which was why it was frustrating to hear now; and Council Member Noriega stated that if it was a problem how things were presented through HR or if people were not trained about the rules or what the contract meant then it was an ongoing process; and Mayor Parker agreed. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Pennington and Jones absent.

Council Member Bradford stated that regarding access to employees he wondered if there was a directive from the Mayor's Office instructing department directors that HOPE employees have access to employees, etc., if not it seemed it may need to be reinforced again that HOPE was legitimate and should have access to directors; and Mayor Parker stated yes, and each director was ordered to give an access plan for each individual facility, access plans for airport facilities and water plants, etc., were much more restrictive than other departments, but each site had an access plan which specified times of day and location where HOPE would be present; and Council Member Bradford stated that it seemed there was a good plan in place but he knew how plans could break down and an enforcement component may need to be put into place; and Ms. Alexander stated that they would like employees to have the chance to opt back in; and Mayor Parker stated that to opt in was available; that the opt out was a 30 day period, but the opt in was unlimited and under access plans HOPE was familiar with they were able to do so. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Pennington and Noriega absent.

Mr. Wilmar Zetino, 4299 San Felipe, Houston, Texas 77027 (832-423-6609) appeared, as others stood in support, presented information and stated that he had a couple of documents which might clear up some issues and read briefly from the Meet and Confer Agreement and stated that he read it because it was a little difficult to acknowledge the critical roles and hard work and good faith and commitment to public services when issues like the HLP program came into play; that some words in what he presented were printed in bold and popped out at you, such as decline to participate by opting out and the date ending, but on the opt in form nothing was bolded and there was also misinformation as it stated if you wanted to donate additional hours they should print out and fill in the form and give it to their department no later than September 17, 2011, then on page 22, Article IX of the Meet and Confer, third paragraph and last sentence it stated a union member may voluntarily donate additional vacation hours and or reapply to participate and donate a vacation to the HLP at any subsequent time by filling out a vacation leave donation request and there was no date attached, it was given to employees to confuse them; that the same language was in the contract, but the length of the agreement was different, but this time around the opt out form was sent out via email, home addresses and worksites; that yesterday he had the privilege to visit at Aldine WIC Clinic and it was packed with employees, after clarifying issues they had a good number of people opted back in that day and even gave additional hours because they understood the importance. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Pennington and Noriega absent.

Mayor Parker stated that as she indicated earlier there was no time period on opting in and she would make sure forms were corrected. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Noriega absent.

Council Member Jones stated that based on what she heard complaints were across departments and supervisors were using work time to do this and to her that was problematic, but to her all was about fairness and if you were going to promote opting out then you should promote opting in; that if they were holding information on one it should be done on the other; that before people who were treated unfairly would trust them they needed to be able to protect them from retaliation, but she was listening and would do as much as she could under a strong Mayoral government. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Lovell absent.

Council Member Adams thanked HOPE members for coming with information, and stated she wanted clarity; that on the top email there was a name and she discussed the email information and Mr. Zetino discussed dates and the opt out form; and Council Member Adams stated that she was just trying to see all were on the same page. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Lovell absent.

Council Member Hoang moved the rules be suspended for the purpose of extending the time for questions of Mr. Wilmar Zetino, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent. MOTION 2011-0753 ADOPTED.

Upon questions by Council Member Adams, Mr. Zetino stated that the email presented was done so to show it was actually happening; and Mayor Parker stated that she asked they provide information to show what they were trying to do which was what this was. Council Members Stardig, Clutterbuck, Sullivan and Pennington absent.

Council Member Bradford stated that he wanted to clarify for the record that there was no such thing as promoting opt in because under the contractual proviso all employees were automatically in and you had to take an affirmative action to get out; and upon questions, Mr. Zetino stated he was correct, but the issue became that the same language in the previous agreement was in this agreement and yet the same actions were not taken; and Council Member Bradford stated that his point was all were in unless you opted out. Council Members Stardig, Clutterbuck and Pennington absent.

Council Member Pennington stated that he had the email with the October 4, 2011, date and there were two attachments opt out and vacation leave donation; and upon questions, Mr. Zetino stated that the other two sheets presented today were separate and not part of the email, the information with the email was essentially what steps needed to be done to opt out. Council Members Stardig, Clutterbuck and Pennington absent.

Council Member Jones stated that you would have to opt in to donate more time which was the whole point of the employees so people should be told they could donate more time so what she and Council Member Bradford said were both correct and for point of clarification the email stated to please fill out form and send inter office mail to 611 Walker, 2nd floor and for some people with a directive like this it was telling them what to do; and Mayor Parker stated that they did not know what the email was which actually asked for this response. Council Members Stardig, Clutterbuck and Pennington absent.

Council Member Gonzalez stated that Mayor Parker already requested supervisor names so that the appropriate action could be taken and in regards to additional time for donating time maybe a memo could be sent there was no deadline; and Mayor Parker stated that was correct and she had an extensive conversation with the president of HOPE about the very issue Friday and how best to inform employees. Council Members Clutterbuck and Rodriguez absent.

Mr. Salvador Wheeler, 12623 Kittybrook Lane, Houston, Texas 77071 (832-656-6904) appeared and stated that he worked for Public Works four years and present to bring to Council's attention the issue of the City of Houston undermining the good faith and efforts put in on the bargaining team; that he was on the team and help negotiate the one hour they opted out on; that he went home and in his mail box was an opt out form and he was thinking they just laid off 747 people, but there was enough money to send 13,000 opt out forms and could not understand that; it was disturbing to get an opt out form; and the comment Mayor Parker made to JR about he should be ashamed of himself, he was a country boy and the teacher called his mom who came to school and was told it was under control and she did not have to worry about it, but she said, "no, it should not have happened in the first place" so he did not know her situation, but this should not have happened in the first place so he did not know who should be ashamed of themselves, but they saw where he was getting; and Mayor Parker stated that yes and she agreed, it should not have happened in the first place but she did believe in telling the whole truth and not half the truth; and Mr. Wheeler stated either way it should not have happened in the first place and he felt they were trying to destroy their union. Council Members Clutterbuck and Rodriguez absent.

Council Member Jones stated that since they were in a tight money crunch she wanted to know how much the city spent on mailing those letters and where it came from and wanted it in writing; and Mayor Parker stated that it came from the General Fund but she would be glad to get the exact amount; that surely no one was saying they should not communicate with employees; and Council Member Jones stated that respectfully, she was elected and was able to ask questions and since she had to make decisions on how money was spent she wanted to know that as she believed it important and if they were communicating with employees she would like them to be fair and accurate and she called it needs versus wants and in tough times she would wonder the prudence of doing that since emails were sent and supervisors were strongly encouraging. Council Members Clutterbuck, Rodriguez and Lovell absent.

Mr. Daniel Box, 323 Mosse Drive, Huffman, Texas 77532 (832-794-9896) appeared, as others stood in support, and stated that he was not present to embarrass the Mayor but her directors, the Mayor asked why this was not brought to the LMCC, but it was brought up to them the very day and who was in the LMCC but Dan Krueger, Mario Diaz, Harry Hayes, David Feldman and Omar Reid; that the issue was brought up to them and unfortunately time and weeks had gone by, it was at the closing end of the 30 day period and they asked why this was happening, it was a consorted effort across many departments; that some men received emails and said they did not want it and some given the form threw it away, but at home where their wife was the wife turned it in thinking they were giving away an hour; that the object was to break the union, HLP time was the backbone of the union. Council Members Clutterbuck, Rodriguez and Lovell absent.

Upon questions by Mayor Parker, Mr. Box stated that the LMCC was toward the last week of the opt out period, the only action taken was rewording of the last email; that he brought it up to Dan Krueger and incidents continued; and Mayor Parker stated that he sat at her conference table and never once said this; and Mr. Box stated that they had no idea of the full extent. Council Members Clutterbuck and Rodriguez absent.

Council Member Jones stated that in communication with city workers she would like all options and not selective ones and all could still opt back in. Mayor Parker, Council Members Clutterbuck and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon questions by Vice Mayor Pro Tem Gonzalez, Mr. Box stated that there was an option in the contract that any employee could choose to give more than one hour at any time and once it was explained why they should opt back in there was a good response; that there were 22 days for all to tell people to opt out and they would like the same amount of time to tell

them why to opt back in. Mayor Parker, Council Members Clutterbuck and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Bradford stated that productivity and efficiency were enhanced when labor and management worked together; and upon questions, Mr. Box stated that at last count there was around 8,600 employees out of 13,000 who had opted out; and Council Member Bradford stated that he was starting to see the concern; that the issue with the LMCC, part of their reasoning was to implement terms and conditions in a contract in a manner with fundamental fairness and due process; and upon further questions, Mr. Box stated that he was on the LMCC and this was their first meeting, they brought issues to them, but they did not know the full extent of this until last week. Mayor Parker, Council Members Clutterbuck, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Bradford moved the rules be suspended for the purpose of extending the time for questions of Mr. Daniel Box, seconded by Council Member Jones. All voting aye. Nays none. Mayor Parker, Council Members Clutterbuck, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. MOTION 2011-0754 ADOPTED.

Council Member Bradford stated that if he brought this to the attention of a director and the full board before the opt out period expired; and upon questions, Mr. Box stated that his statement to the Mayor on what happened at 1002 Washington was given specifically to Dan Krueger and he asked him why was this going on; that the meeting was about three weeks ago and still had no response; and Council Member Bradford stated that he would call this a broken process. Mayor Parker, Council Members Clutterbuck, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Hoang thanked all for coming and upon questions, Mr. Box stated that there needed to be an explanation as to why they should opt in or give extra hours; and Council Member Hoang stated that his office would extend an invitation to him and HOPE and if needed he would help facilitate so communication could get to all employees. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Stardig stated that she had a question for the Administration, she wanted a feel for last year versus this year and whether this was perceived influence, sometimes numbers speak for themselves and she would like numbers on those who opted out on last year and this year; and if complaints were received by the Administration from individual employees. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that a suggestion was made when she spoke with HOPE that what would be fair would be to allow HOPE to explain what opt in was and what opt out was and the benefit, they would like the same time supervisors had to do what they did. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. William Beal, homeless (no phone) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. John Cieslewicz, 1250 DuBarry Lane, Houston, Texas 77018 (713-683-0703) appeared, presented information and stated that he last spoke five months ago and the Mayor sent his presentation to the Legal Department and they could not answer if storm water was communal waste, but it was answered in the Chamber when Council Members Pennington and

Stardig communicated storm water was community water which gave proof to the fact the swales in Oak Forest, Section One, were dedicated; that the city was offering no compensation to homeowners for the illegal blocking of the storm water drainage and it was wrong and illegal and he wanted the swale at 1304 Woodcrest restored. Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Jones absent.

Mr. Reginald Butler, 12220 Sapling Way, Houston, Texas 77031 (713-505-4824) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Jones absent.

Ms. Hattie Morgan, 2828 Collingsworth #48, Houston, Texas 77022 (832-405-6855) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Adams, Sullivan, Rodriguez and Jones absent.

Mr. Joseph Ballard, 6302 Rocky Nook, Humble, Texas 77396 (281-850-0388) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Jones absent.

Ms. Mary H. Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared and stated that she already talked to people in water and they were working with her, but she wanted to talk about security systems; that she bought two cameras and they still did not work; that people were coming into her home when they wanted and she paid over \$3,000.00 and she wanted all her money refunded and wanted the Mayor to work with her. Council Members Johnson, Clutterbuck, Adams, Sullivan, Gonzalez, Rodriguez and Jones absent.

Mr. Pat Powers, 6518 Neff, Houston, Texas 77074 (713-771-7237) appeared, presented information and stated that he and his wife jogged the Memorial Park Exertrail almost every other day since April and his comments were addressing the current tree situation as well as preventing it from happening again during future drought periods; that dozens of prominent Loblolly Pine Trees along the trail which expired because of lack of water might have been saved if watered by the city earlier in the summer; that he observed many observed by water trucks in September had actually greened back up and avoided infestation; that he urgently recommended the city identify the individual and small groves of Loblolly Pines left and flood them with water from tankard trucks or water lines from the golf course and at least save dozens of precious and priceless trees; that aggressive triage and water treatment was needed as soon as possible, before the end of the week; that in the last six days at least five magnificent ones succumbed on the trail westside; that he contacted the Memorial Course Superintendent and Trees for Houston relating to saving a specific, magnificent Loblolly Pine he named John Wayne located just 75 feet west of the western part of the golf course between the course and the Lieberman Exertrail; that allowing too much underbrush to grow was a mistake, more was not always better. Council Members Johnson, Clutterbuck, Sullivan, Gonzalez and Rodriguez absent.

Council Member Noriega stated that Mr. Powers had been before Council before and always very sensible with recommendations; that she thought the situation had changed so dramatically and so quickly, foresters dealt with underbrush, etc., but here we went from having one situation to another and many of his suggestions made a ton of sense; that she did thank him for speaking for the trees; and Mr. Powers stated that when you name something you think more of it and if they got a chance to go out and look at the specific tree,,,; that if they had to spend several hundred dollars for a tankard of water he would be happy to pay it; and Council Member Noriega stated that she thought his suggestions were extraordinary and she appreciated the thoughtfulness that went into it; and to Mayor Parker stated that she did think he made good points and thought Memorial Park was shocking and this was an extraordinary situation and she thought they did need tree people to help make good decisions. Council

Members Johnson, Clutterbuck, Sullivan and Rodriguez absent.

Mayor Parker thanked Council Member Noriega for her comments and stated that Trees for Houston was assisting with water and for citizens who would like to help in that Trees for Houston would be the best place; that she would assume they could designate for a specific tree, but knew they could designate for a specific park. Council Members Clutterbuck, Sullivan and Rodriguez absent.

Council Member Adams thanked Mr. Powers for coming and stated for all tree advocates who were concerned with what they were going through in Houston, but today a constituent did email her and some really thought outside the box; that they said when you run your water at home to heat it up you could gather that water for plants; and she thanked Mr. Powers and all who were giving suggestions; that she did not know if the Mayor had communication with some companies, but she was noticing wooden poles starting to fall over and told constituents to call the companies, but she wondered if those companies were being proactive and driving around looking at them; and Mayor Parker stated that each pole had a number which needed to be called in. Council Members Clutterbuck and Hoang absent.

Council Member Adams moved the rules be suspended for the purpose of extending the time for questions of Mr. Pat Powers, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Clutterbuck and Hoang absent. MOTION 2011-0758 AODPTED.

Council Member Jones stated that she was speaking with Council Member Costello as he used to be on the Memorial Park Conservancy; and upon questions, Council Member Costello stated that he was still on the board as an advisory member and the Conservancy was reaching out to Parks and Recreation and trying to work together to water specific specimen trees, obviously, many were lost and if he wanted to volunteer to water a tree he would suggest he contact the Conservancy, Ms. Nancy Sullivan was the executive director, and would be happy to take any money for watering; that he could specifically say which tree; and his office was working on "Saving the Green Program" and it was picking up trash, but they were going to set up a volunteer program in the park to work on the under brush story issue. Council Members Clutterbuck and Hoang absent.

Mr. Billy Skinner, 402 Main, Houston, Texas 77002 (310-213-2877) appeared, presented information, displayed a large blown up photo from a surveillance camera and stated that he was present on behalf of Mr. Andy West who had an incident September 16, 2011, when requesting public information under the Texas Public Information Act which made him feel uncomfortable and intimidated; that the disk presented to Council Members showed surveillance footage from inside Council Member Jones office which was where he went in to pick up a document and a member of Council Member Jones staff, Mr. Jack Valinski, was clearly taking photographs of him and his companion; that his companion asked if he was taking pictures and he denied doing so. Council Members Clutterbuck, Hoang and Pennington absent.

Council Member Jones stated that she was leading a trade mission when this happened, but she was made aware of it; that it was her understanding they received a number of public records request from Mr. West and worked to get them and her staff provided them; that her staff, based on a number of duplicative public information requests, her staff wanted to make sure there was no confusion about not providing anything and made the decision to take the photo; that video cameras showed what they showed and he did not approach anyone and it was Mr. Valinski standing behind her; that she had been accused of things in the news she did not do, crimes she did not commit and the D.A.'s Office cleared her and she advised people to video everything, so though she did not instruct him to do that, if he wanted to cover himself she was okay with what he did and it was not intimidation, no one had gone to Mr. West or approached him and she stood by her staff; that she understood she was treated different and

people would continue to make allegations against her, it was cool. Council Member Clutterbuck absent.

Mayor Parker stated that for the record they did receive a complaint about the incident and she believed they had referred it to the State Ethics Commission; that they believed it could have potential of having someone feel intimidated to have multiple photos of them as they came to pickup documents, but it was referred for further investigation and she would assume it had been sent to his client; and Mr. Skinner stated that it had not; and Mayor Parker stated that she would follow up. Council Member Clutterbuck absent.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Mr. Billy Skinner, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2011-0759 ADOPTED.

Council Member Jones stated that she had a question for Mayor Parker, she was being investigated again, when was she told, she was curious; and Mayor Parker stated that when it was appropriate for her to be notified she would be notified; and Council Member Jones thanked Mayor Parker for the information. Council Members Clutterbuck and Lovell absent.

Mr. Lawdry Manuel, 6906 Bethune, Houston, Texas 77091 (713-680-8833) appeared and stated that he was from the Acres Homes community and bringing up the issue happening since 2009 regarding dumping on a piece of property, why was it allowed; that they brought it to Council Member Johnson's attention, but he needed other Council Members to help him; that a school was next door and a barbecue place across and a home next door; that the property was stockpiled with huge amounts of dirt and crushed concrete, etc., and it was done all through the day up until midnight and police would do nothing; that his pictures showed how high; that it happened in other areas also and they wanted it stopped. Mayor Parker, Council Members Clutterbuck, Adams, Hoang, Rodriguez and Lovell absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Johnson stated that Mr. Manuel had been in communication with Mr. Byrd who went out to the site and it was an ongoing situation in many communities; that Acres Homes had plenty of land and companies bought it and then used it at their own discretion; that Public Works went out to investigate and while a notice of violation was given to Mario Torres of Ecuador Trucking on failure to control dust materials, etc., the issue he was having was something needed to be put into place to keep such from being in residential communities; that stronger ordinances were needed, but to this particular matter all they could do would be to cite the particular landowner and make sure it became so cumbersome to him he would close down which was what they did to a business in close proximity; that he had been taking trash and dumping it in Acres Homes and he was cited on so many occasions he left; that right now this owner was not in compliance, but they would get to the bottom of it and stay of top of it. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez, Lovell and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Stardig stated that Council Member Johnson had her full support; that she had a property like this and they did have to look for permits and other ways to enforce such issues. Mayor Parker, Council Members Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. James Stoney, 6422 N. Wayside Drive, Houston, Texas 77028 (832-689-3155) appeared and stated that he worked for the Houston Fire Department, EMS Division and present to discuss his separation from his job, his tenure and what he did; that he and Michael Morrow created a ambulance familiarization program class for recruits and cadets and the

objective was to familiarize them with the ambulance units, EMS/HFD ambulance unit box, etc., that he was present as he was separated from his job, indefinitely suspended on May 12th after six years; that he would not let anyone down in his EMS position and was present to show his self worth. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Patricia Creswell, 12515 Fondren #B, Houston, Texas 77035 (713-657-9683) appeared and stated that she was present regarding dilapidated conditions of southwest Houston; that she acquired a business there a few months ago and was highly frustrated with potholes, medians with shrubbery not kept up; that she had a licensed childcare facility and some parents were taking children to a nicer kept area and wanted to propose a beautification project; that she was talking with business owners so they could come together and put out what was needed and she wanted to let Council know it was a concern. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Hoang thanked Ms. Creswell for coming and stated it would be in the new district created, District J, and he would work with her to improve the region. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that 311 was a good starting point, if it was not reported nothing would get done; that Mr. Newport was present and she could speak with him at this time. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Carla McKinnie, 10211 Sugar Branch, Houston, Texas 77036 (832-350-0172) appeared and stated that she was present with a concern of Randall's Management Company; that as homeowners it was their duty to protect their investment and on June 6, 2011, she asked the company to provide executed copies of declarations, articles of incorporation and bylaws of the homeowners association of Forum Park Three Townhomes along with other information until her time expired. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that he was trying to determine, it sounded like a civil matter; and upon questions, Ms. McKinnie stated that they were not in compliance with city ordinances and she did not know why the city did not monitor their bad behavior. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Hoang stated that he believed this was between the management and her and she could call an attorney specializing in homeowner associations, but it was not the city; and Ms. McKinnie stated that the city allowed the company to conduct bad business and felt it was a city issue as well; and Council Member Hoang stated that if they were not happy with the company they could file a lawsuit, but it was civil. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Stardig stated that if she understood correctly she had issues with regard to red tag issues; and Ms. McKinnie stated that it was health issues; and Council Member Stardig stated if it was health issues she needed to contact the city, but she understood the concern of getting involved in a homeowner issue; that they did not encourage ordinances being broken, especially health and safety violations; and Ms. McKinnie stated that three sewers were

backed up; and Council Member Stardig stated that she worked on tearing down slumlords and if there were health and safety violations the city needed the information; and Council Member Hoang stated that they would work with her on any city issues. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Ferdinand Durisseau, 16315 Covey Run, Missouri City 77489 (832-579-8477) appeared and stated that he was a part of the SafeClear Program for five years and the city paid \$50.00 a tow, but he was told not to run the \$50.00 tows because it took too long for the city to pay and there were guys getting paid by the week on those; that he fell for that because he knew no better, then when the new Mayor became appointed they rushed him in to be certified then he found out about the 10%, but here two years later Affirmative Action faxed him a copy of the contracts Allied Collision Center gave them; that you could compare his signature to the one on the contractor line and the one on the line was not his signature; that he had been mistreated as a minority and forging his name should be some crime. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Bradford, Mr. Durisseau stated that he was asking Affirmative Action for a contract; that he had not filed a police report; and Council Member Bradford stated if someone forged his name he needed to file a police report and go from there. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that he needed to go to the D. A.'s Office; that Council heard many complaints about primes from minorities about filing to get the brownie points needed to get the contract, then they moved them out; that they now had a new director of Office of Business Opportunities and she would try and facilitate a meeting between him and OBO and her office would contact him. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that Sergeant Baltazar left him a voice mail message and was present to speak with him at this time. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Hoc Nguyen, 8115 Riptide Drive, Houston, Texas 77072 (832-475-9044) appeared and stated that he was a candidate for Council District F and he was present regarding a situation between himself and Council Member Hoang which escalated from verbal threat to safety issues for him and his family; that Council Member Hoang used his council seat to manipulate the city worker about 4:00 p.m. on Saturday; that they stole his sign and last Sunday about 1:00 p.m. at the Vietnamese Catholic Church Council Member Hoang asked the uniform HPD and Sheriff officers working off duty for the church..; that they attacked his campaign manager from the back causing him injury to his face and dislocated his shoulder; that he spent the night in jail and Council Member Hoang needed to go back to Pearland, Texas, where he came from; that he was asking all to launch an investigation on Council Member Hoang for many of his wrongs. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Hoang stated that he remembered a few weeks ago a discussion in Council about bandit signs and he supported the Sign Administration picking up all bandit signs and supported officers to arrest those who slashed opponent signs; that they attacked the officers and that was why they were arrested. Mayor Parker, Council Members Stardig,

Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Richard Nguyen, 11007 Stroud Drive, Houston, Texas 77072 (281-891-0579) appeared and stated that he was a city employee and vice president of the Federation of Asian American Voters and recognized by Governor and Presidential Candidate Rick Perry; that he was still traumatized by what took place and wanted to talk about politically motivated retaliation which ridiculously escalated; that they should look at his forehead and lips and he had a dislocated shoulder and a knot in the back of his head; that last night he was in the ER and the night before in pain and incarcerated and slept on a cold and urine spattered floor and lost his rights and freedom and momentarily lost his dignity; that he was exercising his constitutional rights demonstrating in front of a church when he was wrongfully abused verbally and physically and then wrongfully arrested and he did not think this an isolated incident; that Council Member Hoang's wife asked him to stop and she would pay him double and he said he was not for sale and he feared now for his and his family's safety and asked that the Mayor further pursue the matter and to please not overlook this; and to Council Member Hoang he wanted him to give them back their honor. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Hoang stated that he wanted to make sure city employees should not underestimate officers as they carried out their duty and they should not underestimate Sign Administration, they forewarned folks numerous times about bandit signs, etc., and that was why the signs had to be picked up; and he appreciated it being enforced more aggressively and he would ask the Mayor to see if they could enforce and make sure all candidates and supporters carried out ordinances and if not they be given citations. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Pennington stated that when a report like this comes in Council at least advises the speaker he can file a claim with HPD and if what he said was true it seemed like a lot of physical action for removal of bandit signs and he should be advised there were rights to pursue; and Vice Mayor Pro Tem Gonzalez stated that he was going to mention it to him and Sergeant Baltazar did call him he believed, but at the time he did not want to speak about it, but he was present and notes were also made for the Administration to be aware. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Clyde Bryan, 10802 Pepper Lane, Houston, Texas 77079 (713-545-4878) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones 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 behavior toward conspiracy my born little girl from birth; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was again present with a police case number and criminal charges versus HPD Westside command station; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Mark Spear, 9634 W. Airport Boulevard, Houston, Texas 77031 (281-933-7008) appeared and stated that none of his Council Members were present and Council Member Jones stated that she would help him get the traffic problem fixed on West Airport Boulevard and a cop finally showed up and the average speed in a 20/30 mph zone was 59/61 mph and he tried to bring in a piece of concrete from the curb and the officer would not let him; that another lady was present about fixing up West Airport, but it was horrible, it was a war zone. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez stated that he had a memo and on October 4th a speed sign would be placed in the area so they could collect valuable data for traffic enforcement and planning in the area and determine the best way to control the speed. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Caroline Klingsmith, 4299 San Felipe, Houston, Texas 77027 (281-224-0459) appeared, as others stood in support, and stated that she was with the HOPE Union present again on behalf of workers in Neighborhood Protection who were unjustly laid off; that on September 27th the Civil Service Commission met and reviewed the cases of the layoffs and agreed with the union's position there were many serious questions so they scheduled a full hearing on October 11th and she was inviting all to come; that she discovered a rule she had concerns with, under the Civil Service Commission rules for hearings they had a 30 minute for each side to present their cases and a person who gave years of their life to the city would get less than two minutes for their case. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Pennington, Ms. Klingsmith stated numerous parties had 30 minutes to present their case and they submitted a motion to extend the time which under the rules you could do but it was up to the Civil Service Commission; that they asked for unlimited time because of all the issues and were asking for Council's support; and Council Member Pennington stated that he did not know about unlimited time, but he would be glad to write a letter asking for additional time if she would provide information to his office. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Bradford stated that he wanted to weigh in with Council Member Pennington, certainly 30 minutes for one issue, one case, one person was plenty of time, but with multiple cases it was unconscionable to expect a representative to come in to represent fairly in 30 minutes situations which impacted 15, 16 or more employees because each case had different elements and he concurred and agreed with Council Member Pennington and they should do what they could supporting that. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Costello stated that he agreed with his colleagues and asked that Ms. Klinglesmith provide the same information to his office. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Jason Hursey, 4299 San Felipe, Houston, Texas 77027 (281-222-1788) appeared, as others stood in support, and stated that he was an organizer at HOPE and present to inform Council of the lack of progress in the process with Ms. Maria Abraham who had been before Council two times; that she recently applied for a job in Public Works to find out that HR never submitted her application for the job; that she was subjected to an unjust and unfair process, she also found out that the Customer Service One position she applied for in her department was not given to her as well and she had spent three years with the City of Houston working in the Customer Service II position and had 16 years with the city and promoted a couple of times so why should she be replaced; that they would like Council to ask more questions on why high performers...; and his time expired. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Jane West, 2114 Lubbock, Houston, Texas 77007 (832-721-9080) appeared and stated that she was present on behalf of Super Neighborhood 22, the Washington Avenue Coalition and present about the noise ordinance; that they had questions they would like Council to ask and were asking for a friendly tag to have more time to work on it; that 75 decibels was too loud given the new permitting options and during their demonstration she would ask it be sustained and not just a short blast; that the annual permit was reasonable for commercial areas and operations, but not for any resident to be able to pull a permit and knock their neighbors out of bed at night. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Pennington thanked Ms. West and stated that they had discussions with the Administration and he believed his office talked to her as well and there were a number of people interested in the ordinance; that they asked the stakeholders be talked to more and he was willing to tag it and was sure others would be willing as well. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Bradford stated that he still had several questions concerning the ordinance, some of which she touched on; that they did appreciate her coming as stakeholders had to live with the regulations and she could bet he would do what he could to expedite the vetting of this particular ordinance before it became a statute; that he was concerned about a test in this environment, the validity of a test with these walls and close proximity as to in the field where it would actually be applied. Mayor Parker, Council Members Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Gonzalez thanked Ms. West for coming and stated that they were listening. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Paula Harrison, 14410 Brunswick Point Lane, Houston, Texas 77047 (713-549-2585) appeared and stated that she was again present to speak on minority housing downtown and to specifically ask that four apartments be included in the Houston Housing Authority List, the Houston House, the Savoy and the Rice and 2012 Main across from McDonalds. Mayor

Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

At 5:24 p.m. Vice Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, October 5, 2011. Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Rodriguez, Lovell, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, October 5, 2011

The Houston City Council reconvened at 9:00 a.m. Wednesday, October 5, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, 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.

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

At 9:05 Mayor Parker called the meeting to order and stated that the first item would be the Monthly Operations and Financial Report, that they were also going to do a Mayor's Report on the Noise Ordinance with some demonstrations in the Council Chamber. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez and Jones absent.

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING

THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented. Council Members Johnson, Adams and Lovell absent.

Mayor Parker recognized Mr. Ronald Green, Controller, and Mr. Kelly Dowe, Director, Finance Department. Council Members Johnson, Adams and Lovell absent.

Mr. Green and Mr. Dowe reviewed the Monthly Operations and Financial Report, a copy of which is on file in the City Secretary's office for review. Council Members Johnson, Adams and Lovell absent.

Council Member Gonzalez moved to accept the Monthly Operations and Financial Report, seconded by Council Member Costello. All voting aye. Nays none. Council Members Johnson, Adams and Lovell absent. MOTION 2011-0757 ADOPTED.

MAYOR'S REPORT - Proposed Noise Ordinance Update

Mayor Parker stated that this ordinance went to the Council committee but was in the summer and she wanted to make sure that everyone was refreshed on the ordinance, that she heard a lot of questions both from the public and Council Members about what the decibels actually meant, that they had sound meters and were going to be giving a demonstration. Council Members Adams, Costello and Lovell absent.

Ms. Kathryn Bruning, Administrative and Regulatory Affairs, reviewed a presentation titled "Noise & Sound Level Regulation: Proposed Revisions to Chapter 30 of the Code of Ordinances", a copy of which is on file in the City Secretary's office for review; and Sergeant

Mike Hill, HPD reviewed a video that was prepared as a demonstration of sound meter readings in different type of situations, and Mr. Chris Newport, Administrative and Regulatory Affairs, demonstrated music and noise at different decibel readings and stated that permit or not if they were producing bass such that it was rocking people out of their beds or jangling mirrors that hung on walls they simply were not permitted to do that under the Noise Ordinance. Council Member Sullivan absent.

Mayor Parker stated that what every Council Member was going to want to know was would the Police Department enforce it and did they have to have a sound meter in order to enforce this ordinance. Council Member Sullivan absent.

Sergeant Hill stated that he had been charged by Chief McKinney to put together a training program to teach officers the revisions in the ordinance so that enforcement would be more evenly applied across the patrol divisions, that no, they would not have to have a meter but the officer would have to be able to clearly articulate in court, to the judge or jury, why that citation was issued, and Mayor Parker stated that they did not have to have a meter clearly for the bass sounds, that is if they were perceptible and Sergeant Hill stated yes. Council Members Sullivan, Rodriguez and Lovell absent.

After a further lengthy discussion by Council Members, Mayor Parker stated that they did do regular reviews of the fees, she was planning on bringing that back in January 2012, but because they implemented many of the new fees they would have a years worth of data for analysis, that if they needed an update sooner than that she could talk to the Finance Department, that she would make sure they would follow up with more data on that, but to the analysis of all the fees she would talk to the Fiscal Affairs Director and see if there was an appropriate time to do it, that it seemed with the new Council coming in and right at mid year of this fiscal year that January would be a good time, but they would work on it. Council Member Lovell absent.

After further discussion by Council Members, Mayor Parker stated that they would close the Mayor's Report and move to the agenda. Council Members Stardig, Pennington, Lovell and Noriega absent.

Council Member Sullivan moved to suspend the rules to consider Item No. 24 out of order at this time, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Stardig, Pennington, Lovell and Noriega absent. MOTION 2011-0758 ADOPTED.

24. 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 – **(This was Item 14 on Agenda of September 29, 2011, TAGGED BY COUNCIL MEMBER COSTELLO)** – was presented.

After discussion by Council Members, Council Member Costello moved to suspend the rules to request that a representative from DRC come to repeat what he said yesterday about the recycling benefits that they could possibly get, seconded by Council Member Jones. All voting aye. Nays none. Council Members Adams and Lovell absent. MOTION 2011-0759 ADOPTED.

Mr. Tom Combs, DRC, stated that regarding the recycling, at the direction of the Parks Department and the Solid Waste Department, all of the materials would be recycled, the confusion arose because under a FEMA designated storm it was required and a non FEMA declared storm it was not required so they were sort of moving through the process, but the City had made it totally clear that they wanted all of the wood and greenery recycled, used for it's

highest and best use and marketed the most productive way and all of those revenues would be tracked and returned to the City and they had made that commitment. Council Member Lovell absent.

After further discussion by Council Members, a vote was called on Item No. 24. All voting aye. Nays none. ORDINANCE 2011-847 ADOPTED.

Mayor Parker stated that they would move to the Consent Agenda. Council Member Lovell absent.

CONSENT AGENDA NUMBERS 1 through 22

MISCELLANEOUS - NUMBER 1

1. RECOMMENDATION from the Mayor's Office of Intergovernmental Relations for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$71,244.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Adams and Lovell absent. MOTION 2011-0760 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 2

2. **BASELINE PAVING AND CONSTRUCTION, INC** for Construction Services for Roof System Replacements at Fire Station Nos. 38 & 57 through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for General Services Department **DISTRICTS A - STARDIG and G - PENNINGTON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Lovell absent. MOTION 2011-0761 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 7 through 22

7. ORDINANCE appropriating \$187,700.00 out of C&E - GRB Consolidated Construction Fund; approving and authorizing the commission of an art installation entitled "A Timeline of Jones Hall" to be located at Jesse H. Jones Hall for the Performing Arts; approving and authorizing Professional Artist Services Agreement between the City and **CORE STUDIO, LLC, d/b/a CORE DESIGN STUDIO**; and de-accessioning a work of art known as the "Gazebo Roof" located in the Root Square Memorial Park - **DISTRICT I – RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered. Council Member Lovell absent.
15. ORDINANCE appropriating \$575,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVILTECH ENGINEERING, INC** for Work Order for Wastewater System/Substitute Service Support; 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 Lovell absent. ORDINANCE 2011-848 ADOPTED.
16. ORDINANCE appropriating \$4,178,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Multiple Satellite Wastewater Treatment Plant Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding

for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON; D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lovell absent. ORDINANCE 2011-849 ADOPTED.

17. ORDINANCE appropriating \$2,763,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Sims South Wastewater Treatment Plant Improvements; 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 I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lovell absent. ORDINANCE 2011-850 ADOPTED.
18. ORDINANCE appropriating \$947,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **GIN-SPEN, INC** for Legend Lane 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 Lovell absent. ORDINANCE 2011-851 ADOPTED.
19. ORDINANCE appropriating \$1,777,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Jim Lee Park Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Member Lovell absent. ORDINANCE 2011-852 ADOPTED.
20. ORDINANCE appropriating \$5,837,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **HUFF & MITCHELL, INC** for North 60-Inch Condition Assessment Support Package; 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 I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lovell absent. ORDINANCE 2011-853 ADOPTED.
21. ORDINANCE granting to **JIANQI AN d/b/a GREENLAND WASTE COLLECTION, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING** – was presented. All voting aye. Nays none. Council Member Lovell absent. ORDINANCE 2011-854 PASSED FIRST READING IN FULL.
22. ORDINANCE No. 2011-820, passed second reading September 28, 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 **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Lovell absent. ORDINANCE 2011-820 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

3. **PRIME TREES, INC** for Spending Authority to Address Emergency Tree Removal Services for the Parks & Recreation Department - \$50,000.00 - General Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello. Council Member Lovell absent.

Council Member Johnson asked if Mayor Parker could explain to them again how this differed from DRC, and Mayor Parker stated that they still had ongoing work that needed to be done in the parks, their previous tree contractor walked off of the job, they did an emergency purchase, they had an RFP out on the street, they just needed to put a little more money in the emergency contract to get to the completion of the RFP, that there were a lot of other things that still needed to be done other than the emergency removal of the dead and diseased trees.

A vote was called on Item No. 3. All voting aye. Nays none. MOTION 2011-0762 ADOPTED.

RESOLUTIONS AND ORDINANCES

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

Ben Johnston House	3325 Chevy Chase Drive	<u>DISTRICT G - PENNINGTON</u>
Scurry-Bybee House	1912 Larchmont Road	<u>DISTRICT G - PENNINGTON</u>
Westwood-Millikin-Frucht House	3120 South MacGregor Way	<u>DISTRICT D - ADAMS</u>
Hill-Perry House	3602 South MacGregor Way	<u>DISTRICT D - ADAMS</u>
William D. Royston House	2224 Looscan Lane	<u>DISTRICT G - PENNINGTON</u>
Marion L. Martin House	2521 Stanmore Drive	<u>DISTRICT G - PENNINGTON</u>

- was presented. Council Member Sullivan voting no, balance voting aye. RESOLUTION 2011-0028 ADOPTED.

5. ORDINANCE **AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to noise and sound level regulation; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability - was presented, and tagged by Council Members Jones, Bradford, Rodriguez, Gonzalez, Noriega, Adams, Hoang, Stardig and Pennington.
6. ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on: proposed amendments to the Strategic Partnership Agreements between the City of Houston and **FALLBROOK UTILITY DISTRICT; FORT**

BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 412; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 166; HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109; and NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21 and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 280; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed amendments to Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 36; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 230; HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3; BRIDGESTONE MUNICIPAL UTILITY DISTRICT; REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris and Fort Bend Counties; proposed Strategic Partnership Agreements between the City of Houston and **BARKER CYPRESS MUNICIPAL UTILITY DISTRICT; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 494; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 143; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 96; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 364; REID ROAD MUNICIPAL UTILITY DISTRICT NO. 2; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 238; HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 89; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 215; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 205; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 183; SOUTHERN MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT; MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 19; SPRING CREEK UTILITY DISTRICT; and FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 30** and on proposals for the City of Houston to annex for limited purpose certain territory located within and in the vicinity of such districts in Harris, Fort Bend and Montgomery Counties; proposals for the City of Houston to impose the City of Houston's sales and use tax in such territory; providing for the publication of notice of such hearings - **HEARING DATES - WEDNESDAY - 9:00 A.M. - NOVEMBER 9 and 16, 2011** – was presented. Council Member Costello absent.

After discussion by Council Member Sullivan relative to enforcing the sign and SOB Ordinances in this areas, Mayor Parker stated that she agreed that it was worth exploring, particularly the Sign Ordinance, that she had not thought about SOBs, Sexually Oriented Businesses, but that to was an interesting concept and would be willing to visit with him about it.

A vote was called on Item No. 6. All voting aye. Nays none. Council Member Costello absent. ORDINANCE 2011-855 ADOPTED.

8. ORDINANCE approving and authorizing agreement between the **HERMANN PARK CONSERVANCY** and the City of Houston for the provision and acceptance of Local Matching Funds for the Construction of the Fannin/Main Esplanades in Hermann Park - **DISTRICT D – ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2011-856 ADOPTED.
- 8a. ORDINANCE approving and authorizing agreement between the **TEXAS DEPARTMENT OF TRANSPORTATION** and the City of Houston for the Fannin/Main Esplanades in

Hermann Park Transportation Enhancement Project - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2011-857 ADOPTED.

9. ORDINANCE approving and authorizing grant agreement between the **U. S. SOCCER FOUNDATION** and the City of Houston for Soccer for Success After School for Houston's Economically Disadvantaged Urban Communities - **DISTRICTS A - STARDIG; B - JOHNSON; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-858 ADOPTED.
10. ORDINANCE awarding sole source contract to **IDEA INTEGRATION dba IDEA** for Software and Hardware Technical Support and Maintenance Services for the City's Data Collection Mobile Unit for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$419,418.00 - Dedicated Drainage & Street Renewal Fund – was presented, and tagged by Council Member Jones.

Council Member Jones stated that she would release her tag for the purpose of discussion.

Council Member Costello stated that this was the contract for the street assessment vehicle that they had used to drive all of their streets to determine the poor or good condition of those streets, that Eric Dargan with Right-of-Way and Fleet Maintenance had done an excellent job and completed the first assessment of the entire City and was actually on their website, that this issue had to do with the fact that the equipment that was on the vehicle was very sensitive and because of a lot of poor streets the equipment gets damaged pretty frequently and he had spent, over the past two years, several hundred thousands of dollars trying to fix it, that this request was basically for warranty on some of that equipment, long term warranty, which he was totally in favor of, that he wanted to remind everybody that relative to what he planned to do in the future with this particular piece of equipment, since he had already assessed the City once, that annually they would be re-driving everyone of their major thoroughfares, particularly in light of the drought and how they were having a lot of pavement separation occurring because of the drought and then every two years they would be re-driving all of the residential streets, which was a good thing, that right now because they were finished they planned to lease out the equipment and the services to other municipalities and they were currently working with West University, City of Sugarland and City of Missouri City to provide those services so they would get some rebate back which was a good thing, but also to remind everybody the benefits of the Proposition 1 Rebuild Houston, right now they were spending approximately \$75 million on street and drainage maintenance and as they moved forward on that program over the next 10 to 15 years they would be doing less maintenance and more rebuilding of streets, that he was firmly in support of this.

Upon further discussion and questions by Council Members. Mayor Parker stated that they had now driven all of the streets in the City and that status was available, she did not know whether if it was accessible to Council Members yet, but they did have it in house and would shortly be available to the public, they were not planning on going out and re-accessing the streets, but as citizen reports came into 3-1-1 about pot holes or pavement separations they were going to compile that, that it would be an interesting test of the equipment to go back out to a few of those select sites to see apparent the visible changes were on the machines, but they were not going to go back out and completely re-access, they wanted citizens to call in through the 3-1-1 process; that they were right about trying to get people to go to the website, that the 3-1-1 calls would prompt them to go out and eyeball the streets to see if there was a safety hazard, that they were still fixing potholes, they were still trying to address things where the pavement separation caused hazardous conditions so they wanted people to call in; that the priority was going to be on the physical condition of the street, but they had to know that those problems were there so they did not go back and re-evaluate them.

Mayor Parker stated that Item No. 10 had been tagged by Council Member Jones.

11. ORDINANCE amending Ordinance No. 2006-0975 to increase the maximum contract amount for contract between the City of Houston and **OIL PATCH-BRAZOS VALLEY, INC** for Fuel Transportation Services for Various Departments - \$240,000.00 - Fleet Management Fund – was presented, and tagged by Council Members Jones and Hoang.
12. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential lots within the **FAIRWAY LANDING SUBDIVISION and GREENWAY SUBDIVISION, SECTIONS 1-4** and certain improved single-family residential lots in the **PARK PLACE SUBDIVISION and LUM TERRACE SUBDIVISION AND REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-859 ADOPTED.
13. ORDINANCE approving and authorizing amendment to Operations and Maintenance Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** (Approved by Ordinance No. 2003-1320) for the Metro Light Rail System for the Main Street Corridor Advanced Train Management System - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-860 ADOPTED.
14. ORDINANCE appropriating \$449,133.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **INFRASTRUCTURE ASSOCIATES, INC** for Lift Station Renewal/ Replacement (Approved by Ordinance No. 2005-0362); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; B - JOHNSON; E - SULLIVAN; G - PENNINGTON and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2011-861 ADOPTED.

NON CONSENT AGENDA - NUMBER 23

MISCELLANEOUS

23. **SET A PUBLIC HEARING DATE** relative to the fifth amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER FIVE (MEMORIAL HEIGHTS ZONE) - DISTRICTS A - STARDIG; D - ADAMS; G - PENNINGTON; H - GONZALEZ and I – RODRIGUEZ - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - OCTOBER 19, 2011** – was presented.

Council Member Gonzalez moved to set Wednesday, 9:00 a.m., October 19, 2011, to set a hearing relative to the Reinvestment Zone Number Five (Memorial Heights Zone), seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2011-0763 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Johnson stated that last night was National Night Out and he visited a number of communities, Kashmere, Pleasantville, Shepherd Park Terrace, Rosewood, Shady Tidwell Timbers, that he wanted to thank all of the communities that participated. Council Members Sullivan, Hoang, Rodriguez and Lovell absent.

Council Member Gonzalez stated that he was a strong supporter and advocate for the

SPARK School Park Program, that as all of them knew it was a program that was founded by Eleanor Tinsley, that they were joined by her daughter, Kathleen Ownby, who headed the program, that many of them had seen some of the beautiful art at the City Hall Annex on the first floor, that it was original student art work created with recycled jewelry courtesy of Charming Charlie and one of the pieces of art was displayed; that on Saturday they kicked off Purple Light Nights at City Hall in recognition of October 2011 as Domestic Violence Awareness Month and as part of Domestic Violence Awareness Campaign, that he was joined by Council Member Bradford and Harris County Sheriff Adrian Garcia, that a special thank you to Verizon Wireless, that through their HOPE Line Project collected old cell phones and refurbished them to 8 local domestic violence shelters, that for more information for preventing domestic violence they could contact them at 713-224-9911, that in supporting Domestic Violence Awareness Month he was proud to have signed the Houston Area Women's Center "I Believe Pledge", that by signing the pledge they acknowledged that domestic violence was a serious problem in their City and State and also committed to joining a community dedicated to ending violence, for more information on the pledge contact the Houston Area Women's Center at 713-528-6798; that National Night Out in District H was a huge success, that as a former police officer it made him happy to see neighbors getting to know each other and working with their police officers to keep communities safe, that he appreciated all of the civic clubs, neighborhood organizations and groups throughout the district that hosted celebrations; that on Saturday the Jefferson Davis High School Hispanic Alumni Association would be hosting their annual scholarship dance which benefited their bright young students; that the Bayou City Arts Festival would kickoff at City Hall this weekend, that the festival was celebrating 40 years of being a wonderful community event. Council Members Johnson, Sullivan, Hoang, Rodriguez and Lovell absent.

Council Member Adams stated that she wanted to thank all of the civic clubs for last night's National Night Out, it was well attended, that she wanted everyone to continue to keep Olivia Randall in their prayers, that she had heart surgery, that she wanted to thank her for organizing the event from her home and to keep Margaret Jenkins in their prayers as well; that she wanted to thank the Museum Park Super Neighborhood, the neighborhood was currently fighting a mixed use development at the corner of Binz and Chenevert, called Park Binz, another Ashby High Rise, not as tall but tall enough to affect the neighborhood, that they needed to avoid this situation because it should not have happened with the particular community, that they needed to work with the Planning Commission, when these things come through they needed to notify the Council Member and let them know what was coming and this did not happen in this case; that on Thursday was "Read for the Record" and she would be participating in the national campaign to be televised on the NBC Today Show tomorrow, they would be reading books to the students at Thompson; that on Sunday Pastor Elmo Johnson, as well as the Pastor of Holman Street Baptist Church and Augusta Booker who would be celebrating their pastoral anniversaries and church anniversaries this coming Sunday; that today they had a group of executives from Worthing High School who came to meet with them about some issues and concerns that they were having in the community and trying to come up with new creative ideas on how they could be proactive in encouraging students to go to college, that she wanted to thank their GIVE Club, which had about 500 students who volunteered every month in the community; that they knew she had really been tackling the gaming room issues, that they recently raised the fees and they were looking at how they could do the regulations, that she was asking ARA and the Legal Department, that she understood that the writings and finally arrived and HPD and ARA had already vetted where they were going in regulating the game rooms on times and how they should operate in the community, they only had 211 permitted game rooms so she was asking that they bring this issue before the DRA Committee as soon as possible so they could regulate some of these game rooms. Council Members Johnson, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Clutterbuck stated that she wanted to notify her colleagues that next Wednesday, October 12, 2011, 3:00 p.m. to 5:00 p.m. they were going to be celebrating the

grand opening of the first ever new police station in southwest Houston, that for her it really symbolized the culmination of a whole lot of hard work in the area by a tremendous number of people, that she would share with them some of her observations, that when she first ran for City Council six years ago they would recall that they had just welcomed several hundred thousand evacuees from New Orleans, victims of Hurricane Katrina, and at the time more than 50% of the hurricane evacuees were living in District C because that was where the available housing stock was, that unfortunately due to a very few bad actors, who were now serving time at the Texas Criminal Justice System, gunfire was heard in the area most nights, truancy was rampant and crime had skyrocketed in the Fondren Southwest area, that she had heard a lot of stories on the campaign trail about lack of police staffing and the struggles that the officers down there had been having, but as she would share them with other people who were not familiar with it they would say they had equal staffing, it was just something they had to grow through, but she had her own personal experience with the unbalance of the staffing, she got a phone call from her home alarm company saying that there was an alarm and she made it to the house within 10 minutes of the alarm going off and found not one, but two HPD Police cars in front of her house, the patrol that was their primary call for back up was unable to make it to the house so HPD sent two police cars to what ended up being a false alarm, but that instance illustrated profoundly to her what she believed was a huge disparity, because she did not live in Fondren Southwest, she lived two police divisions away, so she pledged then and there that she would do all within her power to make sure that they restored a balance and restored what she believed was the dignity and peace that all good residents deserved and craved in neighborhoods, that when she got elected she created a statistical analysis, which was available for all of them to do, and showed Mayor White and Chief Hurtt that based on calls for service, population density, number of apartments per police officer, the finer division was understaffed and Mayor White and Chief Hurtt, to their credit, immediately reallocated staffing to give some relief to the hard working police officers down there who were operating out of a strip shopping center, between the Fiesta and the Wig Salon, at a \$1 a year but it was a great deal until the air conditioning went out and they got an eviction notice, that they deployed the first ever command center and targeted areas for known drug dealers, they implemented a sting operation on chop shops, they relocated the Frank Branch Library, right across from an existing Y.M.C.A. and just down the street from Pershing Middle School and AA Mill Elementary, trying to recreate the miracle that had happened at Stella Link when crack houses were removed and peace was restored to the area and now the biggest concern in that area were escalating tax appraisal rates, they brought in HCC to do job training in the area, job training for Katrina evacuees, some of whom were women in their 30's or 40's and who had never held a job, and neither had their parents, that was truly the highlight, seeing the dignity restored to these people who for the first time were able to put together a resume and go out and apply for a job, they brought in over \$20 million, which was now on the ground in HUD funding for apartment renovations with specific conditions, that they screened all of the recipients, they were required to have tenant screening, required to have a code of conduct, quality on site child care, true renovations, no paint on a pig, and Houston based owners with property standards of conduct, they tore down delinquent apartments, that she would continue the story. Council Members Johnson, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Stardig stated that last night she had a great time with District A residents at their National Night Out events and she wanted to thank her staff for joining her, they were able to visit at least 20 neighborhoods throughout the community and also distributed the Community You flyers, that Planning had extended the deadline to sign up for Community You until October 10, 2011 and they were able to communicate that, that she wanted to thank Director Grafick for extension on the date, that she wanted to thank the Houston Police Department Officers who helped coordinate this year's event and to all of the good neighbors who had taken an interest in their neighborhoods; that this weekend the Binglewood Civic Club was honoring residents who had lived in Binglewood for over 50 years, that it was located west of Hollister and north of Kempwood, there were over 30 residents who had started their lives

and families in Binglewood; that next Thursday, October 13, 2011, the 10th Annual Memorial Service would be held for Houston Fire Department Captain Jay "Jaybird" Jahnke, that Captain Jahnke was a 20 year veteran with HFD who died during a multiple alarm fire on October 13, 2001, that the memorial service would be held at the Jahnke Station, Fire Station No. 2, located at 5880 Woodway Drive; that she wanted to congratulate Council Member Clutterbuck for her presentation for the station that she was going to have in her district; that she wanted to highlight again the Spark Park School Program, the on line auction, and make sure that everyone got a chance to go and check that out, the artwork was amazing; that if they wanted to join their newsletter to please contact their office. Council Members Johnson, Sullivan, Hoang, Gonzalez, Rodriguez and Noriega absent.

Council Member Pennington stated that as a follow up to the proclamation that Mayor Parker issued last week he wanted to remind everyone that the 45th Annual Greek Festival would begin tomorrow afternoon at Annunciation Church on Yoakum, south of Westheimer, that his granddaughter would be dancing on Saturday and Sunday; that they were out last night at the National Night Out and spent the most time at Westlane Place off of Mid Lane, between Westheimer and Richmond, that it was a wonderful event. Council Members Stardig, Johnson, Sullivan, Hoang, Gonzalez, Rodriguez and Noriega absent.

Council Member Jones stated that she wanted to congratulate SEIU United for having a successful National Day of Action; that she wanted to thank Council Member Adams for allowing her to help her get air conditioner units to areas where she was not the District Council Member; that she wanted to thank the Gilbert and Vinnie Land Family for having their family reunion in Houston at L. Franco Lee Park, that they originated in Jasper, Texas; that last weekend she was the keynote speaker at the Houston Usher and Nurses Citywide 81st Convention, that they are the people who greeted them at church and the nurses were when some people got overtaken by emotion and they helped make sure nobody got hurt, that she wanted to commend them for the work that they do; that last week she and Council Member Gonzalez attended the 2011 Latino Art Beat Houston Regional Convention, there was a lot of great art from a lot of young people but she particularly wanted to point out Enrique Rodriguez who won the region, she believed he came in second place nationally, that he attended Cesar Chavez High School, that he did a piece of work in cubism, that she could not believe it came from a young person, it seemed like it should be hanging in somebody's art museum, that the Executive Director of Latino Art Beat did a great thing, he committed to giving Enrique \$10,000 when he finished his associate degree to go to a prestigious school on the east coast for art; that she spoke at the Nigerian 51st Independence Day; that last night she went to 8 National Night Out events, that those that she did not get to she had volunteers go to, that they had good precense and got to listen to concerns of the community. Council Members Stardig, Johnson, Sullivan, Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Bradford stated that he wanted to commend City Attorney David Feldman, it was not his expectation that the City Attorney would go out to a community event and answer questions concerning an issue on the behalf of the community, but Mr. Feldman did that in Kingwood two nights ago, that Council Member Sullivan had a townhall meeting, that he had been center stage, under fire before, so he had an appreciation of Mr. Feldman volunteering to be there, stay through the entire event, addressed all of the issues, that the issue was not resolved yet concerning the drug rehabilitation center that was being proposed for the Kingwood neighborhood, but Mr. Feldman stayed through the entire event, addressed very professionally, confidently and very capable all of the concerns that were presented from the community, that he also generated a discussion which led to alternative options being put on the table, which could be pursued through State options that the City did not have available to them, so again even though the issue was not resolved, he commended Mr. Feldman for volunteering to go there and do what he did to a full house of people, that it was a very serious issue to the Kingwood community and he appreciated Council Member Sullivan for hosting the

townhall meeting; that as to the South Gessner Patrol Division opening up next week, he commended the efforts of those involved to make that happen over a number of years, that worked very hard to create an environment that was conducive for citizens and police officers to do their job, decentralization led to more effective delivery of police services and that section of town just did not have a facility that was suited for citizens and police officers to work, even though a small area had been donated for \$1 a year for a period of time it was just not adequate, that he would give credit to Council Member Clutterbuck for bringing that about; that he had a fabulous time last night moving across Houston and participating in their 28th National Night Out, that he could not help but reflect back on Dr. Lee Patrick Brown, that he was part of the group in 1983 when Dr. Brown came in as police chief and started talking about tenants of community policing, tenants of neighborhood oriented policing and as many of them knew he went on to serve as Mayor of the City, that as he was visiting with many citizens last night they reflected back on the very first National Night Out in the early 1980s in Houston. Council Members Stardig, Johnson, Sullivan, Hoang, Gonzalez, Rodriguez and Noriega absent.

Council Member Lovell stated that she participated in her last National Night Out as a Council Member and chose to go to her own civic association, Lancaster Place Civic Association, that it was held at the Chocolate Bar, that she wanted to thank the Chocolate Bar who gave away free cups of their wonderful ice cream, that Anna Russell's daughter happened to be a member of their civic association so she was able to visit with her, that she wanted to say thank you to her civic association for hosting a wonderful National Night Out; that the Terminal B Outreach and Opportunities for George Bush Intercontinental Airport were going to be hosted by United Continental in partnership with the City of Houston Mayor's Office of Business Opportunities, Houston Airport System, that it would be held on Friday, October 7, 2011, at the Humble Civic Center, 8233 Will Clayton Parkway; that she wanted to say congratulations to Captain Wendy Baimbridge, who was promoted yesterday in a ceremony at police headquarters, that Captain Baimbridge had worked with her office on numerous issues, that her new badge which said Captain was pinned on by her son Eric, who was a 7th Grader at Hamilton Middle School, that her husband also happened to be a police officer so she wanted to say congratulations to them and their whole family; that there was great news in the newspaper, their disappointment in not getting a space shuttle, but she understood they were getting a mock up that visitors could interact with and go on board and be able to touch and understand what it was like, that it might not be the real one that they could look at but might end up being better, that she also understood that maybe part of launch pad would be fit into that so they may end up with something that citizens could come and interact, touch and understand what it was like to be in space. Council Members Stardig, Johnson, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Council Member Adams stated that she wanted to thank the Neighborhood Department and congratulations to Avita McKinney for always doing a wonderful job with her fairs, making sure that these awareness fairs took place; that she wanted to remind her colleagues that this was Disability Awareness Month and kickoff for the Third Annual National Disability Awareness Day would be on Friday at the Metropolitan Multi Service Center on West Gray; that she wanted to thank the Public Works Department, last week she brought a concern about South Acres and how bad the street was because the Houston Fire Department was complaining about the trucks leaning to the side because the street was so bad and they immediately went out to repair the streets, that she wanted to thank them for going out and making sure the firefighters felt safe when they were making those emergency calls; that she wanted to give Gary Norman condolences on the loss of his father during his battle with Cancer; that she wanted to remind the Legal Department and ARA about the gaming room regulations, that they made night site visits and were able to see some of the things that occurred at night time in some of these gaming rooms, that she was starting to have issues with parking, so just like they had to have parking requirements for Walgreens there needed to be some regulations on parking, that constituents were complaining because they could not even visit a Texaco to pump gas, there

needed to be some regulations, that she was not going to give up until they were able to protect the quality of life of their communities; that she wanted to say congratulations to the Houston Texans, that was a great game on Sunday. Council Members Stardig, Johnson, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Council Member Clutterbuck stated that they had demolished several delinquent apartments that were magnets for crime and brought in over \$20 million in HUD funding for the apartment renovations, restoring a standard of habitability and dignity that was worthy of the residents, and of all people, that there was the establishment of the management district in the area, that it worked very hard to not only bring beautification but now in fact was combining with other management districts to hire a County Prosecutor to be able to enforce their City laws and Tim Douglass was instrumental in making sure that management district got established in the State Legislature when it did, when it was the only management district that survived that particular Legislative Session, that next month when they opened the new Gessner and Fondren Division Police Station after 20 years of tireless hard work and fight on the part of a number of hard working residents down there the police officers and members of the community would finally have a station worthy of their efforts, efforts that over the last six years had restored that area from one of the highest crime areas in the City of Houston to now one of the safest zip codes in the City of Houston, that to show the synchronicity of the changes happening there they may have read in the paper that Westbury Christian School was now purchasing the Wesleyan YMCA property, that the sports fans in the audience would know the name of Charlie Ward who was their head coach, that he was a Heisman Trophy winner, that he played professional basketball for the Knicks and the Rockets, that Westbury was purchasing that YMCA to be their new sports facility, that it was south of South Braeswood at Fondren, that was the kind of synchronicity that this had produced, luring in other entities, other families, individuals and businesses that saw the potential of the Fondren Southwest area and were eager to build now a high school, track and football stadium on that property and to keep the existing facility as their new sports facility, that all of this focused in laser beam like fashion along this particular area, along with the tireless hard work of the individuals in the area was a tribute to the hardworking people in that area and an example of how people who craved descent safe neighborhoods would fight to get what they wanted, that she would invite her colleagues to join them next Wednesday for the exciting tribute and party that was gong to be a celebration of the hard work and many exciting things to come. Council Members Stardig, Johnson, Sullivan, Hoang, Gonzalez and Rodriguez absent.

There being no further business before Council, the City Council adjourned at 11:52 a.m. Council Members Stardig, Johnson, Sullivan, Hoang, Gonzalez and Rodriguez absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary