

City Council Chamber, City Hall, Tuesday, October 25, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 25, 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, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division,, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Mr. Xavier Herrera, Citizens Assistance Office; and Ms. Marta Crinejo, Agenda Director, present. Council Member Sue Lovell absent on personal business.

At 1:44 p.m. Mayor Parker stated that presentations would begin with Council Member Adams. Council Member Adams invited Dr. Jennifer Arnold to the podium and stated that she and some Council Members went to the simulator and saw what Dr. Arnold was doing at Texas Children; that Dr. Arnold was medical director in the Pediatric Simulation Center at Texas Children Hospital; that she was born with SED a random genetic mutation which led her dwarf growth to three feet tall, but she cared for the most vulnerable at Texas Children; and Mayor Parker presented Dr. Arnold a Proclamation and proclaimed today as "Dr. Jennifer Arnold Day" in Houston, Texas. Council Members Sullivan, Hoang, Pennington, Rodriguez, Bradford and Jones absent.

Dr. Arnold thanked all for the recognition and reviewed the healthcare simulation training and reasoning behind it. Council Members Sullivan, Rodriguez and Jones absent.

Council Members Clutterbuck, Stardig and Noriega congratulated and thanked Dr. Arnold for her work. Council Members Sullivan, Rodriguez and Jones absent.

Council Member Noriega invited Representative Senfronia Thompson to the podium and stated that Representative Thompson was a champion, she had been a teacher for HISD and believed in public education and was most known for insisting that the "little dogs eat"; that she was in the forefront against discrimination of any kind and fought for the "little dogs" for almost 40 years; and Mayor Parker presented Representative Thompson a Proclamation and proclaimed today as "State Representative Senfronia Thompson Day" in Houston, Texas. Council Members Sullivan, Rodriguez and Jones absent.

Representative Thompson thanked all for the recognition and stated that she was running for reelection; that she had spent 39 years in the Legislature and still had much to do; and thanked all her constituents for allowing her to work for them. Council Members Sullivan and Rodriguez absent.

Council Members Clutterbuck, Stardig, Adams, Pennington, Johnson, Bradford and Jones congratulated Representative Thompson and thanked her for all her work. Council Members Sullivan and Rodriguez absent.

Council Member Noriega invited the Long-term Awareness Group to the podium and stated that she had spent time recently dealing with long-term care in her family and there was nothing more important than taking care of children and seniors; and Mayor Parker presented a Proclamation to the group and proclaimed the month of November as "Long-term Care Awareness Month" in Houston, Texas. Council Members Sullivan, Rodriguez and Jones absent.

Ms. Honey Leveen thanked all for the recognition and for supporting long-term care awareness which was what the month was for, to support awareness. Council Members Sullivan and Rodriguez absent.

Council Members Clutterbuck and Jones congratulated and thanked the group for their work in making all aware of long-term care. Council Members Sullivan and Rodriguez absent.

Council Member Johnson stated that today he was honored to pay homage to his Father who had done so many great things throughout his career and was being inducted into the Texas Radio Hall of Fame; that in itself was an honor, but he would honor him into the Texas Dad Hall of Fame; and invited Mr. Johnson and his wife and daughter to the podium; and Mayor Parker presented a Proclamation to Mr. Johnson and proclaimed today as "Larry Don Johnson Day" in Houston, Texas. Council Members Sullivan, Pennington and Rodriguez absent.

Mr. Johnson stated that his son told him to be here today and was not sure why but in anticipation prepared something to say and he had been very fortunate to spend his time with true legends and he could not say enough about those he now worked with at KTSU; that he tried to use air time to fight for what was right, to give clarity to what would otherwise have been injustice and behind the scenes, to give a voice to voiceless people and the Proclamation was special for all those reasons and would be treasured because it came from the City of Houston and from his son, who had surpassed all his efforts to work on behalf of the people. Council Members Sullivan, Pennington and Rodriguez absent.

Vice Mayor Pro Tem Gonzalez, Council Members Noriega, Adams, Jones, Clutterbuck and Bradford congratulated and thanked Mr. Johnson for what he had done to the communication industry; and stated that they were proud to serve with his son and also proud of his work. Council Members Sullivan, Pennington and Rodriguez absent.

At 2:32 p.m. Mayor Parker called on Council Member Johnson who invited Bishop Stewart with Great Emanuel Family Worship Center to lead all in prayer and Council Member Johnson led all in the pledge. Council Members Clutterbuck, Adams, Sullivan, Pennington and Rodriguez absent.

At 2:34 p.m. the City Secretary called the roll. Council Member Lovell absent on personal business. Council Members Clutterbuck and Sullivan absent.

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

Mr. Steve Parker, 4518 Park Drive, Houston, Texas 77023 (713-923-3983) appeared, presented information and stated that he was president of the Greater Eastwood and Lawndale Wayside Super Neighborhood and present expressing support of the community for the transfer of the historic Rufus Cage Elementary School to the City of Houston; that their doors opened in 1910 far out on the prairie more than a dozen years before HISD was formed; that it was a landmark and symbol of education and the community worked alongside with the Greater Houston Chamber of Commerce and Eastend Management District for a vision for their area and preservation was a part of it. Council Members Johnson, Clutterbuck, Sullivan and Hoang absent.

Council Member Rodriguez thanked Mr. Parker for coming and stated that he appreciated the work of all who supported the project and all the Cage Fighters who fought long and hard to preserve the gem. Council Members Johnson, Clutterbuck, Sullivan and Hoang absent.

Council Member Gonzalez thanked Mayor Parker and Council Member Rodriguez for their leadership and Mr. Parker and all others who worked on the issue; and stated that he looked forward to supporting the item. Council Members Johnson, Clutterbuck, Sullivan and

Hoang absent.

Ms. Jody Gillit, 5112 Jefferson, Houston, Texas 77023 (713-540-9171) appeared and stated that she was a member of the Cage Fighters and an employee of the University of Houston and resident of the community near the school; that it was an amazing building and a cornerstone for the Greater Eastend Area and a welcoming presence; and urged a yes vote on the item. Council Members Johnson, Sullivan and Hoang absent.

Mr. Robert Gallegos, 5112 Jefferson, Houston, Texas 77023 (713-269-3953) appeared and stated that he was chair of the Historic Rufus Cage Educational Alliance and present asking for a yes vote in accepting the property from HISD; that it was a 12 year project; and read a list of supporters. Council Members Stardig, Johnson, Sullivan and Hoang absent.

Council Member Adams thanked Mr. Gallegos and all others who worked on the project; and upon questions, Mayor Parker stated that all information requested was in the RFCA and backup presented this week, but it was a no cash transaction; that the city had accepted the building from HISD for a consideration, they kept a running tally with ISD's on right of ways exchanged back and forth and so for a \$100,000.00 credit and the city had control of the property and they would stabilize the roof and then it would be up to Mr. Gallegos and Mr. Parker, etc., to raise money and maybe Harris County, but no city funds were committed. Council Members Sullivan and Hoang absent.

Council Member Rodriguez thanked Mr. Gallegos for all his work; and upon questions, Mr. Gallegos continued reading a list of supporters and urged a yes vote on the item tomorrow. Council Members Sullivan and Hoang absent.

Upon questions by Council Member Jones, Mayor Parker stated that the project would go into the city property inventory, but they committed to stabilizing the roof and not renovating the building; that she did not have the complete dollar value on putting a tarp over the roof, but believed the building sound, various architects were doing an assessment. Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Stardig stated that this was an interlocal agreement and all should be outlined in writing with no confusion on what expectations of the city were; and she would like to be sure there were good estimates in place prior to moving forward as in the past cost were underestimated; and Mayor Parker stated that they would get her all information they had, but to be clear this was a straight forward transaction from HISD books to the City books; and HISD entered into this because the City committed to saving the land marking and façade. Council Members Sullivan, Hoang, Rodriguez and Noriega absent.

Mr. Paul Davey, 2201 Wroxton, Houston, Texas 77005 (713-857-2325) appeared and stated that he was a citizen and small business person and currently operated a real estate investment management business and startup restaurant and present to talk on the Kroger 380 issue; that he thought about it and elected officials were trustees of the commonwealth of this city and in that there should be three things to say yes to justify expenditure and that was if it was truly needed, it be taken under a way of best practices and last that no constituent be favored over another; and considered if they needed to spend money on a store coming anyway and one not needed there; and if they passed the hat among the Mayor and Council to get money for them would they do it, he thought no; and being trustees of citizens he felt it failed. Council Members Stardig, Sullivan, Hoang and Rodriguez absent.

Mayor Parker stated that this was not a check to Kroger, Kroger paid for public infrastructure and their return on investment occurred over 13 years. Council Members Stardig, Sullivan, Hoang and Rodriguez absent.

Upon questions by Council Member Clutterbuck, Mr. Davey stated that when a small business came to Houston there was no discussion of 13 or 20 years; that this did not seem to be giving all citizens the same rights. Council Members Stardig, Sullivan, Hoang and Rodriguez absent.

Council Member Gonzalez stated that he wanted to point out that Kroger owned the land and was entitled to build and as the Mayor stated this was focused on public improvements and they took the risk upfront; and within 13 years if there was no increase the city paid nothing. Council Members Stardig, Adams, Sullivan, Hoang and Rodriguez absent.

Mr. Allison Hartzell, 521 Omar, Houston, Texas 77009 (713-864-9360) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Hoang and Rodriguez absent.

Mr. Dustin Phipps, 5500 Sampson #8104, Houston, Texas 77004 (281-543-2095) appeared and stated that he was a premedical student at the University of Houston and working with Occupy Houston since its initial planning stages and felt he had a good grasp of its need and direction; that he was not a leader of the movement and wanted to thank City Special Events and HPD and Parks and Recreation for their cooperative and compassion disposition towards them throughout the process, but tents, medical supplies, etc., had been cost prohibitive and called on the City of Houston to assist in bringing a successful resolution to the problem; and would also like a Kroger in the Third Ward. Council Members Stardig, Adams, Sullivan, Hoang, Rodriguez and Jones absent.

Mr. Dwight Baxter, 3427 Wentworth, Houston, Texas 77004 (832-546-5910) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Hoang and Jones absent.

Mr. Wilford Scott, 2626 S. Loop West #530, Houston, Texas 77054 (832-473-3423) appeared and stated that he worked with an organization, (TIBH) Texas Industries for the Blind and Handicapped, earlier this month disabled employees of the City of Houston were recognized and Congress declared October as Disability Awareness for Employment Month and at TIBH and organizations which worked with them were coming to the City of Houston today thanking them for their support of the Texas State Program which was designed to provide employment opportunities for disabled Texans; and presented an award for Mayor Parker and director in appreciation for their recognition and purchasing through that program. Council Members Stardig, Adams, Hoang, Noriega and Jones absent.

Council Member Jones stated that a number of Council Members supported helping the disabled to manage life better. Mayor Parker, Council Members Stardig, Adams, Hoang, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

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. Mayor Parker, Council Members Stardig, Johnson, Adams, Hoang, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Cassandra Scott, 3802 Handberry Lane, Pearland, Texas 77584 (713-550-3370) appeared, presented information and stated that she was a pastor in Houston and today was present to let Council know their church was passionate in the area of prayer and prayed for people on a daily basis; that this Saturday, October 29th, 6:30 a.m. they would gather at Tranquility Park and walk and pray for the city; that they thought if they were praying for the city they should let them know what they were doing and if they needed anything they could do for

them in reference to prayer they wanted to make it available. Mayor Parker, Council Members Stardig, Johnson, Hoang, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Members Clutterbuck and Adams thanked Dr. Scott for their work and prayers. Council Members Stardig, Johnson, Hoang, Pennington, Noriega and Jones absent.

Ms. Kendra Penry, 1911 Fountainview Drive #18, Houston, Texas 77057 (713-874-0290) appeared and stated that she was representing Houston Rescue and Restore Coalition; that they started a petition which she knew many Council Members received emails over and she wanted to explain what it meant as they had a lot of pushback from it and believed it was over a misunderstanding; that they were asking Council pass a fair trade resolution to declare Houston a "fair-trade city" simply because today slavery still did exist, but it was now called human trafficking and it was in their chocolate, coffee and clothes and one of the few ways to be sure their product was not involved in slave labor was purchasing fair trade and because of that Fair-Trade started a fair trade towns movement educating about what every individual could do and that was purchase fair trade, but part of the process was a required resolution simply stating the city would use fair trade when possible because consumers were not just people but institutions and it would state they would support education efforts on fair trade, but would require no investment; and this was opportunity for Houston to say they did not tolerate slavery within borders or products; and urged they join with them and make Houston the first "Fair-Trade" town in Texas and one of the largest in the world, but Austin was on the same path and they did need to beat them; that she had a copy of the resolution any could see and it was nonbinding and changes could be made, but they wanted citizens to know how to fight slavery. Council Members Stardig, Johnson, Hoang and Pennington absent.

Council Member Gonzalez stated that he was familiar with the issue and a city like Houston had a lot of buying and purchasing power and Council Member Stardig was very aware of the human trafficking issue; and upon questions, Ms. Penry stated that the most common form of human trafficking or modern day slavery today was forced labor and it affected citizens, such as those forced to work in the Gulf after Katrina who were actually trafficked, it also affected those who picked coco and coffee beans and cotton around the world; that laws in the U. S. said there would be no products sold in the U. S. involving slave labor, but it was not enforced and because of that a third party arose, the Fair-Trade Movement, to certify products were free of slave and child labor and a consumer would know their dollars were not supporting slave labor; that the idea behind the Fair-Trade Towns Movement was that by declaring their city a fair-trade town it helped raise awareness; that Chicago and Boston were the two largest cities who had signed on, however, multiple smaller towns had signed and this was an international movement including Sweden, Hong Kong, etc. Council Members Johnson, Adams, Hoang and Pennington absent.

Council Member Jones stated that for the record she would support a resolution if one was done and apart from that she would like to meet with them to learn more specifics; and she could contact other elected officials, etc., and see if they would be willing to do that as well. Council Members Johnson, Adams, Hoang and Pennington absent.

Ms. Regina Sophus, 14531 Ella Blvd. #3911, Houston, Texas 77014 (832-651-5083) appeared and stated that she was present on behalf of tenants rights; that she had nothing where she lived off Ella Blvd. and Rankin and no one did anything when she had written several consumers; that she was part of the medical team, but no one called her for a job when she applied for 35; that she also had a large amount of eviction notices and could get no assistance. Council Members Stardig, Johnson, Clutterbuck, Adams, Hoang, Pennington and Noriega absent.

Upon questions by Council Member Jones, Ms. Sophus stated that she needed someone

to assist her in moving forward with her life as no one was helping with harassment from her neighbors and was being denied rights; that she was a part of a lawsuit and received no money; and Council Member Jones stated that she needed to speak to her lawyer about the lawsuit and harassment and eviction; and regarding a job she could go to Houston Works; and Ms. Sophus stated that she had and found no work; and Council Member Jones stated that every other month she gave a reentry seminar free to find employers and her office would call and give her the number. Council Members Stardig, Johnson, Clutterbuck, Adams, Hoang, Pennington and Noriega absent.

Mr. Gilbert Ramirez, 9333 Bryant, Houston, Texas 77075 (713-991-0026) appeared and stated that he was a home builder and developer 35 years now and when things went wrong one looked for ways to correct them in a professional and humanlike manner which brought him to his situation today; that one year ago they started a development on the Gulf Freeway, a 20 acre development, they leased one building and developed one into a mixed use development which was a restaurant, concert hall; that all inspections were completed and all was in order and then six months later a group of inspectors showed up and some went back to 15 years ago when they had problems and he felt some who showed up wanted to bring him down; that an inspector did state to him, his son and members of his staff he would bring Gil Ramirez down; that he understood the importance of code enforcement, but he was present because of abuse of some officers; that they received a Certificate of Occupancy for 685 people and the officials pulled the certificate and said they would have to apply for a temporary and his son went to Permitting and secured a temporary permit. Council Members Clutterbuck, Hoang and Noriega absent.

Council Member Jones stated that if what he said was true she was troubled; and upon questions, Mr. Ramirez stated that Inspector Rick Norquist and the Chief, Earl Greer said they would bring him down; and Council Member Jones stated that it was problematic if it was true and her or her office would be calling him; and Mr. Ramirez stated that he would appreciate her help and thanked Council Member Gonzalez for being there yesterday. Council Members Clutterbuck, Adams, Sullivan, Hoang, Pennington and Noriega absent.

Council Member Rodriguez stated that his office was happy to intervene and get a meeting set up concerning his allegations; and upon questions, Mayor Parker stated that Mr. Ramirez needed to file a sworn complaint so the OIG could investigate, but at this point there were structural deficiencies in his property and Mr. Norman had visited with him; that they could arrange for other inspectors to go out and certify whether the structural problems were corrected; and Mr. Ramirez stated that he had asked for other inspectors and they had refused. Council Members Clutterbuck, Sullivan, Hoang, Pennington and Noriega absent.

Council Member Jones stated that whether there were structural deficiencies or not she believed it inappropriate for an inspector to threaten to shut someone down; and Mayor Parker stated that Mr. Norman was standing in the back. Council Members Clutterbuck, Sullivan, Hoang, Pennington and Noriega absent.

Mr. Gilbert Ramirez, Jr., 9900 Gulf Freeway, Houston, Texas 77034 (713-987-7300) appeared and stated that time was not on their side, they had about 100 employees and they needed to let them know if they had a job or not; that the City of Houston gave them occupancy for 49 and they had well over that just in employees and it was either shut the doors or break the law which they were not here to do that; and they did ask for a meeting and were heard but no decisions were made; that everything structurally was signed off on from an engineer, but there was an inspector who was not an engineer saying what Senior said and he did not think their request were out of line, they would like a temporary permit to keep the building open. Council Members Clutterbuck, Sullivan, Hoang and Noriega absent.

Mayor Parker stated that the city took bootleg construction very seriously and they were not interested in granting variances, but if they would work with Mr. Norman they would get a team of inspectors out to make sure they were fully compliant. Council Members Johnson, Clutterbuck, Sullivan, Hoang and Noriega absent.

Upon questions by Council Member Jones, Mr. Ramirez stated that they had over 100 employees and now they could only have 49; that in their meeting they had electrical, plumbing and structural and they said to give them the temporary seal they wanted to make sure there was no life safety issues and he paid over \$1,000.00 to have them come by and all signed off on it; that the structural inspector had a temporary seal in his hand and he did not allow them to charge customers in the building and once they left he said here is your temporary seal and they could get back to work; that they were present because they had a meeting with them yesterday and time was not on their side. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez and Noriega absent.

Mr. Raffi Wakefield, 717 W. Alabama #2, Houston, Texas 77006 (646-206-8317) appeared and stated that he was from Occupy Houston, but did not represent them officially; that they, Occupy Houston, had confronted the reality that occupations across the country were experiencing as well; that people, mostly men, without shelter were joining them in great numbers and he said with shame for the city that most who slept in Tranquility Park last night had no choice about sleeping outside; that with recent expansion of boundaries affected by the civility ordinance Houston sent a message to a homelessness problem was to force the most defenseless people to stay outside of the wealthy and that issue extended to tents; that he realized tents were unsightly, but for many it would be a quality of life improvement; that he was asking the city to remember those who fed and housed the homeless were being overwhelmed and that in August with over 100° temperatures they could not be surprised when desperate people did crimes to get shelter; and urged the city fund a program for mental health services, temporary shelter, drug treatment and reduce the homeless population over the next five years; and urged they stop criminalizing homelessness and repeal civility ordinances and make camping in public parks legal. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez and Noriega absent.

Mayor Parker stated to be clear he was with Occupy Houston and his objection was to the fact the homeless were in the park with him; and Mr. Wakefield stated no, he wasn't objecting to their presence, but Occupy Houston made him aware of their presence and the fact they faced serious legal obstacles to live being homeless; and Mayor Parker stated that there were a number of agencies and institutions to serve the homeless and provide shelter although there were rules and requirements to access it and many homeless for various reasons were unwilling or unable to follow those rules; and Mr. Wakefield stated that he was asking for a long-term view to reduce homeless population; and Mayor Parker stated that she was committed to that and had been meeting with federal agencies on it and hoped after the first of the year to be able to do something along those lines, although she did not think allowing tent encampments was the proper way to go. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez and Noriega absent.

Council Member Jones stated that she agreed with Mr. Wakefield; that she was chair of the Housing and Community Development Committee and with every agency they had to help with homelessness there was not enough housing and there were many homeless children in school and she was thankful those who were not aware of homelessness were now becoming aware and she believed government needed to do a better job addressing the issues because they were criminalizing homelessness and she did not believe there was anything civil about civility ordinances. Council Members Clutterbuck, Sullivan, Hoang and Rodriguez absent.

Council Member Gonzalez stated that he would urge Mr. Wakefield to seek the state

legislatures as there were a lot of cuts in the mental health sector. Council Members Clutterbuck, Sullivan, Hoang and Rodriguez absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Mr. Raffi Wakefield, seconded by Council Member Stardig. All voting aye. Nays none. Council Member Lovell absent on personal business. Council Members Clutterbuck, Sullivan, Hoang and Rodriguez absent. MOTION 2011-0791 AODPTED.

Council Member Gonzalez stated that he would urge Mr. Wakefield to continue to seek awareness in those areas; that he was trying to advocate for...; that every year through the city they arrest thousands through the public intoxication Class C offense which should not be criminalized, he felt they could do a better job of creating some type of detox sobriety center which he knew they had support for and it would provide a point of access and instead of just incarcerating the low level offenses such as public intoxication they could provide opportunity for recovery services and he was pushing for it. Council Members Clutterbuck, Sullivan, Hoang and Rodriguez absent.

Council Member Adams thanked all for coming and voicing their opinions in the last weeks; that she commended them on challenging Council to do better and she could vouch for the Administration on working on a strategic plan for homelessness and she had worked with homelessness since 1992 and it was top priority for her. Council Members Sullivan, Hoang, Gonzalez and Rodriguez absent.

Ms. Cathy Courtney, 1112 E. 7 1/2 Street, Houston, Texas 77009 (713-864-6724) appeared and stated that Houston like many municipalities was suffering in economic times and since October 6th Occupy Houston engaged in peaceful protests and she proposed HPD not rigidly enforce every little ordinance and figure out what to do to get permits and compromises; that they just wanted to speak and camp out and asked that Council consult with Los Angeles, New York, Seattle, etc., on how they worked to figure out how to support their constitutional right of citizen action in progress and allow the tents. Council Members Johnson, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Mayor Parker thanked Ms. Courtney for coming and stated that she wanted to be clear how much they appreciated good communication between the Police Department and the Occupy Houston group and they hoped to continue to have good dialogue; that her points were noted, though she was not ready to make a commitment today. Council Members Johnson, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Council Member Jones thanked Ms. Courtney for coming and stated that this was a peaceful protest and Council received notice of a possibility that individuals of Occupy Houston may attempt a sit-in and disrupt the meeting and she was offended to read that; that they were very respectful and she was happy to see them; and she would be happy to talk to them in her office. Council Members Stardig, Sullivan, Hoang, Gonzalez and Rodriguez absent.

Mr. Kerry Patton, 831 Wilson Road #120, Humble, Texas 77338 (832-499-2169) appeared and stated that he and his wife were present a couple of months ago, they were homeless and living at the Star of Hope and things still had not gotten better; that their voucher was still being denied and his wife really wanted to go back home; that she was in the hospital and he did not see why they would not let them go home when he had paperwork saying everything was right; that his wife was very sick; and asked that the Council please assist them. Council Members Stardig, Adams, Sullivan, Hoang, Gonzalez, Rodriguez and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she was not sure she followed his issue; and Mr. Patton stated

that they had a voucher from the Housing Authority; and Mayor Parker stated they were a separate entity from the City of Houston and he needed to deal with the Housing Authority and she would ask Citizens Assistance to make sure he had the right appeal information; and Mr. Patton stated that he would like the ruling overturned; and Mayor Parker stated that she could not overturn, but there was an appeal process; and Mr. Patton stated that they did not honor the appeal; and Mayor Parker stated that she heard him and if appealed and it was denied she did not know where to send him, but would ask Citizens Assistance to follow the trail and see what could be done. Council Members Stardig, Adams, Sullivan, Hoang, Rodriguez and Jones absent.

Mr. Anthony Childress, 3017 Isabella, Houston, Texas 77004 (832-921-7326) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Hoang, Rodriguez and Jones absent.

Ms. Krystal Muhammad, 7125 Reed Road, Houston, Texas 77087 (713-261-3558) appeared, as others stood in support, and stated that she was present as an advocate for Anthony Childress, he was beaten by HPD on October 2nd, he had six teeth knocked out and 36 stitches; that they had picketed against police brutality for 42 weeks and outside of City Hall 30 weeks and they were demanding an Independent Civilian Review Board with subpoena and prosecutorial power and were up to 4,000 signatures now. Council Members Stardig, Adams, Sullivan, Hoang and Rodriguez absent.

Council Member Adams stated that one concern was the Student Government Association at Texas Southern University about Mr. Perkins was they were trying to get information on the case and she heard the story and it was puzzling to her and she would ask Mr. McClelland to speak with her and students at Texas Southern University as they did have concerns; and Mayor Parker stated that Chief McClelland was always responsive to Council Members but he would not be able to speak to a community group while it was still under investigation. Council Members Stardig, Sullivan, Hoang, Rodriguez and Costello absent.

Council Member Jones stated that most officers were good, but, but she maintained a few bad could do a lot of damage and if Council was able to vote on a Civilian Review Board with subpoena power she would do so. Council Members Stardig, Sullivan, Hoang and Rodriguez absent.

Ms. Maria Elena Castellanos, 4619 W. 34th #312, Houston, Texas 77092 (281-250-9824) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Hoang and Rodriguez absent.

Ms. Daphne Scarbrough, 2016 Richmond Avenue, Houston, Texas 77098 (713-523-8413) appeared and stated that she was present with a story, the Montrose Management District was one of many managed by the same company, Hawes, Hill Calderon and she was part of a group which had gone door to door collecting over 79% of the people being assessed with a tax; that they called it an assessment until you were delinquent and then it was a delinquent tax statement and she would like to know who audited management districts; that petitions were served to them September 29th and they were to be verified, but they wanted them to go through the process again; that they found people paying the tax when their property was not taxable under state law; that they had a 15 member colorful board and the Mayor's partner was one who had been kind; that the board said the TCEQ did the audit, but she called and they did not do financial audits. Council Members Stardig, Sullivan, Hoang and Rodriguez absent.

Upon questions by Council Member Clutterbuck, Ms. Scarbrough stated that they had mailed a certified copy of every petition to the board and matching HCAD records to it; that

according to the law when they accepted the petitions that stopped the clock, but the board was doing an evil and had not stopped; that they fought this in 2005, 2007 and in 2009 Ellen Cohen said all wanted it but she was no longer their state representative; that the board must vote to dissolve; and Mayor Parker stated that it was her understanding once the petitions were certified and in the certification process if they reached the threshold they had no choice but to dissolve, it was a little more complicated in that two management districts joined together, one was created by Rep. Coleman and one by Rep. Cohen. Council Members Stardig, Sullivan, Hoang, Pennington and Rodriguez absent.

Council Member Jones stated that she would like to be pointed in the right direction for the rules so she could figure the next step; and Ms. Scarbrough stated that no one had done this before, but the statute was on the website at stopthedistrict.org and the statute stated that after accepting the petition which they did...; and at the board meeting David Hawes hired his son for \$65,000 to be director of the district. Council Members Stardig, Sullivan, Hoang, Pennington and Rodriguez absent.

Ms. Demetria Bartee-Aliu, no address (no phone) had reserved time to speak but was not present when her name was called. Council Members Stardig, Sullivan, Hoang, Pennington and Rodriguez absent.

Mr. Remington Alessi, 4620 Clay, Houston, Texas 77023 (281-323-0535) appeared and stated that he was present to address the situation across the street; that they were acting in solidarity with a worldwide movement known as Occupy Wall Street; Occupy Houston, etc., and standing in solidarity against corruption; that they were dedicated citizens who would stand vigilant until grievances were appropriately addressed and they endured wind, rain, heat, etc., and since day one a city ordinance kept them from sheltering themselves in tents and tents were a part of their protest and allowed by other large municipalities such as Los Angeles; and urged Houston follow suit with Los Angeles and cease enforcement of the unjust ordinance; and he would like a Kroger in the Third Ward and felt it could without city funding; and it was wrong to allow exploitation of human beings to save cents. Council Members Stardig, Sullivan, Hoang, Pennington and Rodriguez absent.

Council Member Jones stated that on the 380 agreement she struggled when she heard Kroger owned the land and would put it there anyway, she believed it true and government should not interfere in business and believed when giving tax incentives taxpayers had the right to know what was going on and what concerned her the most was transparency; and requested Council Members be given sufficient information so they could answer questions. Mayor Parker, Council Members Stardig, Adams, Sullivan and Hoang absent. Vice Mayor Pro Tem Gonzalez presiding.

Vice Mayor Pro Tem Gonzalez stated that he would point out Council Member Jones was invited to the meeting yesterday and he made sure of it; and Council Member Jones stated that her staff was there and asked questions, her complaint was last minute notice. Mayor Parker, Council Members Stardig, Adams, Sullivan and Hoang absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Bridgette Murray, 1403 Laurentide, Houston, Texas 77029 (713-675-3331) appeared and stated that she was president of the Pleasantville Area Super Neighborhood Council No. 57 and present to discuss a concern raised last night at their meeting; that it came to their attention a property located at 1621 Pleasantville Drive formerly operating as Jesus Way Bible Church was recently purchased and the community rumor mill was on high alert because the new owner's intentions were to change the property land use to a proposed adult daycare center for mentally challenged individuals and concerns were voiced; that character of their residential community was threatened by others purchasing property outside residential intent of their deed

restrictions and based on permits she was not aware of information to the city regarding the change and they were challenging that change and asking for assistance from the Mayor and Council. Mayor Parker, Council Members Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Johnson stated that the matter did come up at the meeting last night and there was a permit pulled but only for construction, not one for occupancy and he was glad they were taking a preempted strike to come down as the integrity of the community was being compromised by many who decided to make it a commercial community and he would speak with the Mayor to make sure all in their power was done to stop this. Mayor Parker, Council Members Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Stardig stated that she did support Council Member Johnson, a number of neighborhoods were threatened at all times with such issues and they had to continue to support each other. Mayor Parker, Council Members Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Jones stated that if they were trying to change the character how did it work without asking for a variance or replat; and Mr. Hielman stated that they became aware of this around 1:00 p.m. today and deed restrictions were being reviewed and contact information on the lawyer handling the issue was given to the speaker and the lawyer would follow-up with the speaker once she completed her review of deed restrictions; that it was a Certificate of Occupancy they would apply for if changing and he did not believe they were at that point yet. Mayor Parker, Council Members Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Gonzalez stated to Mr. Heilman someone should get in touch with Ms. Murray and the Council Member. Mayor Parker, Council Members Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Angie Diaz, 2709 Terry, Houston, Texas 77009 (281-701-5037) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Burke Moore, 11200 Broadway #2734, Pearland, Texas 77584 (806-679-3005) appeared and stated that he was an attorney but present as a private citizen; that he was with Occupy Houston as an activist and wanted to speak about the general assembly resolution allowing all to speak on the issue and the need for greater rights to tents; that they were asking for tents because they did not want this to be a matter of judicial activism, they believed it could be activism on a grassroots level; that in Houston there had not been one arrest of anyone acting for Occupy Houston or one single ticket; that they complied with police demands even when questioning the legal basis for them; that they thanked the city for allowing tents during inclement weather, however, then they were ordered to take them down; and they would like a commitment by Council that they not accept enforcement by police forcing tents down and would like a clear statement on when tents could go up under inclement weather so the policy would be clear. Mayor Parker, Council Members Johnson, Adams, Sullivan, Hoang, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mayor Parker stated that city ordinance prohibited tents and staying overnight in a city park which was not designated for camping; that they were exercising their first amendment rights every time they violated by staying overnight; and Council Member Jones stated that when someone felt a law was unjust they challenged it and she felt speech was not just words and that was her respectful suggestion. Council

Members Johnson, Sullivan, Hoang, Rodriguez and Noriega absent.

Ms. Patricia Sosa, 2400 Briarwest Blvd. #103, Houston, Texas 77007 (281-497-3611) had reserved time to speak but was not present when her name was called. Council Members Johnson, Sullivan, Hoang, Rodriguez and Noriega absent.

Ms. Sabrinia Di Mauro, 2400 Briarwest Blvd. #103, Houston, Texas 77007 (281-497-3611) had reserved time to speak but was not present when her name was called. Council Members Johnson, Sullivan, Hoang, Rodriguez and Noriega absent.

Mr. Erick Head, 20893 Thomas Lane, New Caney, Texas 77337 (no phone) appeared and stated that reading over the Agenda he wanted to discuss a few things, on the Kroger he did not understand why they would be delegating public funds to improve an already ecologically unfriendly infrastructure instead of using it for a farming project; that there was approximately \$3.364 million potentially to be allocated to public water funds which he was for, but some had stringent requirements and there was a \$3 million program to give officers more cars and why were there no stringent details on what type of cars; that they were setting precedent to spend \$3 million to clean the water but stringent on how and then spend \$3 million to buy cars to possibly pollute and more was being spent to account for the water than they were to clean the water; and in the Chamber he saw words like freedom and equality and wondered what the words meant to the Mayor and Council. Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez, Rodriguez and Noriega absent. (NO QUORUM PRESENT)

Council Member Jones stated that she loved democracy and it rocked that he actually looked at the Agenda; at Agenda briefing it took 30 to 45 minutes and she was so excited to see him here and hoped others paid attention; that local government affected people more than anything; and upon questions, Mr. Head thanked Council Member Jones for inviting them to her office and for coming to their space and his questions were rhetorical and they should ask them daily, who were they working for, to what end and lastly why were they qualified. Mayor Parker, Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. Darin Williams, 9615 Green Valley, Houston, Texas 77064 (832-372-9290) appeared and stated that he was present to introduce all to their program Operation Clean Sweep; that anytime you hear something can't be done it was because of lack of money and they clean the downtown grid, in an initial project Saturday they picked up approximately 300 pounds of trash and they would have another November 13th where volunteers would meet them at 9:00 a.m. at Tranquility Park; and urged council's support. Mayor Parker, Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Rodriguez and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that her office would sign up. Mayor Parker, Council Members Johnson, Adams, Sullivan, Hoang, Pennington and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding.

Mr. Matthew Sullivan, 4417 Holt, Bellaire, Texas 77401 (504-259-7479) appeared and stated that as a participant of Occupy Houston he thanked all for listening; that he was present to give Council an opportunity to help them and the Houston population to gain access to clean water; that in the downtown area access to water was lacking and should be readily available to the public and requested help getting in touch with a city representative who could give him more information and also that their movement be entrusted with a water key to readily access water in their camp; that he did make a request to have water in Tranquility Park be tested and if done he would request results and review of it and requested access to a spigot serving clean

drinking water so they would not spend valuable time filling containers. Mayor Parker, Council Members Johnson, Adams, Sullivan, Hoang, Pennington and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Noriega stated to the Administration she would like a check done for a water fountain in Tranquility Park as water was not an unreasonable request; and Vice Mayor Pro Tem Gonzalez stated it would be checked; and Council Member Noriega stated that it made a great difference when people did not have to look for water and it was basic. Mayor Parker, Council Members Johnson, Adams, Sullivan, Hoang, Pennington and Rodriguez absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Jones stated that her office would help follow-up with the city position on that, it did not seem unreasonable and if it was the city's position it was unreasonable she would try to figure out why and work with them. Mayor Parker, Council Members Johnson, Adams, Sullivan, Hoang, Pennington and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mr. James Stocker, no address (706-267-0186) appeared and stated that he was a registered voter and participated in Occupy Houston and thanked the Mayor's Office, local law enforcement and the City of Houston for exemplary role;- and support of Occupy Houston; that environmental conditions more than anything else created behaviors witnessed throughout society such as the forced inability of HPD officers to express their human feelings while on duty in regard to conditions in society in line with doing their job; that Occupy Houston worked toward solutions for everyone and he was committed to help usher in a society allowing a high standard of living for all the world's people; and their movement was more about human evolution instead of revolution. Council Members Johnson, Adams, Sullivan, Hoang, Pennington and Noriega absent.

Council Member Clutterbuck thanked Mr. Stocker and all of his colleagues who appeared today; that she wanted to express appreciation to them for interest in their work at the City of Houston and they noted and noticed their peaceful assembly and doing things in a "Houston way" of trying to come up with solutions; and applauded their civic energy. Council Members Johnson, Adams, Sullivan, Hoang, Pennington and Noriega absent.

Council Member Jones stated that she really liked his words being about evolution and not revolution. Council Members Johnson, Adams, Sullivan, Hoang, Pennington and Noriega absent.

President Joseph Charles, P. O. Box 524373 #227, Houston, Texas 77052-4373 (713-928-2871) appeared and stated that he was the official U. S. President; and continued expressing his personal opinions until his time expired. Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez and Noriega absent. (NO QUORUM PRESENT)

Ms. Tiffany Scales, 3806 Smithers Lane, Missouri City, Texas 77459 (713-396-2787) appeared, presented information and stated that she wondered when to call so she could speak when people were actually present; that her friend walked from Houston to Los Angeles to raise awareness of homelessness and November 12th was actually National Sleep Out Saturday; that he was with Occupy Houston, etc., and she had a press release for all and she was asking for support as she did bridge the gap in what people needed such as hair, skin and dental products, shampoo, toothbrush, etc., which was not provided by government. Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez and Noriega absent. (NO QUORUM PRESENT)

Mayor Parker stated that Agenda items were heard first and if she came each week she

was put to the bottom of the list; that if she came once a month and it was not Agenda and she asked for one minute she would be at the top of Non Agenda and more in the middle. Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez and Noriega absent. (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. Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez and Noriega absent. (NO QUORUM PRESENT)

Ms. Rita Mitchell, P. O. Box 14055, Houston, Texas 77221 (no phone) appeared and stated that she was a graduate of Texas Southern University School of Business and present last week; that it was election time and she had two great ideas to share which would help citizens and all up for election; and proposed every multipurpose center needed a phone. Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez and Noriega absent. (NO QUORUM PRESENT)

At 4:53 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, October 26, 2011. Council Member Lovell absent on personal business. Council Members Johnson, Adams, Sullivan, Hoang, Pennington, Gonzalez and Noriega absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, October 26, 2011

The Houston City Council reconvened at 9:00 a.m. Wednesday, October 26, 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.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 a.m. Mayor Parker called the meeting. Council Members Rodriguez and Lovell absent.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 39**

#### **MISCELLANEOUS** - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **INDEPENDENT POLICE OVERSIGHT BOARD**:

<b>Name</b>	<b>District</b>	<b>Panel</b>	<b>Term</b>
Bill C. Littlejohn, Chair	C	A1	3 years
Andrea Schmauss	G	A2	2 years
Minh Tran	C	A3	3 years
Alfredo Blanco	I	A4	2 years
Kristopher Banks	D	A5	3 years
Brendettae J. Payne	C	A Alternate	2 years
Ila Jane Harris, Chair	A	B1	3 years

Joe Tirado	D	B2	2 years
Kristin J. Anderson	H	B3	3 years
Clinton Donald Johns, Jr.	B	B4	2 years
Philip H. Hilder	D	B5	3 years
Muriel Funches	D	B Alternate	2 years
Thomas B. "Ben" Gillis, Chair	A	C1	3 years
Wilburn C. (Dub) Wright, Jr.	A	C2	2 years
Patricia I. Cabrera	A	C3	3 years
Linda K. Brown	C	C4	2 years
Diane M. Guillerman	G	C Alternate	2 years
Bob Glazier, Ph. D., Chair	C	D1	3 years
Michael Espinoza	F	D2	2 years
Amy C. Weiss, Rabbi	C	D3	3 years
Timothy Webb	D	D4	2 years
Stelena Hooper Evans	C	D5	3 years
Margaret Palacios Rodriguez	A	D Alternate	2 years

- was presented, moved by Council Member Noriega, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2011-0792 ADOPTED.

Mayor Parker and Members of Council congratulated the newly confirmed members of the Independent Police Oversight Board and thanked them for their willingness to serve the City of Houston. Council Members Rodriguez and Lovell absent.

**ACCEPT WORK** - NUMBER 4

- RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,407,063.16 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 7 - 0.50% over the original contract amount - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Rodriguez and Lovell absent. MOTION 2011-0793 ADOPTED.

**PROPERTY** - NUMBERS 5 through 8

- RECOMMENDATION from City Attorney to settle eminent domain proceeding styled City of Houston v. Woon Sun Lee and Kil Soon Lee, d/b/a Lee's Sign Co., et al., Cause No. 951,765; for acquisition of Parcel AY8-051; for the **BUNKER HILL PAVING PROJECT, Phase II (IH-10 Feeder Road - Long Point Road) - DISTRICT A - STARDIG** - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Rodriguez and Lovell absent. MOTION 2011-0794 ADOPTED.
- RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court and withdraw the City's objections to the Award to settle eminent domain proceeding styled City of Houston v. The Estate of Thomas Gary, Jr., deceased and Bertha Gary, et al., Cause No. 981,962; for acquisition of Parcels AY10-041 and AY10-042; for **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Little York - W. Gulf Bank) - DISTRICT B - JOHNSON** - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang.

All voting aye. Nays none. Council Members Rodriguez and Lovell absent. MOTION 2011-0795 ADOPTED.

7. RECOMMENDATION from City Attorney to purchase Parcel AY10-026 in lieu of condemnation from Mary Goodie, Landowner, for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Little York - W. Gulf Bank) - DISTRICT B - JOHNSON** - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Rodriguez and Lovell absent. MOTION 2011-0796 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry, TBG/Vernon Henry & Associates, on behalf of Crane/Willis Properties, LLC (Mark Willis, President) and Willis Real Estate Investments, LLC (Mark Willis, President), for abandonment and sale of a ±10-foot-wide sanitary sewer easement and a ±4-foot-wide sanitary sewer easement, both located within Lots 1, 2, 8, 9, 10 and 11, Block 1, Meyers First Addition, out of the A. C. Reynolds Survey, Parcels SY11-111A, SY11-111B and SY11-121 - **DISTRICT G - PENNINGTON** - was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Rodriguez and Lovell absent. MOTION 2011-0797 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 and 9a

9. ORDINANCE appropriating \$3,049,356.13 out of Equipment Acquisition Consolidated Fund for purchase of Patrol Vehicles for Houston Police Department - was presented. All voting aye. Nays none. ORDINANCE 2011-0906 ADOPTED.
- 9a. **PHILPOTT MOTORS LTD., d/b/a PHILPOTT FORD** - \$2,873,632.12, **CALDWELL AUTOMOTIVE PARTNERS, LLC, d/b/a CALDWELL COUNTRY CHEVROLET** - \$105,543.00 and **DALLAS DODGE JEEP CHRYSLER** - \$70,181.01 for Patrol Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Police Department - was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2011-0798 ADOPTED.

**ORDINANCES** - NUMBERS 13 through 38

13. ORDINANCE reducing the boundaries of Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone) - was presented. All voting aye. Nays none. ORDINANCE 2011-0907 ADOPTED.
- 13a. ORDINANCE approving the fifth amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone); authorizing the City Secretary to distribute such plans - **DISTRICTS A - STARDIG; D - ADAMS; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2011-0908 ADOPTED.
14. ORDINANCE approving and authorizing submittal of an application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL**, for Community Transformation Grant; authorizing the Director of the City's Health and Human Services Department to act as the City's representative in the application process, to accept and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant program - \$500,000.00 -

Grant Fund - was presented. All voting aye. Nays none. ORDINANCE 2011-0909 ADOPTED.

15. ORDINANCE approving submission of an application to the **DEPARTMENT OF STATE HEALTH SERVICES** for Tuberculosis Prevention and Control Services Grant; authorizing the Director of the Health and Human Services Department to accept the initial funding, to expend approved funding as awarded, to accept any supplemental change notices, to apply for and accept subsequent awards, if any, and authorizing the Mayor to execute, without further Council action, all subsequent related contracts and change notices - \$1,178,930.00 - Grant Fund - was presented. All voting aye. Nays none. ORDINANCE 2011-0910 ADOPTED.
16. ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City and the **UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON** for Laboratory Manager for the Houston Department of Health & Human Services Public Health Laboratory - was presented. All voting aye. Nays none. ORDINANCE 2011-0911 ADOPTED.
23. ORDINANCE approving and authorizing submission of application for funding grant assistance from the **U.S DEPARTMENT OF TRANSPORTATION** to fund the Transportation Investment Generating Economic Recovery Discretionary Grant Program in the City of Houston; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of the Houston Parks & Recreation Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICTS A - STARDIG; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2011-0912 ADOPTED.
29. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all improved single-family residential properties within **OAK FOREST SUBDIVISION, SECTION 16** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG** - was presented. All voting aye. Nays none. ORDINANCE 2011-0913 ADOPTED.
30. ORDINANCE approving and authorizing Boundary Adjustment Agreement between the City of Houston and the **CITY OF WEBSTER** relating to the relinquishment of 1.7 acres and the annexation of 4.6 acres near the intersection of the southwest boundary line of El Camino Village Apartments Subdivision and the southeast row line of El Camino Village Drive - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. ORDINANCE 2011-0914 ADOPTED.
32. ORDINANCE amending Ordinance 2007-1144 to increase the maximum contract amount and approving third amendment to Interlocal Agreement with **GEOTECHNOLOGY RESEARCH INSTITUTE** for administration of **SECO** Grant Funded Wind Turbines and continued administration of ARRA Grant Funded Programs - was presented. All voting aye. Nays none. ORDINANCE 2011-0915 ADOPTED.
33. ORDINANCE appropriating \$157,820.16 out of Parks & Recreation Dedication Fund and approving and authorizing issuance of purchase orders to **PLAYPOWER LT FARMINGTON, INC** and the **PLAYWELL GROUP, INC** for Purchase of Playground Equipment for St Lo Park and Clark Park - **DISTRICTS D - ADAMS and H - GONZALEZ** - was presented. All voting aye. Nays none. ORDINANCE 2011-0916 ADOPTED.

34. ORDINANCE appropriating \$64,000.00 out of Public Health Consolidated Construction Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for the Acres Homes Multi-Service Center Renovation; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering material testing services and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund and the American Recovery and Reinvestment Act of 2009 Reimbursement Fund - \$2,185,200.00 - Grant Fund - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2011-0917 ADOPTED.
35. ORDINANCE consenting to the consolidated of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 433** and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 435** into a single municipal utility district to be named **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 433** and the inclusion of land within the consolidated district - was presented. All voting aye. Nays none. ORDINANCE 2011-0918 ADOPTED.
38. ORDINANCE appropriating \$563,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **FCM ENGINEERS, P.C.** for 7,000 LF Well Collection Line along Scenic Ridge; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - STARDIG** - was presented. All voting aye. Nays none. ORDINANCE 2011-0919 ADOPTED.

Council Member Sullivan moved to suspend the rules to consider Item No. 41 out of order, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2011-0799 ADOPTED.

41. ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas, and **KROGER TEXAS L.P.** for the Development and Operation of a combination grocery and drug store and fuel center on Studemont Street - **DISTRICT H - GONZALEZ** - (**This was Item 16 on Agenda of October 19, 2011, TAGGED BY COUNCIL MEMBERS JONES, RODRIGUEZ, NORIEGA, CLUTTERBUCK, JOHNSON, SULLIVAN and BRADFORD**) - was presented.

After a lengthy discussion by Council Members, Council Member Adams requested a meeting with Mr. Tim Douglass, Finance Department and Mr. Andy Icken, Chief Development Officer, Mayor's Office, about the strategic planning on future 380 Agreements or what would they use to encourage new development in particular districts; and Council Member Stardig stated that they had identified an issue across the City Council that they needed to move forward and maybe bring it to committee, the Quality of Life Committee, and look at the opportunity to discuss the 380 tools. Council Members Costello, Lovell and Noriega absent.

After further discussion Council Member Sullivan moved to call the question on the discussion of Item No. 41, seconded by Council Member Gonzalez. Council Members Johnson and Bradford voting no, balance voting aye. Council Members Costello, Lovell and Noriega absent. MOTION 2011-0800 ADOPTED.

A roll call vote was called on Item No. 41.

ROLL CALL VOTE:

Mayor Parker voting aye

Council Member Stardig voting aye

Council Member Gonzalez voting yes

Council Member Rodriguez voting no

Council Member Johnson voting aye  
Council Member Clutterbuck voting no  
Council Member Adams voting aye  
Council Member Sullivan voting aye  
Council Member Hoang voting aye  
Council Member Pennington voting aye

Council Member Costello voting aye  
Council Member Lovell voting aye  
Council Member Noriega voting no  
Council Member Bradford voting no  
Council Member Jones voting no  
ORDINANCE 2011-920 ADOPTED.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**MISCELLANEOUS**

2. RECOMMENDATION from Director Convention & Entertainment Facilities Department for supplemental budget submitted by the Greater Houston Convention and Visitors Bureau \$848,225.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2011-0801 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** Annual Consolidated Water Quality Fee for FY12 - \$1,357,963.55 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2011-0802 ADOPTED.

**PURCHASING AND TABULATION OF BIDS**

10. **MACI FEED & SUPPLY** for Dry Animal Feed for Houston Police Department Horses and Canines for the Police Department - 1 Year with four one-year options - \$244,085.99 - General and Asset Forfeiture Funds – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2011-0803 ADOPTED.
11. **REPUBLIC INTELLIGENT TRANSPORTATION SERVICES, INC** for Traffic Signal System Parts for Department of Public Works & Engineering - \$739,645.44 - Grant Fund - **DISTRICTS A - STARDIG; C - CLUTTERBUCK and G - PENNINGTON** - was presented and tagged by Council Member Jones.

Council Member Jones released her tag for the purpose of discussion.

Council Member Adams stated that she had a question for the Department of Public Works on this issue and asked if they had a list of all of the lights that did not meet the U.S. Department of Transportation standards and if so she would like a list of those lights by districts to see how they were moving forward in other communities in replacing the maintenance on particular lights and other districts as well.

Mayor Parker stated that it was noted and that Council Member Jones had tagged Item No. 11.

12. **AMEND MOTION #2008-380, 6/4/08, TO INCREASE** spending authority from \$229,724.95 to \$321,614.93 for Chemical, Liquid Ammonium Sulfate for Department of Public Works & Engineering, awarded to **ALTIVIA CORPORATION** – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega, and tagged by Council Member Jones.

## ORDINANCES

17. ORDINANCE awarding contract to **PRIME TREES, INC** for Tree Removal, Trimming and Pruning Services for the Parks and Recreation Department; providing a maximum contract amount 3 years with two one-year options - \$2,976,062.50 - General Fund – was presented.

After discussion and questions by Council Members, Mayor Parker stated that this was their normal outside tree trimming and maintenance contract, pruning and so forth, pulling up stumps, that they always had an outside contract, the DRC was separate and apart from this, that this was for three years with 2 one year options, so it was a five year option; that it was a local firm and local workers were performing the services; that it might be appropriate to have a discussion at a Council committee as to what they were doing long term to maintain the tree canopy, they had rental water trucks, they had converted chemical trucks to put water on the trees that they could reach, obviously they could not reach all of the trees, nor did they have the sufficiency of water, but she knew that Mr. Turner would be happy to come in and brief Council on the ongoing activities, that they were working closely with the Memorial Park and Hermann Park Conservancy's and Trees for Houston on this effort, that if there was not an interest in a full Council committee briefing they would be happy to come in and talk to the Council Members as well.

A vote was called on Item No. 17. All voting aye. Nays none. ORDINANCE 2011-921 ADOPTED.

18. ORDINANCE amending Ordinance No. 2008-1225 to increase the maximum contract amount; approve and authorize second amendment to Contract No. C53094 between the City of Houston and **NORTHROP GRUMMAN SYSTEMS CORPORATION (Formerly NORTHROP GRUMMAN INFORMATION TECHNOLOGY, INC)** for Maintenance and Operational Support of the Consolidated Dispatching System at the Houston Emergency Center and extend the contract term from January 1, 2012 to January 1, 2016 - \$6,000,000.00 - Houston Emergency Center Fund - was presented.

Council Member Adams stated that last year about this time she had the opportunity to have a huge townhall meeting with the residents of Autumn Glen at the Corner of Cullen and Highway 288, that the community had enormous break ins, robberies and car break ins in the community, that back then they were about two years old and she knew it took a little bit of time in order to get into the HEC Call Center for response, that she left that meeting assuring them that they would make sure they were in the system so when they called 9-1-1 they would have an emergency responder come out to their community, that it was close to the Harris County border line, that it disturbed her that just this past week that their office started receiving a lot of phone calls from the same community of Autumn Glen stating that they continued to call 9-1-1 and police responded that they were not in the grid, so if they were spending money for maintenance and upgrading their system for the call slips out of the HEC Center she was surprised to find out a year later that they were still not in the grid for the Autumn Glen Community, that she was tagging the item and would ask HPD or anyone from HEC to come and meet with her concerning that it takes more than a year and a half for a community to get in the grid so when an emergency occurred they could feel comfortable calling 9-1-1 for police service. (Note: Council Member Adams released her tag later in the meeting.)

Mayor Parker stated that the item had been tagged.

19. ORDINANCE appropriating \$1,538,280.00 out of Equipment Acquisition Consolidated Fund and amending Ordinance No. 2010-1007 (Passed on December 8, 2010) to increase the maximum contract amount for contract between the City of Houston and **LAGAN**

**TECHNOLOGIES, INC** for Constituent Relationship Management Solution Upgrade for the Houston 3-1-1 Helpline for the Information Technology Department - \$52,016.00 - Central Services Revolving Fund – was presented, and tagged by Council Member Jones.

20. ORDINANCE awarding contract to **VALLEY TANK TESTING, LLC** for Fuel System Tank Testing Service for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$344,335.00 - Fleet Management Revolving Fund – was presented, and tagged by Council Member Jones.
21. ORDINANCE awarding contract to **PROFESSIONAL AUDIO VIDEO SERVICE, INC** for Television Production Equipment Repairs & Routine Maintenance Services for the Mayor's Office (HTV); providing a maximum contract amount - 3 Years with two one-year options - \$230,125.00 Special Cable Fund – was presented, and tagged by Council Member Jones.
22. ORDINANCE approving and authorizing contract between the City of Houston and **COZEN O'CONNOR, P.C.** for Legal Services relating to various utility related matters, legislative assistance and legal consultation; providing a maximum contract amount - \$335,000.00 - General Fund – was presented. All voting aye. Nays none. ORDINANCE 2011-922 ADOPTED.
24. ORDINANCE consenting to the creation of **FORT BEND COUNTY ASSISTANCE DISTRICT NO. 1** consisting of 1,611 acres and providing an agreement for the duration, rate, and allocation of Sales and Use Tax – was presented. All voting aye. Nays none. Council Member Costello absent. ORDINANCE 2011-923 ADOPTED.
25. ORDINANCE consenting to the creation of **FORT BEND COUNTY ASSISTANCE DISTRICT NO. 2** consisting of 1,940 acres and providing an agreement for the duration, rate, and allocation of Sales and Use Tax – was presented. All voting aye. Nays none. Council Member Costello absent. ORDINANCE 2011-924 ADOPTED.
26. ORDINANCE consenting to the creation of **FORT BEND COUNTY ASSISTANCE DISTRICT NO. 4** consisting of 3,675 acres and providing an agreement for the duration, rate, and allocation of Sales and Use Tax – was presented. All voting aye. Nays none. Council Member Costello absent. ORDINANCE 2011-925 ADOPTED.
27. ORDINANCE approving the acquisition by the City of Houston, Texas, of the Former Rufus Cage School site located at 1417 Telephone Road, Houston, Texas, from Houston Independent School District ("HISD") for \$100,000.00 and in lieu of a cash payment, establishing a credit for HISD in the amount of \$100,000.00 pursuant to the terms and conditions of an Interlocal Agreement; approving a form of Special Warranty Deed - **DISTRICT I – RODRIGUEZ** – was presented. Council Member Sullivan absent.

After discussion Council Member Adams asked what guidelines had been in place to accept Rufus Cage School and would like to see what plans were they going to put in place so if other schools or buildings came into play, how were they going to determine if yes they were going to accept them or not. Council Member Sullivan absent.

Mayor Parker stated that she could think of three schools that they had taken over from HISD, the Gregory School, Dow School, the home of MECA and now Cage Elementary School, that they also took over the Light Guard Armory, which was the Houston Community College Building, that the key was \$1 a year transactions or non cash transactions, that she was not interested at all in putting City dollars in these and the community had to be willing to raise the money to preserve and protect them, that the Light Guard Armory Building had been a particular

problem because it had been through several community groups who thought they could step in and fix it and were not ready for the financial burden of doing that, that she thought they needed to look at each of them on a case by case basis, but it starts with was it a historic building to the neighborhood and whether there was a group ready to put the money into it, that there had to be some kind of community use. Council Member Sullivan absent.

A vote was called on Item No. 27. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2011-926 ADOPTED.

28. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SANTA ROSA SUBDIVISION, SECTIONS 1-5; SIMS BAYOU ESTATES SUBDIVISION, SECTIONS 1&2; KATERWOOD SUBDIVISION; PARK PLACE TERRACE SUBDIVISION; PARK PLACE SUBDIVISION AND ABST 27 J R HARRIS**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I – RODRIGUEZ** – was presented. Council Member Sullivan absent.

After discussion by Council Members, a vote was called on Item No. 28. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2011-927 ADOPTED.

31. ORDINANCE approving and authorizing an Antenna Site License Agreement between **TEXAS TOWER LIMITED**, Licensor and the City of Houston, Texas, Licensee, to allow the Houston Police Department to operate communications equipment at 600 Travis Street, Houston, Texas **DISTRICT I – RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2011-928 ADOPTED.
36. ORDINANCE approving and authorizing amendment to contract between the City of Houston and **NRG ENERGY SERVICES LLC** (Approved by Ordinance 2010-862) for Emergency Back Up Power Generation Services for the Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Members Johnson and Sullivan absent. ORDINANCE 2011-929 ADOPTED.
37. ORDINANCE appropriating \$3,766,576.28 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to contract between the City of Houston and **ITRON, INC** for Radio Automated Meter Reading and Fixed Network/Advanced Meter Infrastructure Systems (Approved by Ordinance No. 98-575, as amended) – was presented, and tagged by Council Member Jones. Council Members Johnson and Sullivan absent.
39. ORDINANCE appropriating \$595,057.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - (4277-66) – was presented, and tagged by Council Member Jones. Council Member Sullivan absent.

**NON CONSENT AGENDA** - NUMBER 40

**MISCELLANEOUS**

40. **SET A PUBLIC HEARING DATE** relative to the fifth amended Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER THREE (MAIN STREET/MARKET SQUARE ZONE) - DISTRICTS D - ADAMS; H - GONZALEZ and I – RODRIGUEZ - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 9, 2011** – was presented. Council Member Sullivan absent.

Council Member Gonzalez moved to set a hearing for 9:00 a.m. Wednesday, November 9, 2011 relative to the fifth amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Three (Main Street/Market Square Zone), seconded by Council Member Hoang. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2011-0804 ADOPTED.

Council Member Adams stated that she would release her tag on Item No. 18. Council Member Sullivan absent.

#### **MATTERS HELD** - NUMBER 42

42. ORDINANCE approving and authorizing Amendment No. 1 to agreement for heating, ventilating, and air conditioning systems and associated plumbing, electrical and control systems operations and maintenance for the Houston Airport System between the City of Houston and **TDINDUSTRIES, INC - DISTRICTS B - JOHNSON; E - SULLIVAN and I – RODRIGUEZ** – (**This was Item 28 on Agenda of October 19, 2011, TAGGED BY COUNCIL MEMBER RODRIGUEZ**) – was presented. Council Member Sullivan absent.

After discussion Council Member Rodriguez moved to suspend the rules to hear from Ms. Carlecia Wright, Mayor's Office of Business Opportunities at this time, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2011-0805 ADOPTED.

Council Member Rodriguez stated that he was a little disappointed that he did not receive any information on this item, that they were asking for an extension on the contract for HVAC Services at the Airport System, all three, that he did not want to do anything that would disrupt the HVAC operations at the Airport but he was concerned about how the company intended to meet it's 12% goal, that right now they were at 7.5%, that it had been a 5 year contract, that there was an RFP on the street now for the same services and contract, from what he understood, had increased and also the participation, that he believed that TDI, who currently had the contract, was in the running for the new contract and he did not understand how they were going to award a contract, have a vendor who was not performing and had not responded to them in the last 5 years, and asked Ms. Wright what was going on and what were they doing to hold the contractor accountable. Council Member Sullivan absent.

Mayor Parker asked if Council Member Rodriguez had gotten the written response that they sent to his office yesterday and had he had an opportunity to review it, and Council Member Rodriguez stated no. Council Member Sullivan absent.

Ms. Wright stated that on this particular contract, as Council Member Rodriguez stated, it was a 5 year contract and her staff was actively engaged and monitoring the contract in terms of the utilization of MWBE firms, that originally when the company entered into a contract with the City they were not as aggressive in pursuing their MWBE utilization, they had since changed that around, that to be honest she did not think it was possible or feasible through the end of the contract, which she thought was slated to end, or the extension, that they would meet a 12% utilization, that accordingly her office would continue to review that and make a decision of an unsatisfactory rating to determine whether or not it would warrant their sanctioning the company, that at this time it was inappropriate to make that, as for what was happening to that second RFP, she did not participate in HAS's panel and

how they reviewed who they were selecting, she had extensive conversations with Director Diaz at the Airport regarding this particular contract and thought that he was taking an active role in reviewing it and making sure they were selecting the appropriate vendor for it, which was why he was asking for an extension. Council Member Sullivan absent.

Council Member Rodriguez asked what, if any, implications there was to delay this item, would it affect operations at the Airport, and Ms. Wright stated absolutely, that Director Diaz had said to her that he did not have the bandwidth nor the technical skill set within his Airport Aviation staff to do this job, so in order to maintain facilities they would need to extend the contract. Council Member Sullivan absent.

A vote was called on Item No. 42. Council Members Jones, Bradford and Rodriguez voting no, balance voting aye. Council Member Sullivan absent. ORDINANCE 2011-930 ADOPTED.

18. ORDINANCE amending Ordinance No. 2008-1225 to increase the maximum contract amount; approve and authorize second amendment to Contract No. C53094 between the City of Houston and **NORTHROP GRUMMAN SYSTEMS CORPORATION (Formerly NORTHROP GRUMMAN INFORMATION TECHNOLOGY, INC)** for Maintenance and Operational Support of the Consolidated Dispatching System at the Houston Emergency Center and extend the contract term from January 1, 2012 to January 1, 2016 - \$6,000,000.00 - Houston Emergency Center Fund - was again before the City Council. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2011-931 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Adams first

Council Member Adams stated that even though a discussion with HEB and a possible move and looking for other areas to locate into she had to compliment the partnership that HEB had in the OST and Scott area communities by giving back and donating food services, they had been a great partner for the District D community; that this past week they did the Homeless Veterans Stand Down at Emancipation Park, that she wanted to thank the Veterans Affairs Department for coming out and supporting it and providing necessary services to the homeless population, that she wanted to thank the Mayor for taking the lead and looking at ways to come up with a plan to deal with the homeless population and Buddy Grantham for having a heart for their veterans to make sure that they were thought about and services available; that she wanted to thank Principle Blackman for allowing her to be Principle for a Day at Thompson Elementary School last Friday, that Ms. Blackman was the 2011 Principle of the Year; that on Saturday the Kelso Elementary School took charge on literacy and reading and encouraging their students of reading a minimum of 5 books a month; that tonight she would be with the Timber Crest Community for the Timber Fest, that for those who lived near the McGregor area and the Timber Crest Community they were asking that they please come out on the Corner of Binz and Burkett, 4:00 p.m. to 7:00 p.m.; that on Thursday the Center Care Community would have a health fair at the Third Ward Multi Service Center beginning at 10:00 a.m.; that on November 12, 2011, beginning at 8:00 a.m. they were having a big community cleanup, for more information they could call her office at 832-393-3001. Mayor Parker and Council Members Sullivan, Rodriguez, Lovell, Bradford, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

Council Member Clutterbuck stated that she wanted to give a brief update to the long term Financial Planning Committee that they had ongoing every Monday and urged her colleagues to attend, that they had an outstanding presentation on Monday from an IBM Executive who gave them a review of basic City trends across the Nation illustrating how housing prices and also sales tax receipts were going to continue flat, that it was an outstanding presentation on Monday and would colleagues who sent staff to ask their staff to brief them on the PowerPoint;

that she wanted to talk about the changes to the Neighborhood Street Reconstruction Plan, NSR Plan which most neighborhoods were familiar with, after sending a written request to Gary Norman, Public Works, they received a response day before yesterday that the NSR Program was no longer in effect and the City was no longer accepting NSR petitions, that this came as a surprise to the people of the South Hampton Civic Club who were in the process of raising petitions right now, that an explanation of the situation would probably behoove all of them, that the change had not come before the Council in form of a committee meeting and she would suggest that would probably be very helpful to her colleagues, that many of the District Council Members were not familiar with the change in the program, that additionally one of the responses in the October 24, 2011 letter, from somebody who may not be familiar with a change in their City Ordinances, was that the alleys, which were deemed public streets, would not be reconstructed until further funds became available, that she brought to the Mayor's attention, and would follow up with a letter that in 2008 one of the reasons she got elected was to change the Alley Ordinance, that Janice Evans of the Mayor's office was very helpful at the time in helping to revise the Alley Ordinance as a citizen volunteer from the Heights, that it was their Legislative intent that the City recognize that their alleys were vital parts of neighborhoods and those that were recognized as City alleys should be reconstructed accordingly; that they got an email earlier today that the City of Houston was going to be celebrating their 175th Birthday with some events coming up this weekend, that it was her understanding that they were not doing a City of Houston celebration this year and would like to know if they planned to continue the City of Houston Hall of Fame or fundraising efforts that had provided a lot of money to the parks in the past by that effort. Council Members Sullivan, Rodriguez, Lovell, Bradford, Noriega and Jones absent.

Council Member Hoang stated that he wanted to thank the Houston Royal Oaks Lion Club, they had a meeting to organize their gala event on October 29, 2011; that last Saturday the Korean Community had a festival at Discovery Green and had a great crowd, that Council Member Stardig did a great job and was the catalyst to gather all the crowd; that last Sunday the Vietnam Community had a grand opening of the renovated community center; that they had many delegations to the China, Korea and other countries and they welcomed them so nice, but when coming here they complained a lot that they did not have a Department of Protocol to welcome them, that the Department of Protocol was headed by former Council Member Peter Brown, that he was suggesting if it was possible to have citizens, business men, who were willing to volunteer to work for the City of Houston so they needed to create something like that and then appoint them with approval of Council Members to give them some positions and they would do all of the work for the City of Houston; that tomorrow the Houston Business Initiative Committee would have a meeting at 2:00 p.m. in the Council Chamber. Council Members Sullivan, Rodriguez, Lovell, Bradford, Noriega and Jones absent.

Council Member Stardig stated that on Thursday, November 3, 2011 the Spring Branch Independent School District was holding their grand opening event for Spring Branch Elementary School, 1700 Campbell Road at 4:00 p.m.; that they had a great turnout for the Korean Festival, that she had to give credit to KASH, the young professional group, Korean American Society of Houston, who were a networking group of young professionals, that she was an Honorary Co-Chair; that she attended the Fire Fest at the Hobby Val Jahnke Training Center, they were able to assist them with a water issue out there, they were going to have demonstrations and they had to have water, the Mayor stepped up and assisted in that as well, that they had a great turnout; that last week she attended Spring Spirit Baseball, the faith based organizations in the area created Spring Spirit Baseball and had done a fantastic job of a multi million dollar complex on Pitner Road, that she appreciated everyone who came out and prayed over the facility, that it was in the location where they tore down an apartment complex in the past; that last night she attended a meeting in Afton Village regarding public safety, that she wanted to thank Captain Bounds and Officer Tatum for sharing tips and offering to come out and do an analysis or evaluation and make recommendations for safety of each of the

community's homes. Council Members Sullivan, Rodriguez, Lovell, Bradford, Noriega and Jones absent.

Council Member Pennington stated that last week he attended the Glendire Court meeting off of Shepherd, they reported that they had new subdivision monuments partly as a result of payment by the City, that they were very active from a security standpoint; that he attended the Briarcroft meeting last night; that last Monday he attended the monthly meeting of the Memorial Super Neighborhood and Mayor Parker also attended; that he looked forward to attending on Friday the grand opening of the Memorial Park Greenhouse, that it was constructed with Ike Funds and was a badly needed facility to support the park and would also be a community facility where students and others interest in those kind of matters could attend; that he wanted to remind everyone that the election was November 8, 2011 and early voting was occurring right now. Council Members Johnson, Sullivan, Rodriguez, Lovell, Bradford, Noriega and Jones absent.

Council Member Costello stated that he wanted to advise everyone that even though the greenhouse was located in Memorial Park it actually was a greenhouse that serviced all of the parks; that relative to Memorial Park they had their Saving the Green Project where they would try to do a park in each district and would be in Memorial Park on November 4, 2011, that they pitched in by beautifying and maintaining the neighborhood parks and citizens would help save the green and save the dollar, that they would be working with the Parks Department as well as the Memorial Park Conservancy, that it would be from 8:00 a.m. to 12:00 p.m. and anyone who was interested could contact his office; that this Friday at 5:30 p.m. at the Palace Bowling Lanes they would be hosting the City Council 5th Annual Bowl-A-Rama benefiting the Coalition for the Homeless. Council Members Johnson, Sullivan, Rodriguez, Lovell, Bradford, Noriega and Jones absent.

Council Member Gonzalez stated that he wanted to give a special thank you to the dedicated City employees at BARC they had always been helpful and responsive to their office and constituents, this weekend they were able to pickup multiple packs of dogs that were roaming their neighborhoods; that the Independence Heights Northline Partnership Values Workshop and Visioning Open House were currently ongoing, join them for focus group meeting starting today from 10:00 a.m. through 8:00 p.m. at 908 East 32 1/2 Street and again tomorrow at the same time; that on Saturday Jefferson Davis High School was celebrating 85 years of purple and gray at Jefferson Davis High School from 10:00 a.m. to 2:30 p.m.; that SNAP and BARC continued to tackle the Ferrel Cat population in their neighborhoods, this Sunday starting at 7:30 a.m. at Ripley House, 4410 Navigation Boulevard, this weekend they would serve zip codes 77011 and 77023; that as Council Member Pennington stated early voting was underway. Council Members Johnson, Sullivan, Clutterbuck, Pennington, Rodriguez, Lovell, Bradford, Noriega and Jones absent. NO QUORUM PRESENT.

Mayor Parker stated that she hoped Council Member Hoang would stick around for the press availability right after Council because they were gong to be rolling out a lot of new initiatives on the international front, that his point was very well taken and she thought he was gong to be very pleased with what they were going to be talking about. Council Members Stardig, Johnson, Sullivan, Clutterbuck, Pennington, Rodriguez, Lovell, Bradford, Noriega and Jones absent. NO QUORUM PRESENT.

Council Member Adams stated that she wanted to thank Mayor Parker for her communication with Director Andy Icken on the issue she brought up last week concerning a communication she had with someone in her office concerning land swaps and wanted to thank Director Icken for what he continued to do to work with her and look at creative ways to improve the economic development in the district, that as of last week there had been no discussion about land swaps in the district concerning the Greyhound Bus Station, that she wanted to go

on record about clarifying that not on the City's behalf at all, so if there was someone talking about it outside of the City they would not support it at this time; that she wanted to thank Mayor Parker for honoring Dr. Jennifer Arnold, she was with Texas Children Hospital and many of them saw the presentation yesterday with the simulator with an infant and the grant funding that they advocated for the partnership between the Houston Fire Department and Texas Children's Hospital on the improvement of less infant deaths in case of emergencies when they were in the ambulance, that Dr. Arnold played with her husband Bill on the Little Couple on TLC, The Leaning Channel; that today they passed Item No. 33 and she wanted to thank Director Joe Turner of the Parks Department for looking at some of their area community parks and ways that they could improve the equipment in those parks; that she wanted to remind everybody about early voting, that they were at 38% below where they were last year. Council Members Stardig, Johnson, Sullivan, Clutterbuck, Pennington, Rodriguez, Lovell, Bradford, Noriega and Jones absent. NO QUORUM PRESENT.

There being no further business before Council, the City Council adjourned at 11:35 a.m. Council Members Stardig, Johnson, Sullivan, Clutterbuck, Pennington, Rodriguez, Lovell, Bradford, Noriega and Jones absent. NO QUORUM PRESENT.

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary