

City Council Chamber, City Hall, Tuesday, March 22, 2011

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 22, 2011, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Ann Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Ms. Lynette Fons, First Assistant City Attorney, Legal Department; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Xavier Herrera Citizens Assistance Office; and Ms. Marta Crinejo, Agenda Director, present.

At 1:36 p.m. Mayor Parker stated that presentations would begin with Council Member Pennington. Council Member Pennington invited Mr. Howard Terry and Mr. Kotham to the podium and stated that it was great to be able to honor people who made special contributions to the community; that in 1986 Mr. Howard and Mrs. Nancy Terry established the Terry Foundation which had a goal of strengthening the State of Texas by identifying high school graduates who had leadership potential and assist them in developing their future with their scholarship program and invited Mr. Kotham to speak on behalf of the foundation; Mr. Kotham stated that they started with 17 students at Texas A & M and University of Texas and since they had put 2,400 scholars into the Texas community and paid out \$87 million in scholarships since 1986 and students were all over the State of Texas; and invited those Terry Scholars who were present to stand to be recognized; that last year they were named the National Scholarship Provider of the Year and it was an incredible legacy; and Mayor Parker presented Mr. Terry with a Proclamation proclaiming today as "Nancy and Howard Terry Day" in the City of Houston, Texas. Mr. Terry stated that they appreciated all who came today acknowledging what they did for a living and for enjoyment. Council Members Stardig, Johnson, Clutterbuck, Hoang, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Sullivan invited those present with Santa's Angels to the podium and stated that this group was near and dear to his heart as they recognized and worked hard for children and military families; that group was Project Love Santa's Angels; and Mayor Parker presented a Proclamation to the group proclaiming today as "Project Love Santa's Angels Day" in the City of Houston, Texas. Council Members Stardig, Johnson, Clutterbuck, Hoang, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Costello invited Mr. Troy Wood, CEO and Mike Dishberger, president of the Greater Houston Builder's Association to the podium and stated that the Greater Houston Builder's Association represented the residential building industry and recently celebrated their 70th anniversary and last year alone built over 20,000 homes and created 60,000 jobs; that over the last 30 years they donated more than \$6 million to the Texas Children's Hospital and Alzheimer's Association and recently created their Homemade Houston Program which provided housing for the homeless; and Mayor Parker presented a Proclamation to those present with the Association proclaiming today as "Greater Houston Builder's Association Day" in the City of Houston, Texas. Mr. Wood thanked all on behalf of their Association for the recognition. Council Members Johnson, Clutterbuck, Hoang, Rodriguez, Noriega, Bradford and Jones absent.

Mayor Parker stated that she would ask all in the Chamber and those watching the broadcast to acknowledge the unfolding tragedy in Japan; in addition to the aftermath of the earthquake and the tsunami now the issue of possible radiation and finally weather conditions; that they would offer their sympathy and prayers to the people in Japan; and asked for a moment of silence. Council Members Johnson, Clutterbuck, Hoang, Rodriguez, Noriega, Bradford and Jones absent.

At 1:58 p.m. Mayor Parker called on Council Member Lovell who led all in the prayer and pledge. Council Members Johnson, Clutterbuck, Hoang, Rodriguez, Noriega, Bradford and Jones absent.

At 2:00 p.m. the City Secretary called the roll. Council Members Johnson, Clutterbuck, Hoang, Noriega and Jones absent.

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

The City Secretary stated that there were 192 minutes reserved for the speakers today and under the Rules of Council, Rule 2-2 (b) stated if the total time requested was greater than 150 minutes each speaker would be given one minute and when provisions of the section were invoked the question time for Council Members would be limited to a cumulative total of one minute for each speaker, so regardless of time requested today each speaker would be allowed one minute. Council Members Johnson, Clutterbuck, Hoang, Noriega and Jones absent.

Council Member Gonzalez moved the rules be suspended for the purpose of hearing Mr. Harry Gee, Mr. Gordon Quan, Mr. Daniel Pena and Mr. Eddie Calderon after Mr. David Lim, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Noriega and Jones absent. MOTION 2011-0201 ADOPTED.

The City Secretary began calling the public speakers. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Noriega and Jones absent.

Ms. Rogene Calvert, 4122 Woodhaven, Houston, Texas 77025 (832-723-4508) appeared in favor of Agenda Item 5, listed the many reasons the Municipal Courts Building at 1400 Lubbock should be named in honor of Judge Herbert W. Gee; and urged a yes vote. Council Members Stardig, Johnson, Clutterbuck, Noriega and Jones absent.

Council Member Hoang thanked Ms. Calvert for coming and advocating for the Courts Building to be named in honor of Judge Herbert Gee; that he thanked all who came today on this item; and stated that he did support the item. Council Members Stardig, Johnson, Clutterbuck and Jones absent.

Mr. John Page, P. O. Box 362, Bellaire, Texas 77042 (832-978-7663) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Clutterbuck and Jones absent.

Mr. David Lim, 422 Faust, Houston, Texas 77024 (713-622-6862) appeared in favor of Agenda Item 5 and stated that he was a friend of Judge Gee, he was honorable and; urged a vote in favor of the item. Council Members Stardig, Johnson, Clutterbuck and Jones absent.

Mr. Harry Gee, Jr., 5847 San Felipe, Houston, Texas 77057 (713-781-0071) appeared in favor of Agenda Item 5 and stated that Judge Gee was a mentor for many attorneys; that he served as Judge for decades, was an Assistant City Prosecutor and teacher, etc., and urged a yes vote. Council Members Stardig, Johnson, Clutterbuck and Jones absent.

Mr. Gordon Quan, 5177 Richmond, Houston, Texas 77056 (713-625-9200) appeared in favor of Agenda Item 5 and stated that he had been mentored by Judge Gee when he was younger; that he was an inspiration to many; and urged a yes vote. Council Members Stardig, Johnson, Clutterbuck and Jones absent.

Mr. Daniel Pena, 32710 Whitburn Trail, Fulshear, Texas 77441 (713-539-8228) appeared in favor of Agenda Item 5 and stated that he was president of the Harris County Municipal Courts Justice Bar Association and Judge Gee was deeply committed to the City of Houston, was generous with his time and board members of his association voted and approved unanimously to donate funds to help with the name change; and urged a yes vote. Council Members Stardig, Johnson, Clutterbuck, Hoang and Jones absent.

Mr. Eddie Calderon, 1818 Fergus Park Court, Houston, Texas 77047 (713-732-0237) appeared in favor of Agenda Item 5 and stated that he had the honor to work with Judge Gee over 11 years; listed many accolades for Judge Gee; and urged a yes vote. Council Members Stardig, Clutterbuck, Hoang and Jones absent.

Ms. Paula Swaine, 1432 Ashland, Texas 77008 (713-861-6292) appeared in favor of Agenda Item 50 and stated that she supported historic preservation and invited those present also in favor to stand with her; that all had plenty of time to make an informed decision; and urged a yes vote. Council Members Stardig, Clutterbuck and Hoang absent.

Council Member Gonzalez stated that this was a long process, he listened to both sides and he looked forward to voting in support of the districts; and he appreciated all those who came. Council Members Stardig, Clutterbuck and Hoang absent.

Mr. Jonathan Smulian, 1231 Arlington, Houston, Texas 77008 (713-863-9047) appeared in favor of Agenda Item 50 and stated that he lived in the Heights East Historic District and was present urging approval of the Planning Director's report which retained boundaries of historic districts as they had been except for a minor change in Montrose Commons; and urged no changes be made. Council Members Stardig, Johnson, Clutterbuck and Hoang absent.

Mr. Mitchell McFarland, 1534 Arlington, Houston, Texas 77008 (713-843-7825) appeared in favor of Agenda Item 50 and stated that he lived in the Heights East Historic District; that this would improve quality of life, property values; and urged a vote in favor of recommendations of the Planning Director. Council Members Stardig, Johnson, Clutterbuck and Hoang absent.

Mr. Bart Truxillo, 1802 Harvard, Houston, Texas 77008 (713-861-6236) appeared in favor of Agenda Item 50 and stated that protected historic districts were great for the city and the citizens and without protection there was no historic preservation. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent.

Council Member Pennington stated that Mr. Truxillo was recognized with the Good Brick Award and that did not begin to recognize his successful efforts for preservation in Houston; and thanked him for his work. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent.

Ms. Anne Sloan, 1433 Harvard, Houston, Texas 77008 (713-869-8281) appeared in favor of Agenda Item 50 and stated that she lived in the Houston Heights East District; that last time she spoke was in conjunction with the article she wrote for American Bungalow; and urged a yes vote on historic districts. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent.

Ms. Sue Lawson, 1720 North Boulevard, Houston, Texas 77098 (713-526-6400) appeared in favor of Agenda Item 50 and stated that thanked all for creating the ordinance as it was needed, she lived in Boulevard Oaks; and urged it be kept as is. Council Members Stardig, Clutterbuck, Sullivan and Hoang absent.

Ms. Demetra Jones, 3453 North MacGregor Way, Houston, Texas 77004 (713-748-6113) appeared and stated that she owned a consulting firm by the name of Training Leadership and Consulting and present on behalf of her relationship with CIGNA, she was a minority vender with them trying to achieve the contract with the City of Houston on their health plan and worked to ensure a smooth transition for all employees. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Lovell absent.

Upon questions by Mayor Parker, Ms. Jones stated that her consulting firm was Training Leadership and Consulting. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Lovell absent.

Ms. Penny Zagroba, 1401 St. Joseph Parkway, Houston, Texas 77002 (713-756-4591) appeared and stated that she was a representative of St. Joseph Medical Center and their concern with the benefit change was they were not taking continuity and patient care into account; that Blue Cross helped them contract with the city for 17 years and they also contracted with Renaissance Physicians Organization which operated a pool of doctors in the Houston area. Council Members Stardig, Clutterbuck, Sullivan, Hoang and Lovell absent.

Upon questions by Council Member Jones, Ms. Zagroba stated that St. Joseph contracted with Renaissance for more than three years and it was a very effective relationship and a change would be a disruption in service to their patients; that she did not know of any doctors who had been kicked out of Renaissance. Council Members Stardig, Sullivan and Hoang absent.

Dr. James Key, 1816 North Boulevard, Houston, Texas 77098 (713-859-9027) appeared and stated that he lived in the Boulevard Oaks Historic District and most in the area considered themselves stewards of the old properties; that volunteers recently got signatures showing they wanted to retain the districts. Council Members Stardig, Sullivan and Hoang absent.

Upon questions by Council Member Jones, Dr. Key stated that he was for the historic districts and 80% of their district was for it; and Mayor Parker stated that she did believe anyone wearing a green sticker was for the districts. Council Members Stardig, Sullivan, Hoang and Lovell absent.

Mr. Louis Strauss, 807 Beverly, Houston, Texas 77007 (713-880-0446) appeared, presented information and stated that he owned a house at 434 Heights Boulevard for over 30 years and he was surrounded by 4,000 and 5,000 square foot new houses, the majority in his block were new and under the new ordinance he was not allowed to build a house matching the surrounding homes and was restricted from building an addition that would come close to them and there was only one contributing building. Council Members Stardig, Sullivan and Hoang absent.

Upon questions by Council Member Pennington, Mr. Strauss stated that his house was classified as potentially contributing and completely out of scale to neighboring houses; that no other houses were contributing they were new. Council Members Stardig, Johnson, Sullivan and Hoang absent.

Upon questions by Council Member Jones, Mr. Strauss stated that he was against the Agenda Item. Council Members Stardig, Johnson, Sullivan and Hoang absent.

Mr. Peter Tropoli, 1927 South Boulevard, Houston, Texas 77098 (713-528-5580) appeared and stated he lived in Boulevard Oaks and his 1900 block of South Boulevard should be removed or alternatively his subdivision, Hermann Hospital Estates, should be removed since it did not belong with the rest of the proposed district; he owned a duplex and behind him

was a restaurant, apartment complex dilapidated and yellow tagged and his block contained more new than old houses and retained more characteristics of the subdivision which was left out of the district; and the majority of his block did not sign the petition. Council Members Stardig, Johnson, Sullivan, Hoang and Lovell absent.

Ms. Caroline Powall, 1224 Columbia, Houston, Texas 77008 (832-687-9186) appeared, presented information to Council Members and stated that her mother owned a small bungalow in the Heights, however, there were only two closets and the only way to add more would be to widen the front of the house and it had been renovated before. Council Members Stardig, Johnson, Sullivan, Hoang and Lovell absent.

Upon questions by Council Member Jones, Ms. Powall stated that she was against the Agenda Item. Council Members Stardig, Johnson, Sullivan, Hoang and Lovell absent.

Upon questions by Council Member Gonzalez, Ms. Powall stated that under new restrictions they would not be able to put in a closet and it was not habitable for a small family; that she considered buying there but she would not be able to make a house livable. Council Members Stardig, Johnson, Sullivan and Pennington absent.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Ms. Caroline Powall, seconded by Council Member Costello. All voting aye. Nays none. Council Members Stardig, Johnson, Sullivan and Pennington absent. MOTION 2011-0202 ADOPTED.

Upon further questions by Council Member Gonzalez, Ms. Powall stated that the shape of the house was typical bungalow and the layout would only allow more space if extended, you could not take more space from the bedroom or you would have two closets potentially. Council Members Stardig, Johnson, Sullivan and Pennington absent.

Mayor Parker stated that you could take the house down to the studs on the inside and no one would care; that she was talking about adding on and she would have to go through the Archeological and Historical Commission to get permission to build on. Council Members Stardig, Johnson, Sullivan and Pennington absent.

Mrs. Kathleen Williamson, 1433 Columbia, Houston, Texas 77008 (713-864-4230) appeared in favor of Agenda Item 50 and stated that she lived in her 103 year old house 20 years and was present supporting the report as submitted by Ms. Gafrick; that she was particularly concerned with carving out districts by people not intimately knowledgeable of the district as there was a suggestion to take the blocks of Oxford north of the high school out of the district and it would remove the very oldest house in the entire Houston Heights, it predated the Houston Heights by many years; that districts should be left as is. Council Members Stardig, Johnson, Sullivan and Pennington absent.

Upon questions by Council Member Jones, Ms. Williamson stated that districts now, in particularly her district, needed to be left as is because those who proposed to carve out were not necessarily knowledgeable of the buildings; that she was totally against carve outs and would want districts standing as they were. Council Members Stardig, Johnson, Sullivan and Pennington absent.

Dr. Carlos J. Gonzalez, 2900 North Loop West #1300, Houston, Texas 77092 (832-553-3591) appeared and stated that he was a primary care physician and present on behalf of Renaissance as the primary care provider, also as Chief Medical Officer for Renaissance Physician Organization; that they as an organization of physicians numbering 455 primary care and over 800 specialty care doctors had a good relationship with the present

carrier. Council Members Stardig, Johnson, Adams, Sullivan, Pennington and Gonzalez absent.

Upon questions by Council Member Jones, Dr. Gonzalez stated that the Renaissance Physician Organization was over 10 years old and he had been involved since their inception; that a physician wanting to be a part of their network had to submit a letter of interest and if there was a need within that IPA they were considered and it was a board decision. Council Members Stardig, Sullivan, Pennington, Gonzalez, Costello, Lovell and Noriega absent.

Dr. Luis T. Campos, 925 Gessner, Houston, Texas 77024 (713-827-9525) appeared and stated that he was associated with Renaissance for 10 years and they had a triage type relationship; that they had different programs available and some very important to cancer patients. Council Members Stardig, Sullivan, Pennington, Gonzalez, Costello, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Dr. Joanne Rogers, 4126 SWF #600F, Houston, Texas 77027 (713-980-0404) appeared and stated that she practiced family medicine and was asked by Renaissance IPA to address the Council regarding a change in insurance coverage and was perplexed as many of her HMO Blue members had been in her panel for over a decade and Renaissance IPA had been the most hands-on and standout leader with emphasis on preventative care, quality measures and review and cost containment; that the unique relationship patients had with their primary care physicians could not be undermined for the sake of saving a few dollars. Council Members Stardig, Sullivan, Pennington, Gonzalez, Costello, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Dr. Patrick Willis, 1315 St. Joseph Parkway #1102, Houston, Texas 77002 (713-569-8150) appeared and stated that he became an independent player through the Renaissance Physician Organization in the manage care arena; that without such organization independent physicians would have a very tough time, they had a very good group of primary care physicians and large panel of specialists and were very community based and they would lose business if this went to someone else. Council Members Stardig, Sullivan, Pennington, Gonzalez, Costello, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Rodriguez thanked all doctors for coming today; and upon questions, Dr. Willis stated that they treated 15,000 city employees and they would all be affected by a change. Council Members Stardig, Sullivan, Pennington, Gonzalez, Costello, Noriega and Jones absent.

Dr. Winston Watkins, 1315 St. Joseph Parkway #1507, Houston, Texas 77002 (713-851-8330) appeared and stated that he was a member of the Renaissance Physician Organization and his practice, Medical Associates of Houston, cared for approximately 350 City of Houston employees for greater than 10 years and he was concerned with the change causing many to have to change their physicians and their specialists and could result in a lower quality of care during the transition and higher cost with testing. Council Members Stardig, Sullivan, Pennington, Costello, Noriega and Jones absent.

Mr. Pat Matthews, 1401 St. Joseph Parkway, Houston, Texas 77002 (713-756-8236) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Pennington, Costello, Noriega and Jones absent.

Mr. David Miller, 7575 Kirby Drive, Houston, Texas 77030 (713-204-5971) appeared, presented information to Council Members and stated that he was vice president for Human Resources at Kelsey Seybold Clinic and as a longtime healthcare provider for city employees he had demographics relating to their clinic; that they employed about 407 providers and of the

group 56% were minority and in addition had about 225 individuals who were female; that Kelsey Seybold clearly reflected the multi cultural diversity of Houston. Council Members Stardig, Sullivan, Pennington, Costello and Jones absent.

Mr. James Leonard, 8025 Miley, Houston, Texas 77028 (713-676-1975) appeared and stated that his mother was 90 years young and with Blue Cross Blue Shield and Kelsey Seybold and received professional and caring care for 15 years; that he was also able to use Kelsey Seybold at times and was impressed with their professionalism and caring. Council Members Stardig, Sullivan, Pennington, Costello and Jones absent.

Ms. Homazel Leonard, 8021 Miley, Houston, Texas 77028 (713-673-5271) appeared and stated that she was with Kelsey Seybold and Blue Cross Blue Shield for a longtime now, she was a retired city employee of 20 years; and thanked all for the service received through both organizations and hoped to continue until the Lord called her home. Council Members Stardig, Sullivan, Pennington, Costello and Jones absent.

Mayor Parker stated that the proposal was to stay with Kelsey Seybold. Council Members Stardig, Sullivan, Pennington, Costello and Jones absent.

Dr. Henry Mata, 1327 Lake Point Parkway #500, Sugarland, Texas 77478 (281-565-2800) appeared and stated that he was a practitioner in the southwest part of town and with Renaissance 10 years and he was in a practice with 8 providers and they took care of 750 patients and a change would be devastating to their patients; that he was on committees and directly involved in quality issues as for as deciding treatment from specialist standpoint and family practice standpoint and never saw better interaction in an organization. Council Members Stardig, Johnson, Sullivan, Pennington, Costello and Jones absent.

Mr. Daniel Box, 323 Moose Drive, Crosby, Texas 77532 (832-794-9896) appeared and stated that he was secretary for the Houston Organization of Public Employees (HOPE) and it was disturbing that people were going around the city workers and passing out a petition opposing CIGNA and the problem was they were posing as HOPE employees or organizers and he wanted all to know HOPE had not authorized such a petition and not backing any petition against CIGNA. Council Members Stardig, Johnson, Sullivan, Pennington and Jones absent.

Mayor Parker stated that she appreciated Mr. Box coming to clarify that. Council Members Stardig, Johnson, Sullivan, Pennington and Jones absent.

Mr. Demetrius Navarro, 9235 Katy Freeway #100, Houston, Texas 77024 (713-463-8880) appeared and stated that he was present to speak on behalf of MBE's and historically under utilized businesses which would like to participate in opportunities with doing business with the City of Houston; that he was an insurance professional and with anticipation of release of the RFP for the City of Houston they prepared themselves for the bidding process last summer and were approached by CIGNA; that they were engaged and included throughout the process and very excited to be presented as key participants. Council Members Stardig, Johnson, Sullivan, Pennington and Jones absent.

Mr. Noe Santana, Telephone Road, Houston, Texas 77023 (713-819-0738) appeared and stated that he was not covered by Kelsey Seybold, his dad was a retired City of Houston employee and firefighter; that he had an on duty injury which left him paralyzed from the neck down and had the same physician 20 years, with his health failing they went to Kelsey Seybold last October and from the initial examination found he had 80% blockage in an artery and three days later had a stint in; that those at Kelsey made them feel special. Council Members Stardig, Johnson, Sullivan, Lovell and Jones absent.

Mayor Parker stated that he should thank his dad for her for his service to the City of Houston. Council Members Stardig, Johnson, Sullivan, Lovell and Jones absent.

Dr. Eric Peterson, 11555 University, Sugarland, Texas 77478 (713-442-9100) appeared and stated that he was a practicing obstetrician at Kelsey Seybold Clinic and a member of the board of managers for the organization and they strived to provide the best of healthcare for all members of the community; that he believed correlated care was the best model of care and Kelsey care powered by CIGNA was definitely correlated care; that they were excited to offer their expertise and value to the City of Houston as they did for the Port of Houston, HEB, United Space Alliance, etc. Council Members Stardig, Johnson, Sullivan, Lovell and Jones absent.

Ms. Rita Gonzales, 1706 Joycreek, Houston, Texas 77070 (281-650-3830) appeared and stated that she was wife of a 32 year veteran of HPD and mother of four children, three of whom were affected by severe hemophilia A, a blood clotting disorder regulated much like a diabetic regulated sugar levels with infusions; that the medicine was called factor concentrate and the last time the city changed insurance carriers they failed to cover all families, about five or six took this product and she wanted to make all aware of this and make herself available as a resource to make sure that did not happen again and the Lone Star Chapter Hemophilia Foundation, Hemophilia Treatment Center could help in their decision making and making sure they were covered. Council Members Johnson, Sullivan, Lovell and Jones absent.

Mr. Robert Edness, 6221 Main, Houston, Texas 77030 (713-367-3826) had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan, Lovell and Jones absent.

Ms. Kim Tran, 6606 Irvington, Houston, Texas 77022 (713-459-7410) appeared and stated that as a small business owner she wanted to know why she could not get her water impact fee back since she could not obtain the permit from the Building Permit Department. Council Members Johnson, Sullivan, Lovell and Jones absent.

Mayor Parker stated that she did not know the answer to her question; and called on Council Member Gonzalez. Council Members Johnson, Sullivan, Lovell and Jones absent.

Council Member Gonzalez stated that it was his understanding Public Works and Engineering had a policy when once you pay for the fee there was only certain criteria where they could return it to her and at this point she did not qualify; and upon questions, Ms. Tran stated that she would like to defer to her architect Mr. Anderson. Council Members Johnson, Sullivan, Lovell and Jones absent.

Mr. Albert Anderson, 645 Westheimer #1105, Houston, Texas 77057 (832-573-8234) appeared and stated that the City of Houston had a policy whereby if you applied for a building permit you had to apply for water and if you did not get water they were allowed to keep your money and that was what had been done to Ms. Tran; that this was a bad policy and unfair and they were bringing this to Council as it had hurt her financially. Council Members Johnson, Sullivan, Hoang, Rodriguez, Lovell and Jones absent.

Upon questions by Mayor Parker, Mr. Heilman stated that a prior Council passed an ordinance which addressed impact water fees and there was a scheme in the ordinance which addressed refunds; that these individuals had up to six months to go through the process to get a building permit and if it would have been issued they would pay their impact fees right before the six months expired, but they paid it earlier and when the building application came through it was denied because there was not enough parking space, but she could sell her impact fee to someone else in the community and this was communicated to them; and Mayor Parker stated that she would like Mr. Norman to speak with her and then she would like someone to speak

with her about the rationale behind the ordinance. Council Members Johnson, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Kim Shaw, 6363 Airport #225, Houston, Texas (832-245-8211) had reserved time to speak but was not present when her name was called. Council Members Johnson, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Sheila Degar, 8846 Forest Hollow Drive, Houston, Texas 77078 (832-258-9780) had reserved time to speak but was not present when her name was called. Council Members Johnson, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mr. William Beal, 5814 Overdale, Houston, Texas 77033 (no phone) had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mr. Etienne Nguyen, 8607 Bellaire, Houston, Texas 77072 (832-475-9044) appeared, presented information and stated that he was president of the Federation of Asian American Voters and candidate for City Council District F and today brought a great concern; that he was called March 5th with a strong message on the life of his two children; that she knew where he was and where his children were; that she would poison his children and he was asking Council Member Hoang to stop his criminal act. Council Members Johnson, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Upon questions by Mayor Parker, Mr. Nguyen stated that he had referred this to HPD. Council Members Johnson, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mr. Reginald Predon, 125 Dyna, Houston, Texas 77060 (832-881-7265) appeared and stated that he was a pastor of homeless teenagers who came out of Child Protective Services and he had CDs for the Council Members; that CPS, Child Advocates and the people working at the courts were committing crimes of extortion, kidnapping, perjury and murder; that they were killing children and he had audio and video; that he did a documentary on this and was asking those with the City of Houston to help. Council Members Sullivan, Hoang, Rodriguez, Lovell and Jones absent.

Ms. Nikkie Balazs, 5006 1/2 Lavender, House C, Houston, Texas 77026 (832-884-0534) appeared and stated that she was present to speak on judges involved in CPS cases; that she just found out she was not at the right place, but she felt if someone did something against the law they should be held accountable, no one was above the law and if judges were doing fraudulent things with CPS or children it needed to be stopped, but she would speak to one of the ladies present which had information as she was not at the right spot. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Mayor Parker thanked Ms. Balazs for coming and stated that she hoped she could be helped here. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Mr. Randall Wilde, 1810 Sanford, Houston, Texas 77006 (832-880-1256) appeared and stated that he was a professional body guard and in this jurisdiction 10 months in the Montrose area and noticed the rectangle of Taft to West Gray to Montrose, the Westheimer area where there were unsavory characters, perpetrators around clubs and thought it would be great to have a neighborhood bike patrol and he planned on hiring some this summer to observe and let them know they were not wanted around. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Mayor Parker stated that Lieutenant Gallier was present and the city used citizen foot

patrol, on patrol in vehicles and they loved community groups and he could speak with the sergeant. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Mr. Larry Pickard, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Mr. Donald Burns, 13021 Donegal Way, Houston, Texas 77047 (713-882-0307) appeared, presented Mayor Parker information and stated that he lived in Shamrock Manor and was at the community center last week when the president of the dba, it was not a real civic club, had a Parks Department employee lock him and a Black gentleman out and then the Black gentleman called police who pulled him out of the meeting and said he was identified and he was not Black he was White, but he had been recording them and he was not the one disrupting or using profanity or violating property rights and would be back next week for his three minutes. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

The City Secretary stated that he was welcome to reserve time with the City Secretary's Office, but under Council Rules he had appeared today and next week would go to the bottom of the list for one minute. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Mr. James Rasmus, 5430 Brinkman, Houston, Texas 77091 (713-683-0945) appeared and stated that he was representing the Shepherd Park Terrace Subdivision and they received protection under the prohibited parking ordinance and thought it was a slam dunk, but he watched the last three weeks a gentleman violating the ordinance and he immediately called police, but there was not supposed to be a grace period and he should have been issued a ticket; and if HPD was not going to aggressively enforce the ordinance he would ask Council to transfer the enforcement to Parking Management or Parking Enforcement as they seemed to be more proactive writing tickets. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Upon questions by Mayor Parker, Mr. Rasmus stated that the ordinance said anyone parking in the yards or on the sides was \$150.00 fine; and Mayor Parker stated that they were working on amending the ordinance so Parking Management could enforce it in addition to the Police Department. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Council Member Johnson stated that Mayor Parker just stated what he was going to let him know, but he did thank him for his suggestion and leadership in Shepherd Park Terrace; and Mr. Rasmus stated that police did not even know about the ordinance and he had to show them and today the guy was still parking in the yard; and Mayor Parker stated that once they had the ordinance they should have responded and she would forward the request to HPD. Council Members Stardig, Sullivan, Hoang, Rodriguez and Jones absent.

Ms. Jogretta Williams, P. O. Box 42505, Houston, Texas 77242 (713-542-4842) appeared and stated that she was present before; that she had a different landlord but the same problem, the problem that disabled, handicapped, senior citizens, etc., had when they were having to live in complexes saturated with unscrupulous landlords; that her current situation had turned into a full blown eviction of which she had already been to court; that the Fair Housing Division and the Houston Housing Authority had their hands tied. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Gwendolyn Johnson, 19019 Remington Mill Drive, Houston, Texas 77073 (832-266-4262) appeared and stated that she was present asking for help; that she lost her mom in January and she was on Section 8 and she lived with her and took care of her and nieces and

nephews lived there also; that she was on her Section 8 papers, but they wanted to take her off and leave the children and put a 19 year old over her housing and a 17 and 10 year old; that they wanted her to move out and leave them unattended and she was asking for help. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker stated that the city did not have direct oversight of the Housing Authority, but she believed a representative was present if she would visit with them. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Dr. Amir Malik, 1333 Spear Road, Houston, Texas 77067 (713-527-2760) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Deborah Laday, 10205 Caxton, Houston, Texas 77016 (713-256-0857) appeared, presented information to Council Members and stated that she had been dealing with her problem since 2007, rats, snakes and stench; that they lived in Fontaine Place and had very small lots and on her left were chickens and on the right was a bull, calf, horses, etc., and they had done what they could starting with the Health Department and last month talked to the Mayor's Liaison, Ms. Alan, and she came out and saw and had BARK go out, but they said they were fenced in, but they were not always fenced in and she had brought pictures. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker stated that Mr. Chris Newport was present with ARA and they were trying to accommodate her, but had to observe the violations in the field. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Dr. Carol Solis, 309 Drew, Houston, Texas 77006 (713-520-9876) appeared and stated that the connection between large sporting events and spikes in human trafficking to the hosting cities was a documented and known fact and over the last weeks it was said the city was excited about benefits economically and in tax revenue that would be derived from the Final Four, however, he had called city offices and media to ask why they were not highlighting there would be a spike and make citizens aware to help enforce existing laws; and he was asking that they make all aware and a zero tolerance for it. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker thanked Mr. Solis for raising the issue and stated that human trafficking was illegal and there was no need for an additional ordinance and they tried daily to enforce all existing laws dealing with it. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mr. Jonathan C. C. Day, 1100 Studewood, Houston, Texas 77008 (832-673-0220) appeared, presented information to Council Members and stated that he was present to speak on traffic and implementation of the Ainbinder Traffic Impact Analysis and he had five questions, first was the Yale Street Bridge and whether the developer would be required to propose and implement development infrastructure changes per Council Member Gonzalez's note to the Mayor; second, a nearby development was being put forward and they asked by the plats because that was connected to the Traffic Impact Analysis in Chapter 15, should the Public Works be directed to identify and produce plats and not plans because of a concern. Council Members Stardig, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Upon questions by Council Member Gonzalez, Mr. Day stated that there was a lot of work keeping up with disclosure obligations of the open records act and there was an important question on whether the Orr Development had been platted; and Council Member Gonzalez stated that meeting was coming Thursday and he was sure he would be there; that they had asked for Mr. Richard Smith to be there but had not received confirmation; and Mr. Day stated that Mr. Smith handled the TIA when it came in and they could see from the open records disclosures he was the one asking questions. Council Members Sullivan, Lovell, Noriega and Jones absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Mr. Jonathan C. C. Day, seconded by Council Member Costello. All voting aye. Nays none. Council Members Sullivan, Lovell, Noriega and Jones absent. MOTION 2011-0203 ADOPTED.

Council Member Gonzalez stated that they asked for Mr. Smith to be present at the meeting; that Mr. Jeff Wetherford would be present and he too had reviewed the TIAs and worked with Mr. Smith; and Mr. Day stated that the traffic flow would require three lanes and there would be no sidewalks; and his last question was that he was baffled when a citizen group, RUDH, advanced questions about variables being plugged into the TIA they were explained away and the city at their own expense prepared an alternative study using lesser numbers. Council Members Sullivan, Lovell, Noriega and Jones absent.

Ms. Karen Derr, 2310 Rutland, Houston, Texas 77008 (713-875-7050) appeared and stated that she was present to support RUDH in the request for documentation pertaining to drainage at the Heights Area Walmart site; that they asked again and again and had not received documents for the site; that she would like to know why the city went to the Attorney General to get a ruling documents were proprietary so they would not have to be given. Council Members Sullivan, Lovell, Noriega and Jones absent.

Council Member Gonzalez stated that concern for the open records was raised last time and there was a different attorney present and they asked that they get expedited; and he would like a response; and Mr. Heilman stated that they had provided a number of documents to RUDH; with regard to the drawings they were documents Walmart asked the city to accept and they were not asserting the exception, but had sent a letter to the Attorney General's Office indicating a third party may seek an exception to the disclosure of the records and it was within the perimeters of the law and the AG would respond if Walmart asserted the exception they would respond to it accordingly. Council Members Sullivan, Lovell, Noriega and Jones absent.

Council Member Costello moved the rules be suspended for the purpose of extending the time for questions of Ms. Karen Derr, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Sullivan, Lovell, Noriega and Jones absent. MOTION 2011-0204 ADOPTED.

Upon questions by Council Member Gonzalez, Ms. Derr stated that she had not looked at documents provided that representatives from RUDH said they were not provided documents for drainage for this development, they were given 700 pages for the Silber Road development and the concern was a historic cemetery, etc., was there and could be affected. Council Members Sullivan, Lovell, Noriega and Jones absent.

Council Member Gonzalez moved the rules be suspended for the purpose of extending the time for questions of Ms. Karen Derr, seconded by Council Member Costello. All voting aye. Nays none. Council Members Sullivan, Lovell, Noriega and Jones absent. MOTION 2011-0205 ADOPTED.

Council Member Gonzalez stated that he believed any citizen should receive any documents under open records and he did not know the legal aspects of it but had asked they be expedited in a timely manner; and Mayor Parker stated that it was her belief, unless it was proprietary, everything had been turned over and as she said they gave them 700 pages and they would go back and scrub it again; and Ms. Derr stated that they were requesting permitting be halted until citizens were able to see the documents as the concern was the property was intended to be grandfathered with no detention; and Mayor Parker stated that she could assure that would not happen. Council Members Adams, Sullivan, Lovell, Noriega and Jones absent.

Ms. Evelyn Merz, 7095 Santa Fe, Houston, Texas 77061 (713-644-8228) appeared, presented information and stated that she was speaking on behalf of the Lone Star Chapter of the Sierra Club and Houston Regional Group; that two items were now being considered by the Texas Legislature and she wanted to bring them to Council's attention; that both would have an impact on the city, first, Senator Dan Patrick introduced Senate Bill 1201 which would modify the regulatory takings law passed in 1995 and examples of concern were in the provisions in her handout dealing with flood control, etc., and they were asking Council to have Legal review SB 1201 to determine financial management impacts on the city and perhaps take a position against it; second was for the past two legislative sessions, the public concern was inadequate funding of the state park system and local parks grant program. Council Members Adams, Sullivan, Lovell, Noriega and Jones absent.

Upon questions by Council Member Rodriguez, Ms. Merz stated that with the state budget deficit they did not expect things to continue as normal but local parks grants program was especially hard hit and the budget cuts went from \$31 million for the biennium to less than \$1 million for the next biennium; that meant no grants for two years and 50% of the staff being let go and they were recommending the Legislature appropriate \$2.5 million per year or total of \$5 million, for the biennium; that they wanted the city to direct their legislative office to express support for lifeline funding for local parks grants program, \$2.5 million per year or total of \$5 million. Council Members Sullivan, Lovell, Noriega and Jones absent.

Mayor Parker stated that she would ask the Legal Department and the lobby team to follow-up on this. Council Members Sullivan, Lovell, Noriega and Jones absent.

Ms. Simanal Derousselle-Foster, 7522 Elbert, Houston, Texas 77028 (713-277-4199) appeared and stated that she had been employed by Public Works and Engineering Street Maintenance and by her not putting her life on the line she was terminated today and it was not fair; that safety should always be first and she would ask someone look into this, to investigate, the area was not secured right. Council Members Adams, Sullivan, Lovell, Noriega and Jones absent.

Mr. Marion Scott, 1600 Louisiana, Houston, Texas 77002 (713-987-3327) appeared and stated that all were protected by law enforcement; that the Houston Police Department and County Constables should be the first order of business, how come there was a continued shortfall to this primary and critical budget; and urged fees be increased somewhere to get funding to ensure everyone's safety. Council Members Adams, Sullivan, Lovell, Noriega and Jones absent.

Ms. Deandra Williams-White, P. O. Box 2319, Alief, Texas 77411 (832-494-4218) appeared and stated that her reputation was tainted because of a botched investigation by HPD; that she called and said she was accused of something she did not do and the officer wanted her to come down and she said he could come to her school that she did not see why she needed to go and he got upset because she said she would go the IA and the Mayor and then he came out to her job showing her picture to her neighbors, landlord and to her job with five cars of police and impounded her car and took her to Mykawa and he was the investigating

and arresting officer. Council Members Johnson, Adams, Sullivan, Lovell, Noriega and Jones absent.

Ms. Gloria Rodriguez, P. O. Box 426021, Houston, Texas 77292 (713-632-7996) appeared and stated that her two sons were falsely accused of a crime in 2010 and then it was found they were innocent; that lawyers said they would be coming home but they were going on a year now and they still had not come home; that she did not know where to go, but how long did it take to come home once you were found innocent; that she was a diabetic and they took care of her and she was in a bind. Council Members Johnson, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker stated that if her sons were in county she needed to speak with the county. Council Members Johnson, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Council Member Gonzalez stated that was going to be his recommendation also; that she could also reach out to the District Attorney's Office; and Ms. Rodriguez stated that she had been through all that and they told her she needed to wait, but she wanted to know how long. Council Members Johnson, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Patricia Martin, 3401 Fannin, Houston, Texas 77004 (832-630-3717) had reserved time to speak but was not present when her name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Krystal Muhammad, 7125 Reed Road, Houston, Texas 77087 (713-261-3558) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

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 Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Steve Longmire, 603 West Main, Houston, Texas 77006 (832-655-5657) appeared and stated that he was present on behalf of the First Montrose Commons Historic District and the other 15 in the City of Houston; that it was time for reality as Council voted by a majority for a new historic preservation ordinance; that Council set the rules and they followed them; that Council voted unanimously to establish the First Montrose Commons Historic District and now they were still debating on whether to undo all of it based on negative feedback from a vocal minority of people, 20% or so who represented less than 1% of the land in the city of Houston and now unhappy they did not have free reign over 100%; and urged a vote to ratify the report. Council Members Stardig, Johnson, Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Dr. Grace Butler, 4660 Beechnut #102, Houston, Texas 77096 (713-436-1273) appeared and stated that she was present in support of Kelsey Seybold, she had been with them since 1989 and they saw her through a devastating illness; that they were also a good corporate citizen within the community they supported prevention measures and Hope Through Grace and their prevention measures. Council Members Stardig, Sullivan, Rodriguez, Lovell and Jones absent.

Mr. Calvin Simper, 1410 Thornton, Houston, Texas 77018 (713-868-5192) appeared and stated that he was against the historic ordinance, it was fatally flawed from the beginning as they let people come in and tear down a house and build a big house and then vote against

people's property rights who lived in their house 50 years and anyone for this is condoning theft. Council Members Stardig, Sullivan, Rodriguez, Lovell and Jones absent.

Mrs. Sharie Beale, 316 W. 15th, Houston, Texas 77008 (713-594-2199) appeared, presented information and stated that all could not be represented all the time, but they could represent most; that in the case of the resurvey ballot for the historic districts the majority spoke loud and clear in its silence, how could there be questions when the super majority said they wanted protected districts and they wanted the reports for each of the six districts by Director Gafrick to be accepted. Council Members Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. David Beale, 316 W. 15th, Houston, Texas 77008 (713-594-2199) appeared and stated that he lived in the Houston Heights Historic District West and urged a yes vote in accepting all six historic districts in Planning Director Gafrick's report; that they were the history of the city and deserved protection; and thanked all for their support. Council Members Stardig, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. Mark Williams, 1710 West T. C. Jester #5208, Houston, Texas 77008 (281-788-7628) appeared and stated that he could not believe that he heard being silent was a vote for something, but tomorrow they would be asked to vote on historic districts and some would be put in awkward situations; and suggested they demand that each district be voted on separately. Council Members Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Ms. Mary Wassef, 1127 Winston, Houston, Texas 77009 (713-398-8718) appeared and stated that the issue had really not been the historic ordinance, it was a significant taking of property rights without due process and a flawed and inherently biased process was not due process; that Planning had not shown ongoing support in districts as was required in the ordinance and it may be a difficult political decision, but not a difficult ethical one. Council Members Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. Mark Williamson, 1433 Columbia, Houston, Texas 77008 (713-864-4230) appeared and stated that he was a property owner in Heights East and areas of heaviest loss, areas where the need was most, there would be a total loss of historic fabric if they lost the last few buildings in a particular area; that historic preservation was for knowledge of the past, present and future tourism needs; and urged a vote accepting the entire report. Council Members Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. Paul Luccia, 1237 Oxford, Houston, Texas 77008 (713-880-4877) appeared and stated that he lived in the Heights East and urged mistakes be corrected which had been made with this ordinance; that all the people were the city and that included the ones who did not read or speak English as a primary language; that Council usurped the rights, the voting rights, property rights of those property owners and they could correct this and urged that they do so. Council Members Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Ms. Jerrie McGahan, 1643 Arlington, Houston, Texas 77008 (713-890-2535) appeared and stated that she came previously sharing her family's struggles to sell a bungalow on Arlington and provide for their Grandma who had Alzheimer, but she passed away a few weeks ago not having to suffer any longer, but her family continued to struggle; that the house was still on the market after 9 months and not because of the price, a vacant lot just sold for \$31,000 more than their best offer and it was sad they had to worry and lose the rights to a family home by the system of voting which was biased and defective; and urged a no vote and a better plan. Council Members Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. Tony Sanchez, 1802 North Boulevard, Houston, Texas 77098 (713-818-4141) had

reserved time to speak but was not present when his name was called. Council Members Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Ms. Mari Gianukos, 1514 Columbia, Houston, Texas 77008 (713-516-2282) had reserved time to speak but was not present when her name was called. Council Members Stardig, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Ms. Tessa Wilkins, 1120 Columbia, Houston, Texas 77008 (281-615-6632) appeared and stated that she lived in the Heights Historic District East and was a preservationist, but against the amendment to the historic preservation ordinance passed last October; problems were that property rights were being stripped, a flawed voting process, etc., that she was present asking all to honor their duty and responsibility and vote no and recheck Planning. Council Members Stardig, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Ms. Rebecca Standridge, 1509 Oxford, Houston, Texas 77008 (832-628-8221) appeared, presented information and stated that she represented the 44% of property owners in Heights East who opposed the ordinance and could not be present and their signatures were being presented in the box at the podium; that they were opposed as the original designation was based on falsified data, Planning presented false data again in current report and misrepresented the amount of deed restricted properties, etc. Council Members Stardig, Sullivan, Rodriguez, Costello and Jones absent.

Mr. Robert Phillips, 1418 Columbia, Houston, Texas 77008 (832-573-1035) appeared, presented information and stated he was resident of the Heights East Historic District and the process was not followed in the ordinance and they shared evidence showing they had at best 35% support in their area; that a historic ordinance was good in certain communities, but did not work for the Heights East; and urged they vote with data and make the right decision. Council Members Stardig, Sullivan, Rodriguez, Costello and Jones absent.

Ms. Kathleen Powell, 1224 Columbia, Houston, Texas 77008 (713-862-5335) appeared, presented Council Members information and stated that she was present a couple of weeks ago speaking on conservation districts and deed restrictions and today provided them more information on the issues; that Heights East had significant questions covered by deed restrictions and her block had 70% signed opposition and she was on a boundary; that their opposition levels were well above 50% on blocks south and east of her and there was no reason hers could not have been carved out; that a non vote, a silent vote was not a favorable vote and they were speaking of their property rights. Council Members Stardig, Sullivan, Rodriguez, Costello and Jones absent.

Council Member Gonzalez stated that he read the article she provided on conservation districts and much of it did put regulations; and upon questions, Ms. Powell stated that the difference on conservation districts was that regulations were decided by the community. Council Members Stardig, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. Michael Omowale Haggerty, 6643 Stearns, Houston, Texas 77021 (713-402-8052) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

At 3:50 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, March 23, 2011. Council Members Stardig, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

The Houston City Council reconvened at 9:00 a.m. Wednesday, March 23, 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; and Ms. Marta Crinejo, Agenda Director and Stella Ortega, Agenda Office, present.

At 8:30 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:08 a.m. Mayor Parker called the meeting to order and stated that they had a public hearing to start the meeting, and recognized Council Member Gonzalez. Council Members Johnson, Clutterbuck, Lovell and Jones absent.

Council Member Gonzalez moved to suspend the rules to consider Item Numbers 2 through 5 before the public hearing, seconded by Council Member Costello. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Lovell and Jones absent. MOTION 2011-0206 ADOPTED.

2. REQUEST from Mayor for confirmation of **MR. KELLY DOWE** as Director of the Finance Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Lovell and Jones absent. MOTION 2011-0207 ADOPTED.

Mayor Parker stated that Mr. Kelly Dowe was the new Director of Finance and congratulated him. Council Members Johnson, Clutterbuck, Lovell and Jones absent.

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE) BOARD OF DIRECTORS**, for terms to expire December 31, 2011:

Position Three - **MR. PHILIP IVY**, appointment
Position Five - **MR. STANLEY J. SARMAN**, reappointment, and as Chair

– was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Lovell and Jones absent. MOTION 2011-0208 ADOPTED.

Council Member Sullivan stated that he wanted to congratulate the new appointees and thanked Mayor Parker for picking both of these individuals for taking the Lake Houston TIRZ into the next growth phase, that he appreciated their service. Council Members Johnson, Clutterbuck and Jones absent.

Mayor Parker stated that she wanted to thank them for volunteering for the City and thanked them for their service. Council Members Johnson, Clutterbuck and Jones absent.

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ZOO DEVELOPMENT CORPORATION BOARD OF DIRECTORS**:

Position One - **MS. DEANNA PENA GARCIA**, appointment, for a term to expire 6/30/2012

Position Two - **MR. JONATHAN DAY**, reappointment, for a term to expire 6/30/2013

Position Three- **MS. SYLVIA ANN MAYER**, appointment, for a term to expire 6/30/2011

Position Four - **DR. BARBARA (BOBBI) G. SAMUELS**, appointment, for a term to expire 6/30/2012

- Position Five - **MR. RUFUS P. CORMIER**, appointment, for a term to expire 6/30/2013, and as Chair for a term ending 12/31/2011
- Position Six - **MR. DAMIAN E. LACROIX**, appointment, for a term to expire 6/30/2013
- Position Eight - **MR. E. WILLIAM BARNETT**, reappointment, for a term to expire 6/30/2012

– was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. Council Members Johnson, Clutterbuck and Jones absent.

Council Member Costello stated that he would move to remove Mr. Rufus Cormier from Position Five of the Houston Zoo Development Corporation Board of Directors, that he no longer requested to be on the board, and refer that position back to the administration, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Sullivan and Jones absent. MOTION CARRIED.

A vote was called on Item No. 4 as amended. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Sullivan and Jones absent. MOTION 2011-0209 ADOPTED.

Mayor Parker congratulated the new appointees to the Houston Zoo Development Corporation Board of Directors and thanked them for agreeing to serve. Council Members Johnson, Clutterbuck, Sullivan and Jones absent.

5. RECOMMENDATION from Director Municipal Courts Department to designate the Municipal Courts Building located at 1400 Lubbock to be named the Herbert Gee Municipal Courts Building in honor of Judge Herbert W. Gee - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Jones absent. MOTION 2011-0210 ADOPTED.

Mayor Parker stated that they had just renamed the City of Houston Municipal Court for Mr. Herbert Gee, and asked the Gee Family members present in the audience to come forward to the podium. Council Member Jones absent.

Mr. Gee stated that this was a huge honor for his father, his family, his mother and all of their friends, that he loved the City and the Municipal Courts and dedicated his life. Council Member Jones absent.

Mayor Parker stated that she knew it was still recent and raw but they wanted to show their respect for Judge Gee and thanked Judge Hartle for bringing this to them, and Members of Council congratulated the family and gave their condolences for Judge Gee's passing. Council Member Jones absent.

HEARINGS

1. **PUBLIC HEARING** in accordance with Section 552.045 (c) of the Texas Local Government Code regarding proposed rates and exemptions to establish and levy a schedule of drainage charges for property subject to implementation of a Municipal Drainage Utility System – was called. Council Members Johnson, Sullivan, Noriega and Jones absent.

The City Secretary stated that they had a number of speakers who had reserved time to and the list had been distributed, that Mr. Dave Feldman, City Attorney, would make remarks prior to the hearing. Council Members Johnson, Sullivan, Noriega and Jones absent.

Mr. Feldman stated that this public hearing was conducted in accordance with Section 552.045C of the Texas Local Government Code regarding proposed rates and exemptions to establish and levy a schedule of drainage charges for properties subject to implementation of a Municipal Drainage Utility System. Council Members Sullivan, Noriega and Jones absent.

Ms. Diane Schenke, 3221 Harrisburg, Houston, Texas 77003 (713-928-9916) appeared and stated that she was the President of the Greater East End Management District speaking today on behalf of the joint Infrastructure Committee of the Greater East End Management District and the East End Chamber of Commerce, that they supported Proposition 1 and Renew Houston fiscally sound pay as you go approach to renewing their streets and drainage systems, moreover the City of Houston needed a sound infrastructure to support a sound economy, that the East End was a historic neighborhood that needed a systemic and careful approach to replacing and renewing worn out infrastructure, that the East End was home to over 3,500 businesses, drawn there by access to the Port, railroads and highways, that keeping those roads in good repair and providing good drainage was very important to these businesses, that on behalf of these businesses a key factor in implementing Prop 1 was that the user fee be applied equitably, that exemptions break down that equitable distribution and would shift more of the cost to businesses and to residents, including many small businesses in the East End, that another key factor in implementing Prop 1 was to balance the needs of industrial and heavy commercial users with the more residential parts of town, specifically as it related to the reconstruction of major thoroughfares and collectors, that as they knew the traditional approach in the past had focused on traffic level measures, that this measurement had biased the rankings against the more industrial and heavy commercial parts of town leading to a disinvestment in their heavy and vital business districts, that they looked forward to working with them as Prop 1 was implemented fairly and equitably throughout the City. Council Members Stardig, Sullivan, Rodriguez and Jones absent.

Upon questions by Council Members, Ms. Schenke stated that she thought traditionally the level of service had focused on the actual number of cars that were on the road and that had driven the streets that got repaired and as they knew if they went to the East End, and those of them who lived there welcomed the lower level of traffic, but what they had in the East End were trucks that serviced their businesses that were in the East End and those tended to beat up the roads, but they fell down on the repair list because they did not have the number of cars that were on the road so they thought that whatever formula was developed ought to factor in the business and commercial traffic, that it was not just the East End they had other business districts scattered throughout town and that was a very key element as they all knew in making Houston the great City it was so that heavy industrial and business use of the roads ought to factor in on the replacement; that they were going to be working on a street plan and would have some East End businesses next week who would be at Council including BAM Drilling, a major East End employer that floods every time there were 2 inches of rain. Council Members Sullivan, Lovell and Jones absent.

Ms. Linda Scurlock, 4747 Knotty Oaks Trl., Houston, Texas 77045 (713-433-5737) appeared and stated that she was President of the South Houston Concerned Citizens Coalition, that she was present to speak against the churches and school districts being exempt, that the logic from Council Member Bradford, and she talked to his staff, that if she paid in church and on her home she would be paying twice, that she felt that the people who did not go to church were being discriminated against, so they were going to pick up the slack because they did not go to church; that secondly, if they were going to exempt the properties, did that include all of the properties that the church owned, and some of these churches owned a lot of property, that in her neighborhood, the Hiram Clarke area, they had three of the biggest churches in Houston, and they own a lot of land and a lot of buildings and she felt they should pay their part, that Hiram Clarke had flooded for many years and her neighborhood, which was

approximately 50 years old, the streets had all settled and in the cul-de-sacs it flooded every time it rained, that people could not get into their homes, that some of that was from the churches building on their land and taking up the space, that business, if they had to pay they too would pay twice, the owners of the businesses would pay the tax also on their homes, not the tax but the fees and she felt that was discriminatory, they were taking the churches and letting them have a free ride, they do not pay any taxes at all and some of them had huge budgets, million so dollars and she felt that they could do it, if not, pass the collection plate, that this was how she felt about it and was calling on her Council Member and also the Council Members At Large to vote to have the churches do what they had to. Council Members Sullivan, Lovell and Jones absent.

Ms. Jane West, 2114 Lubbock, Houston, Texas 77007 (832-721-9080) appeared and stated that she was President of Super Neighborhood 22, the Washington Avenue Coalition, that at last week's meeting the Super Neighborhood 22 Council voted overwhelmingly to ask the Mayor not to grant exemptions for entities such as churches, schools and nonprofits based on who they were, that instead they urged them to implement objective standards pursuant to which any fee payer would be able to reduce their bill by eliminating, decreasing or slowing the discharge of storm water into the City's Drainage System, that such criteria should provide for low or light impact design, such as pier and beam foundations, green roofs, permeable paving for driveways and parking lots, cisterns, rain barrels and oversized retention or detention ponds or pipes, that because all of their Super Neighborhood members were church members, supporters of area schools or involved with nonprofits the decision not to support exemptions for these entities was not made lightly, that their decision was made primarily on the following considerations, if the entities seeking exemptions received them there was not likely to be enough flexibility in the program to allow criteria pursuant to which any fee payer would be able to reduce their bill via low or light impact design, that entities seeking exemptions often had large impervious parking lots and other features that shed large quantities of water and if exempted would have no reason to change their development practices, and finally because the program had a minimum funding requirement exemptions for such entities would increase the burden on businesses and residents, that while residents would surely be asked to increase their contributions to such entities to help pay the drainage fees such contributions were tax deductible and residential drainage fees were not tax deductible. Council Members Sullivan, Hoang and Jones absent.

Mayor Parker stated that she agreed completely on the incentives for low impact design, they very much looked forward to building those in because moving forward they wanted all new development to be as low impact as possible, but she lost her on the pier and beam, that was in fact not something that they would allow, if they built a pier and beam house, and she had a pier and beam house, to City standards they would not have water under their house, the water drained out just like it did in a slab foundation. Council Members Sullivan, Hoang and Jones absent.

Upon questions by Council Member Gonzalez, Ms. West stated that she had her comments in writing and would pass that out to Council Members; that they felt they got to the situation that they were in today because of their development practices and if all they did was go and rebuild without changing their development practices they would never work their way out of this issue, and look to historic practices for building and they respectfully disagree with the pier and beam issue because, for example, Bellaire, adopted mandatory raised foundations after Allison in 2001 and they thought that was a mistaken policy for the City and would like for it to be reconsidered. Council Members Sullivan and Jones absent.

Mr. Michael Bloom, 12223 Waldermine Dr., Houston, Texas 77077 (281-529-4202) had reserved time to speak, but was not present when his name was called. Council Members Sullivan and Jones absent.

Ms. Rita Foretich, 12751 Zavalia, Houston, Texas 77085 (713-729-9826) appeared and stated that she was going to speak today for Super Neighborhood No. 39 and No. 40, that Ray Washington had to work today and could not come, that demographics for their Super Neighborhood No. 39 was White 225, Black 544, Hispanic 2,139, that on No. 40 it was White 2,114, Black 29,286 and Hispanic 2,139, that the reason she was reading that out was that they were objecting to having any exceptions at all and the reason they did that was because it was in conflict with President Clinton's Order No. 12898, dated February 11, 1994, Federal Actions to Address Environmental Justice and Minority Populations in Low Income Populations and it set forth the criteria in it and she had a copy, that also they had another federal ruling that if they discriminated against minorities and low income they could not have any federal money, so that meant they would not be able to use Metro money or any federal money, that she checked into the different Super Neighborhoods, they had 88, and out of the 88, 15 were white majority and the rest were all minority, so all of their Super Neighborhoods would be considered minority and therefore she did not think any exemptions should be made, and for this she was asking on that basis, that they could not afford anything more, they were low income in their area, their businesses were barely making it, they were small businesses, and it was just not fair that they should pickup somebody else's dues, they did not help them that much, that she had been to some of them and said that they needed some help and everybody would say to go to her own church, but that did not always work, that they could have bazaar's and take the collection basket and they could have fun runs, there were a lot of things they could do if they were a group, that in the health they had a lot of fun runs they got good money off of that, but an individual could not go out and ask for money for drainage, that she would appreciate it and if they thought they wanted a copy of President Clinton's order, it worked, they did it on real estate when they were protesting multi family apartments and they say they had to many this was the basis they use and the only time it had not been successful was whenever the person decided to pay for it. Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez and Jones absent.

Ms. Vivian Harris, 13906 Regg Dr., Houston, Texas 77045 (713-433-4597) appeared and stated that she was present asking them to take a real close look at what some of the Council Members were asking and expecting voters and non voters alike to do, that they both knew that more than half of the children in HISD were receiving little or no education, the schools were suffering from overcrowding and lack of resources, according to what community they lived in, that HISD was sitting on millions of dollars of real estate, if not billions, that with these kind of assets why should they be exempt, if they were not using the monies on their children she did not feel they were good stewards of their monies nor their children's education, that she wanted them to please believe her when she tells them she was a boss of experience on churches and their operations, that she had been there and done that, and promised them with her experiences some of the churches they were fighting for were not what they pretended to be, that before she went any further to please not judge her nor her relationship with God, that it was not about God nor her relationship with God, and she dared any of them to question that, because if she did not have anything else she was sure of, she knew her relationship with God was secure and personal, that for the ones who thought they were sitting here supporting the churches because it was election time, be aware gone were the day when ministers had the ability to sway voters, that if she had the ability to know how the political system worked she tried to educate everyone that she was in church with not to fall for that old trick because gone were the days when all ministers were about saving souls, and did they hear the one about the minister refusing communion if he did not receive money from the members Federal Income Tax, just this week, that the time had come when churches were mega businesses and should be treated as such, and read the Gospel of Saint Like, Versus 24 and 25, that she believed that she and the Council Members used the same monies that they contributed to the churches and she did not see where there was a difference in the obligations the churches had and the obligations that they the people had, that she saw a huge injustice in the system, although some

of the churches may be doing the right thing, she did not believe all of them were, there were approximately 20 or more churches in about 2 square mile area in her community doing absolutely nothing that she could determine was beneficial to their community, that they see all of the decay and disarray in the community and 90% of them did absolutely nothing, that they could have a simple cleanup and they would not even take part in that, that she had dedicated 35 years of her life to try to do the right thing for her community and had not taken any monies under the table, no kickbacks, that she had worked hard to be an asset to the City of Houston and this was the return that they were giving her and others after the promise was made that all would have to pay this fee, this seemed like switch and bait or false representation to her, what did they all think, what consideration were they all giving to persons such as herself who had a limited income each month and had not had an increase in income in more than two years, with everything continually increasing in cost, that she had numerous phone calls and emails supporting the stand that she had taken in her quest for equity in this most unfortunate issue that she fought against from the beginning, but since it was here they could not or must not roll over and let the churches continue down the same lone path, when would they ever feel the need to pay for anything good, they pay for nothing as it stands, that God help if the Internal Revenue decides to look into their bookkeeping, that churches were billion dollar businesses, maybe that was a way to stabilize the budget at Federal, State and local government. Council Members Stardig, Sullivan, Rodriguez and Jones absent.

Mayor Parker stated that she wanted to thank Ms. Harris for being a civic leader for a very long time, they had all worked with her and they appreciated it. Council Members Stardig, Sullivan, Rodriguez and Jones absent.

Mr. Clyde Bryan, 10802 Pepper Ln., Houston, Texas 77079 (713-266-6464) appeared and stated that he brought with him a contract from Costello, Inc. and they were distributing it now, that he was trying to understand the timeline of the contract and how it related to Council Member Costello's appointment to the Chair of the Drainage Committee, that this contract was evidently executed in October 2009 and that was prior to Council Member Costello's election, but he did receive the contract, that it was \$1.7 million, that he was then appointed to the Chair of the Drainage Committee, that he would like to ask Mayor Parker if that appointment was made by her, and Mayor Parker stated by her, and Mr. Bryan asked if the other Members of Council were aware, at the time of the appointment that he had a \$1.7 million contract, and Mayor Parker stated that since it was her appointment she did not ask them, but she was not aware of it, and Mr. Bryan stated that as Controller she probably signed hundreds or thousands of contracts, but it did pass through her office as evidenced on page 2 of his handout, that the point still stood, he signed a \$1.7 million contract for infrastructure improvements, that he was appointed to Chair the Drainage Committee, that he was instrumental in the Charter amendment action that the City went with on Prop 1, that he just wanted to throw this out to some of the other Council Members, and asked Council Member Bradford if he had knowledge of this.

Mr. David Feldman, City Attorney, stated that the purpose of this public hearing was to discuss rates and exemptions, and Mayor Parker stated that there was an active OIG investigation of this incident was there not, and Mr. Feldman stated that in fact it was being completed and a report would be on her desk today, and Mayor Parker stated that she would ask then that they not engage further in this discussion until the OIG Report was presented to Council, and Mr. Bryan stated that he had requested, as a Public Information Request, contracts on all sitting Council Members, and that had been over three weeks and he was just wandering what the time line was on getting that information back to him was, and Mr. Feldman asked Mr. Bryan to contact his office so he could locate the Public Information Request and they would respond to it as soon as he could take a look at it, and Mr. Bryan asked Mr. Feldman that at Council Member Stardig's CIP meeting, in February, she stated publicly that she was getting pressure from the City Attorney's office to vote for the Charter amendment, and at the last

hearing, two weeks ago, Council Member Jones said she was getting pressure from the City Attorney's office, so he wanted to know what exactly was going on if Council Member Stardig's constituents voted against the Charter amendment why was the City Attorney putting pressure on her. Council Members Johnson, Adams, Rodriguez and Noriega absent.

Mr. Feldman stated that Mr. Bryan had given the City Attorney far to much credit, that he had no earthly idea what he was talking about, and Mr. Bryan stated that he thought some of the Council Members had been pressured. Council Members Johnson, Adams, Rodriguez and Noriega absent.

Council Member Bradford stated that pressure on political figures on issues that was the way of the business and happened every day, that he was not saying that any particular office pressured anybody but when issues popped up pressure was just part of the business, and they had had to, in his view, establish principles, values and other guidelines that they operated within and try to make a decision that best served the greater good of the public, that had he been pressured on this issue, yes, was he expecting to be pressured, yes, was that fair play in his view, yes, that was what the process entailed. Council Members Johnson, Adams, Rodriguez and Noriega absent.

Council Member Jones stated that she got pressured all the time on all kinds of things, that the hardest thing she had ever been pressured on was the health insurance thing that they were going to vote on this morning, that if there was any pressure she was not complaining because she was used to pressure, that she and City Attorney Feldman had very intense discussions because sometimes they landed on different sides, but that was to be expected. Council Members Johnson, Adams, Rodriguez, Lovell and Noriega absent.

Council Member Bradford asked Mr. Bryan if he had filed a complaint about anything he had mention at Council, and Mr. Bryan stated that he made a Public Information Request for all of the contracts and purchase orders of all the sitting Council Members and that was done over three weeks ago and he was still waiting for that, that he did not think the Council should vote on this until they had that information because they needed to know if there was a conflict of interest, and Council Member Bradford asked Mr. Feldman if there were specific guidelines in the statute as to when they were required to respond to those, and Mr. Feldman stated that yes, it is supposed to be within a reasonable time, which had been interpreted to be 10 business days, that he was not familiar with the request, but if this gentleman would send him a copy of it he would track it down, that certainly what he was asking for was definitely subject to public disclosure and had no knowledge as to why such a response would be delayed. Council Members Johnson, Adams, Rodriguez, Lovell, Noriega and Jones absent.

Upon questions by Mayor Parker Mr. Bryan stated that David Welch put in a Public Information Request for all contracts for Costello, Inc. and Mayor Parker stated that he requested an OIG investigation and that was bundled into that OIG investigation, and asked Mr. Bryan as to who responded to him about his TPI request, and Mr. Bryan stated that he did not remember her name but could send the email to the Mayor and City Attorney. Council Members Johnson, Adams, Rodriguez, Lovell, Noriega and Jones absent.

Council Member Stardig stated that she wanted to clarify that she thought that everyone at the horseshoe and her constituents and friends knew that any pressure that she might feel she promised she could handle, so if there was any need for support she appreciated the comments, but she thought it was in the spirit of inspiring her constituents to give them feedback and to make sure they had heard from everyone. Council Members Johnson, Adams, Rodriguez, Lovell, Noriega and Jones absent.

Mr. Steve Riggle, 14500 Gulf Frwy., Houston, Texas 77034 (713-363-2500) appeared and

stated that he was the Pastor of Grace Community Church, that they as a church were opposed on principle in terms that they viewed this as a tax and a tax against the church and an open door to things that had not taken place before in their culture, as a nation, that he wanted to go on record as stating that; that secondly, he wanted to address some things that had been brought up, for example, people who were on limited incomes, he thought it was a good point, how did it affect them, that all of them, he thought, would feel cheated if they voted on something and then it turned out differently than they thought, he thought none of them wanted that, whatever side of the issue they were on, if the question was did Houston need it's drainage issues addressed, the answer to that obviously was yes, that he did not think there was any argument on that one, the question was how, and when they asked the people to vote on something do they clearly understand what they were voting on, that he just saw a video of Council Member Costello in the last public hearing, and in his judgment, rebuking one of the speakers and saying that he was insulted that the idea would be brought that people did not understand, that he just read it sitting in the audience, that he had gone to college and was 60 years old and he was pastor of a church with thousands of people and frankly if what was happening now, what was proposed, was what that said he did not get it, so he thought it was a big deal for someone who had limited income to say to them one thing about a generic language, which in his understanding, was prepared by the City Attorney, when one side out spends the other on any issue, 20 to 1, it seemed to him it was incumbent upon the neutral party, which should be the City, to make sure the ballot language was really clear so the voters get a fair shot at expressing their opinion, for or against. Council Members Johnson, Adams, Rodriguez, Lovell and Noriega absent.

Council Member Sullivan stated that the ballot language issue was interesting to him and asked if the City Attorney prepare the ballot language, and Mr. Feldman stated yes, and this matter was also in litigation, the City had been sued and an election contest challenging Prop 1 Referendum, that one of the contentions was with respect to the ballot language, so he would suggest and advise, as City Attorney, that Council Members refrain from making any comment with respect to the matter of the ballot language, and Council Member Sullivan asked if the City Attorney drew the ballot language when petitioners bring signatures and the City Secretary's office certifies that it could go on the ballot, and Mr. Feldman stated yes, and Council Member Sullivan asked if there were any cases where that same group, whatever the issue may be, craft the ballot language, and Mr. Feldman stated no, and Council Member Sullivan asked if it was solely under the authority or prevue of the City Attorney, and Mr. Feldman stated that the Council approves the ballot language after he brings it to them in the form of an ordinance, and Council Member Sullivan asked if there was any interaction with the Mayor's office on ballot language on referendums, not just this Mayor but any Mayor, that he was just talking about process, and Mr. Feldman stated that as the City Attorney he consulted with the Mayor on many things. Council Members Rodriguez and Lovell absent.

After further discussion and questions of Mr. Riggle, Mr. Riggle stated that he would like to request that according to the Government Code 171.004 that they request an opinion from the Attorney General to consider whether the conflict of interest between Council Members Costello and Rodriguez, if there was any conflict of interest between the two of them according to the Attorney General, since his understanding was that the present investigation was being done by the City Attorney's office. Council Members Rodriguez and Lovell absent.

Mr. Feldman stated that the Mayor had no authority under the statute to request an Attorney General's opinion, and Mayor Parker stated that there was only one active OIG investigation that she knew of, if there had been a request for an investigation of another Council Member she was not aware of that, and to inform them all TPIA requests that came into the City by executive order were supposed to be funneled to the City Attorney's office so that they could respond timely and they were still trying to track down the one that Mr. Bryan had indicated that he had filed, and Mr. Feldman stated that he got an email back from their attorney

in charge of TPIA requests and the Legal Department had no record of the TPIA request, and Mayor Parker would again ask Mr. Bryan to give them the email that he said he received from the City. Council Members Rodriguez and Lovell absent.

After further discussion and questions by Council Members, Council Member Sullivan moved to suspend the rules to extend time to question Mr. Riggle, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Lovell and Jones absent. MOTION 2011-0211 ADOPTED

After continued discussion and questions by Council Members, Council Member Sullivan moved to suspend the rules to extend time to question Mr. Riggle, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Stardig, Pennington, Lovell and Jones absent. MOTION 2011-0212 ADOPTED

After further discussion by Council Members, Mayor Parker stated that as they build new facilities they could institute low impact design standards, perhaps put some detention ponds on and they would get an offset to their fees. Council Members Clutterbuck, Adams, Gonzalez, Lovell and Jones absent.

After further discussion by Council Members, Mr. Feldman stated that the record that had been provided to him by the Controller's office, and his own department, showed that a request was made by a Stephanie Welch, Administrative Assistant of the Houston Area Pastor Council, for all contracts that Costello, Inc. had with the City of Houston, the record also showed that those documents were timely provided to Stephanie Welch and in fact were picked up by Dave Welch, the Executive Director, in CD form approximately 3 and a half weeks ago, that a second request was then made to the Controller's office for a copy of all contracts in which Costello, Inc. was a sub-contractor, and to that the Controller responded that they had no responsive documents because they had no way of knowing whether or not Costello, Inc. was a sub-contractor on any particular City contract, that was what he had to report. Council Members Clutterbuck, Adams, Gonzalez, Lovell and Jones absent.

Mayor Parker stated that she was glad to know that they did respond to the TPIA request through the Controller's office. Council Members Clutterbuck, Adams, Gonzalez, Lovell and Jones absent.

Council Member Rodriguez stated that if Pastor Riggle would refer to Item No. 19 on today's agenda it was commercial paper issuance and his wife was a lawyer for a law firm in town and was not a shareholder, she was just an associate, but he would be recusing himself because it was something that he took very seriously, and Mayor Parker stated that as would another Council Member. Council Members Clutterbuck, Adams, Gonzalez, Lovell and Jones absent.

Ms. Anne Culver, 3015 Richmond, No. 220, Houston, Texas 77098 (713-629-0481) had reserved time to speak, but was not present when her name was called. Council Members Clutterbuck, Adams, Gonzalez, Lovell and Jones absent.

Mr. Chuck Schneider, 9911 Brook Meadow Ln., Houston, Texas 77089 (281-922-1650) appeared and stated that he was the Executive Pastor of Sagemont Church in southeast Houston, that he wanted to thank Mayor Parker and the Council Members for their service to their City, that he was personally very grateful to them for what they do and continued to do on behalf of the City, that he was a native Houstonian, actually a sixth generation native Houstonian, that he had served at Sagemont for 26 years and like the Mayor loved their City and considered serving the City a tremendous honor, that they had a meeting similar to this in southeast Houston on Valentine's night and at that time the Mayor and her staff and some

Council Members were there, that he had told Mayor Parker at the end of that night that he thought she did an incredibly good job and that she brought facts and insight to the table that he was not privy to and he was grateful to her for the demeanor by which she addressed the crowd, which was not always pleasant or in agreement with the issue, that when he went home his wife asked him how it went and he said the Mayor was incredibly articulate, informed and had good data, personable and that he was proud to call her his Mayor, and his wife said "wow that is something from you", being a Baptist preacher was what she meant, that having been said he still disagreed with the fees that were being proposed to be assessed to churches and school districts, that he had a unique position in that he had not only served Sagemont for 26 years, but had served on the School Board of Clear Creek Independent School District as a trustee for 4 years so he understood a little bit about both sides of the fence, that he wanted to address the position that he thought most school boards and school districts would take, that a fee given to a school district could only be accounted and accommodated in one of two ways, one, a school district would have to go through the process of implementing more taxes, and that was not easily done, to accommodate that fee, not realistic in this economic climate, or a school district would have to in essence not provide the educational services to the students that they were called to minister to by the amount of that fee, that was all they could do, they could not generate the funds, they either had to raise the taxes or reduce the educational services to their children, so it was in essence, realistically, a tax on school districts, a tax that they could not afford in this economic climate, that he would suggest to them that if it was a tax to school districts, which he believed it was, he would suggest to them that it was in essence a tax to churches, call it a fee if they liked, but the churches of the City believed that they were taking an unprecedented step, that it was a fee that was called a fee but it really was a tax, and it was therefore unconscionable and really unconstitutional, that it was their belief that if they could tax them here today they could tax them there tomorrow and they could tax them everywhere the day after tomorrow, that it was a tax, that the City's argument was that it was a fair fee because there were now 9 cities in the State of Texas that had appropriated this fee, that if in essence their arguments were that they had 9 cities that had passed the fee and therefore it was the right thing to do he would respectfully say that looking at the 2000 Census there were 1,208 cities and municipalities in the State of Texas, of which, 1,199 do not have this fee, so if they say it was right because 9 cities did were they therefore saying it was wrong because 1,199 did not, that he would suggest that perhaps 1,199 had it right and the 9 had it wrong, that it would be unprecedented to tax churches, that was their main concern. Council Members Stardig, Adams, Rodriguez and Jones absent.

After discussion by Council Members, Mayor Parker stated that as they build their new facilities they could institute low impact design standards, perhaps put some detention ponds and they could get an offset to their fees. Council Members Stardig, Johnson, Adams, Rodriguez, Noriega and Jones absent.

Mr. Don Sumners, 822 Pine Thistle Ln., Spring, Texas 77379 (713-857-0236) stated that his meeting with them this morning was going to be a little different than the last time since the Mayor was gracious enough to jump into the issue about his PIA request and provided this to everyone, he thought day before yesterday, late in the afternoon, that this was an analysis of the Single Family Residential Curb and Gutter Category in the Rain Tax or the Drainage Fee and it did explain how the City got to their amount, which was different than the amount he had calculated, that he would ask that the Mayor further provide this same information for all of the other categories that were made up in the Drainage Fee and he thought that would satisfy his request and he could remove his request and they could save the Attorney General some time by removing their request from them as to whether or not this information should be released, that he took from having released it that they had decided that it did qualify for release, that he was very happy to be at Council in that regard, if they wanted him to teach the Black Ministers and the Baptist Ministers how to speak in three minutes he would be willing to give those classes, that he had quite a bit of experience in that area, that he did have one thing to say to

Council Member Costello, he was not going to outrun the conflict of interest problem, it was a perceived conflict if it was not an absolute conflict and he thought that frankly Mr. Feldman was not going to outrun it either because the Council Members who said that it was fine to be pressured apparently were being pressured by the same person that was doing the investigation. Council Members Stardig, Johnson, Adams, Rodriguez, Noriega and Jones absent.

Mr. Feldman asked Mr. Sumners if he was appearing today as the Harris County Tax Assessor Collector, and Mr. Sumner stated that he was appearing as a citizen, and Mr. Feldman asked if he was a resident of the City of Houston, and Mr. Sumner stated that he owned property in the City of Houston, and Mr. Feldman asked if he was a resident of the City of Houston, and Mr. Sumner stated yes and no, and Mr. Feldman stated that he could assure him that he pressured nobody and took exception to his suggesting that he had, and Mr. Sumner stated that was what he had heard Council Members at the table say that. Council Members Johnson, Adams, Sullivan, Pennington, Rodriguez, Lovell and Jones absent.

Mayor Parker stated that she had heard no Council Member at the table say that, that the City Attorney had pressured them in any way, in fact they had said the opposite, and Mr. Sumner stated then that it was getting pressure from the City Attorney's office, that anyway they were not going to outrun it, it was time to man up and bow out; and Mayor Parker stated that she wanted to thank Mr. Sumner for his remarks about the report, that she appreciated that he thought it was responsive to his TPIA request, that they had to create that document, it did not previously exist, that she would be happy to create a document for the rest of the categories now that they knew where he was headed, that they would work on it, that she hoped that in the future they would not have to file TPIA requests on each other, that if he was specific about what he wanted they would be responsive to it. Council Members Johnson, Adams, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Noriega stated that she wanted to acknowledge that they were joined today by a number of fifth and sixth graders from Pilgrim Lutheran School and they were brought by representatives from their City Controller's office and thanked them for visiting today. Council Members Johnson, Adams, Sullivan, Pennington, Rodriguez, Lovell and Jones absent.

Mr. Garrett Booth, 14505 Gulf Frwy., Houston, Texas 77034 (713-363-2500) appeared and stated that for the record a lot had been discussed what churches, and in particular perhaps what their church did for the community, that for the record he would like to mention that they were involved in taking in homeless, not just men, but homeless families, women and children, that they feed the hungry ongoing and did school assemblies on drug prevention and teen pregnancy, that they provided financial assistance like rent, utilities and basic necessities to needy families in their City, that they work in inner city neighborhoods and refurbish facilities, worked to reduce gang related presence and activities in neighborhoods, were involved in community meetings, they opened their facilities to those and to host firefighter and police officer funerals when they had hero's in the City who had fallen, that they respond to national disasters in a major way and all of this, as they knew, at absolutely no cost to the City, thousands and thousands of dollars and countless man hours by thousands of congregation members and fellow citizens, that they were not the only church, they were one of thousands in their community that cared about the City and were working to make it a better place and to serve their citizens, that one more point, that in his mind and his view what made it a tax was that they were not able to refuse it, they did not want to pay for electricity they could go and get a generator or sit in their home in the dark, that was up to them, but this was not something that was not refuseable, there was no recourse for it and therefore it was a tax. Mayor Parker and Council Members Sullivan, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Gonzalez presiding.

The City Secretary stated that was the last speaker who had reserved time to appear today, that she wanted to make note that Ms. Forteich turned in a number of statements signed by various people asking that their statements be entered into the record, that they signed statements that no exemptions be made in the fee, and they would be entered into the record. Council Members Sullivan, Noriega and Jones absent.

Council Member Lovell moved to close the public hearing, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan, Noriega and Jones absent. MOTION 2011-0213 ADOPTED.

Mayor Parker stated that the item would be up for a vote next week. Council Members Sullivan, Noriega and Jones absent.

At 10:30 a.m. Mayor Parker stated that they would move to the consent agenda. Council Members Sullivan, Noriega and Jones absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 48

ACCEPT WORK - NUMBERS 7 and 8

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,626,079.93 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Panagard and Bissonnet No. 1 Lift Station Replacement - 5.46% under the original contract amount - **DISTRICTS F - HOANG and G – PENNINGTON** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan, Noriega and Jones absent. MOTION 2011-0214 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$9,328,959.87 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for Alameda Sims Wastewater Treatment Plant and Sludge Processing Facility Improvements Package 1 - 4.79% under the original contract amount - **DISTRICT D – ADAMS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan, Noriega and Jones absent. MOTION 2011-0215 ADOPTED.

PROPERTY - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Earnest Gibson III, President, Riverside General Hospital, for abandonment and sale of Paige Street, from Elgin Avenue south to its terminus, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, Holman Outlot 32 Subdivision, out of the J.S. Holman Survey, A-323, Parcels SY11-033 and LY11-014 - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0216 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 17

10. ORDINANCE appropriating \$483,505.07 out of C & E Construction Fund for Purchase of New Carpet Tile including installation for the Convention & Entertainment Facilities

Department – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0192 ADOPTED.

- 10a. **TEXAN FLOOR SERVICE, LTD.** for Purchase of New Carpet Tile including installation from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0217 ADOPTED.
11. ORDINANCE appropriating \$68,714.50 out of Fire Consolidated Construction Fund for Emergency Purchase of Mold Remediation Services and Professional Air Quality Assessment and Air Monitoring for the General Services Department – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0193 ADOPTED.
- 11a. **INLAND ENVIRONMENTS LTD.** for Emergency Purchase of Mold Remediation Services and Professional Air Quality Assessment and Air Monitoring for the General Services Department – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0218 ADOPTED.
12. **BROADCAST MICROWAVE SERVICES** for Public Safety Video Initiative Video Management Software Procurement for the Houston Police Department - \$178,279.75 - Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0219 ADOPTED.
13. **TACTICAL ELECTRONICS & MILITARY SUPPLY, LLC** for Specialty Backpacks, Rip Kits and Tool Kits for Houston Police Department - \$90,976.48 - Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0220 ADOPTED.
14. **PHILPOTT MOTORS, LTD.** for Aerial Manlift Truck through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department - \$91,721.35 Supplemental Environmental Project Fund - had been pulled from the Agenda by the Administration, and was not considered. Council Members Sullivan and Jones absent.
15. **BEVCO COMPANY, INC** for a Long Range Thermal Binocular for the Houston Police Department \$61,613.00 - Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0221 ADOPTED.
16. **ALLEN VANGUARD** for Two Bomb Suits under the Urban Area Security Initiative Grant Program of the U. S. Department of Homeland Security for the Houston Police Department - \$62,674.00 Grant Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0222 ADOPTED.
17. **MCCAIN WATERWORKS MARKETING, LLC** for Valve Insertions for Department of Public Works & Engineering - \$80,530.00 - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2011-0223 ADOPTED.

ORDINANCES - NUMBERS 18 through 48

18. ORDINANCE **AMENDING ARTICLE XI OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the transportation of certain liquid wastes – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0194 ADOPTED.
21. ORDINANCE accepting the proposal from **LEXINGTON INSURANCE COMPANY**, approving and authorizing the purchase of Terrorism Insurance for the proposed City-Wide Insurance Policy for all scheduled City of Houston locations - \$668,287.61 - Property & Casualty Fund – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0195 ADOPTED.
22. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON-GALVESTON AREA COUNCIL** for Hurricane Ike Recovery Assistance Services from Social Services Block Grant Funds for the Houston Health & Human Services Department \$1,715,393.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0196 ADOPTED.
23. ORDINANCE approving and authorizing second amendment to the **Texas Department of Housing and Community Affairs (“TDHCA”)** Community Development Program Contract No. 70090001 between the City of Houston and **TDHCA**, an Agency of the State of Texas, for Hurricane Ike/Dolly funding under the Consolidated Security Disaster Assistance and Continuing Appropriations Act of 2009 Community Development Block Grant - Disaster Recovery – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0197 ADOPTED.
27. ORDINANCE approving and authorizing the submission of an application for grant assistance to the State of Texas through the Office of the Governor’s Criminal Justice Division for the Homicide Division’s Interview Room/Equipment Upgrade; declaring the City’s eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City’s representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0198 ADOPTED.
28. ORDINANCE approving and authorizing the submission of an application for grant assistance to the State of Texas through the Office of the Governor’s Criminal Justice Division for the Fugitive Apprehension/Crime Reduction Program; declaring the City’s eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City’s representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0199 ADOPTED.
29. ORDINANCE approving and authorizing the submission of an application for grant assistance to the State of Texas through the Office of the Governor’s Criminal Justice Division for the Gun Violence Reduction Initiative; declaring the City’s eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City’s representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0200 ADOPTED.

30. ORDINANCE approving and authorizing the submission of an application for grant assistance to the State of Texas through the Office of the Governor's Criminal Justice Division for the Parole Violation Warrant Initiative; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0201 ADOPTED.
31. ORDINANCE approving and authorizing the submission of an application for grant assistance to the State of Texas through the Office of the Governor's Criminal Justice Division for the Targeted Abuser Round Up; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0202 ADOPTED.
35. ORDINANCE issuing a permit to **BASF CORPORATION** to operate, maintain, improve, repair, and replace an existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0203 ADOPTED.
36. ORDINANCE issuing a permit to **COPANO NGL SERVICES, L.P.** to operate, maintain, improve, repair and replace an existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0204 ADOPTED.
37. ORDINANCE appropriating \$7,998.85 out of Solid Waste Consolidated Construction Fund for Liquid Waste Storage Tanks for Used Oil and Antifreeze Recycling Operations for the Solid Waste Management Department – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0205 ADOPTED.
39. ORDINANCE deappropriating \$102,843.00 from the Street & Bridge Consolidated Construction Fund (Approved by Ordinance 2006-0127, C62109) and appropriating \$349,900.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AECOM TECHNICAL SERVICES, INC** for Design of Greens Road from John F. Kennedy Boulevard to U.S. 59 (North); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0206 ADOPTED.
40. ORDINANCE appropriating \$9,006,300.00 out of Drainage Improvement Commercial Paper Series F, Fund and \$619,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **JFT CONSTRUCTION, INC** for Whiteheather Storm Sewer Improvements Segment III; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery and contingencies relating to construction of

facilities financed by the Drainage Improvement Commercial Paper Series F, Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0207 ADOPTED.

41. ORDINANCE appropriating \$6,186,000.00 out of Drainage Improvement Commercial Paper Series F Fund and \$1,036,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Brays Village Drainage Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT F - HOANG** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0208 ADOPTED.
42. ORDINANCE appropriating \$2,124,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **DCE CONSTRUCTION, INC** for Safe Sidewalk Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - STARDIG; F - HOANG and G - PENNINGTON** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0209 ADOPTED.
44. ORDINANCE appropriating \$643,633.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PIPELINE VIDEO INSPECTION, LLC** 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 – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0210 ADOPTED.
45. ORDINANCE amending Ordinance No. 2008-0260 (Passed March 25, 2008) to increase the maximum contract amount under the Professional Services Contract for the Residential Energy Efficiency Program with **ESPA CORPORATION** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0211 ADOPTED.
46. ORDINANCE awarding construction contract to **TEXAS LIQUA TECH SERVICES, INC** for Roof Replacement at Health & Human Services Headquarters; 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 Roof Inspection Services and contingencies relating to construction of facilities financed by the Hurricane Ike AID and Recovery Fund - \$563,266.00 - Grant Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0212 ADOPTED.
48. ORDINANCE granting to **POT-O-GOLD RENTALS, INC, A Foreign For-Profit Corporation**, the right, privilege and franchise to collect, haul and transport solid waste

and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2011-0213 PASSED FIRST READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

6. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,364,500.00 and acceptance of work on contract with **STUDIO RED ARCHITECTS, LP** for Miller Outdoor Theatre Sound System Replacement - 5.98% over the original Guaranteed Maximum Price after execution of a change order - **DISTRICT D - ADAMS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega, and tagged by Council Member Jones. Council Member Sullivan absent.

ORDINANCES

19. ORDINANCE approving the fifth amended and restated ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series E; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such notes, including the approval of two Substitute Credit Agreements, a fifth amended and restated Dealer Agreement, a fifth amended and restated Issuing and Paying Agency Agreement and one or more Offering Memorandums; and declaring an emergency – was presented. All voting aye. Nays none. Council Members Clutterbuck, Sullivan and Rodriguez absent. ORDINANCE 2011-0214 ADOPTED.
20. ORDINANCE accepting the individual proposals from **WESTCHESTER FIRE INSURANCE COMPANY, LEXINGTON INSURANCE COMPANY, UNDERWRITERS AT LLOYDS, RSUI INDEMNITY COMPANY, SWISS RE INTERNATIONAL SE, ENDURANCE AMERICAN SPECIALTY INSURANCE COMPANY, AXIS SURPLUS INSURANCE COMPANY, ARCH SPECIALTY INSURANCE COMPANY, EVANSTON INSURANCE COMPANY, ASPEN SPECIALTY INSURANCE COMPANY**, which are participating in the Layered Property Insurance Program and approving and authorizing the purchase of a General City Property Insurance Policy \$8,552,113.87 - Property & Casualty Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2011-0215 ADOPTED.
24. ORDINANCE accepting into the City Collection “Tolerance”, a work of art by Jaume Plensa consisting of seven kneeling figures rendered in stainless steel alphabet mesh set atop unique boulders, located in Buffalo Bayou Park and approving and authorizing agreement between the City of Houston and **GREATER HOUSTON COMMUNITY FOUNDATION** for donation of such work of art - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2011-0216 ADOPTED.
25. ORDINANCE approving and authorizing payment of Mediated Settlement Agreement pursuant to Court Order in Bazile, et al v. City of Houston, H-08-2404, which payment represents back pay accumulated for promotions to Captain and Sr. Captain in the Houston Fire Department and Attorneys Fees to Plaintiffs Attorneys - \$301,165.12 -

General and Property & Casualty Funds – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2011-0217 ADOPTED.

26. ORDINANCE amending City of Houston Ordinance No. 2004-1003 relating to employment conditions, compensation and benefits of classified police officers of the City of Houston; ratifying the 2011 Meet and Confer Agreement between the City of Houston and the **HOUSTON POLICE OFFICERS' UNION**, and containing other provisions relating to the foregoing subject; suspending the operation of certain ordinances; providing for severability – was presented, and tagged by Council Members Clutterbuck and Johnson. Council Member Sullivan absent.
32. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund and approving and authorizing Professional Noise Compatibility Consulting Services Contract between the City of Houston and **CALOCERINOS & SPINA ENGINEERS, INC d/b/a C&S ENGINEERS, INC** for Management and Implementation of the George Bush Intercontinental Airport/Houston Residential Sound Insulation Program (Project 676) - 3 Years - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent. ORDINANCE 2011-0218 ADOPTED.
33. ORDINANCE approving and authorizing amendment to Tax Abatement Agreement between the City of Houston, Texas and **CHEVRON U.S.A. INC** for certain property located within the Houston, Texas, Enhanced Enterprise Community approved by City Council by Ordinance No. 2004-181 - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent. ORDINANCE 2011-0219 ADOPTED.
34. ORDINANCE approving and authorizing contract between the City and **XEROX CORPORATION** for Multi-Function Office Machines for Various Departments for the City of Houston; providing a maximum contract amount - 3 Years with 2 one-year options - \$12,000,000.00 - Central Service Revolving Fund – was presented, and tagged by Council Members Jones and Hoang. Council Members Clutterbuck and Sullivan absent.
38. ORDINANCE approving and authorizing amendment to agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 382** (Approved by Ordinance No. 2008-843) - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2011-0220 ADOPTED.
43. ORDINANCE appropriating \$2,312,400.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **RESICOM, INC** for Safe Sidewalk Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK and H - GONZALEZ** – was presented, and tagged by Council Member Jones.
47. ORDINANCE appropriating \$1,984,500.00 out of Woodlands Regional Participation Fund; awarding construction contract to the **GONZALEZ GROUP, L.P.** for Lake Houston Park Phase One; 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 and materials testing, Civic Art Program and contingencies relating to construction of facilities financed by Woodlands Regional Participation Fund – was presented, and tagged by Council Member Jones.

MATTERS HELD - NUMBERS 49 through 54

49. ORDINANCE **AMENDING ARTICLE VI OF CHAPTER 9 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Airport Compatible Land Use Regulations; making findings and containing other provisions relating to the foregoing subject; providing for an effective date; providing for severability – **(This was Item 3A on Agenda of March 9, 2011, TAGGED BY COUNCIL MEMBERS RODRIGUEZ, NORIEGA, JONES and JOHNSON)** – was presented. All voting aye. Nays none. ORDINANCE 2011-0221 ADOPTED.
50. RECOMMENDATION from Director Planning & Development Department to accept reports on the reconsideration of the following six historic districts - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and H - GONZALEZ:**
- | | |
|------------------------|--------------|
| Avondale West | Heights East |
| Boulevard Oaks | Heights West |
| First Montrose Commons | Norhill |

(This was Item 4 on Agenda of March 9, 2011, TAGGED BY COUNCIL MEMBER LOVELL) - was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez.

Council Member Pennington stated that he would request an individual vote on each of these items because they were all very different, and moved to divide the question, seconded by Council Member Hoang.

A roll call vote was called on Council Member Pennington's motion to divide the question.

ROLL CALL VOTE ON MOTION TO DIVIDE THE QUESTION

| | |
|---------------------------------------|-------------------------------------|
| Mayor Parker voting aye | Council Member Gonzalez voting yes |
| Council Member Stardig voting aye | Council Member Rodriguez voting aye |
| Council Member Johnson voting aye | Council Member Costello voting no |
| Council Member Clutterbuck voting aye | Council Member Lovell voting no |
| Council Member Adams voting aye | Council Member Noriega voting no |
| Council Member Sullivan voting aye | Council Member Bradford voting aye |
| Council Member Hoang voting aye | Council Member Jones voting aye |
| Council Member Pennington voting aye | MOTION CARRIED |

Mayor Parker stated that the motion would be that they accept the recommendation of the Planning Director for each of the items, that they would call them up in the order of the agenda so Avondale West would come up and it would be a vote for upholding the recommendation or against upholding the recommendation.

A vote was called on Avondale West. Council Members Johnson, Sullivan and Bradford voting no, balance voting aye. MOTION CARRIED.

A vote was called on Boulevard Oaks. Council Members Johnson, Sullivan and Bradford voting no, balance voting aye. MOTION CARRIED.

A vote was called on First Montrose Commons. Council Members Johnson, Sullivan and Bradford voting no, balance voting aye. MOTION CARRIED.

Heights East was before Council.

Council Member Pennington moved to refer Heights East back to the Director of Planning,

that based on his memo back in August 2010, where he asked for additional information based on specific properties and also on the impact on the community, he did not think that they had that information and as they recalled he asked the Director of Planning twice at least if she had looked at the impact on individual properties and she said she had not, that he believed the information was available.

Council Member Gonzalez stated that he thought there had been a lot of discussion on this, actually it had been going on since June of last year, they had ample opportunities for both sides to chime in, both for and against, they had plenty of community meetings and he had met with constituents, there had been information on line so he thought the information had been very well vetted on both sides, that his understanding, at this point, was that they were either voting it up or down and would remind everybody that the ordinance did pass by a majority of City Council, they laid out the rules for everyone to understand both for and against and he thought to change the process at this point was unfair, in his point.

Mayor Parker stated that the motion was to accept, if the motion was to be voted down a substitute motion could be made to send it back, but the others that they had voted for they had now approved them as presented.

After further discussion by Council Members, a vote was called on Heights East.

ROLL CALL VOTE ON HEIGHTS EAST:

| | |
|--------------------------------------|-------------------------------------|
| Mayor Parker voting aye | Council Member Gonzalez voting yes |
| Council Member Stardig voting no | Council Member Rodriguez voting aye |
| Council Member Johnson voting no | Council Member Costello voting aye |
| Council Member Clutterbuck voting no | Council Member Lovell voting aye |
| Council Member Adams voting no | Council Member Noriega voting aye |
| Council Member Sullivan voting no | Council Member Bradford voting no |
| Council Member Hoang voting aye | Council Member Jones voting no |
| Council Member Pennington voting no | MOTION FAILED |

Mayor Parker asked if Council Member Gonzalez would like to make a motion to refer the item back to the administration, and Mr. Feldman stated that under the ordinance if the City Council did not accept the report then it would remain up the Planning Director as to submit a different report, and Mayor Parker stated that she was offering the courtesy to the Council Member if he should wish to take action otherwise they would move to the next item.

After further discussion by Council Members, a vote was called on Heights West.

ROLL CALL VOTE ON HEIGHTS WEST:

| | |
|--------------------------------------|-------------------------------------|
| Mayor Parker voting aye | Council Member Gonzalez voting yes |
| Council Member Stardig voting no | Council Member Rodriguez voting aye |
| Council Member Johnson voting no | Council Member Costello voting aye |
| Council Member Clutterbuck voting no | Council Member Lovell voting aye |
| Council Member Adams voting no | Council Member Noriega voting aye |
| Council Member Sullivan voting no | Council Member Bradford voting no |
| Council Member Hoang voting aye | Council Member Jones voting no |
| Council Member Pennington voting no | MOTION FAILED |

A vote was called on Norhill. Council Members Johnson, Sullivan and Bradford voting no, balance voting aye. MOTION 2011-0224 PASSED OR FAILED AS NOTED BY THE VOTES AS DIVIDED.

- 50a. RESOLUTION amending Resolution No. 2010-39; changing the boundaries of the First Montrose Commons Historic District - **(This was Item 4A on Agenda of March 9, 2011, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and JONES)** – was presented. All voting aye. Nays none. RESOLUTION 2011-0005 ADOPTED.
51. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$145,222.00 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Remediation, Removal and Installation at Fire Station 28 - 4.69% below the original contract amount - **DISTRICT C – CLUTTERBUCK – (This was Item 6 on Agenda of March 9, 2011, TAGGED BY COUNCIL MEMBER JONES)** – was presented, moved by Council Member Sullivan, seconded by Council Member Gonzalez. Council Member Jones voting no, balance voting aye. MOTION 2011-0225 ADOPTED.
52. ORDINANCE appropriating \$2,766,738.74 out of Equipment Acquisition Consolidated Fund for Purchase of Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments – **(These was Item 9 on Agenda of March 9, 2011, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, JONES, HOANG, PENNINGTON and NORIEGA)** – was presented, and tagged by Council Member Adams.

Mayor Parker asked Council Member Adams if she would hold her tag, that she had an amendment from Council Member Gonzalez, and Council Member Adams stated that she wanted to look at it first. Council Member Hoang absent.

Council Member Gonzalez stated that he had submitted a written motion to amend Item Numbers 52 and 52a, that it would reduce the appropriation from the amount listed to \$1,637,205.11, that for Item 52a it would be to reduce the authority for purchase orders for certain vendors as follows and they were listed in the written motion, that it had been reviewed by the department that reviews the purchase of these vehicles. Council Member Hoang absent.

After discussion by Council Member Gonzalez, Council Member Adams stated that she had not released her tag, that Mayor Parker asked her to release it but she did not verbally say she would release her tag, that she said she wanted to look at it first, but did not release her tag, and Mayor Parker asked if she would at least tag the item after the motion was made, and Council Member Adams stated that out of respect for the Mayor, yes, she would release her tag on Item Number 52 for discussion.

Mayor Parker stated that she did not care whether Council Member Adams tagged the item or not, that the question was that Council Member Gonzalez just wanted to reduce the amount they would spend, if she would allow him to put his motion in for consideration she would immediately take her tag, and Council Member Adams stated yes.

Council Member Gonzalez offered the following written motion to amend Item No. 52:

"I motion to amend item 52 on the agenda to reduce the appropriation from \$2,766,738.74 to \$1,637,205.11."

Council Member Bradford asked for a point of order and asked if they were discussing the main item or the amendment at this point, and Mayor Parker stated that Council Member Adams would in effect tag both the main item and the amendment, and Council Member Bradford asked, under the rules, were they permitted to continue with the discussion on the amendment, and Mayor Parker stated no.

Mayor Parker stated that Item No. 52 had been tagged by Council Member Adams, and a proposed amendment had been tagged as well. Council Member Clutterbuck absent.

52a. **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD - \$3,006,220.00, RON CARTER AUTOMOTIVE - \$671,943.00, CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET - \$627,321.00, TOMMIE VAUGHN MOTORS, INC - \$466,896.00, JOHNSON WHITESBORO FORD d/b/a HOLIDAY FORD - \$492,866.83, FRED HAAS TOYOTA COUNTRY - \$409,136.00 and CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY FORD - \$61,635.00 for Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for a total of \$5,736,017.83 for Various Departments - \$2,969,279.09 - Enterprise, Stormwater and Other Funds – (This was Item 9A on Agenda of March 9, 2011, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, JONES, HOANG, PENNINGTON and NORIEGA) – was presented, and tagged by Council Member Adams. Council Member Clutterbuck absent.**

Mayor Parker stated that she would be happy to recognize a tag and asked Council Member Adams if she would allow Council Member Gonzalez to present his amendment, and Council Member Adams stated yes. Council Member Clutterbuck absent.

Council Member Gonzalez stated that he had listed the written motion and it had been passed out to Council Members, that it was to limit the appropriation amount and also the number of vehicles, that it came with review and support of the administration. Council Member Clutterbuck absent.

Council Member Gonzalez offered the following written motion to amend Item No. 52a:

"I motion to amend item 52a on the agenda to reduce the authority for purchase orders to certain vendors as follows:

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| Philpott Motors, Ltd., d/b/a Philpott Ford | \$2,413,764.00 |
| Ron Carter Automotive | \$560,293.00 |
| Caldwell Automotive Partners, LLC d/b/a Caldwell Country Chevrolet | \$258,902.00 |
| Johnson Whitesboro Ford d/b/a Holiday Ford | \$385,922.10 |
| Fred Haas Toyota Country | \$164,137.00 |

Mayor Parker asked if Council Member Adams would tag both items and she stated yes. Council Member Clutterbuck absent.

53. ORDINANCE approving and authorizing various contracts between the City of Houston and 1) **CONNECTICUT GENERAL LIFE INSURANCE COMPANY** for an Administrative Services Agreement related to the administration of various health plans; 2) **NATIONAL PACIFIC DENTAL, INC** related to the Managed Care Dental Agreement; 3) **UNITEDHEALTHCARE INSURANCE COMPANY** related to the Group Dental Indemnity Agreement; 4) **AMERICAN FAMILY LIFE ASSURANCE COMPANY OF COLUMBUS** related to the agreement for voluntary supplemental insurance coverage and administration of flexible spending accounts; and 5) the amendment and restatement of the City of Houston Employees' Section 125 Plan, including healthcare and dependent care reimbursement arrangements, all effective May 1, 2011; approving and authorizing various health care plans, dental plans and supplemental insurance benefits for City employees, retirees, deferred retirees, survivors and certain dependents, effective May 1, 2011 - 3 Years with two one-year options - \$84,000,000.00 - Health Benefits Fund – **(This was Item 12 on Agenda of March 9, 2011. TAGGED BY COUNCIL MEMBERS JONES, BRADFORD, RODRIGUEZ, JOHNSON, NORIEGA and HOANG)** – was presented.

Council Member Noriega stated that she sat on the Committee, the Health Benefits Advisory Committee, there was another committee that actually made the decision and processed the RFP the way they would do it any other way, but it had been very rushed and complicated, that she wanted to mention several things that had come up in the discussions that she had been part of, the first, whether CIGNA had access to Blue Cross Blue Shield numbers, that it was her understanding was that both sides were dealt with separately and neither side had the others numbers, but she would like to have that clarified officially; second, there were retirees that did not live in the service area for Kelsey Seybold and had problems with where they were going to go and which plan they were going to have to get and how much was it going to cost because they felt they were being penalized by not living in the Kelsey area; that in particular there were also concerns about Renaissance and some of the doctor groups and these had been addressed in various venues but what she was trying to do was roll up what she was aware of, what employees had come to her about having concerns about; that the final thing that she felt was probably worth talking about was what about catastrophic illness and folks who did not qualify, that in addition there were kids going to Texas Children's Hospital or Cancer survivors who were going to M.D. Anderson and they were not sure what they were going to be able to do, that she saw them as the same issue even though they were different groups, that she could not even convey to them how complicated this plan was and how difficult it was to understand, that she would tell them that the retiree groups at the table that she sat at still had some concerns, that she also was very clear that their insurance stops April 30, 2011 and she was concerned about that, that they were between the proverbial rock and the hard place, so they were very pressed about this as well; that she thought there was a focus on health in the CIGNA Plan, on trying to help people, teach people and support people in being healthy rather than just treat them when they were sick that she thought was useful, that she thought it was a policy discussion that they needed to have as well. Council Members Clutterbuck and Lovell absent.

Council Member Pennington stated there were a lot of issues floating around that there did not seem to be answers to and wondered if it would be possible to have testimony today or to delay it a week or have a committee meeting so that possibly they could get more information and more satisfaction with the level of information that everybody felt like they needed. Council Members Clutterbuck and Lovell absent.

Mayor Parker stated that she would ask Mr. Reid to come to the Council table or Mr. Feldman, either one, that other than the expiration of their existing contract at the end of April 2011 and the time needed, whether they changed coverage or not, this was the period where their employees were allowed to transition and they needed a certain period of time for that, and asked if they could answer the impact of a weeks delay on the item. Council Members

Clutterbuck and Lovell absent.

Mr. Feldman stated that he thought it was more of the practical matter that individual employees would have one less week in which to consider their options and obviously this was a very significant and difficult decision for employees to make in terms of what option they were going to avail themselves of, so he would say, from all of his years as a labor lawyer, that it put employees at a disadvantage if they had less time to consider it. Council Members Clutterbuck and Lovell absent.

Mr. Reid stated that he would concur with that, that the delay of the item would put their employees at a disadvantage, that right now they had a very aggressive plan to educate their employees because of the amount of changes that they were making to the plan and any delay in passing the item meant less time to reeducate the employee, they had enrollment material lined up and ready to go. Council Members Clutterbuck and Lovell absent.

Mayor Parker stated that to be clear, there was not fatal action if they delayed the item for a week, but it would impact the decision making time frame for their employees, and Mr. Reid stated that was correct. Council Members Clutterbuck and Lovell absent.

Council Member Sullivan stated that last night he received an email that was sent to all Council Members from Council Member Noriega and he wanted to make sure he was not getting in trouble with an email that was sent to all Council Members, that his old Texas Public Information Act Training said that it was kind of a fatal flaw if they deliberated by email with a quorum of elected officials, that they got an email from Council Member Noriega laying out her position as to why she was voting for CIGNA, that he thought it was inappropriate and he wanted to make sure that as a recipient of that email he was not complicit in it and would like to ask the City Attorney if that was an appropriate act of communication and whether or not he would advise that on any item much less this one, even if someone said that everyone had asked what they thought about it because they served on the certain committee. Council Member Clutterbuck absent.

Mr. Feldman stated that the inherent problem with that kind of correspondence to a quorum or more was that it invited deliberation outside of a public meeting, so under the Open Meetings Act, while the actual sending of the email itself was not a violation, if there had been any response then in fact there would have been a deliberation and violation of the act, that was why it was strongly discouraged. Council Member Clutterbuck absent.

Mayor Parker stated that she believed there were a couple of other Council Members who also sent broad emails out to their colleagues and others with their opinion on what was before the body, that it was her understanding that if the intent was to conduct deliberation outside of public view, that was the crux of the matter, not that she broadcasts an email from a Council Member to all other Council Members or to all City employees, those would all fall into the same category, there was no intent, and Mr. Feldman stated that was correct; and Mayor Parker stated that she received early on one from Council Member Adams to all other Council Members and one from Council Member Rodriguez to all City employees, that it was all about the intent. Council Member Clutterbuck absent.

Council Member Stardig stated that they still had players at the table and they had asked all of their directors, and asked Mayor Parker to correct her if she was wrong, their best practices had been that they continue to ask their directors to go back if there were opportunities to renegotiate a contract, to save the City money, then they were asking them to do it, that she appreciated the fact that they had the best offer, or whatever the case may be, she did not know, she was not there and could not witness it, but she knew that she had two vendors who were still at the table, and if they could save a significant amount of money, she

would qualify that, that they had to keep that in play and continue to save the citizens money and to continue to work to get the best deal for their employees as far as their health benefits, that if they could move forward in some direction so that they could continue to look out for the best interest of their employees and the citizens and taxpayers she would appreciate it. Council Members Johnson, Clutterbuck and Jones absent.

Mayor Parker stated that in answer to her question about whether they go back and continue to negotiate with bidders, that they continue to negotiate with winning bidders, that after the best and final it was not their practice, as she understood, to bring both back forward, but she would like to see from the City Attorney as to that. Council Members Johnson, Clutterbuck and Jones absent.

Mr. Feldman stated that yes, the purpose of a best and final was of course to secure the best and final offer from whoever the remaining bidders were, that based on the information obtained from the best and final a selection could then be made as to a finalist, that nothing precluded them from continuing negotiating with that one finalist. Council Members Johnson, Clutterbuck and Jones absent.

Council Member Stardig stated that she thought there was an opportunity to make this right, that this was a three year commitment. Council Members Johnson, Clutterbuck and Jones absent.

Council Member Costello stated that he wanted to thank Director Reid and his staff for the work that they did because he knew what it was like to try to negotiate for group health, not to the size of a program that they had and when they had a population of 66,000 people who were in the program they were going to have people who were not going to like change, that they would be doing the staff a disservice if they did not follow along with what the recommendation was. Council Member Clutterbuck absent.

Council Member Rodriguez stated he would have liked to have the opportunity to ask questions, he had a meeting set up with Mr. Reid and Ms. Aldridge but they were about 45 minutes late to the meeting so he never got the opportunity to ask, for example, they had 66,000 City of Houston employees what was the cost to transfer all of them to the new provider, things like that, that he still needed some more information to make an informed decision, that he was not comfortable today in voting for something that impacted so many City of Houston lives. Council Members Adams and Clutterbuck absent.

Council Member Jones stated that she would like clarification from somebody and had no clue who the appropriate somebody was on the Health Care Benefits Advisory Committee, were they, City Council, represented, and Mayor Parker stated that all of the major City departments were represented on the Health Care Benefits Advisory Committee, as was the Controller's office and City Council, that she reaffirmed the appointment of Council Member Noriega and did not know how she served before but there had always been a Council representative, that in fact when she was a Council Member she was the Council representative and knew that Ronald Green also served on that, that there was one Council Member who had always been a member of the Health Care Benefits Advisory Committee, that it did not require an executive order, they appoint members to HGAC and a number of entities and ask that they do their work there, that she was sorry if Council Member Jones felt that she did not receive sufficient information back, but yes Council was represented on the Health Care Benefits Advisory Committee, that she would send a list of every committee where there was a Council representative. Council Member Clutterbuck absent.

Council Member Bradford asked who on the Health Care Benefits Advisory Committee were endorsing or supporting the plan that was on the table today; that he had a concern that if

there was a representative of Council on the committee then Council should have some input via that representative at some point and time, that they had about 10 or 15 days to look at this very complex issue and Council did not know about it until the presentation on March 1, 2011 and they started asking questions and trying to get additional information, that there was still concerns about provider disruption, what were real savings, what was the cost of changing carriers and he still had not gotten it, that he was concerned about over 1,000 doctors and health care providers being displaced and breaking up that patient client relationship, there was a question about the first year savings, that he was concerned about under one plan there was a prescription cost and on the other plan there was not a prescription cost, that he had gotten dozens of calls and inquires from retirees who lived outside of the designated service area, what they were going to be required to do, that he understood and appreciated what Mr. Reid had said concerning the short window, the current plan expires April 30, 2011 and employees needed to know what was going to happen, so for that reason he had to make his decision based on information he had or did not have, that he was not going to ask for solicit any more information because he thought it was fair to say when they made comments at the Council table people say they would get that to them and it did not happen, or they make the requests and they do not happen, that he hoped they would go forward with a vote today. Council Members Clutterbuck and Lovell absent.

Council Member Adams asked how many people served on the committee and Mr. Reid stated that he believed it was either 18 or 19, and Council Member Adams stated that was why she had been asking for the sign-in sheets of the day of the vote because her understanding was that out of the 19 people who served on the committee only 4 or 5 were present the day of consideration so she had concerns about that, that was going to be the only comment that she would make because she did not think the decision was made of the body of the whole, the committee members that needed to be present on such a very important decision as this, that they had 19 people, not the advisory, but 19 people who were appointed to serve on the board to make this decision and only 4 were present, that she thought that alone was a discrepancy with how they made the decision, that she wanted to make sure that they verified and she wanted to make sure that she got the sign-in sheets and the minutes to verify it, that she wanted to make her colleagues aware that there were 19 people who sat on the committee and only 4 were present, so how could they make a vote on something of this magnitude when they did not have the body as a whole, that she had been asking for the sign-in sheets and they had not turned the sheets in to her to see who was present. Council Members Johnson and Clutterbuck absent.

Mr. Reid stated that they did have the sign-in sheets, that their was not a vote of the Health Benefits Advisory Committee, they served in an advisory role and did not vote on the issue, that the issue had actually been going on since August 31, 2010, that they had many meetings of the Health Benefits Advisory Committee during that time, they had meetings at the HOPE location, they had meetings with retirees, they had a lot of meetings with different groups, but the Health Benefits Advisory Committee there was no vote where 4 people took place, that Council Member Noriega was on an advisory committee who did not have a voting interest, they did not vote, and Mr. Reid stated that they now had the sign-in sheets and passed them to Council Member Adams, that Council Member Adams asked for them yesterday and he talked to her last night and were providing them today.

After further discussion by Council Members, Mayor Parker stated that if they rejected the bid they open the bid process again, and Mr. Feldman stated that if Council were to reject the recommendation to go with CIGNA what would occur was a practical matter, that HR would go back and seek another best and final from Blue Cross and CIGNA, that the other alternative that Council would have, and he thought they had three, would be to accept CIGNA as the finalist subject to further negotiation with CIGNA, and the third alternative was just to accept the contract as proposed with CIGNA; that there was a timeline that was of critical importance and it

was April 30, 2011, if Council rejected this in its entirety then HR would have to go back and solicit additional best and final offers from both vendors, which would require a period of weeks and at the end of the day the employees would have an extremely small amount of time. Council Member Clutterbuck absent.

Mr. Reid stated that there was a financial impact by delaying the item, that right now a farming of the new contract, first month cost, was about \$13 million, that a one month of the current Blue Cross Contract was about \$25 million, which was about what they were paying right now per month, and Mayor Parker asked \$8 million more for one month, and Mr. Reid stated yes. Council Member Clutterbuck absent.

Council Member Stardig stated that she appreciated the language used in describing this but thought that the perception and reality was a little different, that they did have an HMO and PPO and now they had that third choice as they say, but the HMO as they knew it, as it had been presented, was a clinic situation with very specific locations and very limited locations, and if they looked at the northwest quadrant of the City she thought there may be one location, that she had to verify that again because it was all new information, but the other part of it was that they had retirees outside the City that would not have that, they signed up for an HMO so they would not be going to the Kelsey Clinic situation where they would have done a lateral move, they would not be doing that because they would not have the same access to physicians in a pool of docs and locations, that she thought it was misleading to say that they had the same choices, that the other part of it was that for those retirees she was concerned, that she respected cultures that respected their elders, that she assumed that a lot of their retirees were older and elderly and she would like to keep that respect and show the retirees out there that respect, so outside of their city limits there were a lot of retirees and they wanted to make sure they had the same choices and same cost factor and same opportunity, so once again she wanted to make sure they were on the same page, that they had a conversation again that she thought they were willing to look at, that she had something that she wanted to present to her colleagues, that if they could look at the fact that all of them lived in the City of Houston and their families and a majority of their current employees, she hoped, lived in the City, but for those who did not, the retirees, they still had options, that the retirees she wanted to cover and make sure they had the opportunity to access good health care and affordable health care, that she was going to make a motion that they go back and look at the opportunity to give those retirees the opportunity to have the cost factor, for retirees, police, fire or civilian, have that opportunity to renegotiate that cost factor of those to an HMO type or similar type cost factor, that in other words, they were in an HMO now, outside the city limits, as a retiree, that in order to stay within a comparable cost they had to go to the Kelsey, but they did not have the access to Kelsey like we do, they typically lived outside the City, was that not true, and Mr. Reid stated that was a correct statement, and Council Member Stardig stated that with that said were there opportunities to negotiate that factor so that they could get a cost that was comparable to what they had signed up for as a type of HMO in their current environment to a selection that CIGNA could offer, or whomever they decide as a Council, as their vendor, to make sure they were not creating an additional burden of travel choices and/or no health care for their retirees, if that made sense.

Mr. Reid stated that he would respectfully not like to commit to that because he had no idea what the cost was for that, that he did not know what the amount of the cost associated with that might be, and Mayor Parker stated that was the point, that Council Member Stardig was talking about a fundamental change to the program and they would have to go and discuss that, that there were two levels they were operating on, one was the overall cost of the plan, and her number one issue was finding a plan that drove the cost down because every dollar that they saved was somebody's job in the City, that bottom line, if they continued with what they were doing now, with the traditional HMO, PPO or plan it would be millions of dollars and loss of jobs, but the ration that they charged their employees, retirees under 55 and their retirees over

55 was not affected directly by the cost of the plan, they do a cost allocation of that split, so if the issue was the cost to the retirees she also went back and in this they brought those cost down for the retirees under 55, if the issue was which physicians were in the plan out of the City of Houston she did not know that she could answer that at the table today because she would have to go back out.

After further discussion by Council Members, Council Member Stardig stated that first she would like to ask to divide the question, because if they looked at the question they had items 1 through 5, the others did not deal with the actual item they were speaking about, the others were dental and others, that she did not know if any of her colleagues had questions about that, they could divide the question so they would have the other items remaining; that the second part of the motion would be that once divided the motion be "a" and "b" and that CIGNA be selected as the vendor, subject to further negotiation and presentation of another agreement to Council, which would mean they still had the decision to make, but the big issue that she had heard time and time again, as they had discussed, was the outlier, so she thought this would address that issue and they would be allowed to still negotiate and if not, if they did not come to an agreement they still had the opportunity to say no, and Mayor Parker stated that was correct, and Council Member Stardig stated as she understood the advise from their attorney, that was her motion if it was understood. Council Member Clutterbuck absent.

Mayor Parker asked Mr. Reid, of the five items in Item No. 53 on the agenda, how many dealt directly with this, and Mr. Reid stated just one, and Mayor Parker asked Council Member Stardig if she wanted to divide the question, did she want a separate vote on 1 and then 2 thru 5, and Council Member Stardig stated 53-1 to divided from 53-2 thru 53-5, that they were two separate questions and then once divided the motion would be that they would have an "a" and a "b", then that CIGNA be selected subject to further negotiation and presentation of another agreement to Council, and Mayor Parker asked a full written agreement, and Council Member Stardig stated a full written agreement so that everyone understood, seconded by Council Member Gonzalez. Council Member Clutterbuck absent.

After further discussion by Council Members, Mr. Feldman stated that the first thing that should be addressed was dividing the question, if they could have a motion on that and pass that then they could go to these two things separately.

After further discussion by Council Members, Mayor Parker stated that they could not negotiate with Renaissance, they could not put Renaissance in any plan or chose not to put Renaissance in a plan, that only CIGNA could do that and they may have a plan with them today and next year they would not have an agreement with them, they did not control and they could not impose that into a contract, they had an agreement with them and Council Member Stardigs motion was that they accept them provisionally and go back and negotiate all of these items and see if they could come up with a better deal for the Council Members, they were not going back to negotiate these items and load their pet companies on.

After further questions by Council Members, Council Member Stardig stated that her motion was basically to conditionally accept CIGNA today, and then the condition was that they come back to the table and negotiate with the City of Houston, with all of the concerns that had been addressed by their colleagues, and then they would come back to the table and present again at City Council and if they agreed at that point then they, the City Council, had the right to say yes or no at that point, but that gave them the opportunity to address all of the concerns that they had, that had been brought up in this short window of time, that the purpose of taking "a" and "b" was to move those items that were non CIGNA, and Mayor Parker stated that they did not want to hold the other items that had nothing to do with CIGNA and Blue Cross and Blue Shield back.

After further discussion by Council Members, Council Member Costello moved to call the question, seconded by Council Member Gonzalez, and a vote was called on the motion to call the question. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2011-0227 ADOPTED.

After further discussion a roll call vote was called on the motion by Council Member Stardig.

ROLL CALL VOTE:

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| Mayor Parker voting aye | Council Member Gonzalez voting aye |
| Council Member Stardig voting aye | Council Member Rodriguez voting no |
| Council Member Johnson voting no | Council Member Costello voting no |
| Council Member Clutterbuck absent. | Council Member Lovell voting aye |
| Council Member Adams voting no | Council Member Noriega voting aye |
| Council Member Sullivan voting no | Council Member Bradford voting no |
| Council Member Hoang voting aye | Council Member Jones voting aye |
| Council Member Pennington voting aye | MOTION 2011-0228 ADOPTED. |

Mayor Parker stated that they would move directly to the vote on the two items, Item No. 1, as Council Member Stardig indicated, provisionally accepted subject to further negotiation and confirmation in a week, and Council Member Stardig stated yes, that was the text of her motion.

Mr. Feldman stated that his understanding was that Council would be approving the selection of Connecticut General as the sole finalist, subject to further negotiation and presentation of an appropriate agreement to Council for approval at next weeks Council meeting.

A roll call vote was called on 53, Item 1 - Connecticut General Life Insurance Company

ROLL CALL VOTE:

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|--------------------------------------|------------------------------------|
| Mayor Parker voting aye | Council Member Gonzalez voting aye |
| Council Member Stardig voting aye | Council Member Rodriguez voting no |
| Council Member Johnson voting no | Council Member Costello voting aye |
| Council Member Clutterbuck absent. | Council Member Lovell voting aye |
| Council Member Adams voting no | Council Member Noriega voting aye |
| Council Member Sullivan voting no | Council Member Bradford voting no |
| Council Member Hoang voting aye | Council Member Jones voting aye |
| Council Member Pennington voting aye | ORDINANCE ITEM 1 CARRIED |

Mayor Parker stated that they would move to the remainder of Item No. 53.

A roll call was called on Item 53, Numbers 2 thru 5, (2) National Pacific Dental, (3)United Healthcare Insurance Company related to a Dental Indemnity Agreement, (4) American Family Life Insurance Company of Columbus for Supplemental Insurance Coverage and (5) the amendment and restatement of the City of Houston Employees' Section 125 Plan, including healthcare and dependent care reimbursement arrangements.

ROLL CALL VOTE:

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|--------------------------------------|---------------------------------------|
| Mayor Parker voting aye | Council Member Gonzalez voting aye |
| Council Member Stardig voting aye | Council Member Rodriguez voting no |
| Council Member Johnson voting no | Council Member Costello voting aye |
| Council Member Clutterbuck absent. | Council Member Lovell voting aye |
| Council Member Adams voting no | Council Member Noriega voting aye |
| Council Member Sullivan voting no | Council Member Bradford voting no |
| Council Member Hoang voting aye | Council Member Jones voting aye |
| Council Member Pennington voting aye | ORDINANCE ITEM 2-5, 2011-0222 ADOPTED |

54. ORDINANCE approving and authorizing contract between the City of Houston and **AKIN GUMP STRAUSS HAUER & FELD LLP** for representation before the United States Congress and Federal Agencies; establishing a maximum contract amount - 3 Years - \$828,000.00 - General Fund – **(This was Item 15 on Agenda of March 9, 2011, TAGGED BY COUNCIL MEMBERS JONES, RODRIGUEZ and SULLIVAN)** – was presented. Council Member Sullivan voting no, balance voting aye. Council Member Clutterbuck absent. ORDINANCE 2011-0223 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Noriega stated that she had an email that was sent by the mother of one of her staff members, that it said that she and Dad would like to commend Station Numbers 11 and 28 for their service, that they were stuck in an elevator in the Westin Oaks Hotel and it was obvious that the hotel staff was not capable of solving their problem, that their friend had telephone service and called 9-1-1 and the fireman appeared outside the elevator door a short time later, that they were in the elevator about an hour with about 19 people so it was quite a squeeze, that the firemen passed in several tubes with air and worked for a considerable period of time before they got the door open, but people were calm knowing that the firemen were there and working on the problem, that they had to step up to get to the 16th floor, that they stabilized the elevator as best they could and helped them up one at a time, that Dad was the last one off, that he and a friend did a great job taking control of the whole operation from the inside, that she was glad that Houston had such competent people, she would soon not be in a position to need them again, that she wanted them to pass on the special thanks to Station Numbers 11 and 28 who rescued this group of people from a hotel; that she wanted to mention again that in the City of Houston if they had a stroke, a heart attack, choke or stopped breathing this was the best place, maybe in the world to have that happen because their firefighters were the absolute best at protecting their property and life, and Mayor Parker stated that they were. Council Members Johnson, Clutterbuck, Pennington, Rodriguez and Jones absent.

Council Member Adams announced the following events; the Neighborhood Services Department and their leadership would meet with Super Neighborhood 40 in the Hiram Clarke area at Townwood Park at 7:00 p.m.; that tomorrow morning the 11th Annual Greater Houston Area Social Work Awards would be at 8:00 a.m. at the Rockwell Pavilion MD Anderson Library at the University of Houston; that tomorrow evening, Thursday, March 24, 2011, the District D office, along with the Fort Bend Community Super Neighborhood would host a community roundtable at 7:00 p.m. at the Quail One Community Center at 16748 Quail Park Drive, Missouri City, Texas; that tomorrow evening, March 24, 2011, would be the opening night at the Miller Outdoor Theater; that there would be a ribbon cutting ceremony on Saturday, March 26, 2011 at the Near Town Little League, that it would include a parade and celebration of enhancement of Ervin Chew Park and to kick off the Near Town Little League Team; that on Saturday, she along with the Houston Chapter of the Links, Inc., would celebrate their 60th Anniversary, that she would be presenting and recognizing the US Surgeon General, Dr. Regina Benjamin, who was acting as the honored speaker; that she wanted to let the City of Houston employees know that

they were continuing to be there for them and hopefully they could make the best decision on their behalf; and ended with a scripture from the Bible, Jeremiah 29:11. Council Members Johnson, Clutterbuck, Sullivan, Pennington, Rodriguez, Lovell and Bradford absent.

Council Member Hoang stated that they would be hosting a Redistricting Townhall Meeting on Thursday, March 31, 2011 from 6:30 p.m. to 8:00 p.m. at the Sharpstown Community Center at 6600 Harbor Town; that two days ago he attended a very special Law Enforcement Appreciation Luncheon, that they recognized several officers for their work and he wanted to thank the organizers; that last week he spoke before the Catalina Square Homeowners Association. Council Members Johnson, Clutterbuck, Adams, Sullivan, Pennington, Rodriguez, Lovell and Bradford absent. (NO QUORUM PRESENT)

Council Member Stardig stated that the Korean Community Center held the grand opening of their new complex located in the Spring Branch area; that it was the last week for the Dress for Success Suit Drive so she wanted to encourage all of her colleagues and their staff to donate their gently used women's professional attire, their donation to this organization would aide women in obtaining a career; that she wanted to mention that City Council had passed Item No. 42 that allocated several safe sidewalks and eleven of those projects were located within District A, that she appreciated her colleagues support on this. Council Members Johnson, Clutterbuck, Adams, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Bradford absent. (NO QUORUM PRESENT)

Council Member Jones stated that they had a lot of discussion about health so she wanted to commend people who were actually doing things, that she was at the Buffalo Soldiers Museum and worked with Family Health for a Healthy Living and they talked about childhood obesity and families working out and learning how to eat so she wanted to thank them for doing that; that she went to the Houston Firefighter Memorial where they honored their fallen, that it was moving and she wanted to commend the men and one woman who lost their life protecting and serving us; that there would be a Housing Committee Meeting tomorrow March 24, 2011 at 3:00 p.m.; that she went to Waco for the NCAA Women's Basketball Tournament, that she wanted to commend the University of Houston for making it to the dance. Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Rodriguez, Lovell, Noriega and Bradford absent. (NO QUORUM PRESENT)

Council Member Gonzalez stated that BARC would be hosting their Foster Expo and Pet Adopt-a-Thon on Saturday, March 26, 2011 from 10:00 a.m. to 8:00 p.m.; that to please come out to Moody Park on Saturday from 8:00 a.m. to 1:00 p.m. to join volunteers, residents and community partners pickup debris and trash along the Little White Oak Bayou; that to join him along with Charity Productions, the City of Houston Health Department and the Houston Fire Department as they host a public health and safety community panel discussion on disaster management and readiness on Wednesday, March 30, 2011, from 5:30 p.m. to 7:00 p.m. at Berry Elementary at 2310 Berry Street. Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Rodriguez, Lovell, Noriega and Bradford absent. (NO QUORUM PRESENT)

Council Member Lovell stated that the Transportation, Infrastructure and Aviation Committee and the Public Safety and Homeland Security Committee would hold a special joint meeting on Thursday, March 24, 2011 in the Council Chamber; that on Friday she would be at the Transportation Policy Council, which was a council of the Houston Galveston Area Council; that she too would be, on Saturday, March 26, 2011, at Ervin Chew Park for the opening of the Near Town Little League. Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)

Mayor Parker stated that she attended the funeral of Sharon Parker, who was married to

her uncle, Neland Parker, that it was a sad occasion, she was just expecting her first grandchild, but the significance to her was that she and Sharon were almost the same age, in fact she was one month older and she had a massive heart attack, that women die of heart attacks too and she wanted to encourage everyone who might be watching this to focus on heart health and if they had problems to deal with them, that her father died of a heart attack, his two brothers had heart attacks, so she was very concerned with heart health and would encourage everyone to be aware of their conditions and if they needed to see their physician to please do so. Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 1:30 p.m. Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Rodriguez, Noriega and Bradford absent. (NO QUORUM PRESENT)
DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary