

City Council Chamber, City Hall, Tuesday, February 27, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 27, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director; present.

Note: Council Member At-Large Position 3 vacant.

At 1:54 p.m. Mayor White stated that Council Member Holm would begin presentations; and Council Member Holm invited representatives with Trees for Houston to the podium and stated that Trees for Houston was an organization dedicated to the orderly planting of trees along major streets and freeways and was an efficient and effective program which addressed visual enhancement and urban forest issues; and presented to Mr. Charles Maynard a Proclamation celebrating Trees for Houston and their participation in the City of Houston's Arbor Day Program and proclaimed February 27, 2007, as "Trees for Houston Day"; and Mr. Maynard presented Mayor White and Council Members a geographical information system rendering of their plantings; and introduced Mr. Gary Wood who was in charge of organizing volunteers for the last planting and presented a copy of the GIS to Ms. Kim Brody who was present on behalf of Congressman Ted Poe whose efforts had yielded them in excess of \$20,000,000 in beautification funds for highways and streets in Houston. Council Members Johnson, Clutterbuck, Edwards, Wiseman, Khan, Alvarado, Brown and Lovell absent. (NO QUORUM PRESENT)

Mayor White stated that he and Council Member Garcia had a special presentation to Judge Abercia who he hoped was watching from the hospital; that the whole Abercia family was present and it was a great gathering of Houston patriots and public servants; and Council Member Garcia stated that it was an honor to recognize someone like Judge Johnnie Abercia who for 33 years worked for the City of Houston until 2005 and all were proud of him and his service; and presented his nephew a Proclamation for him proclaiming February 27, 2007, "Judge Johnnie Abercia Day" in Houston, Texas; and Judge Abercia's nephew stated that he offered a sincere thank you to Council for his Uncle, it was an honor for him and it was his work ethics, his faith in God and respect for the law that earned him such admiration; and Judge Abercia's brother stated that he thanked all on his brother's behalf and he knew he was very excited to be the recipient of the award even though he felt he did not deserve it, he had been proud to serve as Judge in the City of Houston; and it was a great honor for a great man. Council Members Wiseman, Khan, Alvarado and Lovell absent.

Council Member Edwards invited Council Member Green to help with her presentation and invited Ms. Lauren Anderson to the podium and stated that it was because of challenges Ms. Anderson had taken on and been successful at that they were recognizing her today and Council Member Green stated that Ms. Anderson joined the Houston Ballet in 1983 and in 1990 became the first African American to be promoted to Principal Dancer and had danced numerous leading roles; and presented Ms. Anderson a Proclamation proclaiming February 27, 2007, as "Lauren Anderson Day" in Houston, Texas; and Ms. Anderson stated that she was honored to receive the Proclamation, Houston had been very good to her; and thanked all for the recognition. Council Member Alvarado absent.

At 2:17 p.m. Mayor White called the meeting to order and called on Council Member Johnson who led all in the prayer and pledge. Council Members Alvarado and Green absent.

At 2:19 p.m. the City Secretary called the roll. Council Members Alvarado and Green absent.

Council Members Khan and Lovell moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Alvarado and Green absent. MOTION ADOPTED.

Council Member Khan moved that the rules be suspended for the purpose of hearing Mr. Joseph Ballard after Ms. Linda Brown, seconded by Council Member Brown. All voting aye. Nays none. Council Members Alvarado and Green absent. MOTION 2007-0205 ADOPTED

Mr. Gordon Goss, 1939 Forest Hill Blvd., Houston, Texas 77023 (713-924-3955) appeared, presented information for Mayor White and stated that he was a city employee placed on indefinite suspension on February 20, 2007, that he hoped all had seen Channel 13's report on Affirmative Action contract compliance last night which happened because of lack of concern and oversight; that he notified City Administration of violation of policy and federal law on contract compliance in 2004 and he received no response; that Legal was made aware and found his complaint baseless, Legal was also notified by the EEOC that he was laid off due to racial discrimination they still found his claims baseless and then later after many applications he was offered a fresh start at an entry level position in Affirmative Action Compliance. Council Members Garcia, Alvarado and Green absent.

Upon questions by Council Member Berry, Mr. Goss stated that he was fired by the City of Houston because of reporting violations of Title 6 and Title 7 to the EEOC, Legal Department, his Council Member and his Congressman and to the OIG; that there was a whole list of reasons why he was fired but the main reason was use of a city car where he did not return to work at 4:30 but 5:00, as he went to a late lunch. Council Members Johnson, Holm, Alvarado and Green absent.

Council Member Khan moved to allow Mr. Goss another two minutes; and Mayor White stated that with no objection he would allow him to continue; and Mr. Goss stated that Congressman Green notified Mayor White with his concerns and they were forwarded to Legal who responded they were not aware of any such violations and he should contact the OIG which he already had and he was contacted in mid October that he was under investigation; that city policy violations with Affirmative Action contract compliance were allowed to continue because employees such as himself who attempted to notify city officials of such violations were laid off due to restructuring or placed on indefinite suspension for their actions. Council Members Johnson, Holm, Alvarado and Green absent.

Ms. Larissa Lindsay, 1816 Kane, Houston, Texas 77007 (713-869-8309) appeared and stated that she was president of the Old Sixth Ward Neighborhood Association whose mission was preservation and today she was present thanking the Council for the item on the Agenda that would temporarily halt demolition of historic structures in their area while a plan for their future was developed. Council Members Johnson, Alvarado and Green absent.

Mr. David Boehm, 4001 Sherwood Lane, Houston, Texas 77092 (713-349-9434) appeared and stated that he was president of the Houston Contractors Association and they had been involved with the MWBE Program and appreciated all the effort; that they thought there were problems with the disparity study and would like to talk about the goals; that over the last three years the MBE's had done 10.66% of the work and the new goal was 14% and that was a 30% increase in the goal; that the HCA was very concerned the capacity was not there to meet the goal and in other cities with high percentage they had a good faith effort, but with the City of Houston if you did not meet the goal you did not get the contract and they requested the

City of Houston allow good faith as a viable option and they did support the proposal that the goal be based on a project by project basis and that subcontractors be rated as contractors; and supported the status quo of 15% MWBE goal and a 5% SBE goal and HCA would make a commitment to meet whatever goals they had to. Council Members Johnson, Alvarado and Green absent.

Council Member Khan stated that the MWBE Program had to be a collaborative effort with primes and subs to meet goals, etc., and upon questions, Mr. Boehm stated that it was very much implied if you did not bring the goals you were not issued a contract; and Council Member Khan stated that he did not remember any discussion of such policy, it was a voluntary goal and if they had suggestions he would appreciate them. Council Members Johnson, Alvarado and Green absent.

Council Member Garcia stated that there was always room for improvement and he appreciated his help in the process. Council Members Johnson, Alvarado, Green and Berry absent.

Mr. Jeff Nielsen. 4001 Sherwood Lane, Houston, Texas 77092 (713-349-9434) appeared and stated that he was executive director of the Houston Contractors Association and present regarding the MWBE goal changes; that they had legitimate concerns on the ability to obtain the proposed goals, they did not believe the market was there to adequately fill those goals and they would like the good faith effort enforced and that they institute a subcontractor review policy. Council Members Johnson, Alvarado, Green and Berry absent.

Upon questions by Council Member Edwards, Mr. Nielsen stated that his concern was the capacity of the subcontractors; and Council Member Edwards stated that she was told there was flexibility and felt a process needed to be developed to address the issue and maybe a pool could be developed, but they were looking for a good faith effort and she would like a way to quantify that effort. Council Members Johnson, Khan, Alvarado and Green absent.

Upon questions by Council Member Lawrence, Mr. Nielsen stated that the basis for civil construction contracts started at \$1,000,000, that was where the MWBE goals kicked off and about 95% to 99% of the jobs his members did would be \$1,000,000 plus; and Council Member Lawrence stated that she also spoke with Ms. Laws about rating subs as she would like them to be moved up to be prime contractors and felt they could recognize better subs if there was a rating system; that she felt in writing they should have who was registered for what and what their rating was. Council Members Johnson, Holm, Alvarado, Lovell and Green absent.

Mr. Anthony Koosis, Houston, Texas 77407 Grape, Houston, Texas 77036 (713-779-6941) appeared in opposition to Agenda Item 47 and stated that the Houston Center for Independent Living was a 27 year old organization run for and by people with disabilities; that they questioned logic behind the name change of the center and it was not warranted, the center was to provide access to services for those with disabilities and the Metropolitan Multi-Service Center served as the model; that since Parks and Recreation took over pool hours were cut back, land was roped off and snack machines disappeared; that the advisory committee was eliminated and that eliminated community input; and if they were to change the name it should be changed to George Herbert Walker Bush ADA Multi-Service Center as he was a Houstonian and had signed the Disabilities Act in 1990. Council Members Johnson, Khan, Alvarado, Lovell and Green absent.

Upon questions by Council Member Edwards, Mr. Koosis stated that the change of the name limited the scope of programming and the view the public would have; that Multi-Service Center was for a variety of programs in one place and the name Adaptive Recreation Center led

you to believe no service agencies were there; and Council Member Edwards stated that Parks wanted the name because it was internationally known for people who might be coming into the City of Houston; that she would like to have more meetings on this as she felt it was doable, there was a process to name a facility after a person. Council Members Johnson, Khan, Garcia, Alvarado and Lovell absent.

Upon questions by Council Member Berry, Mr. Koosis stated that the multi-service centers throughout Houston provided services to all Houstonians, but the reason they wanted to maintain this was because there was a focus on disability programming within the center, the community based organizations working with people with disabilities and now it would be directed toward recreation and changing the focus. Council Members Lawrence, Johnson, Khan, Holm, Alvarado and Lovell absent.

Ms. Vicki Harris, 6201 Bonhomme #150 S, Houston, Texas 77036 (713-974-4621) appeared in opposition to Agenda Item 47 and stated that she was a former chairperson of the Advisory Committee for the multi-service center and former president of Texans with Disabilities and concurred with all Mr. Koosis said; that the concept of the multi-service center was born out of a community need of an umbrella facility people with disabilities and surrounding community could utilize together and felt the name should be changed to what the center recommended or keep it the same. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Lovell absent.

Council Member Edwards stated that she wanted to affirm that the mission and city's commitment to those with disabilities had not diminished; and upon questions, Ms. Harris stated that she believed the name would dictate the programming of the center and multi-service said it all, but she did believe all understood what ADA was. Council Members Lawrence, Johnson, Holm and Lovell absent.

Mr. Michael Garrett, 7806 Chaseway Drive, Missouri City, Texas 77489 (281-438-9665) appeared in opposition to Agenda Item 47 and stated that the question was often asked, "What's in a name?" and he believed the Metropolitan Multi-Service Center most aptly described the historical mission of the facility; that it met his recreational health and training needs and also served as a strategically located facility for community forums and civic activities and a place for those with disabilities to acquire much information and if the name was to be changed it should be changed in keeping with its historical purpose such as the one suggested by the Houston Center for Independent Living and he did think the proposed name change would change services. Council Members Lawrence, Johnson, Holm, Lovell and Berry absent.

Council Member Edwards stated that it was becoming clearer where the point of dissention was and moved the rules be suspended for the purpose of hearing Mr. Doug Earle with Parks and Recreation Department, seconded by Council Member Khan. All voting aye. Nays none. Council Members Lawrence, Johnson, Holm, Lovell and Berry absent. MOTION 2007-0206 ADOPTED.

Upon questions by Council Member Brown, Mr. Garrett stated that as currently named it was widely recognized for what it was; that the suggested name, after the first President Bush, had significant meaning in that he was the signer of the American's with Disabilities Act; that if people saw it as a recreational facility it lost all identity. Council Members Lawrence, Johnson, Holm, Lovell and Berry absent.

Upon questions by Council Member Edwards, Mr. Earle stated that in April 2005 the Mayor's Commission for People with Disabilities invited Parks to co-host a meeting and many attended and overwhelmingly the feedback was there was not enough programming going on at

the time and that led to decisions for Parks to take over management from the Health Department and that was July 2006; traditionally Health called facilities multi-service centers and Parks called their facilities recreation centers; that this gave Parks the opportunity to serve the whole community and they hired someone respected in the field of disabilities and their primary focus was recreation and wellness for those with disabilities, but it was not exclusively for that and a number of programs were added and they were partnering with 28 agencies who served people with disabilities; that wellness was for healthy lifestyles and they were in the process of creating a committee for the center; and Council Member Edwards stated that in some way she felt they needed to codify the mission of the center in the name some way. Council Members Lawrence, Clutterbuck, Khan, Holm, Lovell and Berry absent.

Mayor White stated that he agreed with the Council Members comments as they did the transition and he knew of Mr. Earle's and the Director's commitment and the sense of mission they felt for the disabled community and would like things done in a timing sequence where they could be tested by their actions and not create concerns, to first earn trust and then find common ground. Council Members Lawrence, Clutterbuck, Khan, Holm and Lovell absent.

Council Member Garcia stated that he too was curious about the change; that there was a lot of concern whether the great services would be leaving; and for the record wanted to question whether any of the services were going away; and Mr. Earle stated none were going away. Council Members Lawrence, Clutterbuck, Holm and Lovell absent.

Mr. Michael Thomas, 1221 Fondren, Houston, Texas 77035 (713-974-4621) appeared in opposition to Agenda Item 47 and stated that he was head of ADAPT, the Houston Chapter for the Disabled and present opposing the name change; that the center helped the disabled in different ways and someone not disabled did not understand what they needed; and multi-service center made sense as it provided services. Council Members Lawrence, Clutterbuck, Holm and Lovell absent.

Mr. Michael Champion, 6 Burrell #528, Houston, Texas 77022 (713-692-2528) appeared in opposition to Agenda Item 47 and stated that he was against the name change as the name let people know what it was for, if it was changed to recreation those with disabilities would not know about the services there. Council Members Lawrence, Clutterbuck, Holm, Lovell, Brown and Green absent.

Mr. George Roberts, 10950 Briar Forest, Houston, Texas 77022 (832-207-9212) appeared in opposition to Agenda Item 47 and stated that he agreed with what Mr. Michael Thomas had said. Council Members Lawrence, Holm, Lovell, Brown and Green absent.

Mrs. Mary Anne Pegelow, 1206 Stanford, Houston, Texas 77019 (13-521-0717) appeared in opposition to Agenda Item 47 and stated that she was a recipient of many services at the Metropolitan Multi-Service Center through the years and had been on the Advisory Board a few years and they were very interested in maintaining it as the center for the benefit of the disabled population; that Human Resources began the center and established an Advisory Board and then all was turned over to the Health Department and many services came; that it was decided Parks had a bigger budget and resources for park activities and it was turned over to them, but they said it would still be a multi-service center and now the tennis court was still wheelchair unfriendly, the basketball field was untouched and the baseball field for the visually impaired had 24 fire ant hills and the swimming pool parking lot was locked; that the Advisory Board was the eyes and ears and if Parks had their Advisory Board then they would have no say so. Council Members Lawrence, Holm, Brown, Green and Berry absent.

Council Member Edwards stated that one suggestion she did intend to make to the department was the Advisory Board be reinstated and she thought there should be some involvement on how the board was made up with those from the community; and upon questions, Mr. Earle stated that nothing was wrong with the pool, the decision to lock the back parking area was so people would check in at the front desk, it was a security issue not a crime issue; and Council Member Edwards stated that she had a list stating there were 32 programs dealing with services still in operation and she would share that list with Ms. Pegelow. Council Members Lawrence, Holm, Brown, Green and Berry absent.

Mr. Bruce Pegelow, 1206 Stanford, Houston, Texas 77019 (713-521-0717) appeared in opposition to Agenda Item 47 and stated that he would implore all Council Members to take a visit to the multi-service center this week; that the disabled wanted consistency, when there was lack of it they were uncomfortable and some traumatized and he would like Council Members to see that most of the time it was an abandoned building irrelevant to 32 functions that may be presented and last week was the first time this year he saw a full parking lot; and urged they go forward with a name for the facility which allowed them adjustment short-term and as Mayor White was concerned with long-term. Council Members Lawrence, Wiseman, Holm, Brown, Green and Berry absent.

Ms. Catherine Nix, 2120 El Paso, Houston, Texas 77054 (713-795-5972) appeared in opposition to Agenda Item 47 and stated that she was a user of the water program at the center for the last 8 to 10 years and regardless of name change, though the proposed name was non-indicative of what they had there, her point was their focus changed and those who used the pool had to walk twice as far now to sign in at the front when they used to sign in at the pool area and she could not understand those changes. Council Members Lawrence, Johnson, Wiseman, Holm, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Mr. Earle stated that at the time there was no committee looking into changes or advising, it was in formation, but the rationale for the sign in at the front was so they would know who was in the facility; and Council Member Khan stated to Mayor White that he would like the department to put together such a committee as quickly as possible and let the user decide in many ways as they were the ones who used the facility; and Mr. Earle stated that he would agree. Council Members Lawrence, Johnson, Wiseman, Holm, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Earle stated that he was not sure about having a sign in at the back and front, but would get back with her. Council Members Lawrence, Johnson, Wiseman, Holm, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan moved that the rules be suspended for the purpose of hearing Mr. Darrell Samuels after Mr. Lex Friedem; and Mayor White stated that if there were no objections then it would be done so by unanimous consent. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado moved the rules by suspended to hear Mr. Steve Christian after Mr. Samuels and replace Mr. Joshua Harris with Ms. Janette Harris, seconded by Council Member Khan; and a vote was not taken as a quorum was not present, but was done by consensus. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Lex Friedem, 3634 North Brasewood, Houston, Texas 77025 (713-666-9482) appeared in opposition to Agenda Item 47, presented information and stated that he was former chairperson of the National Council on Disabilities and worked for the Baylor College of

Medicine; that he would ask the City Secretary copy his material and distribute it to the Mayor and Council Members; that he was as concerned about the process today as he was over the changing name of the Metropolitan Multi-Service Center and appalled to believe when the Parks Department talked about history they talked about 2006 when the center started in the late 1970's when those with disabilities wanted to be a part of the community and went through many months of CDBG Community Development Block Grant Hearings and stood in line waiting to address city officials and after a year got them to make application to the federal government for the building to support services for those with disabilities and they got funding from HUD to do so, the first city in the nation to do so, and he appealed to take action necessary and name it in honor of a Houstonian, George, Herbert Walker Bush and then call it the ADA Multi-Service Center for Advocacy, Services and Recreation for People with Disabilities. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Brown and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that Mr. Friedem was always a voice of education and reason and he and those present today continued to teach Council Members as it was more than just a name change and that could cause anxiety to a number of people and at the heat of it was fear of changing it from a primarily used facility for those who were disabled to others; and thanked them for being present. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Berry absent.

Council Member Edwards stated that she agreed the struggle he was involved in gave him the responsibility to be a part of the process on how it was maintained, one concern was she was not aware there was a meeting where they could discuss this and she was suggesting there be such a meeting before Council discussed it, so the whole process of integrity was addressed and she respected the work and time that went into this and would make recommendations in Council tomorrow to hold a meeting at the facility. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Berry absent.

Council Member Lovell stated that the West Gray Multi-Service Center meant many things to many people, early voting, meetings, etc., and it was evident they needed to hold a meeting at the center and Parks needed to begin to build trust with them. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Berry absent.

Mr. Darrell Samuels, 3406 Endicott Drive, Pearland, Texas 77584 (832-752-8769) appeared and stated that he was president of the National Association of Minority Contractors, Greater Houston Chapter, and present to speak on the affirmative action issue of increasing MWBE goals for the City of Houston; that they agreed and supported the goals but disagreed with those who said they could not find qualified minority contractors to do the work required; that today he was advocating that NAMC was for increase of MWBE participation goals, believed opportunities were there and that the goals should be increased due to the disparity study; that they did request the women participation goals be separated from the minority business participation goals and also they were 50 strong and growing and if the contractors were unaware they would like the city to help introduce them and they would bring their bonding, financing and insurance and capacity to compete. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Berry absent.

Council Member Johnson stated that as they continued to talk about contractors not being able to find qualified subs, etc., he was often in a position where subs said they could not get work; and upon questions, Mr. Samuels stated that they met with both parties and identified where opportunities existed and that they looked at the contract opportunity itself and at the general and sub contractors and matched people equally yoked; that he worked with Ms. Laws in different capacities for the last 16 years and always kept her updated on activities and they

never had a problem in identifying a minority contractor to perform on a contract, their problems were finding a general contractor or major trade subcontractor on a city project who was willing to give their contractors a chance; and Council Member Johnson stated that any way he could be helpful and supportive he would be. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm and Garcia absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Upon questions by Council Member Edwards, Mr. Samuels stated that they were affiliated with the National Association and backed by over 30 corporate partners who did business in the Houston region. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm and Garcia absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Mr. Steve Christian, 2000 Bagby, Houston, Texas 77002 (281-389-7375) appeared and stated that he was a restaurant owner on Washington and recently opened another place in Midtown; that they had open doors and last week were told they had to shut down by the Health Department because the kitchen was not in front; that the only locations he knew of closed were the Midtown locations and when asking about others was told they were grandfathered in and his question was if it was a health or business problem, if health then all should do it and no one be exempt and he could not see why it would be health. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm and Garcia absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Upon questions by Council Member Alvarado, Mr. Christian stated that he was open 11 years on Washington with the open doors and no problems; and Council Member Alvarado stated that she would ask the Administration if this was new because it was the first she heard of it and knew it was all over Houston; that in Midtown they tried to promote an open concept environment; and Kathy Barton was present from Health and she hoped the speakers on the subject would visit with her; and Mr. Christian stated that he was told this was passed in 1978; and Council Member Alvarado stated it was the first time she had heard of this and it was quite disturbing. Mayor White, Council Members Lawrence, Wiseman, Holm and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Council Member Khan stated that outdoor eating was one of the more popular things all around the world and he was amazed it was not being promoted here; and was interested also in knowing about the ordinance. Mayor White, Council Members Lawrence, Wiseman, Holm and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Ms. Jeanette Harris, 217 Gray, Houston, Texas 77002 (713-446-7088) appeared and stated that she was present on the same issue; that the city recognized citizens did like the open air with Reliant and Minute Maid and they promoted it and benefited from it; that the ordinance seemed contradictory that the city would encourage such large events in open air and then fight small family owned businesses; that she would like to know how far the ordinance should go and where did it end and did not think of open patio eating as being hazardous to your health; that they received an A plus rating as it was very clean, but if it was truly a concern and health hazard their sales paled in comparison to the stadiums; and they received stamped approval on their drawings in 1999 when they opened and in 2004 when they added their kitchen and if the ordinance was around since 1978 she would ask why it was not caught; and would ask that the ordinance be suspended until its intent was organized. Mayor White, Council Members Lawrence, Wiseman, Holm and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Upon questions by Council Member Edwards, Ms. Harris stated that they were told to close as it was against Health Code violations as food could not be stored, displayed or

prepared or served in an uncontrolled environment and then all patios should be unsafe; and Council Member Edwards stated what it brought to her mind were the festivals, rodeo, etc. Mayor White, Council Members Lawrence, Wiseman, Holm and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Council Member Alvarado stated that they allowed smoking on patios which was deadly, but you could not eat there and she wanted someone in Health to explain this to her as it made no sense; and asked Ms. Barton to have someone speak to them at the appropriate time. Mayor White, Council Members Lawrence, Wiseman, Holm and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Upon further questions by Council Member Edwards, Ms. Harris stated that when he person issuing citations came by his computer was not operating, but said he would be back this week and then they would have 30 days to close their doors; and Council Member Alvarado stated that this really upset her now, even with the smoking ordinance if someone was caught they were told to put it out and not shut the doors; and she hoped to have an explanation as to why they would have to shut their doors. Mayor White, Council Members Lawrence, Wiseman, Holm and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Ms. Lynnette Tello, 4009 Baden, Houston, Texas 77009 (281-799-8851) appeared, presented the Mayor and Council Members a copy of the letter signed by their group and stated that she had lived in Silverdale the past 42 years and the families there said, "Yes", to the North Corridor light rail transit project; that the project had been inclusive and transparent and because of that they did support the corridor which they had been a part of the process of since 2001; and they supported the Fulton Street route there and the Catherine Street station and looked forward to the transportation the corridor would provide. Mayor White, Council Members Lawrence, Wiseman, Holm, Alvarado and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Council Member Garcia thanked Ms. Tello for coming and stated that she was setting a fine example for her daughter by advocating for them and their neighbors, making sure they had a good transportation system; and they would be engaging workshops for all to understand. Mayor White, Council Members Lawrence, Wiseman, Holm and Alvarado absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding.

Ms. Michelle Denson, 6127 Spring Haven Drive, Humble, Texas 77396 (281-885-7123) appeared and stated that she was president of the Heather Ridge Home Association and present as they had concerns; that they spoke with Mr. Byrd from Council Member Johnson's office and Mr. Archie Henderson, a city inspector, and Mr. Kent McLemore with the Airport System was present, and several things were clarified, but they still had concerns and she would ask if they could come and have it done collectively. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm and Alvarado absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Johnson moved the rules by suspended to hear Mr. Richard Rodriguez Ms. Mary Reynolds, Mr. Earl Chatman, Ms. Felicia Galloway-Hall, Ms. Lisa Seals, Ms. Jocelyn Stokes, Ms. Sandra Bellard and Ms. Linda Brown out of order, seconded by Council Member Green; and a vote was not taken as a quorum was not present, but was done by consensus. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Richard Rodriguez, 6650 Rankin, Humble, Texas 77396 (281-319-4673) appeared and stated that as the pastor of Christian Life Center Church and his concern was with the Houston airport expansion plans, it would make travel safer and more convenient and boost economy, but their concerns dealt with the proposed changes and land management use around the airport property; that their church, school, daycare and neighborhood was within the Airport Master Plan expansion zone and if it prohibited homes from being built it would hurt their income and put them out of business and cause the neighborhood to be less appealing, people would move and property value would drop; and currently a man was clearing land to build a trucking company next to the church, but two years ago they were told an environmental impact study would be done and if necessary their property would be bought and now the study still was not started and he would like the Houston Airport System to buy their property. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Johnson, Pastor Rodriguez stated that they were on 59 and Rankin and he was asking this for his property, but knew the members of the community were concerned as well, they did not want the entrance to their subdivision to be warehouses and trucking companies; that he felt it fair for the city to purchase the property and then if they did not go that direction sell it; and Council Member Johnson stated that Houston was a city with no zoning at all and companies were coming into communities and the argument needed to be fighting for more zoning; and encouraged him to come back and argue for that, but there would be no industrial community going in while residents were there on behalf of the city and airport system, the airport system said when the FAA came in and said they could buy them out then they would and property value would not be impacted because value would only be determined by unaffected communities comparable to where they lived now and their value may even increase. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm and Alvarado absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Mr. Rodriguez stated that they were not involved in the Master Plan process but was told a new map was being made; and Council Member Brown stated that he believed the City of Houston Airport System spent some \$5,000,000 on the master plans and they were quite good, but if they did not have adequate community involvement there was something serious about Council allowing \$5,000,000 to be spent without meaningful community involvement; that Council had authority to create an airport Improvement Zone, some type of airport district to satisfy the area of predictability and no one wanted to think their home or children in school would be uprooted and changed and he felt they had a serious issue and they needed to defend those neighborhoods and he would back Council Member Johnson all the way. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm and Alvarado absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Mary Reynolds, 16806 Vandergriff, Humble, Texas 77396 (281-548-8239) appeared and stated that she had the same concerns and the building of the trucking company was right in her backyard; that she felt safe in her neighborhood now, but if a lot of commercialism came in the neighborhood would go down; and if the airport wanted to buy the property then let them and then the commercialism come in. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm and Alvarado absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that Mr. Richard Fernandez along with Council Member Johnson was present and could meet with them today if they wanted. Mayor White, Council

Members Lawrence, Wiseman, Khan, Holm and Alvarado absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Johnson stated that when the trucking company was brought to their attention they pulled permits and there were no permits for that, he understood the lot was being cleared but no permit; that he would be the first to stand with them, but now there was no zoning and he was against companies coming in and impacting communities and they should stay in contact with his office; that he would be having a meeting with the airport system to address the issues, but they needed to keep him informed. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Earl Chatman, 16714 Stapley Drive, Humble, Texas 77396 (281-548-8239) appeared and stated that he met with Council Member Johnson who answered many questions and he thanked him; that on their street going toward Heather Ridge Community big trucks parked on Rankin and they needed "No Parking" signs. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Felicia Galloway-Hall, 6122 Spring Haven Drive, Humble, Texas 77396 (832-867-8255) appeared, presented letters from other residents to Ms. Vasquez, Citizens Assistance, and stated that she had the same sentiments and Pastor Rodriguez and their neighbors; that they knew there was no zoning, but there was a Planning Department and if they knew the airport would encompass a certain area then why issue permits for new construction when it would cost taxpayers more money to buy them out; that recently a subdivision near the airport was bought out because of noise, \$27,000,000, and some people had to relocate after six months and something should be in place. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she thought there was a process so if a homeowner bought there was a declaration to what would be happening, but she did like the idea of Planning playing a role and maybe advising people of activity within a certain period. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Johnson stated that as it stood now to buy out the neighborhood and then the impact study came back that the runway would not be built there would be a complete waste of taxpayer dollars, right now they were still in a processing stage and it was important to meet with the airport system and more stakeholders be brought to the table; that he agreed better planning should be in place, but how would they stop permits he did not know, but would let the airport system make that distinction; that he would call a meeting at a later date; and called on Mr. Fernandez with the airport system to come to the Council table and provide information. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Johnson, Mr. Fernandez stated that they were waiting for the FAA to approve the go ahead for the economic impact study; that the master plan was approved and they knew where they wanted to go as an airport system, but were waiting on the FAA who would actually conduct the study and after that they would choose a consultant to move forward with the EIS process and that took approximately three years, but what was good

was the process allowed much community involvement and feedback as to what would happen in the area; that when they said yes go ahead with the runway expansion they could move forward with conversations on the purchase of property; that the master plan she held was the correct one, he understood it had minor changes but had nothing to do with the periphery of the airport; that he would like to hold another meeting, perhaps at the church. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Lisa Seals, 6402 Star Lake Drive, Humble, Texas 77396 (832-452-5472) appeared and stated that she lived in Heather Ridge 14 ½ years and wanted to retire there, but her life was on hold; and upon questions, Mr. Fernandez stated that the master plan was set, but as for the EIS process they would start when the FAA gave the go ahead, but there would be many opportunities for the community to be involved in discussions. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Jocelyn Stokes, 16806 Highmore Drive, Humble, Texas 77396 (832-331-3501) appeared and stated that she was also a resident of Heather Ridge and had great concern over property value, airport buyout and growing businesses in the community; that they saw on their last tax statements property value had stayed the same or gone down and when they tried to sell property could not go as it did in surrounding areas and they felt it was the airport which caused this. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Johnson stated in regards to the property value, if the airport system came in and bought property it would not be determined by what was on the Harris County log or values of her neighborhood, it would be determined by the unaffected communities comparable to their neighborhood; and regarding the property value not increasing that meant their taxes were not going up; and the money to buy the property was coming from a federal grant and the city did not have the money to purchase at this time, they were waiting on the FAA. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Green, Ms. Stokes stated that they had not been in contact with the Harris County Appraisal District, it was a blessing to not have property value go up to pay taxes, but with the airport system anticipating buying them out some of them would like to go on and move and that stopped them from selling as they would not get enough money; that there were homes for sell, but the owner would finally rent and then when the renters moved they would try and sell again; that only one person bought recently and that house had been bought and sold two times in the last two years. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Sandra Bellard, 16914 Vandergrift, Humble, Texas 77396 (281-732-7602) stated that she lived in Heather Ridge 20 years and very concerned about her property value; that she had a farm which her husband lived on and she wanted to retire and move, but could not sell right now as she could not get enough for her house. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Linda Brown, 16910 Vandergrift, Humble, Texas 77396 (281-543-2843) appeared and stated that she felt it was in the best interest of Heather Ridge residents, the airport master plan and City of Houston to expedite airport plans; that Proposition G was for money to be used in improving airports, water and sewer and it passed and she thought it would speed up the process; that regarding semi trucks parking on Rankin for over two hours she could not get help with and was concerned about the new trucking company coming in; and she would like a buyout of their neighborhood and signs placed for 2 hour limit parking and for the dead-end street. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Johnson stated that he would get Neighborhood Protection to go out and address some of the issues regarding streets being blocked by trucks; that they should call 311, but it did take more than one call and he was glad so many came with their concerns; that Mr. Byrd was present and would work with her on intersections for signs and see how to get the trucks moving; and Ms. Brown stated that she did call 311 and got no where and that was why they were present; and Council Member Johnson stated that he received no calls from them and was happy they came. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Joseph Ballard, 6302 Rocky Nook, Humble, Texas 77396 (281-850-0388) appeared and stated that they had quite a few houses in the neighborhood empty, a lot of good neighbors moving because they did not know what was going on with the airport and others people were coming in that kept property poor and they had to deal with it, there were also trucks coming into the neighborhood and turning around and destroying the curbs and medians and they had many issues needing to be addressed; that they wanted their community to stay nice and they had been in limbo a longtime and needed answers soon. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Johnson thanked Mr. Ballard for coming to Council and stated that the community still deserved services they were paying taxes for such as police protection and neighborhood protection and if they had deed restrictions being broken and trucks coming that should not be there they needed to be cited and they should keep him informed so people could get out there and keep them the quality of life they have had; that he knew they were in limbo and people were moving out, but they should receive their services; and Mr. Ballard stated that they spent their home association money correcting what was torn up and he appreciated what he said. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Ashley Burlison, Post Office Box 8922, Houston, Texas (713-861-9717 cell 713-201-7399) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Robert Wallace, 315 Victoria Drive, Houston, Texas 77022 (713-694-4701) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mrs. Donishea Wallace, 315 Victoria Drive, Houston, Texas 77022 (713-694-4701) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Patrick McIlvain, 221 Knox, Houston, Texas 77007 (832-894-9584) appeared and stated that last Tuesday he waited 2 hours and 45 minutes and asked to be carried over to today and did not understand why after 3 hours he was just being called; and Council Member Edwards stated that she did realize that happened and understood it was so all Council Members would be present when he spoke, but through Council Member's privilege others were moved up in front of him and she was sorry and did apologize; and Mr. McIlvain stated that he did wish he was present for other reasons, but after 2 articles in the Houston Chronicle it was more imperative he speak; that Darrell Dwayne Kelley was tasered 7 times in 20 minutes, to death, by Harris County Sheriff's Department as medical staff was present and he had a well documented history of mental illness yet he was not assigned a mental health bed because jail inmate classification personnel concluded he was emotionally stable with no indications of mental illness and from his personal experience and knowledge of mental health they were always mentally challenged; that jail medical staff did prescribe medication which was for a psychotic issue and the Harris County Examiners Office ruled his death natural as a result of psychotic delirium and he was aware that psychotic delirium was not natural and that mental illness was caused by chemical imbalance which also was not a natural awareness; that there was a statement in the paper Medicaid stopped payment of inpatient psychiatric care at stand alone hospitals and Harris County just lost 85 beds; that parents of Omar Esparza and Rookie Williams called 911 when their sons each had mental episodes as they did not know who else to call and Mr. Esparza was murdered and Mr. Williams wounded and he wondered if a variance could be granted to the CIP Program that the first call go to a trained licensed professional and then that person call CIT officers; that Officer Webb in charge of the CIT Program was proud his officers got training and he indicated it would soon go up to 40 hours training which was well above national average and because of that was wondering if his trained mental health professionals could not also be on the scene to help stand-down the situation; that Chief Hurtt claimed officers did nothing wrong in the murder of Esparza and he said if you killed someone something was not done right; that he was fortunate most Council Members knew him and knew he was someone who got things done; that he tried dealing with their staff members and when those staff members moved it became difficult for him and the new folks did not give him the respect he deserved and he did not get return phone calls. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Edwards thanked Mr. McIlvain for his comments and suggested he put his suggestions in writing and submit them to Mayor White's office for consideration; and Mr. McIlvain thanked her for the suggestion. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, No address (No phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Delores Willis, 3702 Griggs, Houston, Texas 77021 (713-747-1534) had reserved time to speak but was not present when her name was called. Mayor White, Council Members

Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Kathy Matthews, 6915 Cape Ford Drive, Houston, Texas 77083 (281-933-3334) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Lisa Steptoe, 8303 Hoffman, Houston, Texas 77016 (713-824-4754) appeared and stated that she was in support of housing projects and development going on, but had concerns that the community was not being notified when properties were going for sale when they may want to buy the property themselves; that she grew up in Trinity Gardens and owned a piece of property to build on and was just informed the adjacent piece of property to her area was going up for sale when she had been checking on it, she was informed LARA was taking it over and it was an affordable home property which she did not qualify for and as an adjacent property owner she would like Council to consider provisions which would notify adjacent homeowners of potential lots for sale and would like ways to track property which was for sale but did not; that she and her family had taken care of the property, but now people came and said they could not clean property owned by the city. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that they should not have to clean property owned by the City of Houston and would like to know where it was; that the law firm had no obligation to notify anyone about being foreclosed except the property owner, but citizens could access the information on a regular basis; that Housing Meetings were held on a monthly basis and LARA Meetings and they were open to the public and most were televised and she also believed the foreclosure list was public record; that she did not think it reasonable a law firm would notify all adjacent property owners of a lot for sale, but thought homeowners could have a timely notice of which properties were for sale and either her District Council Member, her office or the Housing Committee or Housing Department could give her the public access medians so she could review what happened in her area. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Green stated that she may still have an opportunity because he thought LARA would like to give first preference to the adjacent property owners so they also needed to connect her with LARA and someone from his or Council Member Edwards's office would contact her; and Council Member Edwards stated that they had talked of sweat equity but she was not sure if the policy was developed but thought she would be welcomed into the LARA conversations. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Nancy Wilcox, 1515 W. 21st, Houston, Texas 77008 (713-869-8412) appeared and stated that she was present to speak on Chapter 19, Section 43; that she lived in Shady Acres and it had never flooded, but they were included in the floodway at this point and the ordinance precluded any development in the area and though she was grateful the city was paying attention to flooding the ordinance as written would restrict economic development in the area, strangle the neighborhood and they would be developing slums along every bayou in the city because of those restrictions; that she was told her property value may drop as much as 90% and it was her only asset; that this was causing major financial hardship for every floodway area

in the City of Houston and there were other ways to manage flooding which were compassionate and supportive regulations; that Harris County Flood Control admitted openly that the data they were using for the demarcation of floodway and floodplains was wrong so the City of Houston was enforcing an ordinance on bad data. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she was chairperson for Flooding and Drainage Committee for almost 4 years now and they had met with stakeholders in the community on Chapter 9 for 2 years and had meetings and was a very diverse group; that some wanted zero tolerance in floodplains and others wanted what she spoke of and they had to strike a balance which was predicated on the best value for the individual citizen and homeowner and the work from this group brought Houston into one of the best cities for having flood rates in compliance with flood insurance, etc., and she remembered speaking with her and people from flooding in Public Works had agreed to meet with her and discuss her particular concerns; and upon questions, Ms. Wilcox stated that she met with Council Member Garcia and Mr. Andy Icken and would love to meet with her; and Council Member Edwards stated that they felt they did the best for the most and would meet with Mr. Icken and see what went on; and Ms. Wilcox stated that they would like compensation because as a result of the ordinance they were told they could anticipate a 90% drop; and Council Member Edwards stated that they were never informed they were making a plan on bad data and she found that very disconcerting if it were true; and she would like to take her statement to Harris County and have them validate her statement it was bad data and then they would have something to move on. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Edwards asked that Mr. Norman help her find out where they could verify the Harris County allegation. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Birgit Green, 1532 W. 21st, Houston, Texas 77008 (832-647-3047) appeared and stated that she also lived in Shady Acres and did not want to say the same as Ms. Wilcox, but they had just built a house last year and they were shocked to find they would now lose the value of their investment and if all their properties went down the drain with the bayou then the city would lose tax money and it should be worked out and they should be protected; that they came to Houston from new Orleans because of Katrina and coming was special but it was now a nightmare and she was asking for help for all who lived in Shady Acres and Timber Grove. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that again she was not sure where they were getting the interpretation of Chapter 9, it tried to help properties there and she would encourage them both to come to a meeting and let them go through their concerns and maybe they would come to a different conclusion. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr/Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and

Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Joshua Harris, 217 Gray, Houston, Texas 77002 (713-446-7088) was previously substituted by Ms. Jeanette Harris. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Sintaye Wondimu, 5909 Fondren, Houston, Texas 77036 (281-650-61475) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Ms. Paula Harris, 5801 North Houston Rosslyn, Houston, Texas 77091 (no phone) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the official President of the United States; and he continued to express his personal opinion until his time expired. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Stephen A. Hester, Jr., 6201 Bonhomme, Houston, Texas 77036 (713-974-4621) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared and stated that he was president of the Houston Property Rights Association and present to speak against the proposed change to the historic preservation ordinance which would remove the 90 day waver from the Sixth Ward Historic District; that his organization fought for the ordinance in 1995 and when they took such steps they violated the individual's property rights and made it difficult to realize the full value of their property; and the few advocating the change were a handful who had an opinion of how the area had benefited and how the quality of life improved, but others thought differently and Council should not take sides. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

At 5:38 p.m. City Council recessed until 9:00 a.m., Wednesday, February 28, 2007. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Brown and Lovell absent. Acting Mayor Pro Tem Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, February 28, 2007

The Houston City Council reconvened at 9:00 a.m. Wednesday, February 28, 2007, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

Note: Council Member At Large Position 3 vacant.

At 8:19 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:17 a.m. Mayor White called the meeting to order and recognized Council Member Holm for a point of personal privilege. Council Members Johnson, Garcia, Alvarado and Berry absent.

Council Member Holm stated that they had a group from the Houston Area Realtors Association present and asked that they stand and be recognized. Council Members Johnson, Garcia, Alvarado and Berry absent.

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County and Fort Bend County, and, with the exception of item (a), on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts and certain territory in the vicinity of certain Districts:
 - a. Amending the existing strategic partnership agreement with **Chelford City Municipal Utility District;**
 - b. Amending the existing strategic partnership agreement with **Horsepen Bayou Municipal Utility District;**
 - c. Amending the existing strategic partnership agreement with **North Forest Municipal Utility District;**
 - d. Amending the existing strategic partnership agreement with **Northwest Park Municipal Utility District;**
 - e. **Bridgestone Municipal Utility;**
 - f. **Fort Bend County Municipal Utility District No. 119;**
 - g. **Harris County Municipal Utility District No. 33;**
 - h. **Harris County Municipal Utility District No. 53;**
 - i. **Harris County Municipal Utility District No. 55;**
 - j. **Harris County Municipal Utility District No. 154;**
 - k. **Harris County Municipal Utility District No. 165;**
 - l. **Harris County Municipal Utility District No. 179;**
 - m. **Harris County Municipal Utility District No. 185;**
 - n. **Harris County Municipal Utility District No. 188;**
 - o. **Harris County Municipal Utility District No. 189;**
 - p. **Harris County Municipal Utility District No. 222;**
 - q. **Harris County Municipal Utility District No. 264;**
 - r. **Harris County Municipal Utility District No. 286;**
 - s. **Harris County Municipal Utility District No. 322;**
 - t. **Harris County Municipal Utility District No. 358;**
 - u. **Harris County Municipal Utility District No. 365;**
 - v. **Harris County Municipal Utility District No. 368;**
 - w. **Harris County Municipal Utility District No. 397;**

- x. **Harris County Municipal Utility District No. 468;**
- y. **Morton Road Municipal Utility District;**
- z. **Northwest Harris County Municipal Utility District No. 9;**
- aa. **Sagemeadow Utility District;**
- bb. **Timber Lane Utility District;**
- cc. **West Harris County Municipal Utility District No. 6;**
- dd. **White Oak Bend Municipal Utility District;**
- ee. **Harris County Water Control and Improvement District No. 119**

The City Secretary stated that the hearing was on proposals for the City to enter into separate Strategic Partnership Agreements with the Municipal Utility Districts listed on the agenda and on separate proposals to annex for limited purposes certain territory within the district or the area of the district, that no one had reserved time to appear and Ms. Margaret Wallace would make remarks.

Ms. Wallace stated that for the district listed as Item a on the agenda, **Chelford City Municipal Utility District**, the City would amend an existing agreement by adding the service of enforcing the fireworks ban to the area included in the original territory, there was not additional district territory to be included nor is there any additional territory outside of the MUD to be included, the area was entirely commercial, there were no residents, the City would levy a one percent sales tax which it would divide evenly with the utility district, besides the fireworks ban the City would not provide any other services, for the districts listed as items b and c on the agenda, **Horsepen Bayou Municipal Utility District** and **North Forest Municipal Utility District**, the City would amend existing agreements by adding new territory, there was territory outside of the MUD to be included in the annexation, the area was entirely commercial there were no residents, the City would levy a one percent sales tax which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed, it would not provide any other services, that for the district listed as Item d on the agenda, **Northwest Park Municipal Utility District**, the City would amend an existing agreement by adding new territory, there was territory outside the MUD to be included in the annexation, the area was entirely commercial and there were no residents, the City would levy a one percent sales tax which it would divide evenly with the district, the City did not currently enforce the fireworks ban in the agreement nor would it enforce the ban in the new territory, it would not provide any other public services, for the districts listed as Items e through dd on the agenda,

- e. **Bridgestone Municipal Utility;**
- f. **Fort Bend County Municipal Utility District No. 119;**
- g. **Harris County Municipal Utility District No. 33;**
- h. **Harris County Municipal Utility District No. 53;**
- i. **Harris County Municipal Utility District No. 55;**
- j. **Harris County Municipal Utility District No. 154;**
- k. **Harris County Municipal Utility District No. 165;**
- l. **Harris County Municipal Utility District No. 179;**
- m. **Harris County Municipal Utility District No. 185;**
- n. **Harris County Municipal Utility District No. 188;**
- o. **Harris County Municipal Utility District No. 189;**
- p. **Harris County Municipal Utility District No. 222;**
- q. **Harris County Municipal Utility District No. 264;**
- r. **Harris County Municipal Utility District No. 286;**
- s. **Harris County Municipal Utility District No. 322;**
- t. **Harris County Municipal Utility District No. 358;**
- u. **Harris County Municipal Utility District No. 365;**
- v. **Harris County Municipal Utility District No. 368;**
- w. **Harris County Municipal Utility District No. 397;**

- x. **Harris County Municipal Utility District No. 468;**
- y. **Morton Road Municipal Utility District;**
- z. **Northwest Harris County Municipal Utility District No. 9;**
- aa. **Sagemeadow Utility District;**
- bb. **Timber Lane Utility District;**
- cc. **West Harris County Municipal Utility District No. 6;**
- dd. **White Oak Bend Municipal Utility District;**

the City would enforce a new strategic partnership agreement, there was territory outside of the MUD to be included in the annexation, the area was entirely commercial, there were no residents, the City would levy a one percent sales tax which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed and would not provide any other public services; for the district listed as Item ee, **Harris County Water Control and Improvement District No. 119**, the City would execute a new Strategic Partnership Agreement, there was territory outside of the MUD to be included in this annexation, the area was entirely commercial, there were no residents, the City would levy a one percent sales tax, which it would divide evenly with the utility district, the City would not enforce the fireworks ban in the area to be annexed nor would it provide any other public services, and that concluded her comments. Council Members Lovell and Berry absent.

Council Member Khan moved to close the public hearing, seconded by Council Member Green. All voting aye. Nays none. Council Members Lovell and Berry absent. MOTION 2007-0207 ADOPTED.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 45

MISCELLANEOUS - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice in the amount of \$30,701.00 from the **NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES (NACWA)** for 2007 Membership Dues - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Lovell and Berry absent. MOTION 2007-0208 ADOPTED.

ACCEPT WORK - NUMBERS 6 and 8

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$707,455.34 and acceptance of work on contract with **UTILITY & ENVIRONMENTAL SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS R-000266-00C5-4 - 00.32% over the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0209 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,455,138.64 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Rehabilitation of Air Release Valves Package No. 1 and 42/36-inch Water Line along Federal, IH-10 East Frwy, IH-610 N. Loop E., Eastland, Rand and Kelly from East Water Purification Plant to Hirsch, WBS S-000701-0002-4 - 37.65% under the original contract amount - **DISTRICTS B - JOHNSON; E -**

WISEMAN and I - ALVARADO – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0210 ADOPTED.

PROPERTY - NUMBERS 9 and 10

9. RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sealed bid sale of the following properties:
Parcel SY7-002 - 1702 block of Bingle Road at Curling - **DISTRICT A - LAWRENCE**
Parcel SY7-040 - 1109 Antoine Drive - **DISTRICT A - LAWRENCE**
Parcel SY7-043 - 8200 block Parkhurst Drive - **DISTRICT B - JOHNSON**
and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder - **INDEPENDENT APPRAISERS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0211 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Darrell L. Kaderka, CivilTech Engineering, Inc., on behalf of Harris County Flood Control District (HCFCD), for abandonment of a portion of Arncliffe Drive, from Streamside Drive west ±350 feet, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14, Parcels SY6-098 and AY7-256 **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0212 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 17 through 24

17. **ALLIANCE MEDICAL, INC** for EMS Medical Supply Bags for Fire Department - \$328,973.40 General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0213 ADOPTED.
18. **THERMO FISHER SCIENTIFIC d/b/a FISHER SAFETY** for Auto-Injectors of Nerve Agent Antidote through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Fire Department - \$137,449.50 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0214 ADOPTED.
19. **SANOFI PASTEUR, INC** for Yellow Fever Vaccine from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Health & Human Services Department - \$21,027.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0215 ADOPTED.
20. **THERMO FISHER SCIENTIFIC d/b/a FISHER SAFETY** for Radiation Detection Devices and Trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Office of Emergency Management - \$219,875.52 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0216 ADOPTED.

21. **ADS, INC** for Long Range Acoustic Device (LRAD) from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Police Department - \$32,100.00 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0217 ADOPTED.
22. **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** for Patrol Vehicles for Police and Fire Departments - \$4,276,877.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0218 ADOPTED.
23. **DALLAS DODGE CHRYSLER JEEP** for Patrol Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Police Department \$224,340.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0219 ADOPTED.
24. **AMEND MOTION #2004-836, 7/14/04, TO EXTEND** expiration date from July 14, 2007 to July 13, 2009, for Automotive, Ford Motor Car/Light Truck Replacement Parts & Repair Services for Various Departments, awarded to **TOMMIE VAUGHN MOTORS, INC** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0220 ADOPTED.

ORDINANCES - NUMBERS 28 through 45

28. ORDINANCE consenting to the addition of 80.94 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 287**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0258 ADOPTED.
29. ORDINANCE establishing the north and south sides of the 3300 block of Palm Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0259 ADOPTED.
30. ORDINANCE approving and authorizing first amendment to Lease Agreement between **CULLEN 500 JEFFERSON CO., L.P. A DELAWARE LIMITED PARTNERSHIP, as Landlord (“LANDLORD”)**, and the City of Houston, Texas, as tenant (the “City”), increasing the amount of square footage of the leased premises, further extending the term of the lease, establishing an additional monthly rental for the additional space and providing for the landlord's build-out of the additional space for use by the City of Houston Fire Department - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0260 ADOPTED.
33. ORDINANCE approving and authorizing contract between the City of Houston and **A CARING SAFE PLACE, INC** to provide \$384,855.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds to cover supportive services and the administration and operation of a Community Residence located at 1804 Carr Street - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0261 ADOPTED.

34. ORDINANCE relating to the fiscal affairs of the Fourth Ward Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving the Fiscal Year 2007 Operating Budget for the Authority - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE CARRIED. (Note: Item No. 34 was reconsidered later in the meeting, see ORDINANCE 2007-0270)
36. ORDINANCE awarding contract to **STRUCTURAL TECHNOLOGY, INC** for Aerial and Ground Ladder Inspection and Testing Services for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$270,756.00 - General Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0262 ADOPTED.
38. ORDINANCE finding no special benefit to the abutting owner of properties described as parts of Lot 3 and 4 of the G. A. Maack, Unrecorded Subdivision of Lot 25, of Little York Annex, and authorizing a refund for certain assessment liens and apparent liens created by Ordinance No. 82-1337, passed August 25, 1982, for the initiation of a paving project for the permanent improvement of a portion of West Montgomery Road in the City of Houston, Texas - \$2,435.70 General Fund - **DISTRICTS B - JOHNSON and H - GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0263 ADOPTED.
39. ORDINANCE finding no special benefit to the abutting owner of properties described as Lots Nine (9), Ten (10), Eleven (11), and Twelve (12), Block 29, Highland Heights Annex Number Six (6) and authorizing a refund for certain apparent assessment liens created by Ordinance No. 82-1337, passed August 25, 1982, for the initiation of a paving project for the permanent improvement of a portion of West Montgomery Road in the City of Houston - \$15,556.80 - General Fund - **DISTRICTS B - JOHNSON and H - GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0264 ADOPTED.
40. ORDINANCE appropriating \$341,914.00 out of Water & Sewer Consolidated Construction Fund and \$222,000.00 from Drainage Improvement Commercial Paper Series F Fund and approving and authorizing an Interlocal Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Bayou Oaks at West Orem Subdivision (WBS S-000800-00L9-4, R-000800-00L9-4, M-000800-00I6-4) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0265 ADOPTED.
41. ORDINANCE appropriating \$330,448.00 out of Water & Sewer Consolidated Construction Fund and \$210,000.00 from Drainage Improvement Commercial Paper Series F Fund and approving and authorizing an Interlocal Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Bayou Oaks at West Orem Subdivision (WBS S-000800-00L8-4, R-000800-00L8-4, M-000800-00I5-4) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0266 ADOPTED.
42. ORDINANCE appropriating \$250,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 4030 and approving and authorizing Professional Engineering Services Contract between the City of Houston and **R. G. MILLER ENGINEERS, INC** for Design of Local Drainage Improvement Projects (WBS M-000126-0057-3); providing

funding for contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund No. 4030 – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0267 ADOPTED.

43. ORDINANCE appropriating \$387,670.00 out of Street & Bridge Consolidated Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC** for Design of Ella (Wheatley) Boulevard Paving from Little York to W. Gulf Bank (WBS N-000533-0002-3); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0268 ADOPTED.
45. ORDINANCE appropriating \$1,335,354.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KALLURI GROUP, INC** for Design of Water Pumping Station Upgrades at Sims Bayou, Acres Homes, Willow Chase, Bellaire Braes, Brookfield, D111-2 and Jersey Village (WBS S-001000-0027-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS and F - KHAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0269 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item Numbers 47, 31 and 34 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0221 ADOPTED.

47. RECOMMENDATION from Director Parks & Recreation to change the name of Metropolitan Multi-Service Center located at 1475 West Gray to **WEST GRAY ADAPTIVE RECREATION CENTER - DISTRICT D – EDWARDS – (This was Item 1 on Agenda of February 14, 2007, POSTPONED BY MOTION #2007-154)** - was presented. Council Member Berry absent.

Council Member Edwards stated that in consideration of several concerns on the item she moved to refer Item No. 47 back to the administration and have the Parks and Recreation Department meet with the community regarding the item, seconded by Council Member Khan. Mayor White stated that they supported the motion. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0222 ADOPTED.

31. ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and **AVENUE COMMUNITY DEVELOPMENT CORPORATION - DISTRICT H – GARCIA** - was presented, and tagged by Council Members Edwards and Wiseman.

Council Member Alvarado stated that her office failed to square Item No. 34 and she had an amendment to the item and moved to suspend the rules for the purpose of reconsideration of the vote on Item No. 34, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2007-0223 ADOPTED.

34. ORDINANCE relating to the fiscal affairs of the Fourth Ward Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving the Fiscal Year 2007 Operating Budget for the Authority - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented.

Council Member Alvarado stated that she wanted to thank her colleagues for their cooperation on Item No. 34, that the item was pertaining to the Fourth Ward TIRZ and she had an amendment that she had passed out as follows:

Motion by Council Member Alvarado:

"I move to amend item #34 on the February 28, 2007b agenda, to earmark TIRZ Number Fourteen's FY07 "Municipal Services – Public Safety" payment in the amount of \$300,000 to be used specifically for public safety in the Fourth Ward Zone and it's immediately surrounding area."

Mayor White stated that they supported the amendment which was consistent with what their intention was with respect to those funds which they discussed at some length with HPD and those responsible, Mr. Mesa and Mr. Fiederlein in particular.

A vote was called on Council Member Alvarado motion to amend Item No. 34. All voting aye. Nays none. MOTION 2007-0224 ADOPTED.

A vote was called on Item No. 34 as amended. All voting aye. Nays none. ORDINANCE 2007-0270 ADOPTED.

Council Member Garcia moved to suspend the rules to consider Item No. 27 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0225 ADOPTED.

27. ORDINANCE establishing Minority Business Enterprise, Women Business Enterprise and Small Business Enterprise Goals for Non-Aviation City Construction Projects; containing other provisions relating to the foregoing subject; providing for severability – was presented, and tagged by Council Members Wiseman, Lawrence, Holm, Khan, Green and Clutterbuck.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS** also known as **FOURTH WARD**:

- Position Three - **MS. ANGELA SCRANAGE**, reappointment, for a term to expire 6/8/2007
- Position Five - **MS. JACQUELINE BOSTIC**, appointment, for a term to expire 6/8/2007
- Position Six - **MR. OMAR C. REID**, appointment, for a term to expire 6/8/2008 and to serve as Chair for a term to expire 12/31/2007
- Position Seven - **MR. FELIX CISNEROS**, reappointment, for a term to expire 6/8/2008

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0226 ADOPTED.

Mayor White stated that service on this board gave volunteer activity a whole different meaning and dimension in the City.

Council Member Green moved to suspend the rules to consider Item No. 54 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0227 ADOPTED.

54. ORDINANCE relating to the private financing and management of a Citywide Wireless Network for Houston; approving and authorizing a term sheet between the City and **EARTHLINK, INC.** pertaining to a Definitive Agreement – **(This was Item 36 on Agenda of February 21, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Green offered the following written motion to amend Item No. 54:

"I move to amend Section 15 (a), (b) and (c) of the Wireless Broadband Network Services Term Sheet by adding the following language:

- 15) Assignment. Network Operator may assign the Agreement subject to the provisions outlined below.
- a) Network Operator may assign this Agreement pursuant to the sale of all or substantially all of the assets or stock of Network Operator (or managing Division of Network Operator) without the consent of the ~~Mayor~~ City Council.
 - b) The Network Operator must obtain prior written consent of the City Council ~~Mayor~~ to the extent Network Operator is assigning the Agreement pursuant to the sale of the Network to an unaffiliated third party.
 - c) Network Operator shall provide the assignment agreement to the City Council and the ~~Mayor~~ City Council shall have a reasonable period of time, not to exceed thirty (30) business days, to consent to such transaction, such consent shall not be unreasonable withheld.

Council Member Green stated that in the original term sheet the assignment must be approved by the Mayor and with all due respect to the Mayor he thought the assignment should be done by the City Council, or with City Council approval.

Mayor White stated that they supported the amendment.

A vote was called on the motion to amend Item No. 54. All voting aye. Nays none. MOTION 2007-0228 ADOPTED.

Upon discussion by Council Members, Mayor White stated that it took a team, Richard, Janice Jefferson, Mike Barlotto hung in there, but there was another member of the team that they were so pleased to have and was present in the audience, that it would allow a source of funding to bridge the digital divide and he wanted to introduce with someone who would be visiting with the Council Members and who was unique in her experience within the community for seven years bridging the digital divide, training over 10,000 people, most students and young people, and asked Ms. Nicole Robinson to stand and be recognized, that she was the Digital Inclusion Project Director for the City of Houston and would be visiting with Members of the Council to see how they could work it out.

After further discussion by Council Members, Council Member Wiseman stated that in looking at the term sheet she had some great concerns, that in the term sheet it was very clearly stated that the City would invest a minimum of \$500,000 annually on it, that the term sheet did not identify a maximum and that was a concern that she had, so how could she make the determination that it was financially a sound decision for their constituents or the City if she did not know what the maximum was going to be, that she asked how many mobile devices and she did not have an answer as far as how many, one was not given to her, how many routers were they going to purchase, again she was not given any kind of an answer, that she wanted

to know where the deal really was and she did not know where the deal was, what kind of savings they had if she did not have a number to go by and it was because of that that she could not support it.

Mayor White stated that the answer was that unlike other cities which on a per capita basis had a minimum purchase requirement by a city, much higher than this, they calculated what the sort of minimum number they thought they would need and whatever amount that they would use in the future would be part of the annual budget of the City to be reviewed and approved by the Council such as the bills that they pay for AT&T or to Verizon or the other telecom carriers within the IT budget of the City, they would do it based on a competitive basis that was why it was not addressed in the agreement, because they would want Council Members and the administration and professionals to evaluate it year by year.

Upon further discussion and questions by Council Members, Mayor White stated that the very first job that Ms. Robinson would undertake was to work with various stakeholder groups and those people who had been working for years on end in programs in individual schools and the SHAPE Center and others that she had worked with and that others had worked with to have a stakeholder group to have a strategy and that strategy would be in the first two years EarthLink would become a necessary partner within that overall strategy and thereafter the stream of revenues would be an annual budget item for the City of Houston and there could be Council Member hearings and they would have a stakeholder group and that would be her first part in formulating and there would be reports back to Council committees as to the issue that Council Member Wiseman raised there were some issues that they did not address because the City Council had to review and monitor through a committee process in this administration and future administrations so that they would get the input of Council Members and the public transparency of decisions made around the table, that he hoped they could do something that was more formal rather than less formal with more regularly scheduled meetings rather than less but they had communicated that sort of vision with Ms. Robinson, there had been some things put on paper but the important thing was and that he had been trying to push towards was that he would like the stakeholders group to in part decide some of their processes and procedures for making representation, that they would give the stakeholders the budget numbers and the goal, to bridge the digital divide, but they would expect them to help formulate a plan.

After further discussion, Council Member Lovell stated that she wanted checks and balances and progress reports, who the stakeholders were and what their plan of action was to get it to the people who did not have access to it and that they hold them accountable.

After further discussion by Council Members, Council Member Edwards stated that her one challenge to the City was that the City and City Council stay in control of the dollars and that dollars would not just be handed out to groups that did not have a proven record of working and developing a finished product in the community.

After further discussion by Council Members, Council Member Berry stated that he had heard from a number of constituents with regard to where they were getting the money for this and while it was true that some taxpayer funded time was spent reviewing contracts, vetting vendors, doing background research, the number they could not really know was because nobody had done this but the rough estimate on what it was going to cost were not taxpayer dollars, so for those who tell the story he hoped they could make that point very clear that it was not taxpayer dollars that were paying for the installation of the equipment, it was the case if during the process EarthLink was unable to deliver, and again it had never been done before, they were in un-chartered waters, that it was going to be the City's equipment and the main thing was that the installation occur, but those were private dollars that had been attracted from

a company outside of Houston into Houston that would be spent establishing and erecting an infrastructure that everybody would be able to use if they paid for it, the Mayor's term and a term that they would use in investment banking dollars and any other realm was leverage, the City used a position they had of special franchise relationship with CenterPoint Energy and the position as the Municipal Regulatory Authority to leverage those things and cobble together one company to make it happen, but he thought it was very important for people to understand that it was not taxpayer dollars that was paying for it, they were private sector dollars that were being guided by the local regulatory authority.

After further discussion a roll call vote was called on Item No. 54

ROLL CALL VOTE:

Mayor White voting aye	Council Member Garcia voting aye
Council Member Lawrence voting aye	Council Member Alvarado voting aye
Council Member Johnson voting aye	Council Member Brown voting aye
Council Member Clutterbuck voting aye	Council Member Lovell voting aye
Council Member Edwards voting aye	Council Member Green voting aye
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Khan voting aye	ORDINANCE 2007-0271 ADOPTED AS
Council Member Holm voting aye	AMENDED

Mayor White stated that there was a consortium of companies and local leadership convergent, that he wanted to say before and after the decision was made and in large part because of an individual, Mr. Don Jordan, by their interest and partnership which was vigorous in the process allowed the City to have a better deal, and he would also say with respect to Mr. Jordan that it was one of the most refreshing and forthright conversations that he ever had with an unsuccessful bidder who expended a lot of money, who understood the rule in advance that they were going to run the City and a public interest in a businesslike basis creating a competitive situation and that there could be only one winner in a procurement.

3. RECOMMENDATION from Director Building Services Department for approval to delegate authority to the Director Building Services Department to determine which alternative project delivery method for construction projects provides the best value for the City – was presented, and tagged by Council Members Wiseman, Johnson and Green.

After discussion by Council Members, Council Member Garcia asked if there was a way to systemically standardize the processes if some yield better results than others and Mayor White stated that was a point well taken; and Council Member Khan asked what would be the criteria of projects falling into this category, would every project be looked at as to which method would be used or were there only certain types of projects; and Council Member Edwards stated that her concerns with the issue was where as one director might be a great person and they might be very supportive of that individual's work she would hate to have a policy made on that because she did not know who the next Building Services Director was going to be and if he or she would be the same type of director that they currently had, that she would like to see if it could be discussed in someone's committee; and Council Member Berry stated that they would be glad to take it up in the TIA Committee.

After further discussion Council Member Khan stated that his main point was that the way they were saying it in the RCA that selection as to which criteria should be used was based on a combination of price and other factors like contractors experience and expertise in specialized type of work and so forth, his point was that the decision should be based on the type of project and the scope of work, that should dictate which direction they should take, and Mayor White stated that he would ask people to address that concern and thought that was the intent but if

they did not capture it in these documents then they needed to do so. Council Members Edwards and Berry absent.

Mayor White stated that Item No. 3 had been tagged. Council Members Edwards and Berry absent.

ACCEPT WORK

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,228,703.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP** for Terminal B Renovation and Flight Station Roof at George Bush Intercontinental Airport/Houston, Project 533D, WBS A-000425-0002-4 - 01.01% under the original contract amount - **DISTRICT B – JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Berry absent. MOTION 2007-0229 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,182,508.70 and acceptance of work on contract with **PM CONSTRUCTION AND REHAB., L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS R-000266-00P6-4 - 04.63% under the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Berry absent. MOTION 2007-0230 ADOPTED.

PROPERTY

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from M. Marvin Katz of Mayer, Brown, Rowe & Maw LLP, on behalf of Wal-Mart Real Estate Business Trust (Robert Stoker, Assistant Vice President), for abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the dead-end portion of Clarborough Place, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834, Parcels SY6-061 and AY7-257 **INDEPENDENT APPRAISERS - DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0231 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from C. L. Davis of C. L. Davis & Company, on behalf of the Houston Independent School District (HISD), for abandonment and sale of Carew Street, from Bonhomme Road east to its terminus, a 10-foot-wide utility easement, and the attendant aerial easement in exchange for the conveyance to the City of a 20-foot-wide water line easement, all located within Block 5, Sharpstown Section Three Replat, out of the J. R. Black Survey, A-134, and a right of entry for Houston Independent School District, Parcels SY7-037A, SY7-037B and KY7-124 - **INDEPENDENT APPRAISERS - DISTRICT F - KHAN** – was presented, moved by

Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0232 ADOPTED.

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert C. Orr, Jr., Washington 4500, LP, (Robert C. Orr, Jr., General Partner), for abandonment and sale of a 15-foot-wide alley, between Patterson Street and Fowler Street, located between Lots 1-5 and 8-12, and between Lot 6 and a portion of Lot 7, Block 56 of Brunner Addition, Parcel SY7-060 - **INDEPENDENT APPRAISERS - DISTRICT H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2007-0233 ADOPTED.

Council Member Berry stated that on Item No. 13 a pat on the back to the Public Works Department, that he believed the development was in Council Member Garcia district, that there was a developer who was building a amazing project there, that it was a pretty neat urban renovation or urban renaissance type project next to the old fire station, that they had some problems with their process with the joint referral process and Katy Dorfman in their office had really been working Real Estate to see of ways they could improve that and one of the improvements could be seen in this deal and it was going to be good for that neighborhood and he was happy about it and wanted to say thanks to the Public Works Department for moving it along and making it happen.

14. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Adriana Clowe, Bury+Partners, Inc., on behalf of Speedway Joint Venture, a Texas joint venture, (Vernon Frost, Jr., Robert S. Frost, Betty Frost McAleer, and Ann Frost Bailey, Partners), for acknowledgment of the reversion of a 10-foot-wide sanitary sewer easement from South Boulevard to its terminus, out of the A. C. Reynolds Survey, A-61, Parcel SY7-036 - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. MOTION 2007-0234 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-060, located at the northeast corner of Eldridge and Enclave Parkway, owned by Parkway Investments Partners, L.P., a Texas limited partnership [Parkway Investments/Texas, Inc., a Delaware corporation (Ned S. Holmes, President) General Partner] for the **WEST HOUSTON ON-STREET PHASE II HIKE AND BIKE TRAIL PROJECT**, N-000420-019A-2-01 **DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2007-0235 ADOPTED.
16. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY7-368, owned by H. H. Clark and R. D. Clark, for the **PROPOSED BEALL STREET EXTENSION PROJECT between West 14th and Wynnwood Streets**, N-000663-00RE-2-01 **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Green, and tagged by Council Member Lawrence. Council Member Berry absent.

ORDINANCES

25. ORDINANCE **AMENDING CHAPTER 39 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Screening of Dumpsters; containing other provisions relating to the

foregoing subject; providing an effective date; providing for severability – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.

26. ORDINANCE discontinuing the applicability of Subsection 33-250(a) of the Code of Ordinances, Houston, Texas, relating to the demolition of historic structures in the Old Sixth Ward Historic District; making findings and containing other provisions relating to the demolition of historic structures in the Old Sixth Ward Historic District; providing for severability - **DISTRICT H - GARCIA** – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.
32. ORDINANCE approving and authorizing agreement between the City of Houston and **MOUNTAIN TOP DEVELOPMENT** to provide \$50,000.00 in Federal HOME Funds to pay for operating expenses associated with the development of a 196-unit affordable housing apartment complex **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0272 ADOPTED.
35. ORDINANCE approving and authorizing contract between the City and **DR. DORI H. HERTEL, D.V.M.** for Veterinary Services for the Houston Police Department; providing a maximum contract amount - 5 Years - \$275,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0273 ADOPTED.
37. ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)** to receive funds for Phase II and III Urban Corridors Planning - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; G - HOLM; H - GARCIA and I – ALVARADO** – was presented. Council Member Berry absent.

Council Member Holm stated that this item was bringing some money that Metro was putting into their urban coordinator planning and she wanted to make sure and one more time reiterate the importance of it and the importance of the City's role in it as they moved to improve transportation options and make sure they were looking at the issues of mobility and supporting their economic component that was in their businesses as they moved forward with it and the only thing she would ask as it went forward, and their office had participated, they met almost weekly on it, that there be some objective criteria and that they know where the input was going and what impact it was going to have on the actual planning and what the specific role was, that she wanted to make sure they effectively used and participated to the best of their ability in the process. Council Member Berry absent.

Council Member Brown stated that he wanted to recognize the role that the Main Street Coalition played in the process as a facilitator and as a source of funding, and he did not know whether his colleagues understood that over the last five years the Main Street Coalition had been the vehicle for receiving tens of millions of dollars of federal funds that perhaps otherwise they would not have received, that he would comment simply that when this process was finished he hoped all of them would understand in detail the content and the recommendations and that it would not be just another fuzzy plan that did not really lead to specific actions, that he would like to see the City in the business of adopting plans or portions thereof, they could get a recommendation from City Council and they could actually adopt a plan as official public policy together with some regulations for example in their transit corridors that would facilitate investment and development, so he thought it was a great opportunity and thanked everyone for supporting it. Council Member Berry absent.

Mayor White stated that he appreciated it, that the Main Street Coalition's work done was good precedent in determining some things that they could do, that there were big precautions that had been undertaken to make sure that the construction was so much better than the main street line, there was not going to be any analogy there on the planning effort concerning adjacent development. Council Member Berry absent.

Council Member Lovell stated that she thought it was great and she had talked about it at the Council table before but wanted to reemphasize the planning they needed to do as it pertained to traffic, that it had been in the paper and was in the River Oaks Examiner last week that in her neighborhood, Montrose, which was between Kirby and Dunlavy and between Richmond over to Westheimer and taking one project in the Village, there were ten new mid rises that were going to put 4,000 new units into an area and that was not one person living in those units with one car, so even on average they had double that, they were putting 8,000 new cars into an area really within a half a mile with no plan on how it was going to impact the neighborhoods, how they were going to manage that traffic when it was there, that she was a supporter of the rail coming down Richmond, at least through her neighborhood, when it gets past Shepherd into Council Member Clutterbuck's district, wherever it goes she wanted it through her neighborhood but throwing all that traffic out there with no plan and then the line and then hoping the people would ride it and she thought that they would but it did not ease the traffic situation they were going to have just from people having to leave those units at Westheimer where the Randall's was that was being built and the neighbors rightly so did not want all that traffic coming through their neighborhoods and the only way in and out of there was going to be on Westheimer, she truthfully did not know how that was going to happen, if they came out and went left towards Shepherd she did not know how they were going to do it because the traffic was coming through there plus a half a block up was the stop light, if they came out and went right a half a block up was the Hazard stop light because of Lanier Middle School, it was going to be a nightmare and it was going to impact those businesses over on Kirby, that what was done over there was done, they were pretty much toast, they could not undo what was going to happen, their problem now was figuring out how they were going to manage the traffic over there, they still wanted people to come live there, not to say they were not moving into that neighborhood because the traffic was so bad they could not get down the street, that was going to be their problem, but as they had the planning that they really do take into not just what was happening with Metro and GIRT and the light rail but how traffic was going to be affected as they build up the corridors. Council Member Berry absent.

Mayor White stated that he would ask Mr. Norman following Council Member Lovell's comments about four weeks ago he sent a lengthy note to Director Marcotte, visited with him about the very issue that she was raising and to define some parameters if he could, that he would put on the record so they would all know and for anybody watching it, and he was saying it because they needed input, to have a dedicated manager, planner, of traffic impacts in an area that they described roughly speaking from the west of Main Street all the way to 610, they would define some area and it would encompass things such as curb cuts, whether or not there were additional candidates for contra flow lanes or the directionality of streets, that they could do more traffic management, that the lights and the timing of signals and then mobility response teams where there were impediments to the flow of traffic, the policies and designs on cut through traffic and criteria to be used on streets that went all the way through a neighborhood so that they direct the traffic so it was not cut through on residential, that they were not going to say to somebody if they had high rise construction it was not going to have an impact on traffic or that they could plan away the impact, they could not say to a group like Blue Print Houston, who he respected and who explicitly stated they wanted more high rise density development so they had less pressure on residential neighborhoods for condo development, no they were not going to do that where people wanted to build or to say that some urban planner knows where people wanted to live rather than people who had invested their money, that they needed a report on

that from Mr. Norman, and Council Member Lovell stated that she had met with people in Traffic and knew there were some measures being put into place and totally supported them, and Mayor White stated that what he had asked Mr. Marcotte to do, unless they persuade him otherwise, was to have one person who within the particular area knew the answer and had thought about each issue involving traffic at each facility and if they say they had to consult with somebody else then they were not doing their job and they were not the person he wanted in that job, it was not so big an issue that it took a million people to comprehend, they needed a senior person who knew all aspects within it who could be accountable and responsible for them to minimize traffic impacts. Council Member Berry absent.

After further discussion Mayor White stated that it had to do with an issue that concerned the high rise residential construction that would occur to the west of Main Street and the traffic impacts of that for which the rail line could mitigate some of that by giving people an alternative to automobiles, but Council Member Lovell was addressing for about the second time in a month her concern that there were many different permits for high rise residential construction, that they have a plan to mitigate the vehicular traffic impact. Council Member Berry absent.

After further discussion a vote was called on Item No. 37. All voting aye. Nays none. ORDINANCE 2007-0274 ADOPTED.

37a. ORDINANCE approving and authorizing first amendment to an agreement for Grant Fund disbursement (approved by Ordinance No. 2006-1098) between the City of Houston and the **MAIN STREET COALITION** for acquiring Professional Services for Phase II and III Urban Corridor Plans - \$425,000.00 - Grant Fund - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; G - HOLM; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2007-0275 ADOPTED.

44. ORDINANCE appropriating \$1,031,200.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AMANI ENGINEERING, INC** for Design of Neighborhood Sewer System Improvements (WBS R-002011-0055-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund **DISTRICTS C - CLUTTERBUCK; G - HOLM; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2007-0276 ADOPTED.

NON CONSENT AGENDA - NUMBER 46

MISCELLANEOUS

46. RECOMMENDATION from Director Planning & Development Department to set a public hearing date regarding the amendment of the Planning and Zoning Regulations and Zoning Map for **TIRZ NO. ONE (ST. GEORGE PLACE TIRZ) - DISTRICT C - CLUTTERBUCK - SUGGESTED HEARING DATE - WEDNESDAY - MARCH 21, 2007 - 9:00A.M.** – was presented.

Council Member Khan moved to set Wednesday, March 21, 2007, as the date for a public hearing regarding the amendment of the Planning and Zoning Regulations and Zoning Map for TIRZ No. One (St. George Place TIRZ), seconded by Council Member Green. All voting aye. Nays none. MOTION 2007-0236 ADOPTED.

MATTERS HELD - NUMBERS 47 through 56

48. Motion by Council Member Edwards/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,684,405.81 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Corder Area, WBS No. S-000035-00A5-4 07.95% under the original contract amount - **DISTRICT D – EDWARDS – (This was Item 9 on Agenda of February 14, 2007, POSTPONED BY MOTION #2007-163)** – was presented. All voting aye. Nays none. MOTION 2007-0237 ADOPTED.
49. RECOMMENDATION from City Attorney for allocation of an additional \$125,000.00 to contract with **BAKER BOTTS, LLP**, for outside litigation support services in Civil Action No. 06-2174; filed in the United States District Court for the Southern District of Texas, Houston Division; Houston Professional Towing Association vs. the City of Houston - Police Special Services Fund – **(This was Item 3 on Agenda of February 21, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Wiseman voting no, balance voting aye. MOTION 2007-0238 ADOPTED.
50. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeanie Forbis of Brown & Gay Engineers, Inc, on behalf of St. Paul's United Methodist Church (Fred Hofheinz, Member/Legal Counsel), for abandonment and sale of Prospect Avenue, from Fannin Street to San Jacinto Street, located within the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcel SY7-039 and SY7-063 - **APPRAISERS - DISTRICT D – EDWARDS – (This was Item 5 on Agenda of February 21, 2007, TAGGED BY COUNCIL MEMBER EDWARDS)** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0239 ADOPTED.
51. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeanie Forbis of Brown & Gay Engineers, Inc, on behalf of Grayco LUI Museum Investment 2006 LP [Grayco Museum GP LLC, a Texas limited liability company {Grayco Partners LLC, a Texas limited liability company (John J. Gray, III, President), sole member}, General Partner], for abandonment and sale of Oakdale Avenue, from Fannin Street to San Jacinto Street, in exchange for the conveyance to the City of a full-width utility easement, both located within the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcels SY7-041 and VY7-032 - **APPRAISERS - DISTRICT D – EDWARDS – (This was Item 6 on Agenda of February 21, 2007, TAGGED BY COUNCIL MEMBER EDWARDS)** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0240 ADOPTED.
52. RECOMMENDATION from Director Houston Airport System to award to **GLOBAL SEARCH ASSOCIATES, LLC** for Executive Search and Recruiting of a qualified candidate for position of Deputy Director for Marketing, Communications, and Community Affairs for Houston Airport System - \$81,000.00 - Enterprise Fund – **(This was Item 8 on Agenda of February 21, 2007, TAGGED BY COUNCIL MEMBERS JOHNSON and WISEMAN)** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0241 ADOPTED.
53. ORDINANCE approving and authorizing amendment to interlocal contract, amendment Number 1, between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** for Law Enforcement, General Surveillance and Traffic

Control in TxDOT construction zones \$450,000.00 - Revenue – **(This was Item 33 on Agenda of February 21, 2007, TAGGED BY COUNCIL MEMBER HOLM)** - was presented. All voting aye. Nays none. ORDINANCE 2007-0277 ADOPTED.

55. ORDINANCE awarding contract to **GHX POWER SYSTEMS, LLC**, for Electric Motor Repair Services for Public Works & Engineering Department; providing a maximum contract amount 3 Years with two one-year options - \$3,000,000.00 - Enterprise Fund – **(This was Item 33 on Agenda of February 21, 2007, TAGGED BY COUNCIL MEMBER JOHNSON)** - was presented. All voting aye. Nays none. ORDINANCE 2007-0278 ADOPTED.
56. ORDINANCE appropriating \$9,200,606.00 out of Drainage Improvements Commercial Paper Series F, Fund; \$979,394.00 from Water & Sewer Consolidated Construction Fund awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Woodland Heights Storm Sewer Project, WBS No. M-000257-0001-4; 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, project management, construction management, and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund, Water & Sewer Consolidated Construction Fund - **DISTRICT H – GARCIA – (This was Item 42 on Agenda of February 22, 2007, TAGGED BY COUNCIL MEMBER GARCIA)** - was presented. All voting aye. Nays none. ORDINANCE 2007-0279 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Green stated that the next Budget and Fiscal Affairs meeting was on March 10, 2007 at 6:00 p.m., that they were also going to have a joint meeting with the Budget and Fiscal Affairs Committee and the Pension Committee on March 20, 2007 at 10:00 a.m. to discuss the five year planning scenario.

Council Member Berry stated that he wanted to say thanks to the Public Works Department, they had a series of infrastructure issues and the joint referral issue that they had been very responsive, that Mr. Gary Norman does a great job but all the way up and down the line, that there was a last minute change on Item No. 26 from the director and it required a series of signatures to keep it moving and they all made it happen; that he wanted to say thanks to the Agenda Office for all of their hard work on a number of issues; that he wished every department director could go to the Issa Dadoush school of responsiveness to public officials and the public, that he had received requests from the media that he had sent directly to him from members of the public and from their office and he was always available and always keen to respond and he was very appreciative of that.

Council Member Green stated that he said Tuesday, March 10, 2007 but it was Tuesday, March 6, 2007 at 10:00 a.m. and the special meeting was March 20, 2007 at 10:00 a.m.

Council Member Brown stated that the letter that Mayor White and Judge Eckels sent to the TCEQ regarding improving air quality in Houston on February 12, 2007 he thought was an extraordinary precedent setting letter and did not think it had been noticed by very many people, that there was a chart in that letter that was sent to the TCEQ which outlined the specific measures that the City, TCEQ and the State Legislature could take to improve community health and the air quality in the City and there were a lot of really good recommendations, for example had mentioned to him that they ought to have dedicated 18 wheeler truck lanes on the freeways and highways that went through the City of Houston, that some other cities had done it

but he was just citing it as one of the recommendations where there was a control in speed limit and therefore a control in emissions from diesel engines, that he was hoping that they could talk more about these proposals, that he thought the Texas Coalition of Cities on Clean Air that Mayor White had put together with Mayor Miller of Dallas was absolutely a superb move, that he was hoping they could move forward with those items. Council Member Lawrence absent.

Council Member Alvarado stated that she wanted to remind her colleagues that they had their Legislative reception this evening in Austin honoring their State legislators and hoped they would be able to make it, that she encouraged Council Members to visit with their State legislators. Council Member Lawrence absent.

Council Member Alvarado stated that she wanted to thank Luis Galvan with Irma's Southwest Grill for providing the breakfast. Council Member Lawrence absent.

Council Member Alvarado stated that she wanted to congratulate Mr. Armando Wally who worked for Congressman Gene Green, he and Ms. Debbie Demas would be getting married today, that Armando was one of their young up and coming leaders and was also President of Tejano Democrats and a great outstanding young leader. Council Members Lawrence, Johnson and Berry absent.

Council Member Brown stated that it was important for the City and the governing body to let the citizens know and the Public Utility Commission and the TCEQ know where they stood on cleaning up the air, that he thought it was interesting that they had a proposal for large energy generating coal plants in Texas and it was important to say they did not want dirty burning coal plants generating electricity in their State or region and that there were some good examples of clean burning coal gasification plants and believed the one that was coming from Hunting Energy in Fort Bend County was the kind of thing they needed, not the dirty plants so he was hoping the Council would take a stand and continue to take a stand for clean air, reducing their carbon footprint against further contributions to global warming.

Council Member Brown stated that he had an opportunity to participate in the Race to Save Dafar in the western Sudan area where there was genocide taking place, that it was a very interesting walk from Sam Houston Park along the bayou, that he thought they needed to realize more and more that they lived in a global society and that their City was a citizen of the world, not just a part of Texas and they needed to understand that what happened in other parts of the world affected their City, economy and quality of life as did what they did, that to him it was an issue of principals and values and what he would call sustaining a fundamental civic ethos, that he would like to consider whether it was the issue of genocide in Dafar or other issues that involved principals and values that they could take a symbolic stand to make it a better world, just like they should take an affirmative stand against global warming. Council Members Lawrence, Johnson, Holm and Berry absent.

Council Member Clutterbuck stated that she wanted to speak about some of the construction projects that went on in their neighborhoods and as they voted today on Item No. 3 where they were giving some authority to the Director of Building Services to oversee and have some discretion over contracts through his department she would like to urge that they also have something similar at Public Works so that projects like the ones happening in the South Hampton area did not continue throughout the City, it was a sidewalk project in her neighborhood of South Hampton that had been going on for quite some time and was the result of locating some lost \$800,000 from a remaining TXDOT project, it was a TXDOT project that needed sidewalks and the sidewalks did not get completed so TXDOT returned \$800,000 to the City and it was misplaced for a while, her office was able to track it down and get the sidewalk projects established and now she had to say that on behalf of her neighbors and the residents

of District C they were embarrassed for what they had asked for, it was not what they asked for and she did not think it was the type of project that anybody in the City of Houston, any taxpayer in the City of Houston pays for, that she thought it was the result of going with the lowest bidder and that was why she would like to encourage some discretion on the part of Public Works to be able to evaluate projects like these and to have some standard of construction working in their neighborhoods, that she had multiple meetings on the site, she lived a block from the project and walked it every day and needless to say all of her neighbors knew about the project and were contacting her about it with their legitimate concern, that she had picture of the completed corner and all of the circles, and she would pass it around, but all of the circle were of several cans of orange construction paint that they went through highlighting problems in the project, that the particular one had paint on a handicap ramp that faded within a week of being painted, there were cracks, she could chip the edge with her tennis shoe, there were dog prints, the work site was not protected and continued not to be protected even after multiple meetings on the site with Public Works, with Jimmy Smart, Tim Lincoln and a total of 17 Public Works officials at the location, that she had sent what she believed were close to 15 emails about it over the period of time, that all of the photos she took this morning before coming in to work and ran into a number of neighbors who were eager to see it fixed, that she was hoping to be able to give it to Mr. Terrance Fontaine, but the quality was unacceptable and she had asked Public Works to fire the contractor because she had no confidence that the contractor would make things right, that she was looking to Mayor White for help as to what they should do to make sure that the job was done right and up to standards, that the forms be poured correctly and that in the future they would end up hiring contractors who knew what they were doing. Council Members Lawrence, Johnson, Holm and Berry absent.

Council Member Clutterbuck stated that she was going to pass out a photo that she took a couple of weeks ago of a Public Works sign and she did not know if her colleagues had the problem in their districts but the Public Works signs were also an embarrassment, that she had asked that the signs that had the City seal peeled and had graffiti on them actually be removed from the projects, she was embarrassed to have her name on them, they were a blight on neighbors and were an eyesore and were perceived as an indication that the quality of work was sub par, that she had indicated on an email, that she would copy Mayor White on, that part of the problem with the signs was from her number of conversations with the Public Works people about them was that they were designed improperly, they had told her that they could not change the sign because the building specs did not call for the kind of change that she was suggesting, the building specs called for a half circle, plywood piece to be affixed onto the sign and the problem was that the plywood soaked up and absorbed water and the City seal, which was not painted on but was just a sticker ended up peeling off, as was indicated in the photograph, that it was a trivial matter but unfortunately a symbol of poor quality work which was evidenced in the Shepherd sidewalk project. Council Members Lawrence, Johnson, Holm and Berry absent.

Mayor White stated that Council Member Clutterbuck stated trivial but if somebody did not pay attention to details for which they were responsible then it was not trivial, that he thought it was significant because if they were going to have a sign the whole purpose of the sign was to communicate something about what they were doing and why they were doing it, and if somebody said they could not figure it out and they needed him to do it then he would do it but they better tell him why it was above their pay grade; that on the first issue he was familiar with some of the issues involving firing contractors and replacement of contractors, but he would say that State law says lowest responsible bidder, but for sidewalk vendors if the director could tell him that somebody had done unsatisfactory work and working with Legal why could they not be put on the list of not responsible contractors, that there was a reason why the State law had that, that he thought there ought to be reviewed how many sidewalk contractors there were, if there were only three then they may think twice about baring one but if there was a bunch of

them and somebody was not doing something that they thought was reasonable then they ought to bar them or explain to them why they could not. Council Members Lawrence, Johnson, Holm, Garcia and Berry absent.

Council Member Brown stated that he wanted to applaud a member of staff, Mr. Max Cardenas who was just elected as the President of the Harris County Young Democrats, and was the first Latino to ever be President of the Harris County Young Democrats. Council Members Lawrence, Johnson, Holm, Garcia and Berry absent.

Council Member Wiseman stated she wanted to express her thanks for the hard work and dedication of Mr. Gary Norman, he was always quick to respond for any requests for attention to issues and needs of her constituents so she wanted to publicly thank him for that dedication. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Wiseman stated that a constituent brought an issue to her to forward to Mayor White and it was an issue that he was having with standing water in front of his home, that she had information in a memo to the Mayor and photos of the situation, apparently he had been calling 3-1-1 and nothing had been resolved, that the road was only three years old and the water stands there unless they had a drought there was no standing water and then just slick algae, that he would like some assistance from the Mayor in addressing it. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Alvarado, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that on the issue of the signs in her neighborhood there was a sign that was put up and was actually right next to her house on Woodhead of which her name had been left off and the District Council Member, Council Member Edwards, had been left off of the list and the word storm was spelled strom, they were putting in a strom sewer, that she called Mr. Norman and was chuckling about what had happened and was educating about the fact that it was not Public Works that did the signs, it was the contractor that was doing the project who was responsible for the sign, then it got graffiti and that was just right after they had rolled out the new Graffiti Ordinance, that they did respond very quickly and went out and took the sign down, got the Council Members names put on there and fixed the spelling of it but it was not Public Works it was the contractors responsibility, and Mayor White stated that why should it be the contractors responsibility, the City was going to pay for it one way or another, so it just seemed to him like it was something the City ought to take ownership of unless somebody tells him otherwise, and Council Member Lovell stated that when they were called they did respond very quickly to it. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that on the issue that they discussed today, traffic, she was pleased that Mayor White was going to have someone in place because it was very exciting about what was going to happen in their City over the next few years, that neighborhoods were going to really evolve and change and she thought it was great but she really wanted to be ahead of the problem instead of trying to catch up to it and the situation right now in her neighborhood was that they were behind it in the fact that they were building and they really did not have a traffic plan, they could be ahead of it by the time people moved in if they did have a plan in place and maybe they could look at different streets and maybe one street would go one way and one street goes another but it was something they really needed to start looking at in some areas and she was very pleased that they were going to do that. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that they had the first hearing in the Quality of Life Committee on the Historic Preservation Ordinance and on the Tax Relief for Landmarks and she wanted to thank Mayor White for his leadership and support on the issue and to the stakeholders and people involved they were going to be having additional meetings on it, but again it was very exciting to see how the City was moving and how there really was now an interest among all groups, neighborhoods and developers, in how they preserve some of their history and that was very exciting to see happening, that once again Houston gets to be creative and think outside of the box when they were actually offering people tax abatements to do preservation for them it was a very good way and a good incentive, she thought, of getting people to preserve . Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she knew Mayor White had been working very hard on the Dynamos issue and keeping them in Houston and she wanted to applaud him for that, that she did not want to lose them to Pearland, Sugarland, Webster, Baytown or wherever they were looking, she thought it was extremely important that they keep them in Houston and hopefully on the East End. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she was in her last year on Council and almost two to three times each year since she had been on Council she had talked about the intersection of MLK and 610, the south frontage road, that she knew it was TXDOT but that place constantly was flooded with water, that it did not even have to rain hard, that there were a lot of potholes and sinkholes or whatever was going on there, that they had reported it and as she had stated she had been at Council for six years and she had talked about it for at least six years, that she did not know what kind of dialog needed to happen between TXDOT and the citizens of Houston, they had the same concerns when they were doing the work on OST, that she did not get it, who were they responsible to, they seemed to be very independent, they did what they wanted when they wanted to do it and it seemed ridiculous that it went on at that intersection, that it might seem trivial but if it was going on all over the City it did not make sense for the City to be working on flooding and drainage and then they had these seemingly trivial type of matters that they could not get any response to so she was asking the Mayor's office if they had any ideas, that she had called the office and had Public Works check into it and if they went there now there was probably water standing there, that businesses there were impacted and they called their office continuously and she did not know where else to go other than to go to Austin or wherever their office was and picket their office, that she did not know what their mission was and did not know what their strategies were and did not know how they rotated their work but it had been a six year project that had not been addressed, that she thought there must be a leak because the water was always there, so if Mayor White could help the citizens in that area get some kind of movement from TXDOT on that particular issue. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that Wheeler Avenue Baptist Church was having a job fair on Friday, March 9, 2007 from 10:00 a.m. to 2:00 p.m. and were encouraging people to come by prepared with resumes and the appropriate materials, for more information they could call 713-942-2013. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that when she came into office in 2001 they had a lot of problems in just getting basic information germane to the District D office, she was not sure why but would like to have the Ethics Committee or someone to look at it, the records in district offices were not the personal records of a person, they belonged to the City and to the district and she would just like to have them address what was supposed to be there and to make sure

that it was there, that they had to look for basic stuff and she was amazed at what they had to find on their own, that this was the first time she would be turning over and was there a meeting for City Council Members to say the records were a must, what was the procedure for turning over records and what did they have to maintain, archive materials and so forth, that she thought for a new person coming in, especially for a district office, that she would like to know if there was a memo or list of what and why and who. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that they were making notes on each of those things and he wanted a report from Mr. Norman on MLK and 610 discussions, that Council Member Alvarado, Ms. Stein and Susan and Anthony Hall ought to be thinking about the issue that Council Member Edwards raised. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:08 a.m. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Berry 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