

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

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 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, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Debra Dillard, Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director; present. Council Member Adrian Garcia out of the city on city business.

Note: Council Member At-Large Position 3 vacant.

At 1:58 p.m. Mayor White stated that Council Member Clutterbuck would begin presentations; and Council Member Clutterbuck stated that this was a very exciting time for Houston and it was her pleasure to recognize Red Elementary School as they celebrate their 50th anniversary and invited the principal, magnet coordinator and president of the PTO to join her at the podium. Council Member Clutterbuck stated that Red Elementary was a magnet school established in honor of Dr. S. C. Red who served on the Houston School Board for 17 years and was first president of the Harris County Medical Society; that they provided a tremendous education; and presented a Proclamation proclaiming March 27, 2007, as "S. C. Red Elementary School Day" in Houston, Texas. Council Members Johnson, Wiseman, Khan and Alvarado absent.

Council Member Green invited Ms. Janis McCorkle, patron and teacher of the arts to the podium and stated that young people were the future of the city and art education contributed powerful benefits and helped develop creative problem solving and critical thinking abilities giving deeper understanding of multicultural values and beliefs and presented a Proclamation saluting art teachers and proclaimed March as "Youth Art Month" in Houston, Texas; and Ms. McCorkle presented memo pads and prints done by a student in Humble I.S.D. and thanked all for the recognition. Council Members Johnson, Wiseman and Holm absent.

Council Member Alvarado stated that this was a celebration of the Third Annual Guaranty Bike Tour de Houston and invited Mr. Bill Dykes, director of communications for Occidental Petroleum and the Michelob Team to the podium; and Mr. Dykes stated that Occidental Petroleum was pleased to have the opportunity to introduce the corporate challenge to Tour de Houston and they had over 80 teams in its inaugural year; and riders stated that this was the best local organized bike ride they ever participated in and that was for both the ride and support and he wanted to thank all who made it so and presented a trophy to the Michelob Team which was awarded to the team with the most riders and the most miles between them; and the team spokesperson stated that they were honored to be the first recipient of the corporate challenge trophy; that they had a great ride and thanked all sponsors and those who made it a great ride and they hoped next year to reclaim the trophy. Council Members Johnson, Holm and Lovell absent.

Council Member Lawrence thanked Mr. Dykes for being sponsor and doing their part in making the ride successful; and Council Member Alvarado stated that the parks and Recreation Department raised over \$65,000.00 through this ride and she thanked all who made it successful. Council Members Johnson, Holm and Lovell absent.

Council Member Berry stated that on behalf of Council Member Garcia it gave him pleasure to bring forward the Scout's Honor Rescue and invited them to the podium; that it was a great group of people and Council Member Garcia intended to be present but was at a committee hearing in Austin and he did send his regrets and wanted to be sure they were recognized for the good work they did; that Scout's Honor Rescue was a group of volunteers

committed to saving animals and offering temporary placement in their own homes until the animal was adopted and worked to educate pet owners; and presented a Proclamation to the group recognizing them for all their good works and proclaimed March 27, 2007, as "Scouts Honor Rescue Day" in Houston, Texas; and a spokesperson for the group stated that their group was formed in May 2006 and since then they had rescued and placed in permanent homes approximately 250 dogs and cats; that they were a group of seven strong and had a network of several foster homes and volunteers who helped daily and thanked the Mayor and Council for the recognition. Council Members Johnson, Holm and Lovell absent.

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

At 2:18 p.m. the City Secretary called the roll. Council Member Garcia out of the city on city business. Council Member Lovell absent.

Council Members Khan and Green moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Garcia out of the city on city business. Council Member Lovell absent. MOTION ADOPTED.

Council Member Green moved that the rules be suspended for the purpose of hearing Ms. Margaret Jenkins at the top of the speakers list, seconded by Council Member Khan. All voting aye. Nays none. Council Member Garcia out of the city on city business. Council Member Lovell absent. MOTION 2007-0299 ADOPTED

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Professor Olga Moya and Ms. Mary Lou Henry at the top of the list of Non-Agenda speakers, seconded by Council Member Khan. All voting aye. Nays none. Council Member Garcia out of the city on city business. Council Member Lovell absent. MOTION 2007-0300 ADOPTED

At 2:20 p.m. the City Secretary began calling the public speakers. Council Members Khan and Lovell absent.

Ms. Margaret Jenkins, 10751 Dulcimer, Houston, Texas 77051 (713-734-8434) appeared, presented pictures for viewing and stated that she was present to speak about dogs running loose in the neighborhood, Pit Bulls, Animal Control came out and could not catch them and the neighbor with her was bit last week and they turned over garbage containers; that seniors and children walked and the dogs were dangerous; and she believed they were dropped off in their area of Sugar Valley. Council Members Khan, Lovell and Berry absent.

Council Member Green stated that his office had been working with her a few months and did not know what to do other than support BARC, but BARC sometimes told the individual to catch the animal and it was not realistic to have someone catch and hold the dog and this was a bad situation. Council Members Khan, Lovell and Berry absent.

Mayor White stated that he sought wisdom from his colleagues and based on comments there is some strategy which could be targeted where you had repetitive complaints which had a higher probability of satisfying citizens and that was basically to do a sweep of the neighborhood, but there were costs and consequences as all Council Members were committed to having more humane treatment of animals, but what would not work would be calling and expecting a dog to stay at the same place for hours or days, that was a waste of money and to apprehend the animals they had to do something which would take a more realistic approach to

stray animals throughout the neighborhood and combine it with more resources. Council Member Berry absent.

Council Member Lawrence stated that Council tried to address this with an ordinance and she realized her situation and suggested she try and bait an animal to stay for BARC to get out; and Ms. Jenkins stated that she was not going to attempt to catch a dog and they were there all day; and Mayor White stated to Mr. Fontaine that here was a citizen who was bit and Ms. Jenkins could guide and they would see what could be done in Sugar Valley. Council Member Berry absent.

Council Member Edwards stated that her office had referred her request and there would be a neighborhood sweep of the area; that her concern was there were a lot of animals in the area including horses, chickens, etc., it was a rural area and there was not a conscious effort of saying whether the area would stay rural or go urban, but this was a culture which had to be addressed. Council Member Berry absent.

Council Member Holm moved that the rules be suspended for the purpose of hearing Mr. John Kirksey and Mr. Clark Martinson after Ms. Henry, seconded by Council Member Berry. All voting aye. Nays none. Council Member Garcia out of the city on city business. MOTION 2007-0301 ADOPTED

Mr. Tommy Friedlander, 5333 Gulfton, Houston, Texas 77081 ((713-662-7745) appeared, presented information and stated that he worked for a company whose sister company was Rice Epicurean Market and present today to speak on Agenda Item 60, dumpster screening, on behalf of the Houston Real Estate Council and International Council Shopping Centers; that along with Victoria Brown and Mike Tones, their three companies owned over 20,000,000 square feet of retail space in the Greater Houston Area and they were in agreement in principal with dumpster screening, however, their industry was left out of the process and the committee which drafted the ordinance met with hauling companies but not with the development community, specifically shopping center owners, their facilities were not properties causing the problems and most called for dumpsters to be placed in service areas behind the shopping centers and for the most part you could not see dumpsters but if you look from a certain angle you could, but it was impossible to completely block the view and was especially true on projects located on corners and they could not block service drives because of deliveries and fire trucks; that the information provided was an illustration of location and proposed amendment to the ordinance; and asked that it be considered.

Upon questions by Council Member Berry, Mr. Friedlander stated that they did screen their dumpsters, but by the ordinance if you could see the dumpster at all from the street it would be in violation and you would need to get exclusion and they did not think you should need exclusion when their dumpsters were already being screened. Council Member Lovell absent.

Council Member Lawrence stated that she apologized if he thought they were left out, it was probably her doing, but they had invited many and she thought what would fix his concern was they were adding on to Section 39-71(a) to read "on which side the primary address of the business or building is located" and because the ordinance was not in place when some centers were built they would get an exemption certificate; and Mr. Friedlander stated that did not solve their problem as an "L" shaped center would not be solved and they were speaking of probably thousands of shopping centers and they did not feel they should need exempted as it was screened and bushes, etc., could not be placed in a service drive and would like Council to at least look at and consider what they proposed. Council Member Lovell absent.

Council Member Holm stated that years ago she chaired a taskforce which looked at dumpsters as it was a significant problem and this ordinance was to help bring them into compliance and she was glad he supported it; and upon questions, Mr. Friedlander stated that he would be happy to take anyone to a site and show that though the dumpsters were behind in the service areas there was an alleyway and if you looked hard from the street in that particular place you could see it. Council Members Clutterbuck and Lovell absent.

Council Member Khan stated that even on service drives sometimes people had a dumpster right near the street and they were not maintained properly and overflowed and he did not know how to exempt some and not all; and Mr. Friedlander stated that if they did not want them in the service areas then they would have to move them to the front and put fences and they were placing them where they needed to be. Council Members Clutterbuck and Lovell absent.

Mr. Mike Tones, 14923 El Tesoro, Houston, Texas 77083 (713-823-2510) appeared and stated that he was senior vice president of Property Operations for Center America and they operated over 50 centers in the Greater Houston Area and were supportive of the concept for enclosed dumpsters at the front of shopping centers, they did not allow them in their centers, but their problem was the subject of interpretation, what was meant by enclosed at the rear of the center which as Mr. Friedlander talked about were in the service drives about 25 feet wide as they also served as a fire corridor and when going down side streets there was a possibility that they would not be considered enclosed; and asked that the ordinance be looked at and compensated for dumpsters at the back of the center where they did have fences. Council Members Clutterbuck and Lovell absent.

Ms. Victoria Brown, 2600 Citadel Plaza Drive, Houston, Texas 77008 (713-866-6906) appeared and stated that she was with Weingarten Realty Investors and they had over 85 properties within the Houston area comprising of 12,000,000 square feet and lots of dumpsters; that they were in favor of screening dumpsters and typically did; that most centers were designed to have rear service drives and dumpsters were placed there, but they needed to be left free and clear for services and emergency vehicles and if they would need to take the dumpsters to the front of the centers and build screening it would be less attractive and be out of compliance in most cases with the parking ordinance and with many of their leases; and urged consideration of their proposed language. Council Members Clutterbuck and Lovell absent.

Council Member Lawrence thanked Ms. Brown for coming and stated that they did not have to worry about screening from the side only from the street their address faced and she would be glad to look at it and get back with her; that there were a lot of rumors and much of them were not true, but after everyone present on dumpsters finished speaking she would be glad to speak with them. Council Members Clutterbuck, Lovell and Brown absent.

Mr. Lionel Alexander, 7931 Booker, Houston, Texas 77028 (713-673-4765) appeared and stated that he was present again with the same problem of a weeded lot and children had to walk in the street because the grass was over the walkway; and he thanked them for cleaning it before. Council Members Clutterbuck, Lovell and Berry absent.

Mayor White thanked Mr. Alexander for bringing it to Council's attention. Council Members Clutterbuck, Lovell and Berry absent.

Professor Olga Moya, 11511 Overbrook, Houston, Texas 77077 (713-646-1840) appeared, presented information and stated that she was with South Texas College of Law and present in her capacity as president of Scenic Houston to encourage Council to adopt

designation of the I-10 Corridor which was under construction as a Scenic Right-of-Way, it would not be the first time for Houston to do this as in 1980 when Hwy. 288 South was so designated and the results were fantastic; that in 1986 the south side of 610 near the Galleria was also designated and that was billboard free; that in 2000 Hwy. 59 was reconstructed and during that time all billboards came down and the City of Houston bravely designated it as a Scenic Right-of-Way and now Hwy. 59 was beautiful from downtown to 610; that I-10 construction was going fast and time was of the essence; that they needed to piggyback on TxDOT's reconstruction with designation and then a major landscaping; and urged all to view her handout and under Item 5 it showed they had immense support from all in the corridor. Council Members Clutterbuck, Lovell and Berry absent.

Upon questions to Professor Moya she stated that the international benefit to the scenic district was worldwide as all who entered the city saw the image and it had a clear message of being a safe, clean and beautiful City of Houston; that at this time they were advocating this for I-10 only as construction was going fast and it needed to be done while billboards were down and then not allow relocation; that her handout was not a survey but observations by Scenic Houston; that there were billboards on a list and should have already come down but have not and others had a deadline coming up and it was much harder to have them removed even under amortization than to prevent them from going up. Council Member Berry absent.

Council Member Holm stated that tomorrow morning in the Senate floor Senate Bill 111 was being proposed and if that law passed it would mean any city which did not allow relocation on site of a highway in Texas either had to forego receiving TxDOT projects or it must be paid for by the local entity and encouraged all to weigh in tonight to the senators and legislators; and Mayor White stated that he did like improving the appearance of Houston but they had a battle royal and he did hope citizens would express concern of the legislation, but he did not want billboard proliferation going to and from the airports and he did not want to have a corridor a dumping ground for relocation of billboards; and Council Member Holm stated that she would like to know how many signs could be relocated to I-10 because much of that was protected; and Mayor White stated that they would be moving quickly but there were issues he needed to think through. Council Member Berry absent.

Council Member Lawrence stated that she would like data on how many illegal billboards were up, to her that was a good starting point; and Professor Moya stated that they were getting the data and would get it to her, but would like to be included in discussions. Council Member Berry absent.

Ms. Mary Lou Henry, 1800 West Loop #1750, Houston, Texas 77027 (713-627-8666) appeared and stated that she was vice president of Vernon Henry and Associates, planning consultants and board member of Scenic Houston, but this was not just about billboards but also about large, high signs and they would not be in place in a scenic district and the magnitude on I-10 was so great many buildings, etc., were demolished and property owners would gladly comply if all did it; that I-10 had three new billboards west of the loop and they could not wait to study the entire city and did have commitments from the Highway Department's Green Ribbon Houston Program, management districts, Trees for Houston, etc., for landscaping improvements and this was the time. Council Members Wiseman, Alvarado, Lovell and Berry absent.

Council Member Holm stated that as chairman of the Quality of Life Committee she would request being a part of all discussions; and Mayor White stated that Council Member Holm had been working to take many down and so all at the table knew what happened some were illegal and they put non-profit and church advertising on them so they couldn't and there were federally

protected highways where they could relocate as long as it was not a scenic district. Council Members Wiseman, Alvarado and Berry absent.

Mr. John Kirksey, 6909 Portwest Drive, Houston, Texas 77024 (713-850-9600) appeared and stated that he was John Kirksey of Kirksey Architects and on the board of Scenic Houston and an observation of 610 West on I-10 was that many had worked with TxDOT to get wanted landscaping and with this TxDOT would not have much room for large landscaping projects; that in many areas as the landscaping projects matured they would mitigate the impact of billboards because the trees would grow and soften the view but in the case of I-10 there would not be that opportunity and in this case where billboards were now gone they had a good opportunity of allowing the private sector as they came back to develop both sides of the construction up and down the freeway; that he was inside I-10 and in the last two years his company had planted 600 trees along the properties of Westpark, they were trying to mirror the Bayou Club and Polo Club and Memorial Park so thousands of people would have a better introduction of Houston with a tree lined corridor. Council Members Wiseman, Alvarado and Berry absent.

Council Member Edwards stated that she would like to know if there was any synergy between TxDOT, City of Houston, county and whatever federal agencies which had jurisdiction over highways and so forth regarding what they were speaking of; and Mayor White stated that people got the context of what they were discussing which was very important in Austin and his concern was TxDOT saw its role as mobility and as was pointed out they were trying to get a small set-aside for landscaping; that TxDOT viewed each time there was condemnation of a billboard as less money they could spend on mobility in an area and therefore were advocates of an ability to relocate whenever, wherever in order to mitigate that and legal proceedings would occur by people who owned billboards that they should be paid more as they could not find suitable places to relocate and TxDOT felt the decision was made by the City of Houston so the city should pay for it and they enlisted people in the legislature and there was some pressure by people outside of this city to shift those cost of relocation to the taxpayers of the City of Houston. Council Members Wiseman, Alvarado, Green and Berry absent.

Council Member Holm stated that Friday she and Council Member Lovell were in a TPC Meeting and introduced to the proposed partnership between TxDOT and HCTRA for toll roads and how they would be dealing with the building of the infrastructure for just this region and it was proposed a twenty one billion dollar revenue generation would be coming in that then could be turned out for both major highways and local roads and how they would be working together and both TxDOT and HCTRA made a commitment that compensation for billboards would be a part of it and that could be revolutionary. Council Members Clutterbuck, Wiseman, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Clark Martinson, 7625 Betty Jane Lane, Houston, Texas 77055 (281-759-3800) appeared, presented information and stated that he was general manager of the Energy Corridor Management District and management districts had a wonderful partnership with the City of Houston and they were one of those who worked with them to supplement the city services to go further; that this management district was made up of 150 businesses and property owners and their appraised value was approximately a billion dollars and they generated approximately \$1,000,000 a year income for their management district and had focused on I-10 and would like to see no billboards relocated. Council Members Clutterbuck, Wiseman, Green and Berry absent.

Mayor White stated that Council appreciated all work the management district did and for all expressing their views today. Council Members Clutterbuck, Wiseman, Green and Berry absent.

Council Member Holm moved that the rules be suspended for the purpose of hearing Miss Alicia Sebastien out of order, seconded by Council Member Khan; and a vote was not recorded as a quorum was not present. Council Member Garcia out of the city on city business. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Kathy Matthews, 6915 Cape forward Drive, Houston, Texas 77083 (281-933-3584) appeared, presented information for Council Members and stated that she was present asking for a reinstatement and opportunity for a thorough investigation as she was indefinitely suspended from the Houston Fire Department August 18th; that she had a disability of carpal tunnel and sleep apnea and there was a violation of age discrimination and sex gender violation of title 7 of the Civil Rights; that she went through the proper protocol and was requesting support of reinstatement. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Green and Berry absent. (NO QUORUM PRESENT)

Miss. Alicia Sebastien, 5026 Twin Candle Drive, Houston, Texas 77018 (832-567-8539) appeared and stated that she attended Lamar High School and the 10th grade student body was required to conduct a year long personal project of which hers was saving the environment through a recycling process; that for Houston it came into existence in 1990 and last year Mayor White had a survey and found participants had dropped; that she was aware of limited manpower but people needed to be aware they could still play a part and she was eager to understand how citizens could make Houston a city doing its part to save themselves from any additional global warming and would like to see a Houston campaign to get more people involved; that she was willing to do her part to help by educating students at Lamar High School and was aware Ms. Wanda Adams, coordinator for recycling, was more than willing to go out and speak and she planned to have her invited; and thanked Council for encouraging constituents to do their part and hoped all would do their part in saving the environment. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that Miss Sebastien did a fine job in coming down and they needed to make sure Ms. Adams did go to Lamar to help spread the word on recycling; and she would extend an invitation to her to intern in her office during the summer and help them put together a good recycling program and information they could get out to citizens all over the city. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards thanked Miss Sebastien for her comments; and upon questions, Miss Sebastien stated that by starting with what youth consumed the most, which was from plastic bottles and cans, it would help in starting recycling and thought the machines where you get cash returns would encourage youth to begin; and Council Member Edwards stated that she would be looking for her name in years to come and she had something to say and did so very concisely and authoritatively. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White thanked Miss Sebastien for her suggestions and stated that they were working on recycling. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown moved that the rules be suspended for the purpose of adding Rev. Elmo Johnson to the speakers list, and a vote was not recorded as a quorum was not present. Council Member Garcia out of the city on city business. Council Members Lawrence,

Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Rev. Elmo Johnson, who was added to the speakers list, appeared, presented information and stated that he was very excited about what was going on in Fourth Ward; that they just finished a 20 unit complex for seniors, the Crawford W. Kimble Senior Living, Rev. Kimble had lived there and been his mentor and it was to keep some of the seniors who had been in the Fourth Ward so long in the area and in the budget was to have an officer stay from 6:00 a.m. to 6:00 p.m. for about a year to help clear up the drugs in the area; that they would like to meet with Mayor White and see if they could do something also and help to eliminate drugs in the area and they raised money to build and Trammel Crow built at cost, they partnered to uplift the community; and invited all to the grand opening Thursday, April 5th. Council Members Lawrence, Clutterbuck, Edwards, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he understood what he was saying about safety and the revised plan in the budget was based on what citizens told them and there was an allocation for public safety; that he met with the captain at South Central and knew of one operation going on and there would be more; that he thought the first hearing on the Fourth Ward revised plan would include investments they could make in different parks, in addition it would allow the investment and preservation of churches, the Gregory School and maintaining greenspace and parking and they were proceeding quickly and thought they would be able to make progress; and where something would normally take four months he would like it to take four weeks so they did not let opportunities escape and find themselves further behind; and Rev. Johnson stated that when Mayor White met with police he would like to be invited sometime; and Council Member Lovell had negotiated with builders in the area to get guys from the street from within the Fourth Ward to be a part of the construction, to teach them a trade and that was what they would be working on next. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that this was an impressive living center and some of those living there and been in Fourth Ward for many years; and she would be at the ribbon cutting. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he was an example to many with his great works in keeping the fabric of what Fourth Ward was and would be a testament to the hard work he put in; that he helped to understand faces did not have to change for services to change, people did not have to be displaced. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he learned truth was a friend who stood with you but did not always agree with you and the fact was there was going to be a combination of continuity and change in all neighborhoods and they were celebrating something that stood where something else once stood; that he liked discussion which recognized the past and honored it and looked to the future and to those who said it had to be one or the other he would like to show this photograph to them and have them reflect on what it represented. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he wanted to praise him for what he did in the community and the Mayor had taken a leadership role in bringing amenities to the Fourth Ward which were lying dormant and they would soon see them. Council Members Lawrence,

Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that this was great but she wanted to applaud him and other pastors in the Fourth Ward for their day to day work; and Rev. Johnson stated that his church and five others paid so much each month so that some could have reduced rent. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Donzetta Shelton, 8300 W. airport #807, Houston, Texas 77071 (832-880-8112) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Ida Hammonds, 1919 Hampton, Houston, Texas 77088 (281-447-4946) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Vijay Krishen, 4127 Long Grove Drive, Seabrook, Texas 77586 (281-326-2287) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Kathryn Cunningham, 823 Van Meador, Houston, Texas 77047 (713-433-5480) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Yvonne Clark, 4706 Brownstone Lane, Houston, Texas 77053 (713-649-2745 X-1021) appeared, presented information and stated that she was present to share information about her organization, It's Okay to Cry, Inc., a non profit organization in southwest Houston which assisted grieving children, adolescents and young adults through intervention programs which promote emotional recovery and wellness from the death or separation of a loved one; that a child could be lost in their own grief and through her organization they made a difference in a child's life; that she believed all had responsibility to the children and with her programs they addressed grief attached to emotional separation and death and it was important to get information out about their group; that she was in District D and recently offered space in the southeast side of Houston where a doctor was allowing her to come in twice a week to service children; that they were having a Fun Walk, April 28th at McGregor Park and the purpose was to walk in memory of a loved one. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Clark stated that she strictly worked with children who were victims of crime and it was through referral of school and church; that she would go into churches and train them how to work with children. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Enrique Galvan, 331 Coach Lamp, Houston, Texas 77060 (281-820-4617) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Tracy Collins, 225 N. Carolina, Houston, Texas 77029 (832-208-4820) appeared with her son and a contractor and stated that she was present to share what she lived with the past four years; that she purchased a home in 2004 and the city did an inspection she paid for; that she had received money from (HOH) Housing Opportunities of Houston and the money was misappropriated, the homes they purchased were supposed to be looked at prior to the loans being funded but they were not and one night while she and her son were sleeping the heat would not come on and it was 30° and later they found there was too much current flowing from the pole to the house and the wires burned up while they were asleep; that now her son slept with her and the squirrels made holes through and she also found lead based paint; that they called her and said they were wrong for not checking the house before the city gave her the money from the federal government and they said they would fix the house, but it had been four years and all she wanted was a home for her and her son. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that March 19th her house was set before committee and approved and was to go before Council April 18th for final approval so work could be done and the final amount was to be awarded, \$33,755.00, and at that time he would be advocating on her behalf to make sure the money did go to her and she would receive the home she was asking for. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Ms. Collins stated that the home was built in the 40's and Jamil was the first company that Housing Development sent out to look at the house to see if they could fix it in 2004 but the program was closed because grants were just given and houses were not inspected and many people had problems; that she had a 1,300 square foot house and her light bill was \$800.00 a month; and the contractor stated that he had been to the house on numerous occasions repairing items and stated that there could have been no inspection; and Mayor White stated that under this program people were not minding the store they should have been on both the side of the contractors and inspectors and now the person running this part of the program was in the federal government and blew the whistle on what was going on and he brought him in so he could help fix things; that there was nothing he could say to help make up for her stress, but he did change the employment of the people who were responsible and they were trying to move forward; that when someone bought an older house it would not be perfect but they did want her to have her dream. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to commend those in Housing for getting on top of these; that she learned lessons regarding contractors referred because they knew people rather than knew their business and she wanted to extend thanks to Housing for identifying people such as Ms. Collins and either were having homes rebuilt or new ones. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Shafik I. Rfant, 2402 Commonwealth, Houston, Texas 77006 (713-520-0631) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Charles Portz, 1314 Texas Avenue, Houston, Texas 77002 (713-223-5299) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Bridget Smith, 6646 Winton, Houston, Texas 77021 (832-207-5008) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Sammie Jones, 1415 W. Gulfbank #1912, Houston, Texas 77088 (no phone) appeared and stated that he saw people rescued from under the bridge near Franklin Street during high waters and he had come from Pierce elevated before he received housing and was thankful for his apartment; that he would like the Mayor and Council to do something for that rescue team as water was rising and those people could have drown; that he was also asking they do what they could to get the homeless on housing and food stamps; that the Mayor put Houston on the map when he took Katrina victims from New Orleans and he believed the homeless were people too along with being Houstonians. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that there were many projects the city was already doing for homelessness with SRO's; that they were funding, underwriting and cosponsoring and supporting in every way they could, but some homeless did not want to be in homes and they could not solve the problem for every one, but he could be provided a list for assistance if he would like one. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Abdul Rajput, 6711 Hornwood, Houston, Texas 77074 (832-512-6059) appeared and stated that he was a taxi driver facing the problem with the airport; that towncar drivers went inside and some pulled a ticket and they did not know why they went inside; and they would like something done. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White thanked Mr. Rajput for bringing it to Council's attention and stated that notes were taken; and referred him to Mr. Daniels with F & A who was present at the time. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Isiaka Owolabi, 7447 Neal Ridge, Missouri City, Texas 77489 (713-478-4305) appeared and stated that he was a cab driver and by March 31<sup>st</sup> he was told they were going to strip his car but he said he was going to Council as the medallion was city property and they could not do what they wanted; and he would like Council's assistance. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (832-882-7761) had reserved time to speak but was not present when his name was called. Council Members Lawrence,

Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box, 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was addressing his official crime victim case; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

At 4:33 p.m. City Council recessed until 9:00 a.m., Wednesday, March 28, 2007. Council Member Garcia out of the city on city business. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

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

The Houston City Council reconvened at 9:00 a.m. Wednesday, March 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 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:20 a.m. Mayor White called the meeting to order and stated that the first order of business was a public hearing. Council Members Edwards, Wiseman, Garcia and Berry absent.

#### **HEARINGS - 9:00A.M.**

1. PUBLIC HEARING regarding amendments to the Project and Financing Plan for **TIRZ #14 (FOURTH WARD ZONE) - DISTRICTS D - EDWARDS and I - ALVARADO**

The City Secretary stated that they did have three speakers that had signed up to appear on the hearing and Mr. Fiederlein would make remarks on the hearing. Council Members Edwards, Wiseman, Garcia and Berry absent.

Mr. Fiederlein stated that on February 27, 2007 the Board of Directors of the Fourth Ward TIRZ approved amendments to the TIRZs Project and Financing Plan and forwarded them to the City for consideration, the public hearing was a statutorily required part of the City's review process, each Council office had been given a copy of the proposed amended plan and an official City statement had been distributed to each of them today, that he would not go into detail to everything that was covered in both the amended plan and in the City's statement, that he thought it was self explanatory, that what the amended plan allowed them to do was to move forward with several projects that had been developed in consultation with the TIRZ and with consultants retained by the TIRZ and would allow for a lot of good things to happen in the very near future in the Fourth Ward area. Council Members Edwards, Wiseman, Garcia and Berry absent.

Ms. Jacqueline Bostic, 4410 Roseneath Dr., Houston, Texas 77021 (713-747-1969) appeared and stated that she was present to address them regarding the project that was being

proposed for the Fourth Ward District TIRZ, they had been a long time getting to this point and they certainly would like to keep up the momentum of moving forward, that as they knew the Fourth Ward area was a historic district and many things had happened through the years that had negated a lot of the historic area, however they had presented a plan that would not only help to improve the living conditions of those who were living there today and the infrastructure that needed to be put in but also to help bring about some historic preservation, they ask that they would look at the plan and also understand that it was a fluid plan and that there may be some things that were on the plan today that once they were really looked at and if the numbers did not add up right and if they were not going to do what they thought they needed to they may have to be changed, however they did need to move forward, they needed the Council's help to do that and they certainly had people in the community who were willing to work with them such as the Federal Reserve Bank in order to help them reach the point where they were trying to go, they had been an excellent neighbor and they looked forward to their coming when they came and asked about building there and they saw now they were being a very good neighbor, so they were asking the City Council to help them, to assist them, to make sure that they were able to make their TIRZ work and work for the betterment of all of their citizens, they had brought in a lot of new people who were living in affordable housing and they needed to make sure that the infrastructure, the street, the signage and all of the things that they wanted were also in place, so again they were asking for their help to help them do the job that they had been trying to do since the redevelopment plan began, their CDC had 72 new residents there, they had built 72 houses and were hoping to get a little more land, there was not a lot left, to build some more affordable housing, but they thought that with the affordable housing, the market driven housing and they were looking to also now have development of mixed use community, they were asking for their help because they did believe it was a vital community to the Houston area and they wanted it to remain that way. Council Members Garcia and Berry absent.

Upon questions by Council Members, Ms. Bostic stated that she lived in the Fourth Ward, her great grandfather was what they called today a developer and he developed the area and was the pastor in the area, Reverend Jack Yates, so she grew up in the area and lived in the house that was now in the park, that she had spent her whole life trying to work to make sure that the area was a viable one, that her preference was trying to get the infrastructure straight so that people who come in there would be a capacity for them to live, they were building but they also needed the capacity for them to get the City services that they deserved and needed, one of the other projects that she would like to see moved forward and completed was the Gregory School Project, they were buildings that were in the neighborhood that for many were an eyesore that needed to be changed in order for the community to use them in a useful way, that she knew it was being worked on but thought they needed to move a little faster on it, that as to the bricks, she was not an engineer so she was not going to be able to say exactly how it could be done but knew that there needed to be infrastructure on those streets and hopefully there would be some way to take the bricks up and then put them back down and add on in those areas where the bricks had been taken up previously and they were not replaced, so that it all came together; that as to the Stull and Lee Plan in 2004 was an outgrowth of the original plan, kind of a reassessment of where they were at that particular time, that the original plan was adopted as the one that they were working from and the 2004 plan had just been a reassessment, that after they came in after things had changed from what the original plan was they came in to reassess where they were and what they could do and still be able to maintain some of the things that were in the original plan, that everything was not like she would have liked to have seen it but she wanted to see them move forward she did not want to see them bogged down in going backwards because what had been done in the past they could not change, but they did have something to say about what was going to happen in the future and what was going to happen right now in the present, so she would like to see them move forward and be able to maintain some of the things they had done to make the place a safe environment for the people who were now living there and to make sure that they move forward and bring the

neighborhoods up to the standards that all of the neighborhoods had in the City, as taxpayers they deserved that. Council Members Johnson, Edwards, Wiseman, Garcia, Lovell and Berry absent.

Mayor White stated that he had listened to her in the past and her response to priorities by the Council Members questions, those priorities would be their priorities and they had some catching up to do and thanked her for keeping engaged and did not think they would disappoint her in the pace in which they moved on the Gregory School, on the historic preservation, on the infrastructure and on the affordable housing. Council Members Johnson, Edwards, Wiseman, Garcia, Lovell and Berry absent.

Mr. Kofi Taharka, 2428 Southmore, Houston, Texas 77004 (713-962-0284) appeared and stated that he was from the National Black United Front Houston Chapter and he wanted to let them know that Freedman's Town and Fourth Ward was very important and sacred ground to many people across the City, not just the people who actually lived there or had some history there, there was a treasure trove of history and culture, it was a foundation for a community, that he wanted to encourage the City Council as they went about making the decisions regarding the Fourth Ward to insure that they include as broad a section of people who actually lived in that community as possible, in fact it should be the people who lived in that community who were leading the process, they wanted to challenge them as the plans were going forward to insure that there was a strong piece of affordable housing that was included in the plan because that was one of the best ways to help protect the cultural integrity of that community, that when they looked at the history of what had happened, the lies that had been told, the promises that had been made, the money that had been mishandled, misappropriated, people in the community had a strong level of distrust for those who say that they had the best interest of that community at heart, and that was throughout history, through facts, not through conjectural and not through emotion, do not be arrogant with the planning process for this, that some of them knew him, he was at a meeting and most aspects of the community were there at that meeting, but nothing got solved, that this meeting was announced at that meeting and people felt blocked out, left out, that was what he was hearing from people in Freedman's Town and the Forth Ward Community, so they were not saying do not move forward, do not do something, but when they did do something to make sure that they were doing it correctly, that he wrote all of the Council a letter regarding it, just asking a question, what was going on with it and he would suggest also that they pool the entire community for experts, particularly those in African American History and Culture and even nationally or internationally as the project goes forward, that they wanted to be on the record because they were watching what was going on, that it was sacred ground to many of them. Council Members Wiseman, Garcia, Lovell and Berry absent.

Council Member Edwards asked as to the issue of community involvement did he have any names that he would like to make sure or organizations because as far as she knew they had tried to include the ministers and so forth but they wanted to make sure that they addressed the point that he was talking about so if he had any particular names, and Mr. Taharka stated that he would say in general, and he did not know what their level of involvement was, but there were two groups, one was the Freeman's Association and one was the Freedmen's Town Association, and they all knew Mr. Linwood Johnson who had been organizing in that area and an activist for many years and Ms. Gladys House, that he was not going to speak for them they could speak for themselves, that he had already gotten information that some of those people did not even know that the hearing was going on today, and Council Member Edwards stated that it was a posted meeting, and was sure that Ms. Jewett would make the note, but she knew they had been involved she did not know if anybody had been officially involved except for the Gregory Lincoln School Project, but she knew they had been involved and would make sure that Ms. Jewett would get those names. Council Member Berry absent.

Mr. Tim O'Brien, 1304 Ruthven, Houston, Texas 77019 (713-739-0011) had reserved time to speak, but was not present when his name was called. Council Members Wiseman, Garcia, Lovell and Berry absent.

Council Member Alvarado moved to close the public hearing, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0302 ADOPTED.

Council Member Alvarado moved to suspend the rules to consider Item Numbers 3, 4 and 57 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0303 ADOPTED.

## **MAYOR'S REPORT**

At 9:39 a.m. Mayor White stated that they would have a brief Mayor's Report, that

Mayor White stated that they would have a brief Mayor's Report, that he would like to direct their attention to a one page sheet called Houston Economy 2006 which he had passed out to each Council Member. Mayor White reviewed six facts on the report, a copy of which is on file in the City Secretary's office for review. Council Member Berry absent.

Members of Council thanked Mayor White for his report and Mayor White stated that people wanted a more dense urban core in the abstract until it was near their neighborhood, and they were good in job growth within the City, strong and great in retail sales, but if they wanted to save money over the long run over the big infrastructure costs they needed to remove impediments and encourage people to be able to live closer to where they worked because most new single family housing starts were outside the City and eventually with the gasoline prices the employment centers would follow, so if they wanted to be competitive within the region they had to do things to let people know that they welcomed development within the City, not because of any developer but because they wanted consumers to know that they wanted their business every bit as much as some MUD outside the city limits.

Council Member Khan moved to suspend the rules to consider Item No. 2 at this time, seconded by Council Member Green. All voting aye. Nays none. Council Members Lawrence, Alvarado and Berry absent. MOTION 2007-0304 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **COASTAL WATER AUTHORITY'S BOARD OF DIRECTORS:**

- Position One - **MR. TONY COUNCIL**, appointment, for a term to expire March 31, 2008
- Position Two - **MR. RICK A. CLOUTIER**, reappointment, for a term to expire March 31, 2008
- Position Three - **MR. DIONEL E. AVILÉS**, reappointment, for a term to expire March 31, 2009
- Position Four - **MR. KURT F. METYKO**, reappointment, for a term to expire March 31, 2009

- was presented, moved by Council Member Khan, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0305 ADOPTED.

Mayor White stated that they had Members of the Board present, that the Coastal Water Authority was a very important institution and asked that they stand so that they could recognize their service and he wanted to thank them for being present. Council Member Berry absent.

3. APPROVE a motion giving the Director of the Houston Airport System the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.
4. APPROVE a motion giving the Director Department of Public Works & Engineering the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.
57. ORDINANCE appropriating \$4,855,850.00 out of Airports Improvement Fund and approving and authorizing amendment No. 4 to contract between the City of Houston and **OTHON, INC** for Professional Construction Management Services in connection with various construction projects of the Houston Airport System (Project No. 572A; WBS A-000429-0001-3-03-1) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0391 ADOPTED.

#### **CONSENT AGENDA NUMBERS 2 through 57**

#### **MISCELLANEOUS - NUMBER 5**

5. RECOMMENDATION from Director Department of Convention & Entertainment Facilities for the designation of three residential parking permit areas and related parking regulations in the Super Neighborhoods of Greater Third Ward, University Place and MacGregor - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS 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 2007-0306 ADOPTED.

#### **PROPERTY - NUMBERS 12 and 13**

12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Abigail Butler of the University of Texas M. D. Anderson Cancer Center (M.D. Anderson), for abandonment and sale of a 15-foot-wide alley, located in Blocks 14, 15, 18, 19, 21 and 22; Selma Avenue, from Braeswood Boulevard to Eton Street, from Eton Street to St. Agnes Street, and from St. Agnes Street south to its terminus; Princeton Street, from Braeswood Boulevard to Eton Street; Eton Street, from Cecil Avenue east to its terminus; St. Agnes Street, from Cecil Avenue to the east right of way line of Selma Avenue; and a portion of Cecil Street, from St. Agnes Street to Swanson Street; in exchange for the conveyance to the City of right of way for the widening and realignment of Bertner Avenue, from Braeswood Boulevard to Old Spanish Trail; all located within Institute Addition, SY6-036A through E, SY7-076A and B, AY7-261A through D, and AY7-262 - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council

Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0307 ADOPTED.

13. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY6-138, located at 6121 Kirby Drive, owned by Lamesa Properties, Ltd., a Texas limited partnership, Julie Tysor, Vice-President for the **KIRBY DRIVE STORM SEWER RELIEF PROJECT, SEGMENT 3 from Swift Boulevard to Robinhood**, M-000771-0003-2-01 **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0308 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 15 through 20

15. **IPC COMMAND SYSTEMS, INC** for Radio Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Fire Department \$251,700.72 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0309 ADOPTED.
16. **VERIZON SELECT SERVICES, INC** for Nortel Video Switch through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Emergency Center (HEC) \$199,981.88 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0310 ADOPTED.
18. **HUMPHRY'S-TEXTILE PROD.** - \$60,781.22 and **INDUSTRIAL DISPOSAL SUPPLY CO.** \$79,964.00 for Tarps and Tarp Straps for Various Departments - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0311 ADOPTED.
20. **ALLSTEEL, INC** - \$206,960.86, **CHALLENGE OFFICE PRODUCTS** - \$223,661.10, **CORPORATE EXPRESS** - \$47,563.78, **J. TYLER SERVICES** - \$28,748.21, **OFFICE SOURCE** - \$197,104.01 and **THE HON COMPANY** - \$125,771.54 for Office Furniture from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$829,809.50 - General, Grant, Enterprise and Other Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0312 ADOPTED.

**ORDINANCES** - NUMBERS 21 through 55

21. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 1,200 square foot (0.0275 acre), more or less, tract of land (Parcel SY7-013), located at 3500 Telephone Road and the north line of Brays Bayou, Luke Moore Survey, A-51, Harris County, Texas and part of the former Telephone Road Sanitary Sewer Lift Station; vacating and abandoning said tract of land to the Harris County Flood Control District, the abutting owner, in consideration of owner's payment of \$2,400.00 and other consideration to the City - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0392 ADOPTED.

22. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of West 27th Street right of way, containing 6,620 square feet of land, more or less, being out of the resubdivision of Lots 89 to 101 of Shady Acres Second Addition, situated in the Henry Reinerman Survey, A-644, Houston, Harris County, Texas; Parcel SY6-062; vacating and abandoning Parcel SY6-062 to Memorial Hermann Hospital System, the abutting owner, in consideration of owner's dedication back to the City of the said parcel as a utility easement, and payment of \$70,080.00 and other consideration to the City - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0393 ADOPTED.
23. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the former City of Houston Water Well Pump Site No. 20, located at 901 Sawyer Street (Parcel SY6-126), located in the John Austin Survey, A-1, Houston, Harris County, Texas, containing 8,074 square feet of land, more or less; vacating and abandoning said tract of land to Glenwood Cemetery, Inc., abutting owner, in consideration of abutting owner's conveyance to the City of a parcel of land (Parcel AY3-559), also located in said John Austin Survey, A-1, containing 8,075 square feet of land, more or less; authorizing the payment to abutting owner of \$13,389.00 as partial consideration for said Parcel AY3-559 - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0394 ADOPTED.
24. ORDINANCE amending the Planning and Zoning Regulations of Reinvestment Zone Number One, City of Houston, Texas (St. George Place), relating to Planned Unit Developments; making certain findings and provisions relating thereto; containing a severability clause - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0395 ADOPTED.
25. ORDINANCE consenting to the creation of the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 6** and the inclusion of certain land within the district - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0396 ADOPTED.
27. ORDINANCE consenting to the addition of 2.0648 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 84**, amending Ordinance No. 2003-672 in connection therewith – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0397 ADOPTED.
28. ORDINANCE consenting to the addition of 6.329 acres of land to **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0398 ADOPTED.
29. ORDINANCE consenting to the creation of **WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 1** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0399 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City of Houston and **CATHOLIC CHARITIES OF THE ARCHDIOCESE OF GALVESTON-HOUSTON** providing up to \$700,000.00 in Housing Opportunities For Persons With Aids (“HOPWA”) Funds for the Administration and Operation of a Short-Term Rent, Mortgage, and Utility Assistance and Supportive Services Program, which amount includes a limitation on additional funding in the amount of \$350,000.00 **DISTRICT D - EDWARDS** – was

- presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0400 ADOPTED.
31. ORDINANCE approving and authorizing second amendment to grant agreement between the City of Houston and **A CARING SAFE PLACE, INC** for Construction of a new transitional housing facility to be located at 1804 Carr Street - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0401 ADOPTED.
  44. ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY** for provision of Outreach Services pursuant to the Federal Grant Program established under the Ryan White Comprehensive AIDS Resources Emergency Act now known as the Ryan White HIV/AIDS Treatment Modernization Act - \$25,995.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0402 ADOPTED.
  45. ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and **KIPP, INC**, to change the scope of the agreement from the payment of hard costs to the payment of soft costs associated with the construction of a public charter high school facility located at 10711 Kipp Way, Houston, Texas and to reduce the Restricted Use Period from 10 to 5 years - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0403 ADOPTED.
  46. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **TEXAS DEPARTMENT OF PUBLIC SAFETY (TXDPS)** for TXDPS' Participation in the funding of the Houston Joint Operations Intelligence Center (“JOIC”) – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0404 ADOPTED.
  47. ORDINANCE approving and authorizing the submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor (“CJD”) for the Coverdell Forensic Science Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0405 ADOPTED.
  49. ORDINANCE amending Ordinance No. 2003-353 to increase the maximum contract amount to Contract 4600000724 (C54869) between the City of Houston and **JOMAR CONTRACTORS, INC** for Lighting Maintenance Services for Houston Airport System - \$964,829.12 - Enterprise Fund **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0406 ADOPTED.
  50. ORDINANCE approving and authorizing a Utility Functions and Services Allocation Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 404 DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0407 ADOPTED.

51. ORDINANCE approving and authorizing Irrigation Contract between the City of Houston and **FPL FARMING, LTD**, and **FVL, LTD., a Joint Venture** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0408 ADOPTED.
53. ORDINANCE finding and determining the existence of a public necessity for the acquisition of real property interests in connection with the public improvement projects known as the San Felipe Street Improvement Paving Project (Sage to Interstate Highway 610) and Post Oak Lane Park; authorizing the acquisition, by donation, purchase, or eminent domain proceedings, of the fee simple interest in and to certain property in Lot 1, Block 2 of the Azalea Terrace Subdivision as recorded in Volume 33, Page 38 of the Map Records of Harris County, Texas, being situated in the William White Survey, Abstract No. 836, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0409 ADOPTED.
54. ORDINANCE appropriating \$230,000.00 out of Water & Sewer Consolidated Construction Fund as an additional appropriation for an Interlocal Cooperation Agreement between the City of Houston and the **SAN JACINTO RIVER AUTHORITY** for the acquisition of additional water rights in the San Jacinto River Basin (approved by Ordinance No. 2003-0779) WBS S-000019-0026-5 – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0410 ADOPTED.
55. ORDINANCE appropriating \$1,343,700.00 out of Water & Sewer Consolidated Construction Fund; awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.**, for Hillwood Area Water Line Replacement Project, WBS S-000035-00G8-4; setting a deadline for the bidders 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, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0411 ADOPTED.

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

**ACCEPT WORK**

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract of \$3,118,418.87 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P. formerly TROY CONSTRUCTION, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods, GFS R-0266-82-3 11.53% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0313 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract of \$1,223,302.38 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Sanitary Sewer Rehabilitation by the Point Repair Method, GFS R-0266-T3-3 - .94% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0314 ADOPTED.

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract of \$1,246,106.43 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-T7-3 - .77% under the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS and E - WISEMAN** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0315 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract of \$1,206,432.83 and acceptance of work on contract with **PM CONSTRUCTION AND REHAB., L.P.** for Sanitary Sewer Rehabilitation by Point Repair Method, WBS R-000266-00B1-4 - 1.53% over the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0316 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract of \$2,636,634.72 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-000266-00S9-4 - 5.26% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0317 ADOPTED.

#### **PROPERTY**

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Steve King, CB Richard Ellis, Inc., on behalf of Westpark Investors, LLC (Dan Alessio, General Partner), for sale of ±6,900-square-feet of excess fee-owned property within City Water Well Site #6, adjacent to 6300 Westpark Drive, in exchange for conveyance to the City of a sanitary control easement, over the entire area being sold, out of the G. C. & S. F. R. R. Survey, Section 2, A-1026, Parcels SY7-050 and QY7-003 **APPRAISERS - DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0318 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcels AY3-590 and AY3-591, located in the 2000 block of McKinney Street, owned by Union Pacific Railroad Company, a/k/a Southern Pacific Transportation Company, Pat Moran, Real Estate Property Manager for the **COLUMBIA TAP UNION STATION HIKE AND BIKE TRAIL PROJECT**, N-000420-0037-2-01 - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0319 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS**

17. ORDINANCE appropriating \$1,311,754.00 out of Equipment Acquisition Consolidated Fund for the purchase of a Milling Machine and Dump Trucks for the Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0412 ADOPTED.

- 17a. **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$780,982.00 and **MUSTANG MECHANICAL COMPANY, LTD., d/b/a MUSTANG CAT** - \$530,772.00 for Dump Trucks and a Cold Planer through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative, respectively, for the Department of Public Works & Engineering – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0320 ADOPTED.
19. **AMEND MOTION #2005-354, 4/20/05, TO INCREASE** spending authority from \$916,512.66 to \$1,145,640.83 for Special Truck & Body Replacement Parts Contract for Various Departments, awarded to **MCNEILUS TRUCK & MANUFACTURING** - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0321 ADOPTED.

### **ORDINANCES**

26. ORDINANCE consenting to the addition of 28.099 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 460**; for inclusion in its district - **DISTRICT D – EDWARDS** – was presented, and tagged by Council Member Wiseman.
32. ORDINANCE amending Ordinance No. 93-1642, passed December 22, 1993, which approved and authorized the City of Houston to enter into a funding agreement with the United States Department of Housing and Urban Development under the Home Investment Partnerships Program authorized pursuant to Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0413 ADOPTED.
33. ORDINANCE amending Ordinance No. 94-863, passed August 24, 1994, which approved and authorized the City of Houston to enter into a funding agreement with the United States Department of Housing and Urban Development under the Home Investment Partnerships Program authorized pursuant to Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0414 ADOPTED.
34. ORDINANCE amending City of Houston Ordinance No. 95-743, passed on June 28, 1995, which approved and authorized the submission of the 1995 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0415 ADOPTED.
35. ORDINANCE amending City of Houston Ordinance No. 98-474, passed on June 17, 1998, which approved and authorized the submission of the 1998 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0416 ADOPTED.
36. ORDINANCE amending City of Houston Ordinance No. 99-487, passed on May 19, 1999, which approved and authorized the submission of the 1999 Consolidated Plan to the

United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0417 ADOPTED.

37. ORDINANCE amending City of Houston Ordinance No. 2000-395, passed on May 17, 2000, which approved and authorized the submission of the 2000 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0418 ADOPTED.
38. ORDINANCE amending City of Houston Ordinance No. 2001-555, passed on June 13, 2001, which approved and authorized the submission of the 2001 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0419 ADOPTED.
39. ORDINANCE amending City of Houston Ordinance No. 2002-512, passed on June 12, 2002, which approved and authorized the submission of the 2002 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0420 ADOPTED.
40. ORDINANCE amending City of Houston Ordinance No. 2003-620, passed on June 25, 2003, which approved and authorized the submission of the 2003 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0421 ADOPTED.
41. ORDINANCE amending City of Houston Ordinance No. 2004-0685, passed on June 30, 2004, which approved and authorized the submission of the 2004 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0422 ADOPTED.
42. ORDINANCE amending City of Houston Ordinance No. 2005-607, passed on May 11, 2005 which approved and authorized the submission of the 2005 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0423 ADOPTED.

43. ORDINANCE amending City of Houston Ordinance No. 2006-628, passed on June 14, 2006, which approved and authorized the submission of the 2006 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships ("HOME") Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0424 ADOPTED.
48. ORDINANCE approving and authorizing one-year contract between the City of Houston and **PATRIOT ADVERTISING, INC** for Advertising Services for the Houston Police Department \$300,000.00 - General Fund – was presented, and tagged by Council Members Wiseman, Lovell, Khan, Green and Garcia. Council Member Berry absent.

Council Member Khan stated that he wanted to get some information and asked what were they advertising and what had been spent in the category in the past and what necessitates that kind of funding for advertising, was it for outreach or recruiting. Council Member Berry absent.

Mayor White stated that it was for recruiting, that there had been some recruiting services and with this opportunity for a tag there could be some briefings, that they wanted to make sure they had the best potential pool of applicants and he had asked the Chief to also consider some best practices that would not necessarily be covered by this contract, for example testing people immediately when they show interest, that was what other cities did, that what most businesses did that wanted to hire the best was someone who was a potential recruit they wanted to get them in the door as quick as they could before somebody else gets them, those would be examples of what they wanted to do. Council Member Berry absent.

Council Member Green stated that his concern, for whomever chose to follow up with him, was that he read in the RCA that the company who was the contractor volunteered prior to receiving the nod, he was concerned that it sends a bad message, that the best way to get a City contact was to volunteer under the guise of volunteerism, at some point they would flip it over and pay them on the back end and he did not know what precedent it sets, so he would like some follow up with that, because if they were going to volunteer, they were going to volunteer, but he did not think the inducement for volunteerism ought to be that they would find a way to get them a contract later, so he would like to speak to someone about it. Council Member Berry absent.

Council Member Khan stated that he wanted to know what kind of experience the firm had for that kind of contract and what they had done in other cities and did the City do a RFP, how was the whole process worked out, and Mayor White stated that those were both extremely legitimate issues. Council Member Berry absent.

Council Member Garcia stated that he had some of the same concerns that Council Member Green had but on the other side he did want to commend the administration for helping to bring an item like this forward because two often they had just done the business of recruiting extremely low under the radar and he brought to their attention that they were not promoting the Police Department as a place for a career, that as a young person he remembered seeing the advertisement of police officers going into a wooded area and coming out with a little girl who had been lost and that kind of message was not out there and he thought they could really open and awaken the conscious of young people who would want to be helping, saving lives and consider a career of public service if the message was out there, that he was excited to hear the first radio advertisement a week or two ago, so he wanted to have a hearing on it just to make

sure they all understood that they were working to promote the Houston Police Department as a place to start a very rewarding career. Council Members Brown and Berry absent.

Mayor White stated that the best mediocre PR tended to be in the traditional mass media radio and television and really good recruiting tended to be very targeted to diverse groups that they wanted within the age and education, etc. that they wanted, and he thought they would see a lot of planning had been done since August, that he got reports every month and checked to see they had the best possible recruits and thought that it was worthy of a hearing. Council Members Brown and Berry absent.

Council Member Holm stated that she wanted to thank Patriot Advertising for being the example that so often Mayor White had set forth in the City in partnering to invest their time, talent and resources in contributing to the City, but she also thought that in order for them to be really fiscally responsible with what Council Member Green had said that what they had to do was celebrate the opportunities and what they had offered them and now they must be very accountable for everything they did for the City to implant that plan to reassure all of the Council Members so that they could reassure that their tax dollars were spent in implementing a plan going forward and not compensating in any way for something in the past. Council Member Berry absent.

Council Member Green stated that he failed to mention that it seemed to be only the consulting piece, he did not know if the contract including the media buys or what the actual plan would be, if it was a building process it would be the design process rather than the actual construction process, so he thought although it was a \$300,000 contract it obviously could lead to millions of dollars more in the actual buy, that he wanted to make it clear, he obviously wanted the police cadet classes filled but he just needed a little bit more information on it.

Council Member Khan stated that Mayor White talked about targeted approach towards recruiting and targeted advertising and he did not see in the item where they were making any effort to reach out to various ethnic media, for example, which could be a huge potential of good recruits, so he agreed with him that it was targeted and hopefully the tag would give the message that they needed to see some very serious consideration of doing it the right way.

Mayor White stated that they needed to get a report back to Council Member Green, but he believed that it included the budget that included the advertising but that was something that they needed to get clarified, as well as the website design.

Mayor White stated that Item No. 48 had been tagged.

52. ORDINANCE finding and determining that public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Kingwood West Wastewater Treatment Plant Project; authorizing the acquisition of certain real property interests in fee simple or easement within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property interests and associated costs for appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of real property interests in, in six (6) parcels of land situated in the William Birch Survey, Abstract No. 74 in Montgomery County, Texas, and being more specifically located out of Tract 1, Reserve "C", replat of Riverclub Estates, Section 2, a portion of the right-of-way of River Ridge Drive, a part of the residue of a called 208.8434 acre tract of land conveyed to Friendswood Development Company and King Ranch, Inc., by deed recorded under Montgomery County Clerk's File No. G734852 - **DISTRICT E - WISEMAN**

– was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0425 ADOPTED.

56. ORDINANCE appropriating \$288,367.13 out of General Improvement Consolidated Fund; and \$135,308.75 out of Solid Waste Consolidated Fund, as an additional appropriation, under contract with **CHARTER ROOFING COMPANY, INC** for Roof Repair Services for the Metropolitan Multi-Service Center, D-000128-0001-4 and the Solid Waste Northwest Service Center - L-0000NA-003-4 - **DISTRICTS A - LAWRENCE and D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0426 ADOPTED.

#### **NON CONSENT AGENDA** - NUMBER 58

#### **MISCELLANEOUS**

58. REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by **TERESA ARGUETA** on the denial of an Application for a Manufactured Home Hardship Extension at 7911 Brays - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Alvarado.

#### **MATTERS HELD** - NUMBERS 59 through 66

59. ORDINANCE **AMENDING SECTION 10-451 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Emission of Toxic or Hazardous Air Pollutants creating a nuisance; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing penalties therefor; providing for severability – **(This was Item 44 on Agenda of February 14, 2007, POSTPONED BY MOTION #2007-146)** – was presented.

Council Member Alvarado moved to refer Item No. 59 back to the administration, that she understood that they had a taskforce that was working on the issue but she wanted to make sure that they stayed on course and that they had ample time to have Council input and that they did not do anything that would weaken the spirit of what they had been trying to accomplish in holding people accountable in giving their inspectors and team at the Bureau of Air Quality Control some tools to be able to enforce some things that they had not been able to do, so she hoped that they had that commitment from the taskforce, seconded by Council Member Wiseman.

Mayor White stated that they supported the motion to refer back to the administration.

Upon questions by Council Member Clutterbuck, Mayor White stated that the mayors of various cities outside of Houston endorsed the idea of having a taskforce look at how they had cleaner air based on scientific health standards and taking into account the impact on economic growth and development, that he was pleased that a diverse number of business and health leaders within the Greater Houston Partnership and others who were not members of the partnership participating and had a task force that was looking at the Benzene Reduction Plan and using that as a model, whether they could come up with some regional plans that would allow them to clean their air, that it was premature to judge but certainly part of that was that they wanted to make sure there was a level playing field for all the firms in the region and if some firms did make the investment and others did not that people would not get some economic advantage for not doing their fair share to contribute to cleaner air, so he would say the spirit of the meeting that they had was cordial, that he thought there were people who did not know at that meeting what the people in Houston knew who were at a hearing in March

2005 when they presented the TCEQ with a recommendation by Harris County and the City of Houston and Galveston County that they have regional enforcement mechanisms set up because they were regional issues, they never did get a response from the TCEQ, it was a very detailed letter that he could forward to the Council Members that was presented at a open public hearing and privately to the members of the TCEQ, so they endorsed and in 2004 the staff of Harris County, the City of Houston and Galveston worked diligently to make sure that they had a regional enforcement plan but without the TECQ endorsement of that, who funds these programs, they were unable to implement that, and Council Member Clutterbuck asked Mayor White if he could let them know who was in the meeting and what ended up coming of that, if there was some commitment to community standards relating to nuisance.

A vote was called on Council Member Alvarado's motion to refer Item No. 48 back to the administration. All voting aye. Nays none. MOTION 2007-0322 ADOPTED.

60. **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 – **(This was Item 38 on Agenda of March 7, 2007, POSTPONED BY MOTION #2007-265)** – was presented.

Council Member Lawrence stated that the three speakers who came up yesterday, two of them she had met with in a group and she met with them also halfway through public session yesterday and what they had come up with at a previous meeting was to correct a situation was to clarify the verbiage, their concern was not so much with this administration or this City Council but how it would be interpreted later on, so they went back yesterday afternoon, and she wanted to thank KO especially who did some more work on it and brought in the verbiage that they felt like forever if a code enforcement person who came out would not rule in opposition was to what their interpretation of this amendment was, so she had passed out three sheets of paper, three of them were amendments to the ordinance as follows:

Proposed Amendment No. 1

"I move to amend Item 60 as follows:

In Section 1 of the proposed Ordinance, amend Subsection (a) of Section 39-71 to read as follows:

(a) An owner or lessee of property shall place or maintain a bulk container so that it is not visible from a the street right-of-way on which side the primary address of the property is located. A bulk container located on a service drive behind a building on said property shall not be deemed visible from the street right-of-way."

Proposed Amendment No. 2

"I move to amend Item 60 as follows:

In Section 1 of the proposed Ordinance, amend Subsection (c) of Section 39-71 to read as follows:

(c) An owner or lessee of property may utilize a berm, building, fence, wall, gate, shrubbery, or a combination thereof, ~~in compliance with crime prevention through environmental design (CPTED) standards,~~ to accomplish the screening of a bulk container from view."

Proposed Amendment No. 3

"I move to amend Item 60 as follows:

In Section 1 of the proposed Ordinance, amend Subsection (a) of Section 39-73 to read as follows:

(a) **Unlimited duration exemption certificate.** An owner of a single contiguous parcel of property upon which one or more bulk containers were situation on \_\_\_\_\_<sup>1</sup> may apply for an exemption certificate under this section. The director shall issue to the applicant a certificate under this section. The director shall issue to the applicant a certificate for an exemption of unlimited duration upon demonstration by him that the use of one or more bulk containers is reasonably necessary to dispose of the waste that is generated upon the property and:

- (1) There is adequate space to locate the bulk container(s) upon the property in a manner that complies with section 39-71 of this Code: or and
- (2) Placement of the bulk container on the property in a manner that complies with section 39-71 of this Code would violate any provision of chapter 26 of this Code relating to Off-street parking requirements, chapter 42 of this Code relating to planning standards, or the Fire Code relating to dumpsters or fire apparatus access roads.
- ~~(2) — The use of one or more bulk containers is reasonably necessary to dispose of the waste that is generated upon the property.”~~

<sup>1</sup> The editor shall insert the date of passage and approval of this ordinance.

Council Member Lawrence stated that the third amendment dealt with the permitting and right now with it passing they were putting a double whammy on many businesses, right now in , and with the Mayor's permission they would bring it up at the next committee meeting in two weeks, Fire Code 105.A if they were a business and build their building and probably the most irritating thing to business owners at this point in Houston was that they did not do anything wrong, the City did not give them any service and they had to pay an inspection fee every year, even if the inspector did not come out, so what she would like to do was take to committee, this coming month, Section 105.7, and they did not have that handout, it was an annual fee that the City did nothing, they just paid, take it out for dumpsters and therefore Section 1 would clarify those fees and they would only pay it once, as it was now they would be paying a fee twice, with the Fire Code and with the Dumpster Code, so the Dumpster Ordinance did not go into affect from the point they pass it for six months so they could get the fees straightened, that they did not want to charge a business, an apartment or anybody that had dumpster two fees, especially one that they had no service for, that she would like to tag the amendments and by doing that moved to postpone the main item until after the committee meeting, seconded by Council Member Khan.

Council Member Lovell stated that she agreed with Council Member Lawrence and had wanted to offer an amendment that had been passed out and it dealt with the exemption of fees which she thought all of it would be resolved and discussed as it was referred back and put back in the committee; that another issue she wanted to raise also on dumpsters was on the recycling of which they had schools and non profits and organizations, that was one of their main sources of fund raising and how did it affect their dumpsters where they put newspapers and other things, how did it affect it, that she thought there were a lot of issues that needed to really be clarified so she would support the referring back to committee.

Council Member Wiseman stated that she would offer a written motion to amend Item No. 60 as follows:

“Motion to amend Item No. 60, 39-72b, the Offences, add Item 4, Bulk containers located on school property for recycling collections.”

Council Member Wiseman asked how would it apply as well to bulk containers that were used by charity organizations that were looking for people to donate items to their organizations, that she was sure all of them had seen the containers located in various areas such as shopping centers and the like, that she believed Purple Heart was one organization that used them, there were other non profit organizations that had the collection bins for drop off donations and she was interested in knowing how it would affect those efforts, that she would tag her motion to amend Item No. 60.

After further discussion by Council Members, Mayor White stated that they did put in the record the tags of certain amendments and asked if there was any objection to the Council Members releasing those tags.

Council Member Wiseman stated that she would ask that in the discussions that were had the parties that were invited that they contact school representatives so that they could play a role as well as charity organizations that would be impacted by it as well and given that she would release her tag on the items so that the motion to refer to committee be considered at this time.

Mayor White stated that he heard no objection of the request to release tags so right now they had four amendments plus the main item.

Council Member Lovell moved to refer Item No. 60 and four proposed motions that were offered to amend Item No. 60 back to the administration, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Holm absent. MOTION 2007-0323 ADOPTED.

61. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Finance & Administration for payment of invoices to **JEFFERSON WELLS** in the amount of \$1,135,000.00 and to **SUNLAND GROUP** in the amount of \$468,585.00 for Professional Services for Hurricane Housing Program and allocate funds previously appropriated to the Hurricane Katrina Aid and Recovery Fund – **(This was Item 3 on Agenda of March 21, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Holm absent. MOTION 2007-0324 ADOPTED.
62. RECOMMENDATION from Director Parks & Recreation Department for new fee schedule for permitted use of City of Houston sports fields – **(This was Item 4 on Agenda of March 21, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented, moved by Council Member Khan, seconded by Council Member Wiseman. Council Member Wiseman voting no, balance voting aye. Council Member Holm absent. MOTION 2007-0325 ADOPTED.
63. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering to purchase Parcel AY5-095, located at 10208 Aldine Westfield Road, owned by Xing Van Huynh and Set Thi Huynh for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B - JOHNSON** – **(This was Item 16 on Agenda of March 21, 2007, TAGGED BY COUNCIL MEMBER KHAN)** – was presented.

After discussion a vote was called on Item No. 63. All voting aye. Nays none. Council Member Holm absent. MOTION 2007-0326 ADOPTED.

64. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY7-001, located at 10453 Aldine Westfield Road, owned by Ysmael J. Vargas for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B – JOHNSON – (This was Item 17 on Agenda of March 21, 2007, TAGGED BY COUNCIL MEMBER KHAN)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2007-0327 ADOPTED.
65. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY7-002, located at 10457 Aldine Westfield Road, owned by Juan C. Coronado for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B – JOHNSON – (This was Item 18 on Agenda of March 21, 2007, TAGGED BY COUNCIL MEMBER KHAN)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2007-0328 ADOPTED.
66. ORDINANCE consenting to the addition of 607.47 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400**, for inclusion in its district – **(This was Item 35 on Agenda of March 21, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Holm absent. ORDINANCE 2007-0427 ADOPTED.

Mayor White stated that there would be a press conference about something that was breaking new ground for the City of Houston in protecting their residences with life safety violations with the actions they were taking in a particular case where there were shameful living conditions that people were allowed to live in, that it would be at 11:30 a.m. Council Members Wiseman and Holm absent.

#### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Berry stated that he wanted to say thank you to his colleagues, that a number of them had reached out to Carl Davis, that he lost his sister this week and they appreciated their keeping him and his family in their prayers, that the visitation for Barbara Ann Davis would be on Saturday from 10:00 a.m. to 11:00 a.m. and the funeral would follow at Wesley Chapel AME Church at 2209 Dowling Street. Council Members Johnson, Wiseman, Khan and Holm absent.

Council Member Brown stated that he seconded breaking new ground and looked forward to Mayor White's press conference. Council Members Johnson, Wiseman, Khan, Lovell, Green and Berry absent.

Council Member Brown displayed two maps and stated that one showed the urbanized area in the Houston region for 2005 and the other was if they projected current trends they would see what was happening in the future, that they were not his maps, they were from the Houston Galveston Area Council, that they would see what would happen in the future 30 years from now, that he would point out that their future as a City was linked to what happens outside the region, that the Houston Galveston Area Council had encouraged them to come up with some new ideas about changing the existing trend of growth. Council Members Johnson, Wiseman, Khan, Lovell, Green and Berry absent.

Council Member Brown stated that Mayor White had initiated a commendable planning process with emphasis on drainage, on cleaning up the air and an essential rapid transit system which they all must support and more parks and greenspace and some better regulations to

protect their neighborhoods, that the Mayor was setting some doable goals and it would be wrong for them to promise more than they could deliver, that he looked forward to be part of the process and figuring out how to fit the pieces so they could have a great future for all of them. Council Members Johnson, Wiseman, Khan, Lovell, Green and Berry absent.

Council Member Brown stated that he wanted to talk briefly about neighborhood stabilization and keeping the middle class in the City, that in their deed restricted areas, protected from any kind of significant change by deed restrictions, they had higher income areas like River Oaks and upper income areas like Briargrove and some middle class areas like Maplewood, and to some extent Meyerland, but one of the concerns that he had was that middleclass housing was disappearing from the City, primarily due to the fact that in the restricted areas there was a supply demand issue, that if they turned to the unrestricted areas they did have upper income, higher density development in the core of their City and they had some upper middle income housing in a zone in transition, that in some of those zones of transition they did have upper income housing and in the moderate income housing in unrestricted areas it was really relegated to older subdivisions, many of them in need of repair and large areas of lower income, mostly substandard houses in deteriorated neighborhoods and in some cases not neighborhoods of choice, that the City needed to take an important initiative to build and retain the middle class in the City, that he thought they needed a fundamental City policy of mixed income neighborhoods, and the other enormous benefit that came from mixed income neighborhoods was a basic strategy to improve the public school system, that he did not think HISD was going to survive or be successful as a public school system if they were only educating the poor, they needed mixed income communities as a fundamental public policy in the City, that there were some neighborhoods that deserved to remain stable and others that needed to be open to growth and change and greater density but he did not think if they wanted housing choices in the City that everybody's neighborhood should be open to radical change in terms of density and the type of development because if that was the case every neighborhood in the City that was not deed restricted was going to end up looking like every other neighborhood and that was not certainly a good definition of choice, that the important issue for stabilization of neighborhoods was neighborhood amenities, parks and walkable streets and places to park, that they could achieve it and he thought the Mayor had started them in the right direction. Council Members Lawrence, Wiseman, Khan, Holm, Lovell, Green and Berry absent.

Council Member Brown stated that he had a very interesting dinner with the Consulate General of Japan and his wife and there were consulate representatives from all over the world and there was a very encouraging discussion about Houston as a global City. Council Members Lawrence, Wiseman, Holm, Lovell, Green and Berry absent.

Council Member Clutterbuck stated that she was glad that the City was finally taking action against delinquent and horrible properties, that she was delighted that their Neighborhood Protection team had been given the authority to take action on it, that they had several properties in District C that she could not believe anybody would be living in, that one in particular was right behind Westbury High School. Council Members Lawrence, Wiseman, Holm, Lovell, Green and Berry absent.

Council Member Clutterbuck stated that she attended a civic club meeting last night and a lot of the residents were very pleased with how the City was going but had questions about the authority of some of their inspectors, whether it was on Neighborhood Protection issues or on sidewalk construction projects or some of their rehabilitation of their streets, and one person mentioned that they were stopped at a stop light and one of the City subcontractors was jacking up part of a sidewalk that needed to be replaced, but the man operating the jackhammer was wearing tennis shoes and no hard hat and pieces of concrete were flying and one hit the windshield of the person in the civic club and he raised the question, did the City require their

subs to comply with certain OSHA standards or other type of work safety standards, that at what point did the City give their inspectors authority to pull the person off of the job, that she looked forward to talking with the head of Public Works about that at some point in the future. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Johnson stated that he wanted to thank Mayor White for his participation and intensiveness in creating viable communities in District B as they continued to talk about fixing what he thought the problem had been, that he thought they were moving in the right direction by trying to get teachers and law enforcement officers back into their community, that certainly they were going to offer so much value that the communities needed and would attract the great commercialism that they had always talked about. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Johnson stated that he wanted to talk about the habitability of homes in District B and the City of Houston, that he wanted them to be mindful that it was not just apartment complexes that they should be taking a look at, there were a lot of rental homes, especially the row houses that dot District B that certainly needed to be addressed, that he thought they were missing a great opportunity of holding these owners accountable for the type of dwellings they were renting out and maybe even some fees that might be inclusive of that, that they should hold a certain standard as to what people should be renting out. Council Members Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent.

Council Member Johnson stated that last Friday he had a great Business Symposium at the Airport and it was well attended, over 100 businesses came to the symposium, that the reason for the symposium was born out of the necessity to address the disparity study that demonstrated that minorities and contractors were not coming to the table and getting the fair share of the monies that were being distributed in the City, that the next step would be getting people prepared to get some of the contracts, that he wanted to thank Mr. Vacar of the Airport System and his staff and the staff of his Council office. Council Members Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent.

Council Member Johnson stated that over the weekend Sweat Equity had taken it's plight, they got some young people to work and got them to start cutting some weeded lots working with Neighborhood Protection, that he wanted to thank Matt Tibidoux and Ms. Mitchell from HPD's Neighborhood Protection Division for doing a great job, and Jefferson Mowing for being open minded enough to understand that they needed help and were not able to get to all the weeded lots, they were able to get several lots in the Acres Homes community cleaned up with the help of the Super Neighborhood Council, that they did a fantastic job, that the program would be taking place every weekend. Council Members Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent.

Council Member Johnson stated that the Spring Fling would take place on Saturday at the Northeast YMCA on Tidwell at Wayside from 10:00 a.m. to 2:00 p.m., that he would encourage everybody to come out and be a part of the great event. Council Members Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent.

Council Member Lovell stated that she wanted to send their best wishes to Mr. Mike Howard from Council Member Lawrence's office, that he was in the hospital. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she was looking forward to the Spring Fling, that she signed up to play softball and would encourage everybody to go. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she wanted to thank Mayor White for his leadership in taking to task some of the apartment owners who let people live in third world conditions, that it was about time. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank the staff and management of the Breakfast Klub and the Solid Waste Management Department and the staff of the District D office, that last Saturday they interviewed over 50 people for employment in the Solid Waste Management Department and some of the people they interviewed had successfully been put in place, that they were going to have another job fair with Solid Waste on April 14, 2007, that it was an opportunity for any Houstonian who was trying to reestablish a work record, has a home and family and needs health benefits and so forth this might be a place for them to come and investigate so she would encourage them to come out. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Ms. Eileen Lawal, wife of Mr. Kase Lawal, who had a wonderful luncheon that featured the Honorable Barbara Masekela, the South African Ambassador to the United States in Washington D.C., that they talked about the need for possibly a point person in the Houston area for South African trade with Houston, that she was very amenable to that and said she would like to discuss that further, that hopefully between the Protocol Office and the Mayor's office they could have at least a point person that would direct trade opportunity and have people have the opportunity. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to make a call out to all City Council Members and wanted to thank Council Member Khan, there was an idea to bring together the communities of the City of Houston, both ethnic and cultural different communities, they had probably the most diverse community of any large City and their strength was that they were not balkanized like the old cities, Chicago, New York and London where they had the balkanization of groups, that there had been an event that they had put on for two years in the City of Houston called Unity Day and the struggle for that event was to bring together and celebrate the diversity of the communities that lived in Houston, so she was inviting all of the Council Members, that they would like to have a brainstorming meeting on April 11, 2007 at City Hall at 1:00 p.m. to say what would it look like to have all of their communities come together in either a day or weekend of celebration where they could exhibit their culture, history, their prominence that was current today and their food, that they would do it in a City venue such as Hermann Park or that sort of thing, they had the support of a lot of entertainment but they needed the support of the City, that it would be on April 11, 2007 and would probably be in the large conference room, that Council Members Garcia and Khan had already indicated that they were willing to be a part of it. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to remind everybody that hurricane season was going to be starting very soon, June, and would encourage everyone to get flood insurance, that she still wanted to know what was the status of any evacuation routes or evacuation plans that they could get to their people. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she was concerned about the article regarding TYC, that the article said that the Special Master, Jay Kembro, said that 60% to 90% of the young offenders had their sentences extended by the TYC officials, not by the courts, that she was not sure what it meant but would like to know how many of that percentage were Houstonians, young Houston youth, aside from the issue of all of the things that were going on she had an idea that a great percentage of those young people were from Houston, if there was any way they could find out, that they were going to be released and what did that mean for their families, were they going back to school, she was very concerned with the state of their young people in the State of Texas, the City of Houston, and this just highlighted along with the alleged murder of Ms. Tanesha Stewart, that she would like to send condolences to the family of Ms. Stewart and as well as the family of the young man because they must be seriously suffering as well, that she would like to suggest that the administration convene a task force or hearing or some type of look see utilizing Ms. Linda Clark and the other people Mayor White had to find out what was going on, what were the indicators that were striving what she considered quasi madness in their community among their youth. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that she wanted to thank the Council Members staff for their concern for Mr. Mike Howard, her Chief of Staff, who had undergone major surgery and would be at the hospital at Spring Branch Memorial quite a bit longer, but they look for a speedy recovery for him and they all send their prayers to him and look forward to his coming back to work. Mayor White and Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that she wanted to say thank you to the City of Houston, Harris County Flood Control and TXDOT, they had an excellent flood and drainage meeting, a townhall meeting, in the Timbergrove area and talked about White Oak Bayou, from Hollister to I-10, they had great participation, that she wanted to thank Jack and Carol in Public Works for their part and the White Oak Bayou Association, that TSORP and Chapter 19 were further explained to various people and the process that the City and County was going through as things were finalized on flooding. Mayor White and Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that last week she had asked for somebody to meet with her on the medallions for taxi companies and she assumed it was just overlooked and was sure she would hear from them this week, that she would like to see how that process was taking place and insure that everybody who deserved to receive a medallion was receiving that. Mayor White and Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that she was looking forward to the Mayor's press conference, that she thought a message was being sent to not only apartment owners but those people that rent property that quality of life was important. Mayor White and Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that Inwood Forest Management District, the Near Northwest Management District just bought 8 radios for law enforcement, that Chief Hurtt came out and it was quite a standard set, that all the radios were 7,000 and 8,000 megahertz radios, which were very rare to get hold off because of certain areas were already bought up as far as the lines and she encouraged IT to relook at their plans, she almost tagged Item No. 15

because she wanted to be sure they were buying the highest quality of material that they could and would encourage other management districts to look at it, that when they were talking about public safety the best way for whatever law enforcement they were hiring was to buy those radios. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he to wanted to send his best wishes to Mr. Howard and wish him a speedy recovery. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to extend kudos to the Legal Department in regards to Nirja Aiyer, that they were in Austin yesterday testifying on three bills that they believed would bring a tremendous amount of support to the community, supporting State Representative Scot Hochberg's, that Naga was providing very vital testimony and representing the City of Houston and the Legal Department effectively well, that they had good representation from the Houston area with Representatives Miles and Thompson, that they had good discussions with several stakeholders and was thinking that they would finally get something where neighborhoods would not have to climb an uphill battle to bring effective change to neighborhoods, that it was where the community could engage the process in the middle of the licensing period, they did not have to provide CIS type evidence from the community level to prove that the places were bad and affecting the quality of life, that they were very excited about that and he just wanted to share that progress with Mayor White. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he wanted to thank them for spending time in Austin representing the City's interests, that he would stand by his statement the first year he was in office that the best lobbyists for the people were their elected representative, that he wanted to alert them that because of the leadership of Representative Wooley and her commitment to Houston on the after hour bars and cantinas he thought they would make historic progress at least in the House of Representatives based on some of the language that he had seen, that it was an issue that they heard about in a lot of their neighborhoods and then the issue would be the Senate, that they had many outstanding State Senators from this region and they needed to know that Houston supported the Wooley legislation, that he thought it was a very innovative approach, that it says that the TABC could do things for them, that they were not concerned about who got credit, they were just concerned about getting it done. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he also wanted to express his condolences to the Carl Davis family, and a speedy discovery to Mr. Mike Howard, that he also wanted to wish a speedy recovery to Congressman Nick Lampson. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that on Thursday they would have an opening at the Ibn Sina Clinic, it was the construction of a new 5,000 square foot building to expand the Ibn Sina Clinical Services, it would mark the opening of the new Community Medical Center on March 29, 2007 with a reception and tour at 10:00 a.m. and the grand ceremony at 11:00 a.m., that Mayor White would be doing the ribbon cutting and would tour the facility, that it was located at 11226 South Wilcrest Drive and he would appreciate everyone who could join them there. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that the District F C-3 Cleanup on Saturday, May 19, 2007 and he looked forward to getting a lot of people to volunteer as in the previous years, to please contact their office if they wanted to volunteer or for more details about it. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that last week he shared with them that the New York Times published a great article on KIPP Academy, that on Monday the Wall Street Journal wrote an editorial on KIPP Academy, "Kudos for KIPP" and they talked about the great experience of KIPP Academy, what they were doing and what their success rate was and also that they had just received \$65 million to create new schools in Houston, that it was a great story and he hoped they would all get a chance to see it, that he wanted to congratulate all of the KIPP family, students, teachers and staff members and board members. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he had passed out a flyer on the Whirling Dervishes who were here from Turkey, that their performance was a life time experience and they would be performing in eight cities around the Country and would be in Houston at the Hobby Center on April 21, 2007 at 7:00 p.m. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that the Houston Chronicle published a great article on March 26, 2007 about the outreach and understanding being developed between the Islamic Community and other faith based communities. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that there was a Cricket World Cup going on in the Caribbean and they were in the second round, the Super 8 Round, and billions of people were glued to their televisions and radios listening to the commentaries and watching the world cup as it progresses. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to thank Mayor White for sharing his statistics, that he would share with them next week some more details but he had been invited by the State Department to visit Qatar and he would be leaving on April 6, 2007. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:37.m. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell, Green 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