

City Council Chamber, City Hall, Tuesday, May 15, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 15, 2007, Acting Mayor Pro Tem Michael Berry 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 and Ronald C. Green; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Stella Ortega, Agenda Office, and Ms. Marty Stein, Agenda Director present. Mayor Bill White out of the city on city business.

Note: Council Member At-Large Position 3 vacant.

At 1:58 p.m. Acting Mayor Pro Tem Berry called the meeting to order and called on Council Member Holm to begin presentations; and Council Member Holm invited Mr. James Patrick Lee to the podium and stated that Mr. Lee dedicated his early retirement years to rescuing and preserving a pictorial history of Houston, Texas, the Bob Bailey Studios Collection, which provided life in Houston from the 1930's to 1990's and of which he donated a substantial number of photos to the Heritage Society; and presented Mr. Lee a Proclamation for his determination and unselfish dedication and sizable personal financial expenditure to preserve such an outstanding visual account of Houston and proclaimed May 12, 2007, as "James Patrick Lee Day" in Houston, Texas. Council Members Johnson, Wiseman and Lovell absent.

Council Member Garcia stated that it was his honor to recognize the St. Pius X High School again; that Council recognized their football team for outstanding performances and now he wanted to invite the Basketball Team Head Coach Willie Patrick, Assistant Coach Keith White, Sister Donna Pollard and Athletic Director Coach Robin Kurt and Domico Nesbitt to the podium; and stated that the St. Pius Panther Basketball Team had another outstanding performance by defeating Ft. Worth Nolan in the Division One State Championship in Tyler, Texas and captured the State Title and this was the first since 1991; and presented Coach Patrick a Proclamation proclaiming May 15, 2007, as "St. Pius High School Panther Basketball Day"; and asked the team to stand to be recognized; and Coach Patrick thanked St. Pius for giving him a chance and now they all proved they could do it; and thanked Sister Donna, Coach White and Coach Kurt and everyone who made it possible; and introduced each player as they came to the podium.

At 2:16 p.m. Acting Mayor Pro Tem Berry called on Council Member Holm who introduced Houston Police Officer and ordained Catholic Deacon, Dave Illingworth who led all in prayer, and Council Member Holm led all in the pledge.

At 2:19 p.m. the City Secretary called the roll. Mayor White out of the city on city business. Acting Mayor Pro Tem Berry presiding.

Council Members Garcia and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor White out of the city on city business. Acting Mayor Pro Tem Berry presiding. MOTION ADOPTED.

At 2:19 p.m. the City Secretary began calling the public speakers.

Mr. Stephen Cravens, 1920 W. Gray #436, Houston, Texas 77019 (713-385-7579) had reserved time to speak but was not present when his name was called.

Ms. Carolyn Lenhart, 1819 Havenhill, Houston, Texas 77008 (713-864-3596) had reserved time to speak but was not present when her name was called.

Ms. Tracy Collins, 225 N. Carolina, Houston, Texas 77029 (713-674-0497) had reserved time to speak but was not present when her name was called.

Mr. Thomas Birmingham, 1516 Beaconshire, Houston, Texas 77077 (281-752-7928) had reserved time to speak but was not present when his name was called.

Mr. Stephen Stewart, 3828 Ruskin, Houston, Texas 77005 (713-432-1502) appeared and stated that he was present to discuss a parking situation, to see who governed parking lots as an incident took place at the Four Seasons Hotel last Tuesday; that the Executive Women's International, who represented the finest corporations, companies, etc., in Houston, were holding a meeting and were told by the hotel it was acceptable to park in a particular lot, the lot had no attendant and the box for money had been taken away and while the ladies were in the hotel cars were towed; that the general manager of the hotel tried to stop it and said he would pay for the parking but he was rebuffed by the private parking lot manager, police were called out and the towing was stopped, but not before 19 cars were towed; that the Four Seasons provided limos and vans to take them to Lyons Avenue and it was an expensive proposition, the bill was \$222.00 for a total of \$4,218.00 and it was very disconcerting, they were at the event issuing scholarships to two young women. Council Members Johnson, Garcia and Green absent.

Acting Mayor Pro Tem Berry stated that he was familiar with the situation and the Transportation Committee would take up the particular case; that his concern was valid, he thought it was Front Row and a \$40.00 fee was tacked on and he felt it was done inappropriately and he would contact him. Council Members Johnson, Garcia and Green absent.

Council Member Clutterbuck stated that she too heard of the event and another about the same time, people thought they were following rules and an entire lot was towed including rental cars; that it was not an uncommon situation and she looked forward to participating in the Acting Mayor Pro Tem Alvarado's committee meetings when the ordinance was reviewed; that it was highway robbery; and Mr. Stewart stated that if parking lot managers could be licensed or screened, they at least needed civility and a proper attitude. Council Members Johnson, Garcia and Green absent.

Pastor James E. Nash, 8309 Brandon, Houston, Texas 77051 (713-725-1664) had reserved time to speak but was not present when his name was called. Council Members Johnson, Garcia and Green absent.

Council Member Khan stated that as a point of personal privilege it was a great day for the City of Houston as they were being honored by some of the most outstanding students and future leaders and invited the second grade class of St. Francis School to stand to be recognized. Council Members Johnson, Garcia and Green absent.

Mr. John Cieslewicz, 1250 Du Barry, Houston, Texas 77018 (713-683-0703) appeared, presented information and stated that the city was misleading people regarding the funding figures, for the last ten years the city lied to the public giving them the impression that bikeways were 80% federally funded; that the Capital Improvement Plan stated bike trails were funded at 53.6% local to 46.4% federal so the local funds were \$37.6 million over budget and if you added to those figures the cost of the city's bike lanes then the federal funding dropped to 40% plus or minus 1%; that federal funds were frozen and local funding increased from \$8.6 million to \$80 million over the last 10 years; and the bike trails should have been finished years ago and they needed to do so as each day they were not the cost increased and federal funding percentage grew smaller. Council Members Johnson, Garcia and Green absent.

Council Member Clutterbuck thanked Mr. Cieslewicz for bringing the matter to Council's attention and if the web site was inaccurate it needed to be corrected. Council Members Johnson, Garcia and Green absent.

Upon questions by Council Member Brown, Mr. Cieslewicz stated that he did not know why the city was slow in completing the program, but they needed to finish as soon as possible, on tomorrow's Agenda there was another \$150,000 going into the bike trails; and Council Member Brown stated that his knowledge of the bikeway program was the City of Houston was partner with TxDOT and most things had to be approved by them and it really slowed the process and there was room for improvement. Council Members Garcia and Green absent.

Mr/Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Garcia and Green absent.

Mr. Sammie Jones, 1415 W. Gulfbank #1912, Houston, Texas 77088 appeared and stated that he was concerned and read from the Bible regarding the higher power of God and continued stating that a lady went into HPD for assistance and lost her life; that he went to HPD for help and he was thrown out; that no matter what if someone went into the police department for help they should receive it and he was asking Council to do something about it. Council Members Garcia and Green absent.

Ms. Jessica Hidalgo, 7630 Azalea, Houston, Texas 77023 (713-478-7786) had reserved time to speak and the City Secretary stated that she understood Ms. Hidalgo was in conference in the back at this time. Council Members Johnson, Garcia and Green absent.

Mr. Ray Hill, P. O. Box 3624, Houston, Texas 77253 (713-523-6969) appeared and stated that laws were meant how they were written and how the courts decided they were meant and the Houston SOB ordinance was tried in three federal courts of which he was present and they had also gone to the fifth circuit court of appeals three times and he heard all arguments and read all decisions and still Houston Vice Captain Steve Jett seemed to think he could reinterpret the law and make up what it meant while in the field; that when he spoke with the captain and asked him to define iniquity he slammed the receiver in his ear so he went to the Chief who referred him to someone else and they got to the bottom of the case and it was dismissed without going to court, but now Steve Jett published a list of businesses and Council Member Garcia said to the media they were going to get them and shut them down and eight of those were legal businesses who complied with the law as written and interpreted; that he sued the city four times and won each one; that officers should not use their badges to intimidate; and asked for Council's help. Council Members Johnson, Garcia and Green absent.

Council Member Khan stated that the issue had been in the courts 10 years and the federal judge did decree that the City of Houston ordinance was enforceable and legal and Captain Jett and the vice squad only enforced the law; and Mr. Hill stated that was not correct and if he did follow the law he would not be present; that he wanted the law enforced but not made up and enforced. Council Members Lawrence, Johnson, Garcia and Green absent.

Council Member Edwards stated that she understood and respected his history and would like a copy of the list of those businesses of which he said were not in that category; and Mr. Hill stated that he offered to come up with something in writing for Council Member Green as they would be meeting and he would share it with her also; and Council Member Edwards stated that she would like to attend also. Council Members Johnson, Garcia and Green absent.

Council Member Lovell stated that she would also like a copy of the list and if Council Member Edwards was going to sit in on his and Council Member Green's meeting she would like to also; and Mr. Hill stated that he would see that her staff was advised. Council Members Johnson, Garcia and Green absent.

Mr. Gregory Foster, 8301 North Willow Place Drive, Houston, Texas 77070 (713-829-4947) had reserved time to speak but was not present when his name was called. Council Members Johnson, Garcia and Green absent.

Mr. Robert Silvers, 2200 Willowick, Houston, Texas 77027 (713-823-8407) appeared and stated that he was confused on Chapter 42; that Council was working on it and he tried getting information but could get none; that he was a builder and had built some in Council Member Edwards district and they had enough frontage to place garbage cans five feet apart but a new buyer called the city and got a song and dance; that also when driving through Riverside Terrace there were signs saying stop trashing Houston and he tried looking it up on the computer but someone E-mailed him back and said they thought someone else was handling it and so he could not get any answer regarding that either, you could not find out anything the organization was doing and he would like information and rules on things; and he also hoped the city would do something about blight; that he bought property on Bernard behind West Main and a house had burned and was abandoned and the yard was trashed, the owner was in the federal penitentiary and he would buy it but you could not buy from someone in the penitentiary so again what were the rules. Council Members Johnson, Garcia and Green absent.

Council Member Clutterbuck stated that if he had any questions on a particular piece of property and would give the information to Tim Douglas she would be happy to find out how it applied; that if people were having a hard time figuring it out the three prong test should help and they would be happy to help. Council Members Johnson, Garcia and Green absent.

Council Member Brown stated that he thought he was happy with everything because he had not called his office in a couple of months, but he would team up with Council Member Clutterbuck and try and get him answers and it would be helpful if he would send his site plan and then they would perform the three prong test and get back with him. Council Members Johnson, Garcia, Alvarado and Green absent.

Council Member Holm stated that there was a lot of confusion and the new ordinance before Council would bring consistency to that pickup and after it was passed they should have answers; and the stop trashing Houston was a program of the Mayor's and she had no idea where to get signs, but her personal opinion was those signs would be trash. Council Members Johnson, Garcia, Alvarado and Green absent.

Council Member Lovell stated that she was familiar with the house on Bernard and it was a problem and Neighborhood Protection had been there and it was boarded; that they made sure the yard was cut and the pool was covered; and if he would call her office they would be happy to monitor; and as for the stop trashing Houston signs Debra Beavers had them. Council Members Johnson, Garcia, Alvarado and Green absent.

Council Member Edwards stated that they had the trash picked up; and upon questions, Mr. Silvers stated that the trash on Main was still picked up. Council Members Johnson, Garcia, Alvarado and Green absent.

Acting Mayor Pro Tem Berry stated that if Mr. Silvers would wait someone was getting him a copy of the ordinance. Council Members Johnson, Garcia and Green absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Johnson, Garcia and Green absent.

Mr. Tim O'Brien, 1303 Ruthven, Houston, Texas 77019 (713-739-0011) appeared and stated that he had a concern about a public hearing which was to be held in his neighborhood of Freedmen's Town Monday, 6:30 p.m. at Mt. Horeb Missionary Baptist Church, it concerned what the city would do to destroy the brick streets, they refused to notify residents and the last time there was a meeting it was in Allen Parkway Village in November and no one was notified except some newer homeowners and the same thing was happening this time and he felt all should be notified including those in the projects and having the meeting at that church scared away some and he would like them to hold the meeting at Allen Parkway Village at 7:00 p.m. and notify all in the neighborhood. Council Members Johnson, Garcia, Lovell and Green absent.

Ms. Miyoshi English, 6320 Knox, Houston, Texas 77091 (832-446-6281) had reserved time to speak but was not present when her name was called. Council Members Garcia, Lovell and Green absent.

Ms. Sue Kinney, 17435 Imperial Valley, Houston, Texas 77060 (281-405-8394) had reserved time to speak but was not present when her name was called. Council Members Garcia, Lovell and Green absent.

Mr. Mark Hogue, 9307 Meadow Glen, Houston, Texas 77063 (832-277-6000) appeared and stated that he rode the bus and crosswalks were badly needed; that he was almost hit 14 times in 4 months and he wanted safety for everyone and the elevated walks would be the best. Council Members Holm, Garcia, Lovell and Green absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the official U. S. President and continued expressing his personal opinions until his time expired. Council Members Lawrence, Wiseman, Holm, Garcia, Lovell and Green absent. (NO QUORUM PRESENT)

At 2:58 p.m. City Council recessed until 9:00 a.m., Wednesday, May 16, 2007. Mayor White out of the city on city business. Council Members Lawrence, Wiseman, Holm, Garcia, Lovell and Green absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, May 16, 2007

The Houston City Council reconvened at 9:00 a.m. Wednesday, May 16, 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 8:30 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:28 a.m. Mayor White called the meeting to order and stated that they would begin with the Mayor's Report. Council Members Wiseman, Garcia, Green and Berry absent.

MAYOR'S REPORT - Fiscal Year 2008 Budget

Mayor White stated that the City budget that they submit to the Council today would contain funding for more public services while retaining the fiscal discipline that had characterized all of the budgets that had been approved by this Council and submitted by this administration, that the Capital Improvement Plan and their Equipment Budget would be coming to the Council shortly, that Public Safety came first within the budget and the total percentage of the budget spent for Public Safety of the General Fund Budget after Debt Service spent for Public Safety reached a record level, 66.3%, that there were substantial increases in the budget, Police, Fire and EMS would increase by \$53 million year to year, to continue bringing the crime rate down the number of classified police officers would increase by 172, that other highlights would include the overtime programs that were equivalent to 500 additional police officers, a 24-hour Crime Analysis Joint Operations Center that would enhance patrol and investigate, that it contained \$3.5 million for the demolition of dangerous buildings in the range of 1,000 buildings and the clean-up of approximately 9,000 weeded lots, that the Fire Department Budget contained four additional cadet classes, to provide better service; that other highlights would include increased firefighter pay of 5.5%, consistent with the terms of the contract, increased staffing of Telemetry, to improve ambulance service, improved coverage in the far Northeast Houston area, with a new station, that Municipal Courts would expand operations at the Website Command Station, to improve customer service and collections; that they continued to focus on reducing traffic congestion, their Mobility Response Team would be in the field this summer, they would also fund a citywide mobility plan that could be used to evaluate additions of new lane capacity and improved flow of traffic through access management, that plan would be the backbone of general planning efforts undertaken by the City; that they had not neglected the civilian departments, they budgeted increased amounts for books and library materials, they would build and maintain a bigger hike and bike trail system and would have maintenance for 185 miles of off road trails and there would be over 18 miles of new trails that would be built within the Public Works CIP and they had built in the funds to be able to maintain those, that almost every recreational system would have new fitness equipment in it and they would be hearing from Mr. Joe Turner on that; that their Health and Human Services Department had increased funding for disease prevention and control of communicable diseases, inspectors and environmental health initiatives; that they were committed to sustainable growth and would share with them that he had met with Mayor's of other big cities yesterday, rapidly growing cities that were by all measures successful and that people wanted to move there, the same topics of conversation were occurring at Council tables throughout, that growth was good for economic opportunities but how do they plan ahead to make sure that they did not fill up their waste dumps and then have a limited growth, that they not pollute their air, that they think ahead of other ways of transportation, that how do they promote higher density living; that the budget included greater investment in equipment needed for the recycling program and had an innovative approach to funding, increased recycling, composting yard wastes and converting trees and branches to wood chips, that they were expanding the residential energy efficiency program and would do that out of housing bond funds and not have to commit General Funds, as well as funds committed by CenterPoint, that they were going to improve productivity and hold the line on property taxes, the budget was based on Property Tax Revenues which increased less than their estimated combined rate of inflation and population growth, they were investing more in equipment and supplies this year to increase the productivity of the employees they had, that they had built in a civilian pay increase so they could retain and recruit people for their civilian workforce; that he was asked by a reporter the other day about symbolic property tax decreases, there was not anything symbolic about the property rate cuts and the annual increases in the senior exemptions made during this administration and voted on by the Council, that they could either agree or disagree with what they had done and thought there were fair points people could make on both sides of the issue but the fact was that the combination of increasing the senior exemptions and the reductions in

the property tax rate resulted in \$24 million less collected from property tax payers in FY08 than if they had not been increasing the senior exemption and cut the property rate, that was real property tax cuts that they had during this administration so far, that for some this was a performance oriented budget that provided more services both in public safety and took care of some long standing needs within their hard working and indispensable civilian departments.

Mayor White further stated that he would highlight some of the issues that would be coming up within the next six to eight weeks that were relevant to the budget but were not squarely within it, he would be calling on Council this summer to be reviewing and approving individual TIRZ budgets and to be making decisions concerning what their expectations of the TIRZ were in the future and increasing percentage of their property tax bases within the TIRZ budgets and the role of those TIRZ, that making sure they had that balance and also have adequate funding for public safety, that it was going to be an issue and he needed their help and thought they could find the right balance and they needed to do so for fiscal years 2009 and 2010; that they do **not** under fund the pension system, they fund the pension system at the same percentage of payroll as they did last year and increased the dollar contribution to the Municipal Pension System, that Mr. Greg Mason had done a great job and they looked at other ways to make it more valuable to the employees, with more options to the employees, and more secure for the employees; that they were not going to cancel the CIP or substitute the CIP for borrowing money, that the people who owned the City, the citizens, the taxpayers, how many of those people had employers paying 15.8% into a retirement plan for them every year, that he was not begrudging having it a defined benefit plan but to say they were under funding a plan was ridiculous, they were not under funding a plan, they were funding and would be able to deliver on the pension benefits which were reasonable and they would hold the Pension Board accountable also for working with them to make sure that the lines of the assets and the liability of that system come together over time, that he would insure their employees that they had his word, his word was good, they would make the pensions more secure, that somebody told the City employees that they would pass a referendum several years ago and that he would immediately eliminate benefits that had been vested by employees, they were told that by Mr. Long and that was not true, they did not do that because they would commit and would keep what they commit to people that they would deliver to them in vested benefits only they would do so in a way that was sustainable without smoke and mirrors, and finally they had the CIP and Equipment Budgets to come, that he really wanted to thank Ms. Judy Gray Johnson and her staff for their help, that they would have a handout and a breakdown for the Council Members.

After discussion by Council Members, Council Member Edwards requested a committee meeting with Mr. David Long before the budget hearings.

Council Member Clutterbuck stated that students from Welch Middle School were present in the audience and asked that they stand and be recognized.

Council Member Garcia moved to suspend the rules to consider Item Numbers 1,2, 3, 30, 46 and 45 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Lawrence and Berry absent. MOTION 2007-0481 ADOPTED.

1. REQUEST by the Director of the Houston International Protocol Alliance for establishment of a Sister City relationship with Chennai (formerly Madras), Tamil Nadu (India) – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Members Lawrence and Berry absent. MOTION 2007-0482 ADOPTED.

Council Member Khan stated that India had been the hub of activities in any manor and fashion that they could think of and all the positive news coming out of India and the great relationship that Houstonians and the Nation was building with India in terms of business

relationships and others was unprecedented, that he appreciated the administration bringing this item to the agenda and recognized the people who had made the Houston Chennai Sister City relationship happen and asked them to stand and be recognized. Council Members Lawrence and Berry absent.

2. RECOMMENDATION from Fire Chief to approve the donation of Outdated/Surplus Firefighting Equipment to Sister City Guayaquil, Ecuador – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Members Johnson and Berry absent. MOTION 2007-0483 ADOPTED.
3. RECOMMENDATION for supplemental allocation of the following funds for Professional Civic Art and Conservation Administration Services Contract for the Houston Arts Alliance:
\$183,000.00 - Fire Consolidated Construction Fund
\$467,500.00 - W&S System Consolidated Construction Fund
\$369,000.00 - Police Consolidated Construction Fund
\$161,250.00 - Public Library Consolidated Construction Fund
\$187,800.00 - Parks Consolidated Construction Fund
\$140,000.00 - Public Health Consolidated Construction Fund
DISTRICTS B - JOHNSON; D - EDWARDS; G - HOLM; H - GARCIA and I – ALVARADO – was presented, and tagged by Council Member Wiseman. Council Members Johnson and Berry absent.
30. ORDINANCE approving and authorizing first amendment to construction contract between the City of Houston and **MERIDIAN COMMERCIAL, L.P.** for Repair and Build-out of Denver Harbor Multi-Service Center Phase II, WBS D-000077-0003-4 - **DISTRICT I – ALVARADO** – was presented. Council Member Berry absent.

Council Member Garcia stated that the notice of Summer Camp that was being held at the Denver Harbor Multi Service Center was being relocated and due to construction and asked why was the Summer Camp not relocated to Tuttle or one of the area schools, that it had really taken the program out of the Denver Harbor Community, and Mayor White stated that they would get that answer to Council Member Garcia. Council Member Berry absent.

Council Member Alvarado stated that she agreed with Council Member Garcia and if they could not use one of their schools then maybe Resurrection Church, but she thought every effort ought to be exhausted to keep it in the community, the proposed located was to far and was not accessible and did not make sense, and Mayor White stated that they would follow up on that. Council Member Berry absent.

A vote was called on Item No. 30. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 0574 ADOPTED.

46. ORDINANCE **AMENDING CHAPTER 39 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Solid Waste Collection in the City; repealing Ordinance No. 85-842 relating to Solid Waste Sponsorship Agreements; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability – **(This was Item 57 on Agenda of May 9, 2007, POSTPONED BY MOTION #2007-478)** – was presented. Council Member Berry absent.

Council Member Clutterbuck stated that the ordinance stated that it would take 60 days to implement and have it go into affect and wondered if for the citizens who had been coming down asking for inclusion in the service if the 60 days could be moved up or if they anticipated that they would be getting notice of earlier trash removal, they had a lot of citizens asking when

they were going to be able to put their trash out, and Mayor White stated that they would get her a report on it, that he thought it was a reasonable request, and Council Member Clutterbuck asked if Mr. Buchanan could let them know how they planned to notify residents, for example the residents in townhouse complexes of less than 25 units who had previously been denied service and that were going to be included in the service. Council Member Berry absent.

Council Member Garcia stated that he had an amendment to Item No. 46 as follows:

“By adding a new Section 9 to the ordinance and renumbering subsequent section, the new Section 9 to read:

Twelve months from passage, the Solid Waste Management Department shall present a status report to the appropriate Council Committee on the effects of implementation of eligibility and service changes for solid waste collection, in order for committee to make possible recommendations to the administration.” Council Member Berry absent.

Council Member Garcia stated that he would ask that the heavy trash recommendation which was being recommended not to be picked up but twice a year and the fees that were going to be proposed that public hearings be held in each of the Council districts before they were implemented, and Mayor White stated that they supported his amendment, but the administration had proposed no change in the heavy trash pickup schedule, that the first step would be that they would come to the City Council and talk about any proposed changes in service before they would go to a proposal through every neighborhood, that he understood how critical it was that their policies be clear and predictable about how they pick up solid waste, and Council Member Garcia stated that he was concerned that there was not a broader policy to the issue of alleys, so he was not sure how the definition applied. Council Member Berry absent.

Council Member Holm stated that she wanted to clarify that they had a task force that may be bringing some additional proposed changes after a lot of discussion but today what they were voting on was to re-look at offering service to gated communities and somewhat expanding services, eliminating sponsorships and reducing the size of pickup outside the gate and Mayor White stated that was correct. Council Member Berry absent.

Council Member Lawrence stated that to add to what Council Member Garcia stated, there was a task force out there working on alleys and Council Member Clutterbuck would head up that taskforce for the Regulation Development, Neighborhood Protection Committee, they would be working with Legal and with Public Works in evaluation of how many alleys they had and what they could do, and Mayor White stated that they were not changing any scheduling of heavy trash pickup from people who would be eligible for service, they were decreasing from the 40 cubic yards to 8 cubic yards, but that was the only change, and Council Member Lawrence stated that the message that had to be highlighted was what Solid Waste was actually doing and in the future if they did have a fee where the \$3.75 came about and what do they get for those dollars, that was unclear in the presentation and what were they trying to do with that money and what had they not done in the past. Council Members Brown and Berry absent.

A vote was called on Council Member Garcia’s motion to amend Item No. 46. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. MOTION 2007-0484 ADOPTED.

A vote was called on Item No. 46 as amended. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2007-0575 ADOPTED AS AMENDED.

Council Member Edwards moved to suspend the rules to consider Item No. 28 out of order, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0485 ADOPTED.

28. ORDINANCE appropriating \$270,000.00 out of Library Capital Project Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **GLASSMAN SHOEMAKE MALDONADO, ARCHITECTS, INC** for Clayton Library Renovation WBS E-000156-0001-3 - **DISTRICT D – EDWARDS** - was presented. Council Member Berry absent.

Council Member Edwards stated that she wanted to thank all of the people who came together in the last 8 months to ask the City for assistance in renovating a very historic place for the City of Houston, that the City had not put any funds into the library since 1960 so they had really been negligent, that they had raised a lot of money on their own, that the City was able to come together, with Mr. Dadoush's leadership, to find ways to help make it go even faster and she wanted to thank the staff and membership of Clayton Library and Friends of Clayton Library and Mr. Dadoush and would encourage her colleagues to vote for it, the group had raised over \$5 million on their own for the renovation and the City's part spoke more to a continued committed position to maintenance and upkeep as they moved forward. Council Member Berry absent.

Council Member Berry stated that he wanted to recognize Ms. Susan Clayton Garwood Peterkin whose grandfather was Will Clayton, and she had taken a real leadership role in the restoration of that library and historic building, that they were doing the same thing for the Idelson Library, another historic structure that was going to be renovated. Council Member Berry absent.

A vote was called on Item No. 28. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0576 ADOPTED.

45. ORDINANCE appropriating \$4,267,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for Sampson Sewer and Eastwood Subdivision Sewer Relocation, WBS R-002011-0048-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I – ALVARADO – (This was Item 52 on Agenda of May 9, 2007, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, KHAN and EDWARDS)** – was presented. Council Member Berry absent.

Council Member Edwards stated that last week Council Member Clutterbuck brought to their office's attention the issues that she had regarding the particular construction company and she did not have any further conversations with Public Works so when she was told that it was going to be referred back because of issues she had no problem with that but would like for someone from Public Works to come back and explain it to them and she would like some understanding as to where they were with the item. Council Member Berry absent.

Council Member Edwards moved to refer Item No. 45 back to the administration, seconded by Council Member Khan. Council Member Berry absent.

Council Member Khan stated that he had discussion with Public Works and was glad that they agreed to have it referred back to the administration, that many times they had seen projects cause a lot more headaches to the constituents when the contractor was not performing. Council Member Berry absent.

A vote was called on Council Member Edwards motion to refer Item No. 45 back to the administration. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0486 ADOPTED.

At 11:06 a.m. Mayor White stated that they would move to the consent agenda. Council Member Berry absent.

CONSENT AGENDA NUMBERS 1 through 41

PROPERTY – NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Victoria Brown, Director of Weingarten Realty Investors, for abandonment and sale of a 10-foot-wide water line easement, from South Shepherd Drive to West Gray Avenue, out of the Obedience Smith Survey, A-696, Parcel SY7-092 - **APPRAISERS - DISTRICT G – HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0487 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 11

9. **LANSLOWNE-MOODY COMPANY, L. P.** for Tractor with a Mower Attachment, Mower Attachments and Mowers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Airport System - \$191,090.76 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0488 ADOPTED.
10. **INDEPENDENT HARDWARE, INC (Bid No. 5)** for Exit Devices and Low Energy Power Operators for Convention & Entertainment Facilities Department - \$97,502.00, minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC. for a net award amount not to exceed \$95,552.30 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0489 ADOPTED.
11. **COMMAND & CONTROL ENVIRONMENTS/CCE INTERIORS, INC** for Command and Control Workstations from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Fire Department - \$71,586.45 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0490 ADOPTED.
14. **SHI GOVERNMENT SOLUTIONS, INC** for IBM DB2 Database Software License Agreement 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 Department of Public Works & Engineering - \$285,516.00 - Building Inspection Fund – was presented, moved by Council Member

Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0491 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 39

15. RESOLUTION approving and authorizing the submission of an application for \$100,000 reimbursable continuation grant assistance to the U.S. Department of Justice Juvenile Justice and Delinquency Prevention Act Fund - Title V Program administered by the State of Texas through the Criminal Justice Division, Office of the Governor ("CJD"), to support the After-School Achievement Program; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act. as the City's Representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program; containing provisions relating to the subject – was presented. All voting aye. Nays none. Council Member Berry absent. RESOLUTION 2007-0025 ADOPTED.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (i) a portion of the West Main Street right of way, between Yoakum Boulevard and Graustark Street, containing 32,308 square feet of land, more or less, Parcel SY6-078A and (ii) a portion of Mt. Vernon Street right of way, between West Main and Colquitt Streets, containing 8,999 square feet of land, more or less, Parcel SY6-078B; both parcels situated in the Obedience Smith Survey, A-696, Harris County, Texas; vacating and abandoning said parcels of street right of way to the University of St. Thomas, the owner, in consideration of owner's dedication back of the street right of way parcels as utility easements, and owner's payment of \$1,071,257.00 and other consideration to the City - **DISTRICT D – EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0577 ADOPTED.
19. ORDINANCE consenting to the addition of 29.567 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 86**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0578 ADOPTED.
20. ORDINANCE consenting to the addition of 4.2426 acres of land to **KLEINWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0579 ADOPTED.
26. ORDINANCE amending Ordinance No. 2002-333 to increase the maximum contract amount to contract between the City of Houston and **ELECTRICAL RELIABILITY SERVICES, INC (formerly known as ELECTRO-TEST, INC)** for Electrical Maintenance Services for the Public Works & Engineering Department - \$627,536.99 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0580 ADOPTED.
27. ORDINANCE appropriating \$530,321.00 out of Public Library Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **mARCHITECTS, LLC** for Bracewell Neighborhood Library Replacement, WBS E-000114-0001-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0581 ADOPTED.

29. ORDINANCE approving and authorizing agreement for Professional Art Conservation and Restoration Services between the City of Houston and **CONSERVATION AND RESTORATION OF SCULPTURE, L.L.C.**, for the Resiting and Restoration Treatment of the Artwork Geometric Mouse Scale X, WBS E-000422-0002-4 - \$26,500.00 - Library Civic Art Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0582 ADOPTED.
31. ORDINANCE appropriating \$149,860.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Local Match Funds for the Construction of a City of Houston and Texas Department of Transportation (TxDOT) Bikeway Project: Columbia Tap Rail To Trail (approved by Ordinance No. 97-1042), WBS N-000420-0022-4; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0583 ADOPTED.
32. ORDINANCE approving and authorizing contract amendment between the City of Houston and **THE CLEAR BROOK MUNICIPAL UTILITY DISTRICT** to increase demand allocation for water taken by the Clear Brook City Municipal Utility District from the Southeast Water Purification Plant Revenue – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0584 ADOPTED.
33. ORDINANCE approving and authorizing contract amendment between the City of Houston and **THE CITY OF FRIENDSWOOD** to increase demand allocation for water taken by the City of Friendswood from the Southeast Water Purification Plant - Revenue – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0585 ADOPTED.
36. ORDINANCE appropriating \$1,308,369.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TCB INC** for Design of Greens Road from Aldine Westfield to John F. Kennedy Boulevard, WBS N-000686-0002-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0586 ADOPTED.
37. ORDINANCE appropriating \$1,493,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Northgate and MUD 203 Wastewater Treatment Plant Improvements, WBS R-000265-0036-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0587 ADOPTED.
38. ORDINANCE appropriating \$3,062,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BOYER, INC** for 69th Street Wastewater Treatment Plant Improvements (Package 1), WBS R-000509-0010-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System

Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0588 ADOPTED.

39. ORDINANCE appropriating \$3,791,769.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REPIPE-TEXAS, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Method (LDS), WBS R-002013-0017-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0589 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PROPERTY

4. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Barry Hunsworth of Gene Carroll & Associates, L.P., on behalf of Bolivar Partners, Ltd. [Bolivar Partners GP, Inc. (Diana G. Brackman, President), General Partner], for abandonment and sale of Jackson Street, from Alabama Avenue to Winbern Avenue, in exchange for the conveyance to the City of a 25-foot-wide storm sewer easement centered over the existing storm sewer, both located within the Ed. C. Smith Fur. Co's No. 1 Addition, Parcels SY7-073 and LY7-053 - **APPRAISERS 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 2007-0492 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Alan J. Atkinson of Bayou Vista, Ltd., for abandonment and sale of a 25-foot by 40-foot-wide sanitary sewer easement, located in Lot 1, Block 4, Factory Addition, South Side Buffalo Bayou, Parcel SY7-094 - **STAFF APPRAISERS DISTRICT H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Brown stated that when they approved the abandonment of streets they were only approving the abandonment not any financial compensation related to it which was negotiated after they pass the resolutions and he thought they needed some better guidelines for how the Property Division of Building Services negotiates these, and Mayor White asked Council Member Brown what criteria did he think they ought to use and Council Member Brown stated that in the case of Calumet, which was done recently and on Binz, which they did with the St. Paul Methodist Church they were able to do it in such a way that it ended up in public benefits in terms of amenities for the Museum District, that more applied to when they were purchasing but also had to do when they were abandoning, and Mayor White stated that that the fair market value was determined by the appraisal, but if there was some other criteria that ought to be used then they ought to have some discussion. Council Members Garcia and Brown absent.

Council Member Alvarado stated that just to be clear on the process it was a joint referral and the issue would come back to the Council and they were not purchasing they were selling, and Mayor White stated that to Council Member Brown's point he did think that there ought to be public policies; that there was criteria that they use and as he understood it; that policy was

fair market value determined by appraisal. Council Members Edwards, Garcia and Brown absent.

A vote was called on Item No. 6. All voting aye. Nays none. Council Members Edwards, Garcia and Brown absent. MOTION 2007-0493 ADOPTED.

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mark R. Kosmoski of Kirst Kosmoski, Inc., on behalf of Don and Sarah Hunt, for abandonment and sale of Montana Street, from IH10 to Spencer Street; Herd Street, from Montana Street to its terminus; Spencer Street from Bass Street to Montana Street; and a ±4,600-square-foot fee-owned gully in exchange for the conveyance to the City of sufficient right of way to widen Bass Street to 60 feet and a drainage easement; all located within the John Austin Two League Grant, A-1, Parcels SY7-109A through D, AY7-255 and LY6-008 - **APPRAISERS - DISTRICT H – GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards, Garcia and Brown absent. MOTION 2007-0494 ADOPTED.

PURCHASING AND TABULATION OF BIDS

8. **AMEND MOTION #2004-897, 8/11/04, TO EXTEND** expiration date from August 11, 2007 to August 10, 2009, for the Apparel, Uniforms for Houston Airport System, awarded to **LION APPAREL, INC** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards, Garcia and Brown absent. MOTION 2007-0495 ADOPTED.
12. **SIEMENS ENERGY AND AUTOMATION** for NextPhase Traffic Signal Timing Operations Software, WBS N-000650-0032-5 - \$300,000.00 - Limited Use Roadway Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Wiseman. Council Member Berry absent.
13. ORDINANCE appropriating \$1,327,533.36 out of Water & Sewer System Consolidated Construction Fund for Security Fence Upgrade at the East Water Purification Plant for the Public Works & Engineering Department, WBS S-000056-0048-4 – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.
- 13a. **FOSTER FENCE, LTD.** for Security Fence Upgrade at the East Water Purification Plant for Department of Public Works & Engineering - \$1,264,317.49 and contingencies for a total amount not to exceed \$1,327,533.36 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Wiseman. Council Member Berry absent.

RESOLUTIONS AND ORDINANCES

16. RESOLUTION designating certain properties within the City of Houston as Landmarks and Protected Landmarks:
 - Oppenshaw-Hutton House - 1920 Kane Street - **DISTRICT H - GARCIA**
 - Style in Steel Townhouses - 4156, 4158, & 4160 Meyerwood Drive - **DISTRICT C - CLUTTERBUCK**
 - Albert W. Lackey House - 239 Westheimer Road - **DISTRICT D – EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent. RESOLUTION 2007-0026 ADOPTED.

17. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of four portions of the Cleghorn Lane Street right of way, between Fall River Road and Westminster Drive, containing an aggregate of 20,068 square feet of land, more or less, Parcels SY6-066, SY6-070, SY6-071, and SY6-072, located in the Huntleigh and Longwoods subdivisions, situated in the R. Vince and A. Ewing Surveys, Houston, Harris County, Texas; vacating and abandoning such parcels to the abutting owners: (i) Parcel SY6-066 to Jeffrey and Shannon Davis, (ii) Parcel SY6-070 to Michael and Melissa Mithoff, (iii) Parcel SY6-071 to Eugene and Anne Schwinger, and (iv) Parcel SY6-072 to Jerry and Mary Ann Doggett; in consideration of: (i) Jeffrey and Shannon Davis' dedication back of an easement for utility purposes containing, 4,500 square feet of land, more or less, and payment of \$67,500.00 (ii) Michael and Melissa Mithoffs' dedication back of an easement for utility purposes containing 4,500 square feet of land, more or less, and payment of \$67,500.00, (iii) Eugene and Anne Schwingers' dedication back of an easement for utility purposes containing 5,529 square feet of land, more or less, and payment of \$82,935.00, (iv) Jerry and Mary Ann Doggetts' dedication back of an easement for utility purposes containing 5,539 square feet of land, more or less, and payment of \$83,085.00 - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0590 ADOPTED.
21. ORDINANCE approving and authorizing an amendment to the Administrative Guidelines of the City's Home Repair Program in the Houston Hope areas of City of Houston – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.

Council Member Garcia stated that he had requested some thought about how they could address those situations that were critical and he would like to move on Item No. 21 today, that maybe those citizens who had no family members and were alone if they could use a Katrina model where they could stage them at a particular point so they could repair their homes and asked if they ever got any feedback on that, and Mayor White stated that as he recalled Council Member Garcia's point, was there a place where they could have people live while their home was being repaired and would ask for some feedback from the department, that they needed to take a look at the coordination of the programs every year, there was an amount allocated and he believed last year it was about \$700,000 and the same thing this year within the CDBG and a contract with Sheltering Arms that had some emergency sheltering responsibility and if that was not closely coordinated with the Home Repair Program then it ought to be, but they would get back with an answer to that question. Council Member Berry absent.

- 21a. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HOUSTON HOUSING FINANCE CORPORATION** for implementation and administration of the Houston Hope Home Repair Program, as set forth in the first amended and restated Administrative Guidelines for the Houston Hope Home Repair Program – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.

Council Member Wiseman stated that she was tagging Item No. 21 because of the fact that there were changes to the Administrative Guidelines and as everything else she had to go over these things with a fine tooth comb, that she respectfully understood their need to see it passed but she asked for that same respect and understanding for her need to thoroughly review it. Council Member Berry absent.

22. ORDINANCE approving and authorizing the acceptance of a grant from the Texas Health and Human Services Commission for the City's Summer Food Service Program (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process;

authorizing the Director of the Parks and Recreation Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant – was presented. Council Member Berry absent.

Council Member Clutterbuck stated that it was her understanding that Aldine ISD participated in this as well and would encourage HISD to also share in the burden of feeding the students, that HISD did not participate with them, they feed students who participate in summer school through the end of June. Council Member Berry absent.

A vote was called on Item No. 22. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0591 ADOPTED.

22a. ORDINANCE approving and authorizing contract between the City and **DEAN'S NUTRITIONAL SERVICES, INC** for the Summer Food Service Program for the Parks & Recreation Department; providing a maximum contract amount - 1 Year with four one-year options - \$19,171,015.00 Grant Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0592 ADOPTED.

23. ORDINANCE approving and authorizing Sublease Agreement between **ALL-STAR PARKING, INC, a Texas Limited Partnership**, as Landlord ("Landlord"), and the City of Houston, Texas, as tenant (the "City"), for two Commercial Parking Lots located at 2233 Polk Street and 2233 Lamar Street, Houston, Harris County, Texas, at a monthly rental of \$4,500.00 during the first twelve (12) months and a monthly rental of \$5,000.00 during the thirteenth (13) through the twenty-fourth (24) month, for a marshalling area for exhibitors for use by the Convention and Entertainment Facilities Department - Enterprise Fund - **DISTRICT I – ALVARADO** – was presented. Council Member Berry absent.

Council Member Holm asked that they provide some type of screening, either some type of bush or plant in that area. Council Member Berry absent.

Council Member Garcia stated that he got a serious complaint about the lack of regulation that they had on some of the parking lots that they had downtown, that apparently there was a significant convention that was in town where a number of cars were towed and in the investigation they found they really had no authority on how they were run, so hopefully it was another step in the right direction.

A vote was called on Item No. 23. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0593 ADOPTED.

24. ORDINANCE approving and authorizing contract between the City of Houston and **NATIONAL PARAMEDIC INSTITUTE** for Computer based training for the Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,382,750.00 - General Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0594 ADOPTED.

25. ORDINANCE amending Ordinance No. 2000-882 to increase the authority of the City's Purchasing Agent to issue purchase orders under contract between the City of Houston and **AT&T, INC (formerly SOUTHWESTERN BELL TELEPHONE)** for Local telephone and data services citywide - \$13,000,000.00 - Central Service Revolving Fund – was presented.

Council Member Wiseman stated that she would tag Item No. 25 and appreciated the support of the Mayor to have the departments get the information to them well in advance of the

Council session so that they would have the opportunity to review them. Council Member Berry absent.

Council Member Holm stated that she would tag the item and had some questions that she would like to have some discussion on, that it appeared it was an item that they had already approved and was just the funding that had to come forward, however it was an item that she remained concerned about and would like to know exactly what they were spending \$13 million on and why they would spend it without getting some substantial improvements. Council Member Berry absent.

Council Member Clutterbuck stated that she would add her tag and had the same concerns, they had not received the backup on the item. Council Member Berry absent.

Council Member Khan asked if Item No. 25 had gone to committee, it should have gone before the TIA Committee and he did not remember seeing and would add his tag on the item and hopefully they would get some feedback from the departments. Council Member Berry absent.

Council Member Brown stated that he would add his tag to the item and had a question as to how they arrived at the \$13 million figure and who made those recommendations and had they valued engineered it to see whether it could be \$11 million rather than \$13 million. Council Member Berry absent.

34. ORDINANCE appropriating \$1,390,900.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 4030 and approving and authorizing first amendment to Professional Engineering Services Contract (approved by Ord. No. 05-0842) between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Design of Whiteheather Storm Sewer Improvements, WBS M-000262-0001-3 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0595 ADOPTED.
35. ORDINANCE appropriating \$680,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 4030 and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Engineering Services associated with the Design of Westmoreland, Sharpstown, Braeburn and Maple Wood, River Oaks, and Glen Oaks (Airline Drive-Canino to Little York), WBS M-000265-0001-3, M-000267-0001-3 and M-000284-0001-3 - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; F - KHAN; G - HOLM and H - GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0596 ADOPTED.
40. ORDINANCE appropriating \$6,832,600.00 out of Water & Sewer System Consolidated Construction Fund No. 8500, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for 42-Inch Water Line along Holmes Road and Knight Road from W. Bellfort Street to 4,300 linear feet west of Kirby Drive, WBS S-000900-00AB-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund No. 8500 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0597 ADOPTED.

41. ORDINANCE appropriating \$5,249,607.00 out of Houston Airport System Consolidated 2004 NONAMT Construction Fund and awarding Construction Contract to **TJ&T ENTERPRISES, INC** for New Perimeter Fence and Obstruction Removal at William P. Hobby Airport, WBS A-000439-0002-4-01, Project No. 576; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by such fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0598 ADOPTED.

MATTERS HELD - NUMBERS 42 through 46

42. RECOMMENDATION from Director Department of Health & Human Services to adopt award to **UR INTERNATIONAL, INC** for Purchase of a Radio Frequency Identification (RFID) System for Health & Human Services Department - \$226,212.00 - Equipment Acquisition Consolidated Fund – **(This was Item 18 on Agenda of May 9, 2007, TAGGED BY COUNCIL MEMBERS WISEMAN, LOVELL, LAWRENCE and CLUTTERBUCK)** – was presented. Council Member Berry absent.

After discussion Council Member Lawrence moved to refer Item No. 42 back to the administration and send the Commissary Ordinance to the Regulations Committee and then bring it forward, seconded by Council Member Wiseman. Council Member Berry absent.

Council Member Garcia stated that if the item were to come back in it's present form one thing that he had asked for was an accompanying ordinance that would make it a penalty for the tampering of the equipment and he had not heard any discussion or seen a draft of an accompanying ordinance to it. Council Member Berry absent.

Council Member Wiseman stated that she would ask that the administration look at insuring that all the costs were covered by the fees that were imposed on the mobile food vendors and the commissaries. Council Member Berry absent.

A vote was called on the motion to refer Item No. 42 back to the administration. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0496 ADOPTED.

43. ORDINANCE relating to terms and conditions for water and wastewater service; **AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS;** containing other provisions relating to the subject; containing a repealer; providing for severability; declaring certain conduct unlawful and providing a penalty therefor; providing an effective date – **(This was Item 29 on Agenda of May 9, 2007, TAGGED BY COUNCIL MEMBERS KHAN, WISEMAN and JOHNSON)** – was presented. Council Member Berry absent.

Council Member Green stated that he had passed out an amendment to Item No. 43 and it moved to delete Section 23 of Item No. 43, 47-68(a)(3) from the amendment, that it sought to give a little clarity and also provide more time to work on the aspect of the ordinance, if a tenant moves out of a space and has the water turned off rather than have it turned back on or have the bill transferred to the building owner it simply would allow them to turn the water off period, thereby conserving water and if a building owner or the new tenant needed to get the water turned back on they had to do something in the affirmative and he thought that may clear up some of the inefficiencies and who used the water when and what date the water was turned off and what date the water was turned back on, that Public Works was working on clarifying that

portion and would come back at a later date with a more specific way of handling those issues, seconded by Council Member Khan. Council Member Berry absent.

After further discussion by Council Members, a vote was called on Council Member Green's motion to amend Item No. 43. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0497 ADOPTED.

A vote was called on Item No. 43 as amended. Council Members Johnson and Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2007-0599 ADOPTED AS AMENDED.

44. ORDINANCE amending Ordinance Number 1999-1232 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **JOHNSON CONTROLS, INC** for Energy Management and Maintenance Services for the Houston Public Library - \$1,000,000.00 - General Fund – **(This was Item 42 on Agenda of May 9, 2007, TAGGED BY COUNCIL MEMBER BERRY)** – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2007-0600 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Lawrence stated that she wanted to thank Mr. Anthony Wise in the Parks Department, they had two areas where a lot of dumping was taking place, he had a crew out there and cleaned up the two areas and 17 cubic yards of debris was picked up on Clay Road and Eldridge and it made a big difference to those neighborhoods. Council Member Berry absent.

Council Member Garcia stated that he wanted to thank Mr. Richard Celli and Ms. Paulette Wagner and his staff for helping to coordinate the Consolidated Plan Townhall meeting, there was a lot of good discussion, that he also wanted to thank Council Member Green for being present as well. Council Members Lawrence, Wiseman and Berry absent.

Council Member Garcia stated that he wanted to thank Sergeant Barrios out of the Northeast Division; that on Saturday he was at a meeting with some Denver Harbor residents who had some specific crime concerns, and this morning he was at Scroggins Elementary with parents of the school children about some other concerns and Sergeant Barrios was there and had been very responsive working to address the concerns that the community had. Council Members Lawrence, Wiseman and Berry absent.

Council Member Garcia stated that on Saturday they would have the Houston Fire Department's Recruitment Open House at the George R. Brown Convention Center. Council Members Lawrence, Wiseman and Berry absent.

Council Member Garcia stated that yesterday he had the pleasure of visiting with another area Mayor, that it was in Exchange City and Mr. Jesus Katz, who presided over Cage Elementary School wanted him to present the Mayor with the key to Exchange City, that it was wonderful to see all of the good work being done at Junior Achievement. Council Members Lawrence, Wiseman and Berry absent.

Council Member Holm stated that she wanted to thank Mayor White for the budget and asked if she could get the numbers for the Debt Service, that from the total revenue that came into the City what was their Debt Service and how did it compare percentage wise to what they were then able to program, that it would be helpful.

Council Member Holm stated that she wanted to thank Mayor White for the discussion and dialog that was opening as they addressed the Municipal Employees Fund and Pension System, that she welcome Council Member Edwards proposal to have Mr. David Long to come forward and address the three goals of the purpose for the pension system, that at this time they were trying to schedule a time with Mr. Long to immediately follow the called canvassing meeting next Wednesday and they would like to hopefully have Mr. Long come forward and discuss with them and give his perspectives of where they were in relationship, not only from his perspective but how they actually address their shared needs to provide for the employees of the City. Council Members Lawrence, Wiseman and Berry absent.

Mayor White stated that they were not in a crisis on the issue, there was a screaming headlines in the newspaper a few days ago that was news to him, that he also wanted the City employees to know that they had been managing it and were on top of it. Council Members Lawrence, Wiseman, Alvarado and Berry absent.

Council Member Khan stated that this weekend they would have the Gulfton Festival starting at 11:00 a.m. at Burnet Bayland Park at 6200 Chimney Rock, that it was on Saturday, that it would start at Benavidez Elementary School and they would parade down to Bayland Park at around 11:30 a.m. and have their festivities until 3:00 p.m.; that also on Saturday, May 19, 2007 they would have the District F, C3 Community Cleanup and would be from 8:00 a.m. to 12:00 p.m., that all the volunteers were requested to meet at E. L. Crane Park at 9051 Triola. Council Members Lawrence, Wiseman, Alvarado and Berry absent.

Council Member Khan stated that he served on the National League of Cities Transportation and Infrastructure Services Sub Committee and they had their Spring meeting last weekend in Bloomington, Minnesota and local elected officials from all over the Country joined in that meeting and there were some very important discussions and policy matters were taken up at that meeting and hopefully a lot of good things would come out, that they discussed FAA reauthorization which affected the airport and discussions about Amtrak and passenger rail, that they also talked about surface transportation funding and one of the things that he was surprised to find out was that Texas returned more transportation dollars back to Washington than any other State in the Country and it was surprising that they were not using all of the transportation dollars which were allocated to the State and for whatever reason they were returning those dollars back, that they talked about congestion relief and freight movement and one of the very important side topic which people discussed and wanted to promote as an idea was to have a National Transportation Policy and he hoped that something would come out of it, that the next meeting would be in Arlington and he planned to attend and looked forward to getting some input from the City to take to that meeting and would be requesting some of the departments to help him out in not only formulating the discussion but some of the things that were important to the City of Houston. Council Members Lawrence, Wiseman, Holm, Alvarado and Berry absent.

Council Member Green stated that the budget hearings would begin on May 29, 2007 at 1:30 p.m. that in the morning they would have the regularly scheduled Fiscal Affairs meeting, that they would endeavor to get the answers to many of their questions ahead of time, that they should get a copy of a memo sent to all the department heads and as last year they were going to present the Council with as much information up front along with a pre-hearing memo which outlined all of the significant aspects of the budget and any other questions that they may have, if they needed something from their office they could facilitate that or they could go directly to the department head. Council Members Lawrence, Wiseman, Holm, Alvarado and Berry absent.

Council Member Green stated that on May 20, 2007 the UNCF College Fund would have it's Fourth Annual Jazz Brunch at the Ensemble Theater, that it was a fund raiser, along with the golf tournament, before the annual UNCF Gala, for more information they could to www.uncf.org; that on May 21, 2007, CH2M Hill would have their annual golf tournament and they raised money for bikes that many of the Council Members received during the holidays to share with their constituents and if they had any questions they could contact Chris.McCarthy@CH2M.com. Council Members Lawrence, Wiseman, Holm, Alvarado and Berry absent.

Council Member Brown stated that he received a lot of emails from constituents concerned about the lights in the Meacom Fountain being dark for over six months and why was the City not replacing the lights in the fountain, that he met with a group of property owners who lived in the area and they would like to consider making donations to the Hermann Park Conservancy to privately fund a substantial part of the replacement of the lights. Council Members Lawrence, Wiseman, Holm, Alvarado and Berry absent.

Mayor White stated that the stolen lights were in the budget, that if they were going to talk about enhancing it he agreed and did not know who was monitoring, that first they did not want to just put themselves \$170,000 in the hole again and he believed the number was \$170,000 that it would not come out normal Park operations, there were some special funds that were sort of one time things and he sought input from various Council Members and others as it came through the budget process, that they would love private funds to be raised but wanted it to be fixed sooner rather than later and maybe they could use some of those private funds to do enhancements. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that their office had been meeting with residents from the Warwick and the management of the Warwick and the other hotels in that area, the lights were being stolen so it was an issue they were looking at to see if they could get them replaced with different types of lighting but through a public safety issue, that the fountain needed to be lit at night so people would not run into it, that they had talked to Ms. Travis about it to see if there were any Department of Justice Funds that might be available to help them do that. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that the City put out an RFP for sod and the feedback he got was that the specifications for the bid were so poorly written that the same sod that the company sells to Lowes at \$1.80 a square yard they had to submit a bid for \$2.60 a square yard to the City of Houston and they did not want the City to be more expensive to do business than the private marketplace, when the bidder called to get a clarification there was nobody at the City that had the technical ability to answer questions related to the delivery of the materials, and his point was that he thought they could save a lot of money all over the place if they had Public Works and Building Services and others to tighten up the specifications so there was less guesswork on the part of the bidders so they would get more competitive bids, and Mayor White stated that on the sod he was going to get the details. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that last night he went to an open house of the Houston Galveston Area Council related to their 2035 Regional Transportation Plan and saw a lot of individual projects that were displayed, that he did not see a lot of coordination and certainly did not see much vision, that in terms of how their region urbanizes and develops it's urban area and the assumption was that most of the growth would not occur in the City of Houston in terms of jobs and residents and thought the City needed to make a strong input to Houston Galveston

Area Council, they had until July 2, 2007 to do that. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she wanted to speak about an issue they were having not just in District C but in any district that had a bayou running through it, they recently passed an ordinance defining the flood plain and it was their frustration that FEMA, the Federal agency that designed a lot of the flood maps and gave them the guidelines, never participated, and some of the frustration they had as lawmakers was when they did not have the participation of the Federal agency that was giving them guidelines and directing them in establishing what the flood plain was and what the flood way it was difficult for them to foresee or deal with some of the consequences of the ordinances they pass, that one in particular was part of the definition of the flood plain, they also defined the floodway and put restrictions on the ability to develop land in the floodway, there was in District C approximately 130 properties along Brays Bayou that were considered as being either entirely or partially in the floodway and some of the unintended consequences, she believed, of the ordinances were some of the things they needed to be dealing with, that she knew that Council Member Edwards was working with FEMA to try to get some answers, but some of the questions she had for implementing these regulations that prohibited building in the floodway which had a wonderful consequence to the rest of them, it reduced their flood insurance rates by over 15%, but of those properties who were now in the floodway they were wanting to know if they were going to be compensated for the taking, many of the properties were undeveloped but were in the queue to be developed and were looking for building permits and unfortunately the Building Department did not notify them of those changes and they could not build now, what do they do because it really ended up being kind of a taking, how do they compensate those property owners, what do they do about properties that were only partially in the floodway, there was one that had been brought to her attention that was 55% in the floodway but could not develop on the remaining portion of the parcel, and what do they do especially along Brays Bayou where they were going to see those flood maps change as the Harris County Food Control District and Project Brays moved up the bayou with the widening and expanding of that bayou, that it was going to end up changing the floodplain and the floodway and was anticipated that in about 10 years those properties would no longer be in the floodway and would no longer be considered the floodway so what do they do as a City and as a Council in terms of compensating them for the 10 years of loss of development or compensate them at all or do they allow a kind of modified building on that property, those were some of the questions that were coming out. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he would like for them to help him think what the right thing to do was, and if they were talking about compensating he would be reluctant to go there, that it would mean taking money away from all the budgetary items. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she wanted to applaud Mayor White for his leadership on the pension issue, it was pretty lowlife to scare people about their pensions and she wanted to thank him for standing up and being very vocal and the leadership on that issue. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that it was great to read in the newspaper about their discussions with the Dynamo's about the stadium being built on the other side of Highway 59, that it was great for the City and the economic development. Council Members Lawrence,

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

Council Member Lovell stated that they talked about traffic and it was brought up about HGAC, that she served on the Transportation Policy Committee and she wanted to compliment Mayor White, that Maureen Crocker, who sat with her and Council Member Holm before every meeting and they go through all the agenda items to make sure they represented the City's interest in a united way, was really great and what an asset she was, that she also wanted to compliment the other people who attended all those meetings, Ms. Marlene Gafrick, Mr. Marcotte and others who go there to make sure the City was represented and their interests were served well, they were very knowledgeable about what was going on and it was a very good team; that she had an opportunity to meet with Mr. Ned Holmes the new Highway Commissioner to come up to speed about what was going on in the State on transportation and he said that what happens in the area with TPC and the 13 regions was incredible compared to other parts of the State like the Dallas Fort Worth area, where they could not agree on anything, that they at HGAC on the TPC managed to work very well together and managed to understand that what happened in Fort Bend County or Waller or Grimes affected everybody, that it was wonderful to hear the compliments of what was going on. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she wanted to congratulate the Little League Reds who once again clinched the Neartown Little League Major Championship, that she wanted to compliment the manager of the team, Mr. Darren Flat who she had coached with for six years and was a great coach. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he would give public directions to Ms. Stein, they supported, in general, efforts of Harris County to maintain more of the transportation dollars in the region, they supported State Senator Tommy Williams for trying to maintain some transportation funding in the region, and they never knew whether a headline or a quote was exactly right but it was true that the I-69 Alliance or Coalition had taken a position adverse to the position of Harris County and insisted and thrown a fit because they wanted to sell their highways or toll roads and if that was true they would never get a contribution from the City of Houston ever again. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that as to the HGAC and the I-69 Corridor she understood the County was pulling it's support of it and she would like to have a briefing from people who attend TML and who were representatives on HGAC on what was going on, that all she knew was what she read in the newspaper, that she would like a general overview of what they did and what items were being carried by representatives on those two groups. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that regarding FEMA, they had finally received contact from their numerous contacts at FEMA and thought they had a person who would come to speak with them at the flooding meeting regarding the mapping and the why and why not's and the issues of compensation, where she was still unclear regarding people who were being added to the floodway and floodplain designation and how it affected the property taxes of those properties or did it affect the property taxes of those properties and if it did how did it domino to the ultimate affect on the City of Houston or was there an affect; that the issue of compensation had to be addressed and she did not know what the answer was but the question was out there

and they had told people that they were going to fight to get somebody to come here and explain it, and most importantly people were wanting to know how they could appeal the decision of their home and/or properties being put into the floodplain or floodway, hopefully that meeting would take place by the end of May 2007, that she would like to have somebody from the administration to sit in so they would have a constant presence as to the question of what were the consequences or benefits to the new mapping for the City of Houston, that she would think it would have to be somebody of a Mr. Hall character or the Controller or Ms. Johnson, somebody who had the picture of both the political and the financial wherewithal of the City and how those two blend. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he wanted them to consider what they thought the right thing to do was, were they going to significantly alter the risk posed by flooding if they did one action versus another, did the science seem to have gone through a peer group process that made sense, what were the equities that were involved, those were the types of things that he needed, did they need to ask Washington, was it being dealt with at the right pay grade, were there some resources or opinions they needed from the Legal Department if there were Federal actions, he needed to help them with that, and Council Member Edwards asked if any of the new areas include any of the Project Houston Hope areas and if it did how did it affect the HUD funding. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Mr. Marcus Davis and the group at the Breakfast Klub for providing breakfast for them this morning. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that on the issue of pension she thought there was a crisis and perception of confidence and that was one of the reasons she wanted to have Mr. Long come so they could have a blow out, that she thought there was a crisis with their employees in confidence in the administration and leadership and that they were kind of playing with their money, that she would like to have Mr. Long explain to her personally and publicly the bonuses that he receives, if they were in such dire straits why was he receiving bonuses. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Ms. Linda Clarke and a great team, they went up to Harlem and she could not even begin to go into all of what she learned and observed there, that Harlem was so different looking and it was beautiful, that there was a general spirit of revitalization and encouragement and in talking with the leadership at the Harlem Children's Zone one of the things that was very poignant was that although they had many successes they had not prepared to succeed and that was based upon the point that although they had almost 500 kids graduating and going through and completing colleges they could not come back to buy and afford to live there any more if they did not already have property there, that their biggest mistake was that they had not planned for the success of their graduates to be able to come back in the ways of affordable housing, that it made the point of making the connections between succeeding and success and what that looked like on the ground very important for Houston Hope and the areas they were trying to do, that the other thing that she kept hearing all the time was to encourage, inspire and to deliver, even if they promised rubber bands, there they were, the delivery was the thing that was catalytic to a lot of their success, that it was not the point of what they said it was about what they did, that she thought it was very important as they moved forward with Houston Hope. Council Members

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

Mayor White stated that he would comment to Mr. Hall, Council Member Edwards and Mr. Michel, because they were going to be at the Houston Hope meetings, that they were going to have to help him and counsel him and then help those around him because he believed there were some people who did not have the sense of urgency that he did about it and if he gave some direction at the meetings they had in the conference room downstairs they made a decision and he expected people to come back and say he was wrong or to implement the decision and it was not because he had a bad day or was in a bad mood, he was just trying to emphasize if he could call down the Chairman of the AFLCIO at a Katrina meeting for giving a speech then he would not tolerate people who delay what they decide to do at these meetings and if somebody wanted to be on the good side of the Mayor when it came to Houston Hope meetings they would beat expectations. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:40 p.m. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell 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