

City Council Chamber, City Hall, Tuesday, October 23, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 23, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Adam Edwards, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega and Ronald C. Green and Michael Berry; Ms. Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present. Council Member Addie Wiseman absent due to being ill.

At 2:00 p.m. Acting Mayor Pro Tem Berry called the meeting to order and stated that Council Member Lovell would begin presentations. Mayor White, Council Members Johnson, Clutterbuck, Holm, Alvarado and Brown absent. Acting Mayor Pro Tem Berry presiding.

Council Member Lovell invited those with her presentation to the podium and stated that there was a lot of activity around Susan G. Coleman and breast cancer awareness and she was pleased to present today to the Bayou City Performing Arts Sing for the Cure Dare; that Sing for the Cure was performed all over the United States to educate, inspire and bring hope through music to millions affected by breast cancer and in honor of the 25th anniversary of the Susan G. Coleman for the Cure Foundation and in observance of breast cancer awareness month Bayou City Performing Arts would present a benefit concert of hope on October 23, 2007 at Jones Hall for the Performing Arts and she encouraged all to attend; and presented a Proclamation to saluting and commending the organizers, extended best wishes for a successful event and proclaimed October 23, 2007, as "Bayou City Performing Arts Sing for the Cure Day" in Houston, Texas. Mr. Jim Fox, board chair of Bayou City Performing Arts, thanked all for the recognition and stated that this evening's concert would mark the debut of the combined men and women's choruses and renamed the Bayou City Corral and it was a very significant day. Mayor White, Council Members Johnson, Clutterbuck, Holm, Alvarado and Brown absent. Acting Mayor Pro Tem Berry presiding.

Council Member Green invited those with his presentation to the podium and stated that this was a great day as one of this city's treasured institutions; University of Houston's Bauer School of Business which had been shooting up on all scales of recognition throughout the world; that their newest award was being ranked number two in the nation by Entrepreneur Magazine; and presented those present a Proclamation wishing them continued success and proclaimed October 23, 2007, as "CT Bauer School of Business, Center for Entrepreneurship and Innovation Day" in Houston, Texas. Mr. Bill Sherrill stated that he appreciated the honor and recognition of their school; and presented Council Member Green with a framed rendition of the cover of the Entrepreneur Magazine and a magazine was provided for all at the Council Table. Council Member Green asked all present with the University to stand to be recognized. Mayor White, Council Members Johnson, Clutterbuck, Holm and Brown absent. Acting Mayor Pro Tem Berry presiding.

Council Members congratulated those present for their school being such a great institution of higher learning and for their deserved recognition. Mayor White, Council Members Johnson and Clutterbuck absent. Acting Mayor Pro Tem Berry presiding.

Council Member Johnson invited those with his presentation to the podium and stated that October was traditionally celebrated nationally to mark accomplishments of people with disability and the Mayor's Committee of Employment of People with Disability, the Work Source, Career and Recovery and the Mayor's Office of People with Disability held an Employer's Breakfast Forum on August 15, 2007, to educate employers on how they could be more successful in hiring those with disability and they partnered and had a first ever Housing and Employment Expo for those with disability; several events were being held and it was a dynamic group of people who brought awareness to this and presented a Proclamation to a representative and proclaimed the month of October as "Disability Employment Awareness Month" in Houston, Texas. A Spokesperson stated representing the Mayor's Commission on Disabilities their chairman Dr. Bradley could not be present, but this group was about self help and they would like to thank all for this recognition. Mayor White, Council Members Brown and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Noriega congratulated the group and stated that her father spent his whole career working in special education and with folks with disabilities and was currently director of the Arbor and this was a particularly important issue to her family and it was important to recognize the strengths of people and not their disabilities. Mayor White, Council Members Brown and Green absent. Acting Mayor Pro Tem Berry presiding.

At 2:26 p. m. Council Member Lawrence invited Pastor Paul Ferguson from St. Andrews Lutheran Church to lead all in the prayer and Council Member Lawrence led all in the pledge. Mayor White, Council Members Brown and Green absent. Acting Mayor Pro Tem Berry presiding.

At 2:28 p.m. the City Secretary called the roll. Council Member Wiseman absent due to being ill. Mayor White, Council Members Brown and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Members Khan and Lovell moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Members Brown and Green absent. MOTION ADOPTED.

At 2:29 p.m. the City Secretary began calling the public speakers. Council Members Brown and Green absent.

Ms. Linda Mercer, 5807 Kansas, Houston, Texas 77007 (713-542-5071) appeared, presented information and stated that she was a resident of Cottage Grove and vice president of the White Oak Bayou Association and present to support the purchase of the Missouri Kansas Texas abandoned railroad right-of-way from St. Emanuel to Hempstead Highway; that they had been in favor for years for development of the land as a green corridor, hike and bike facility which this ordinance brought to fruition and they would like to work with the city in its development.

Upon questions by Council Member Brown, Ms. Mercer stated that she understood they were getting all right-of-way from St. Emanuel to Hempstead and that was good to hear. Council Member Berry absent.

Mr. Jim Mackey, 6002 DeLange, Houston, Texas 77092 (713-683-8075) appeared and stated that he was a member of the Bike Houston Organization and present to thank the Mayor and Council for supporting the MKT railroad right-of-way purchase for the bike trail and encouraged them to build and construct trails already funded, the MKT and Heritage corridors would allow people to get from U of H downtown out almost to Timbergrove and would even like it extended to Hempstead and beyond. Council Members Alvarado and Berry absent.

Mr. Chris Clark, 2007 Lofting Wedge, Houston, Texas 77089 (281-464-0018) appeared, displayed a map and stated that he was representing the South Belt Ellington Chamber of Commerce and present to speak on the proposed special income apartments to be built on the Beltway between I-45S and Hwy. 3, it was basically a no mans land and it was not that they did not want it in their backyard, but that they had their fair share; that they had seven such special income projects and all within about a seven minute drive of the South Belt and the Regency would be the eighth one; that analyzing police calls they found the special projects had five times as many calls month after month and again almost a five to one ratio on EMS calls and the tax rate was significant to their school district and they found the apartments appraised about 20¢ on the dollar to single family residence. Council Members Lovell, Noriega and Berry absent.

Upon questions by Council Member Edwards, Mr. Clark stated that his definition of a special income apartment was 70% of the residents had to have specific incomes and there were set rental rates; that at the end of the day he agreed all were taxpayers. Council Members Lovell, Noriega and Berry absent.

Mayor White stated that he understood and heard what he said about concentration issues and they do now have policies on concentration; and upon questions, Mr. Clark stated that he was vaguely familiar with rules and had attended hearings but there were none for this one; and Mayor White stated that this was a federal program and the city did not control it, tax credits were allocated to states and states made allocations and decisions to projects which met criteria and it did not get to the city until both the state and federal government made decisions; and Mr. Clark stated that they supported the first few and this was not an issue of not in my backyard; and he understood from a school board trustee that they were not contacted; and Mayor White stated to Ms. Stein that he wanted to see a certified copy of certified mails return receipt requested from the school district. Council Members Lovell, Green and Berry absent.

Mr. Fred Roberts, 11923 Kirkway, Houston, Texas 77089 (713-269-9674) appeared and stated that he was a five term school board trustee and no he was not contacted about the hearings; that the superintendent was contacted by letter and he responded by phone call and that was the last correspondence they had; that the closest elementary school to the proposed apartments would be 1-1/2 miles to 2 miles down the Old Galveston Highway and it was extremely busy and there were no sidewalks and the closest intermediate school was 6 miles away; that because of Pasadena and Houston's lines they worked together and it concerned him when schools were crowded, they needed controlled growth; that there was also no busing there and the older children would have no bus to catch for school. Council Members Lovell, Alvarado and Green absent.

Mayor White stated that they did function well together when there was good communication; that regardless of the outcome of this project which had gone through processes that their appearing had raised their sensitivity to the issue of concentration in an area; and upon questions, Mr. Roberts stated that apartments needed to be planned with the city and school districts; that Pasadena wanted growth also and they wanted taxes, but something should just not be built because someone had the money to build it; that many kids would not be able to participate in extracurricular activities at school while living there; and Mayor White stated that Mr. David Webb wrote a definitive book on school finance published here in Texas; and upon questions, Mr. Roberts stated that he would agree with him if revenues were capped by the state it created a problem when they had more people to serve; and if apartments were to be built it should be in conjunction with the city and schools. Council Members Lovell, Alvarado and Green absent.

Council Member Lawrence stated that Mr. Roberts raised a flag for a number of them; and upon questions, Mr. Roberts stated that the Superintendent was notified; and Council Member Lawrence stated when you did not coordinate with the school districts you did have problems and he was correct all should work together and not create a hardship for the children. Council Members Lovell, Alvarado and Green absent.

Council Member Edwards stated that they had a housing meeting regarding this meeting Tuesday, October 9, 2007, and none of these concerns were lifted; that she had concerns when people said they were not notified; and would like Ms. Toni Jackson to be able to answer questions on notification; and Mayor White allowed Ms. Jackson to come to the podium. Council Members Lovell, Alvarado and Green absent.

Ms. Toni Jackson stated that she was with Coats Rose and represented the developer; that pursuant to TDAC requirements and the HHFC requirements they provided notice to the Mayor, County Commissioner, State Representative and Senator; Pasadena ISD Superintendent, Pasadena Board President; and various community groups and civic clubs, which she read a list of, and there was a four by eight foot sign on the property since prior to the hearing and there was no attendance at any meetings; and regarding concentration the City of Houston had six requirements of which they had complied. Council Members Lovell and Green absent.

Upon questions by Council Member Edwards, Mr. Roberts stated that he was not aware of any meetings; and Council Member Edwards stated that she did not know of any concerns made by their Council Member and wanted to know policy was followed. Council Members Lovell and Green absent.

Upon questions by Council Member Berry, Mr. Roberts stated that regarding the project he was opposed to the distance from the project to the school and opposed to the safety issues. Council Members Lovell and Green absent.

Upon questions by Council Member Berry, Mayor White stated that this was not CDBG money it was federal money used which was allocated to Texas by the state; and Council Member Berry stated that it was not their money and they were only to sign off and as long as there was no scam in the deal their lives would be better and it was a win/win. Council Members Lovell and Green absent.

Council Member Brown stated that children did need to grow up in a neighborhood and not on an isolated industrial site where there was no park or anything nearby, but when you got selected for this it did not have to do with quality of environment the project was placed in; that he urged the housing committee and Housing and Community Development Department to develop criteria for such projects with children or seniors and he supported the idea of having housing choices in real functioning neighborhoods where people walked and took care of one another; and upon questions, Mr. Roberts stated the children would go to four different schools in four different areas; and Council Member Brown stated that he would like better criteria. Council Members Lovell and Green absent.

Council Member Edwards stated that they did have criteria for large apartments and apartments were communities; and upon questions, Mr. Roberts stated that their schools welcomed every child; and they had a school board meeting tonight and all the Mayor and Council were invited if they would like to attend. Council Members Lovell and Green absent.

Ms. Marie Flickenger, 11555 Bemmer, Houston, Texas 77089 (281-481-5656) appeared and stated that there was nothing that would be around the proposed apartments but the Beltway and the sign was there, but no one could read it because it was the Beltway and no side streets and no one traveled it; that Ms. Jackson had called her at the request of Council Member Wiseman and they talked and it was clear she did not understand the project because they were in disagreement as to which school district the apartments were located and she asked that she please get those in charge of the project to get in touch with her and was told that she would, but no one ever called and she just confirmed that with her and she said other things happened and they got other information, but she owned the local newspaper and was on the Chamber of Commerce and was the founding president and was president previously for the board of regents for San Jacinto College and cared very much for education and all children had to be educated, but the problem was there should be communication; that they said they notified the State Representative and State Senator and according to them they did not and the Super Neighborhood was not notified nor was the newspaper; that the list of civic clubs Ms. Jackson read which she notified were not in the area so why notify them; that she came years ago supporting such apartments and they were there and they did a good job; that another group they also supported and they met with and worked with the owners, but communication and too many units too close was the problem. Council Members Lawrence, Garcia, Lovell and Green absent.

Mayor White thanked Ms. Flickinger for coming and because of her engagement and understanding of detail they had sensitized them on the issue of concentration, but they looked at maps and when the state capped a school district's revenues the city could not respond by saying no more apartments; and if they tried to build closer to residential neighborhoods they would come with reasons why it should not be built there, but he liked her interest and did respect her judgment as a community member, but no one came from Pasadena saying we have a great spot to build near a school and choices had to be made and her input was valuable. Council Members Lawrence, Garcia and Green absent.

Upon questions by Council Member Noriega, Ms. Flickinger stated that through her experience of living in and caring about the community it seemed this project could have been much better planned if it was closer to a community and those they supported were

closer; that with Moms working the kids left alone a lot of the time needed to be closer to something; that it seemed like very poor planning and those Ms. Jackson said were notified were not even in the area. Council Members Lawrence, Garcia and Green absent.

Council Member Edwards thanked Ms. Flickinger for her work throughout the years and stated that her concern was she was at a level of discomfort in trying to rationalize where people who were marked by challenges of poverty or disabilities had to explain why they needed a place to live; and she understood her concerns, but this city had one of the largest 18 year and under populations in the country and they needed to get more innovative on how to live together; that all paid taxes and laws and ordinances were made and if there was a problem it was a responsibility to make it work; and all city meetings were posted and she would appreciate them coming and giving remarks because that was where something could be done; that she would not engage in conversations where people challenged by economic means could live, but she would engage in conversations as to how they could solve the problem; and Ms. Flickinger stated that the units they supported were beside neighborhoods, but her problem with this was nothing was there, no parks were there, no transportation and it would be like they were on an island; and they were not giving them credit for supporting the other facilities, this was not an issue. Council Members Lawrence, Garcia, Alvarado and Green absent.

Mayor White stated that they covered a lot of territory including school finance and location of facilities with federally funded programs and concentration; that he knew her heart was in the right place and thought they could work through the issues; and Council Member Berry's point that whether it be this project or another they found citizens who made choices about where they wanted to live were pretty knowledgeable about where it was; and Ms. Flickinger asked that the city please notify Super Neighborhoods when the projects came so there could be better information; and Mayor White stated that they would learn from this. Council Members Lawrence, Garcia, Alvarado and Noriega absent.

Mr. Steve Ford, 1800 Bering #501, Houston, Texas 77057 (713-334-5514) appeared and stated that he represented the Regency Park Apartments as the developer and would respond to some things said today; that the reason they were out in a vacant field more or less was because their history showed neighborhoods did not like them there either; that he and Mr. Hemson were the largest affordable housing developer in the greater Houston area with 3,400 current units and he was involved in other partnerships with additional 3,500 units throughout the state; that they never had a problem getting kids to and from school, most tenants had cars, but the tough part was finding a school district not overcrowded; that also they were at the frontend of a housing crisis, last year in the greater area of Houston there were 47,000 new homes built and this year it would be 30,000 and the bulk for the affordable housing community would not get built. Council Members Garcia, Alvarado and Noriega absent.

Upon questions by Council Member Khan, Mr. Ford stated that he did not do development other than affordable housing, but other developers found some of the same; that there was a perception from a single family perspective that it was a little higher order of life than an apartment; that people did not like apartments or affordable apartments built near them. Council Members Garcia, Alvarado and Noriega absent.

Council Member Berry stated that he knew Ms. Flickinger and had a lot of respect for her; that he did reading on tax credit properties and he understood the floor of income was about \$25,000 and went to about \$42,000 and that was with two people working 40 hours a week; that as Council Member Edwards said all deserved a place to live, but they were talking about the working poor and them being able to move into a brand new housing opportunity; and upon questions, Mr. Ford stated that the rent price per square foot was about 72¢ or 73¢ so a 1,000 square foot property was approximately \$720. Council Members Holm, Garcia, Alvarado, Lovell and Noriega absent.

Mayor White stated that he made a call to Ann Travis and the city actually fought during the last legislature to try and have as much federal money that they could to build higher quality apartments for Houston and he wanted to thank members of their delegation who did so. Council Members Holm, Garcia, Alvarado, Lovell and Noriega absent.

Council Member Johnson stated that he looked at tax credit development and he wondered what he would be offering to the community which would offset some of the concern people placed with the affordable notion nothing was being offered; and Mr. Ford stated that you would not drive up to one of their properties and know it was an affordable project, it was gated, about a 5,000 or 6,000 foot club house with exercise rooms, Olympic size pool with waterfalls, they were obligated to place playgrounds in and they were not small; that rooms were nine foot ceilings with crown moldings and walk in closets with microwaves and typically what they did was have Texas Interfaith Housing come in, they were a service provider, and generally did after school classes; that they would have a computer lab with 12 to 14 computers and they rotated age groups by days, it was a mandate; and 30 years of service was a mandate and maintenance of property was a mandate; that the Spring ISD came in and said they would provide after school services for the children so now they paid teachers with Spring ISD to come in after school for those services. Council Members Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent.

Upon questions by Council Member Edwards, Mr. Ford stated that currently all properties in CyFair had cooperation between the school district and them for after school services and all in Spring were the same; that they had five current properties in HISD and they had done nothing with them but would be happy to enter into an agreement with them or Pasadena if they would like; that in looking at properties of that size there would probably be between 100 and 105 children total impact on the school district; that they bought school buses before. Council Members Johnson, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he did not think anyone thought they should not have new affordable housing for people of lesser income, but felt the point being made was many felt it would be better if they were a part of a neighborhood with amenities and parks and where kids could walk to school and to a shopping center and with plenty of public transportation and people on the street so it would be safer; that there were a number of neighborhoods in decline and in his view would benefit greatly from a project like his, some were Project Hope neighborhoods where they needed shiny new houses for those who lived in substandard housing and probably paying what they would pay in one of his brand new units; and upon questions, Mr. Ford stated that some neighborhoods were happy if he would tear down apartments but not happy to have

more built and rehabilitation would be a complex problem, but in the case of new construction absolutely he would be interested. Council Members Johnson, Edwards, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he thanked Mr. Ford for appearing, but he had not been at one civic club meeting where people said they wanted more apartment complexes in the neighborhood and at some of the more distressed neighborhoods they said they did not want federally subsidized apartment complexes in their neighborhoods; and if someone had a buildable site he was in the business of developing apartments and people could E-mail him and he would take a look at it. Council Members Johnson, Edwards, Khan, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Mr. Dwayne Hemson, 1800 Bering #501, Houston, Texas 77057 (713-334-5808) appeared and stated that he was a partner with Steve Ford to develop the proposed Regency Park Apartment Home Community in south east Houston and some made an issue over jobs and income of those who would live in the communities, but how could you oppose quality homes for city and school employees among others; that those who lived there would make between \$25,000 and \$42,000 which qualified them to live in the community, but there was no limit to how much they could make after their initial qualification and rates started at \$599 for one bedroom and went to \$719 for a two bedroom and \$822 for a three bedroom; that the household had to have a minimum income of 2-1/2 times the rent to qualify for the apartment home; and they conducted computer education classes; and over 250 families were counting on council's support. Council Members Johnson, Khan, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Mayor White thanked all for appearing and stated that they heard what they were saying. Council Members Johnson, Khan, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Mr. Kirk Tate, 1641 East T. C. Jester #416, Houston, Texas 77008 (713-622-5844) appeared and stated that he was the chief executive officer for O'Ryan Real Estate Services and they would be doing the leasing and managing of the property and they managed over 100 similar communities; that every one had to fill out an application and they looked for criminal history, if they were ever evicted, credit history, employment, etc., if they had a felony conviction they would not be leased to, if they were evicted and left owing rent they would not be leased to; that they did not bring crime in, they were hard working good neighbors or they would be asked to move; and there was no evidence any property built under the housing tax credit program increased crime in any neighborhood or damaged any property values. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he knew how beneficial it was to get federal funds and they had to battle for them; that with hundreds moving in some would be better than others just as in any neighborhood. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Mr. Ed Forsley, 2015 Royal Oaks Place, The Woodlands, Texas 77380 (281-292-4887) appeared and stated that he was present to speak on the regional participation agreement, Agenda Item 25, that through his work he called on businesses in every district represented here today though he did live in the Woodlands; that the

issue was an agreement between the Town Center Improvement District in the Woodlands and the City of Houston and it was well received by their residents, however, a serious problem had arisen since then and that was in the enabling legislation; that 80,000 residents in the Woodlands could be facing taxation without representation, they were in the process of voting on agreements though they could not vote on the regional participation agreement; that the legislation would place an improvement district over night in the governance of the Woodlands and replace the 30 year governance with an improvement district and new board with seven at large members and the taxation without representation came in because it would be 2010 before a majority of the board was elected by residents and next April or May before any were elected. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Noriega, Mr. Forsley stated that out of the governance meetings the majority of the Woodlands residents opted for incorporation as was natural, but the enabling legislation would forestall incorporation at least until 2014 and thereafter wording in the legislation made it difficult to achieve incorporation and if they had their preference in the city's regional participation agreement they would like to have release to incorporate prior to 2014. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Mayor White thanked Mr. Forsley for coming and stated that he was familiar with the issue he raised and would say in part he would address some of the issues in his Mayor's Report in Council tomorrow; and this did open the door to incorporation which would not exist had they not withdrawn jurisdiction with the City of Houston. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Ms. Cheryl Crandall Tangen, 1610 Woodstead Court #440, The Woodlands, Texas 77380 appeared and stated that she was also a resident of the Woodlands and present to discuss the regional participation agreement, that Mr. Forsley pointed out this was a culmination and an end run around the governance process which had been in place several years in the Woodlands where they anticipated preferred governance options; that under this legislation they would not be in control of their own destiny and the difficulty here was the regional participation agreement was being used as a carrot and a stick to encourage and frighten people into voting for the legislation and after reading it carefully it would stymie any self incorporation attempts for at least seven years and that came from the regional participation agreement and not the legislation and it would require an unelected board be in control of the entire Woodlands for over 2-1/2 years with ad valorem taxation authority and authority to prioritize the spending of revenues generated through that taxation as well as sales tax and a number in the Woodlands would vote for this if they knew what the final agreement said and if they knew it did not vary from what was stated in December; that they would implore release of the agreement to those who wanted to read it and that they seriously consider the agreement and whether or not it was appropriate for the City of Houston to be a party to an arrangement which would yoke the community. Mayor White, Council Members Johnson, Holm, Garcia, Alvarado, Noriega and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Tangen stated that this would yoke the community to basically this kind of improvement district rule for at least a period

of 2-1/2 years and the methodology for voting resident elected officials into the board was completely at large so the concept of the Woodlands being a collection of different villages would not be furthered by the election process. Mayor White, Council Members Johnson, Holm, Garcia, Alvarado, Noriega and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. William Bingman III, 11 Sunbeam Place, The Woodlands, Texas 77381 appeared and stated that he believed the city entered into the partnership agreement with the Woodlands in good faith to try and do what was best for both but he was surprised no one could vote and had a petition signed for the right to vote between a special district and incorporation of a new city and many thought the vote would have an obvious outcome as most favored incorporation, but Mr. Tommy Williams came to the city and said they wanted a special district form of government and that commercially dominated and expanded TCID with tax and govern the entire Woodlands community with no resident representation on the board for possibly 2-1/2 years and taxation without representation was unacceptable and he wanted the City to amend the RPA to provide that upon presentation of a petition with 1% of the registered voters in the Woodlands the TCID would be required to hold a referendum on Woodlands incorporation. Mayor White, Council Members Johnson, Holm, Garcia, Alvarado, Brown, Noriega and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Bingham stated that if they did not have an opportunity to vote on this regional participation agreement was they had no input and the quality of life issues they were concerned with things like noise abatement, traffic control, crime, etc. Mayor White, Council Members Johnson, Holm, Garcia, Alvarado, Brown, Noriega and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that Senator Williams seemed very open and she would urge they speak with him today or tomorrow; and Mr. Bingham stated that he spoke with him when the district announced the details of this and he did not seem to want to engage. Mayor White, Council Members Johnson, Holm, Garcia, Alvarado, Brown, Noriega and Berry absent. Council Member Edwards presiding. (NO QUORUM PRESENT)

Mr. Ted Richardson, 28 Lana Lane, Houston, Texas 77027-5606 (713-963-0118) appeared, presented information and stated that he was present to speak on METRO's use of city streets and the consent agreement they would be asked to sign in the near future; that he was a strong supporter for improved mobility and a balanced regional transit system, but in his packet Council would see Table 6-1, the 2030 LRT Build Alternative Transit System Performance Measures and under No Build they would notice daily passenger miles at 5,163,020 and if they spent \$797,000,000. they would have a 1.43% improvement in daily ridership. Council Members Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Clutterbuck, Mr. Richardson stated that he hoped Council would study the letter and attachments; they were all METRO's studies and proved the case that the rail on Richmond would increase congestion, decrease mobility and do a lot to cause huge disruption to the city. Council Members Johnson,

Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Conrad Ary, 10215 Beechnut #59, Houston, Texas 77072 (713-828-1447) had reserved time to speak but was not present when his name was called. Council Members Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Toni McElroy, 3307 Wentworth, Houston, Texas 77004 (713-523-7248) appeared and stated that she was president of Texas Acorn and the Third Ward Chapter had a number of concerns as they were underserved by public and private and over developed by projects they could not afford or did not want; that they were meeting recently about overgrown lots, abandoned houses and college students who used their streets for free parking lots; that they identified two lots they wanted to see cleared and spoke with someone in Neighborhood Protection and given a deadline of September 26 to be cleared but it did not happen, another deadline came, October 12, and it still was not cleared; that Neighborhood Protection told them there were 300 lots in Third Ward but they started with only two and could not get those done; and they wanted to feel they could get services in a reasonable time. Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado, Brown, Lovell, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that they were cleaning a lot of lots there; and upon questions, Ms. Vasquez stated that the lots were already in contract compliance and should be handled within 15 days; and upon questions by Mayor White, Ms. McElroy stated that she thought the city should hold property owners accountable for their property, notify them and charge them or place a lien, but if they were given a time frame by a city department they wanted it honored or told why it could not be done; and Mayor White stated that was a reasonable request; that sometimes owners did not care what happened to their property and of approximately \$5,000,000. spent on land acquisition by the City of Houston approximately \$4,000,000. of it was in Third Ward where they acquired 1,000,000 square feet; that he liked ACORN and he would like them to talk and see how that activism could be used in order to identify and spotlight where people lived in the Third Ward and owned property there they did not maintain; and Mayor White stated that when he was personally cleaning a lot there saw a number for a lot for sale and called and some have a lot of property for sale and he wondered why they did not get tired of people calling and protesting and that would not excuse the city and if they gave a deadline it needed to be done, but he would love to work with ACORN and see what they could do and if they wanted to protest in front of someone who owned lots and did not take care of them he would protest with them, he would like those people shamed. Council Members Johnson, Khan, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that there were so many partners in Third Ward she was disappointed they had not had more help and the parking on Blodget and Elgin was so bad the "No Parking" signs were even taken down and they tried getting them back as quickly as they could; and Council Member Edwards stated that they needed to pull all these partners together and get resolution, but if the city had not cut the lots they needed to know why; and she would encourage her to get with her Council Member and have a city cleanup scheduled for the area, they could be put on a regular cleanup schedule where volunteers were brought in and she would be happy to assist where she

could. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated to Mr. Fontaine that he had a hard time getting this implemented, but there needed to be quality control and he could not understand in this case why there could not be something where if ACORN or anybody wanted to clear a lot and get a lien in their name on that property, this property he thought was in the process for a foreclosure, he would love something like that. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Rod Underwood, 2221 Wentworth, Houston, Texas 77004 (832-868-7219) appeared and stated that he was director of Uplift House and affiliate of ACORN and he wanted to know what they could do to help cleanup the same situation; that people came out to hear grievances but did not check back to see what had been done and Uplift had personally tried to get work through the City of Houston to clean lots and improve the community and had worked with low income and homeless 15 years and would like to be a part of the solution as they had equipment and people. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that they wanted to be in a position where work orders for contractors by Neighborhood Protection should be in a database and if it was not then he did not know how it was managed and that should be available on line for citizens; and asked Ms. Vasquez to investigate that. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Underwood stated that he was with Affirmative Action and they did community development and had labor service and could do abatement to lot cleanups; and Council Member Edwards stated that there was a cleanup schedule, but she did not know how contractors were secured maybe Citizens Assistance could assist him, but for her cleanups they got volunteers. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Khan stated that Mr. Davis was present with Neighborhood Protection and could speak with him at this time. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Gladys House, 1605 Andrew, Houston, Texas 77019 (713-742-6995) appeared and stated that she was present on two issues, one to get assistance in getting paid for work she had done at Hobby Airport last May, she was told the city was out of money and it was only an installation bill of around \$400; and secondly she would like a written status on the project in Freedmen's Town. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Ms. House stated that the employees at Hobby Airport who supervised their work said they did not have the money; and Council

Member Khan stated that he would like the name provided and they would follow-up, she should give information to Ms. Vasquez. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Albert Brewer, 7723 Willow, Houston, Texas 77088-7128 (281-447-6125) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Martha Wilson, 12005 Ross, Houston, Texas 77034 (713-947-7281) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Jeffrey Thomas, P. O. Box 88370 Houston, Texas (713-723-9000) appeared and stated that he was a realtor and present regarding issues of concern such as voting issues and criminal activity; that he felt people were being misled in the election and a network was terrorizing using food and water; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Fran Peterson, 2715 Wesleyan, Houston, Texas 77027 (713-439-1184) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Albert Ramos, 2330 Robinhood, Houston, Texas 77005 (713-248-7681) appeared and stated that Houston was characterized by mixed use and residential and commercial neighborhoods and in all neighborhoods; that after researching property values he found data where mixed use neighborhoods typically had home owners subsidizing businesses; that a medical clinic in his neighborhood purchased 1.7 acres in 2003 for about \$5.6 million and it was almost immediately valued for tax purposes at \$1.9 million, a \$3.8 million discount and other properties showed the same and the city was losing revenue and the commercial properties should be fairly evaluated. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Clutterbuck thanked Mr. Ramos for waiting and bringing his information and interestingly this was similar to the kind of evidence presented last week; and Mr. Ramos stated that though the county and not the city set values it was an inequitable burden. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that [www.mayorgalvan.com](http://www.mayorgalvan.com) was his new website as he would be running in two years and it was time to galvanize for the Ron Paul revolution of 2008 [www.voteronpaul.com](http://www.voteronpaul.com) and listed his choices he would vote for; reminded all this

weekend in Galveston would be their first international Pride Festival; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Diane Schenke, 3015 Richmond, Houston, Texas 77098 (713-942-7275) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

At 4:45 p.m. City Council recessed until 9:00 a.m., Wednesday, October 24, 2007. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, October 24, 2007

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, October 24, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega and Ronald C. Green; Mr. Anthony Hall, Chief Administrative Office, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Michael Berry absent.

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. Council Member Berry absent. Council Members Johnson, Wiseman, Holm, Garcia and Green absent.

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

1. **PUBLIC HEARING** on the proposal to establish a tax rate of \$.64375/\$100 of value for Tax Year 2007 was called. Council Members Johnson, Wiseman, Holm, Garcia and Green absent.

Council Member Edwards moved to suspend the rules to add Reverend Richard Hassell to the speaker list following Mr. Franklin Olson to be followed by Mr. Jim Thompson, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. Council Members Johnson, Wiseman, Holm, Garcia and Green absent. MOTION 2007-1043 ADOPTED.

Mr. Stephen Costello, 9990 Richmond Avenue, Houston, Texas 77042 (713-783-7788) appeared and stated that he was principal owner of Costello, Inc. and present representing the Houston Council of Engineering Companies as president on

behalf of over 100 firms; that setting the ad valorem tax rate was an important responsibility and over the last 15 to 20 years Houston had a flat or stagnant level of public funding for infrastructure projects and more emphasis needed to be placed on infrastructure improvements and they needed to earmark funding for specific categories so scarce resources would not be redirected and they advocated for a minimum amount of tax decrease. Council Members Wiseman, Garcia, Lovell and Green absent.

Upon questions by Council Member Khan, Mr. Costello stated that dollars needed for flood prevention started at \$2 billion and was probably near \$4 billion today; and they were supportive of the Administration's recommendation of a tax decrease of one-eighth of a cent but still they needed dedicated funding for infrastructure improvements and development of a Capital Improvement Program which focused on a systematic reconstruction of aging infrastructure. Council Members Wiseman, Garcia, Lovell and Green absent.

Upon questions by Council Member Edwards, Mr. Costello stated that historically facilities were built and lasted for a period of time but they lacked a dedicated fund for repair and maintenance of the aging facilities and flooding was usually in older communities requiring such repairs. Council Members Wiseman, Garcia, Lovell and Green absent.

Mayor White stated that they increased the amount spent on maintenance and rehab of the sewer system to about \$60,000,000 a year which was deferred a long time and had been spending \$50,000,000 a year on drainage improvements but the money would run out without additional dedicated funding. Council Members Wiseman, Garcia, Lovell and Green absent.

Upon questions by Council Member Lawrence, Mr. Costello stated that in his definition of public safety he would put in flooding. Council Members Wiseman, Garcia, Lovell and Green absent.

Mr. Franklin Olson, 201 Varderpool #113, Houston, Texas 77024 (713-465-0043) appeared and stated that he was from Memorial Drive United Church and Metropolitan Organization and he was concerned some wanted to use the minuscule of tax cuts to frighten people into believing the future without the cuts would be bleak; and urged Council to reject the attitude and use available tax funds to improve police and crisis intervention team, TMO was concerned that the crisis intervention team had gone from 700 to 380 officers and that only 22% of mental health calls were routed to CIT and since 1999 14 mentally ill people were shot and killed by police with this year being 4; and they supported training of officers and dispatchers so tragedies could be avoided. Council Members Wiseman, Garcia, Lovell and Green absent.

Rev. Richard Hassell, who was previously added to the speakers list, appeared and stated that he was pastor in Independence Heights and as a leader at TMO they would like the current tax rate maintained for police and city workers; that seniors were afraid to go out because of the many homeless and they believed with storefront presence and extra officers on the street seniors would feel more secure. Council Members Wiseman, Garcia, Alvarado, Lovell and Green absent.

Upon questions by Council Member Lawrence, Rev. Hassell stated that he felt flooding and drainage was a part of public safety. Council Members Wiseman, Garcia, Alvarado, Lovell and Green absent.

Upon questions by Council Member Khan, Rev. Hassell stated that flooding had always been an issue, but from people he spoke with they were more concerned with crime, protecting children and seniors feeling secure. Council Members Wiseman, Garcia, Alvarado, Lovell and Green absent.

Upon questions by Council Member Edwards, Rev. Hassell stated that storefronts with officers familiar with the area would be good even with two or three officers and more street presence would be a deterrent. Council Members Wiseman, Alvarado, Lovell and Green absent.

Mayor White stated that Independence Heights would be one of the places they would be experimenting with two officers in a vehicle and with bikes so one could cover the other and they did hear what he said. Council Members Wiseman, Alvarado, Lovell and Green absent.

Upon questions by Council Member Brown, Rev. Hassell stated that from his standpoint flooding was about the same, a few weeks back it flooded around 610 and Shepherd. Council Members Wiseman, Alvarado and Lovell absent.

Council Member Garcia stated that officers needing to be trained had nothing to do with this budget, it had to be done regardless, but the concern of why they should be trained in CIT had more to do with lack of capacity in the areas of services for those with mental illness conditions, there were not enough bed spaces, access to treatment, medication, etc., and he felt they wanted officers to interact less with those who had mental illnesses and wanted therapist, doctors, etc.; and upon questions, Rev. Hassell stated that he did not necessarily agree with that, he saw more on the streets with mental illness and it would seem it increased and they believed the officers needed to be dedicated because the more you work in a certain area the more proficient you become and they would become familiar with those who had mental illness and then things could be avoided and as they moved into the area there could become a relationship with CIT and the mental working together. Council Members Wiseman, Alvarado and Lovell absent.

Council Member Holm stated that in the current fiscal year they increased the public safety spending by \$52,000,000 and just received a grant from the federal government for \$20,000,000 that they received about \$25,000,000 more than anticipated in taxes and she was trying to balance what services were for and a rolling back of the tax rate, what the needs would be for that \$25,000,000 and she would like him to list those needs and priorities in writing to her. Council Members Clutterbuck, Wiseman, Alvarado and Lovell absent.

Mr. Jim Thompson, 5556 Doliver, Houston, Texas 77056 appeared and stated that he was president and CEO of TCB and program manager for the City of Houston Storm Water Management Program and present to encourage Council to support the Mayor's recommendation for budget and terms of tax rate as currently proposed and a lot of the dedication go toward drainage funding, in particular storm water management, flood

control and other environmental considerations associated with that. Council Members Clutterbuck, Wiseman, Alvarado and Lovell absent.

Upon questions by Mayor White, Mr. Thompson stated that he would work with the Council to determine the right balance between tax rate cuts, public safety and drainage and infrastructure and would look forward to it. Council Members Clutterbuck, Wiseman, Alvarado and Lovell absent.

Upon questions by Council Member Edwards, Mr. Thompson stated that drainage and flooding were inseparably linked and had direct link to loss of life and police, fire, ambulance, etc., during flooding had catastrophic results so the link between public safety and flooding was acute and direct. Council Members Clutterbuck and Lovell absent.

Council Member Holm stated that she also believed the public infrastructure was a component of public safety and she was not sure they had provided enough allocation for the public infrastructure, but she wanted to be clear if it was his perception that if they had a roll back budgeted projects would not get done; and Mr. Thompson stated that he would just speak as an individual and there was no question that if they did not have continued funding the future CIP projects would be impacted negatively, projects on the board would not have money to be constructed and the idea of further roll back he was much against as it would siphon away those available funds; and Council Member Holm stated that she would ask him to list what infrastructure would be siphoned away and to the Mayor if she was confused she needing to get it in her mind what they were talking about, if they had a further tax roll back would they appropriate additional revenues the city could possibly use and that this additional roll back would not impact the adopted budget for the fiscal year '08; and Mayor White stated that there were two ways in which it would impact the current CIP, the current CIP had two particular categories of projects for which there was no funding determined, first category being drainage projects FY11 and 12 and those projects were identified and based on a priority list and the second was in the bond issue voters authorized overwhelmingly they had approximately \$30,000,000 which they could afford for emergency radios and the balance was funding to be determined and she was correct that something was long overdo and that was a planning CIP to go over a 10 year period and the biggest impact on what they set the tax rate would be on those two projects in the next five years; and Council Member Holm stated that if this Council decided to utilize the \$25,000,000 instead of roll back she wanted to know were there designated projects out there and what was the proposed spending of that money and secondly, she wanted to be sure they were not sending a message that if they rolled back taxes they were cutting and would not be able to provide services in a FY'08 budget; and Mayor White stated okay, very good. Council Members Clutterbuck and Lovell absent.

Council Member Lawrence stated that even with the \$50,000,000 added how far behind did he think the city was from getting caught up; and Mr. Thompson stated there was approximately \$1.8 billion to \$2 billion worth of projects lined up, however, that was several years ago and he would warn Council that other factors now caused a significant increase in those cost such as construction cost, right of way acquisition and water quality and environmental cost and they were talking hundreds of millions well beyond that into the future which was why he wanted a long-term dedicated and protected funding source and if they did not move aggressively now it would take decades and

decades to get there again. Council Members Clutterbuck, Holm, Lovell and Noriega absent.

Mr. Bob Lemer, 13603 Appletreet, Houston, Texas 77079 (713-465-2004) appeared, presented information and stated that he was requesting the city's property tax revenues not be raised by the obscene amount being considered and instead immediately refund to Houstonians the \$173,000,000 that they were owed under the Mayor's own Prop I which Houstonians approved in 2004; that the city had made errors in compliance of Prop I for example the Charter Amendment clearly stated there was to be no increase in tax revenues for the fiscal 2005 to fiscal 2006 in the Prop I cap and yet the city increased the fiscal 2006 cap in plain defiance and the city would owe citizens when the courts upheld Bruce Hotze's lawsuit on Prop II; and he believed Council Members needed to be better informed before voting. Council Members Holm and Noriega absent.

Mr. Mark Clark, 1600 State, Houston, Texas 77007 (832-200-3400) appeared and stated that he was representing the Houston Police Officers Union and what they did with the budget was good and the direction they were going was where they needed to go, but he wanted to say that the recent overtime money going on top of what they already had would be helpful in protecting and they hoped some of it would go toward the primary purpose of helping officers run calls for service and provide adequate backup; that their radio system was antiquated and they needed to catch up with the times now not later and in talking of excess revenues they would be going back to the table for negotiations in 2009 in trying to keep Houston's Police Department comparable with the other four Texas cities they tried to stay up with so they could remain competitive and keep quality officers. Council Members Edwards, Green and Brown absent.

Council Member Garcia thanked him for coming and stated that there was a huge change in the way this body did business with the Police Union as the union had been extremely reasonable and on the mark with what needed to be allocated and what needed to happen and he thanked them and Hans for all his work and leadership; and upon questions, Mr. Clark stated that he agreed along with officers there was still an investigative capacity which was needed and he agreed CIT was great but there should be another entity and law enforcement not be first responder in those cases; it was a difficult role for officers to be all things to all people and the academy stressed training of CIT and the department was trying to catch up with the training for officers already out there, but something had to give, when officers were pulled off for training then they were not on the street for response. Council Members Johnson, Edwards, Holm and Green absent.

Upon questions by Council Member Lawrence, Mr. Clark stated that it was always advocated every officer in the Houston Police Department have a radio so they could be in communication whether on or off duty as they had a responsibility to act off duty if a crime was committed in their presence and it would be money well spent. Council Members Holm, Garcia and Green absent.

Upon questions by Council Member Khan, Mr. Clark stated that quality public safety was the heart and soul in government; that they were up to almost 5,400 officers in the past and now with retirement and the academy stopping for a while it put them in a

hole, but now Council was doing things to help and the overtime programs was what helped now. Council Members Lawrence, Garcia, Lovell and Green absent.

Upon questions by Council Member Noriega, Mr. Clark stated that if streets became impassible it did affect public safety, them trying to get to those needing help and their equipment getting ruined while they try. Council Members Lawrence, Wiseman, Garcia, Lovell and Green absent.

Upon questions by Council Member Edwards, Mr. Clark stated that crime did not stop in storms, in fact there was looting; that in the '80's they had them in city dump trucks taking them around through the streets and he never caught so many looters, a certain mentality would take place and you did not know why they would even steal what they did; and they were in such bad shape with radios because no one wanted to spend the money; and Council Member Edwards stated that if they got up to par on radios she wanted thought given to how they would keep it that way. Council Members Lawrence, Wiseman, Garcia, Lovell and Green absent.

Ms. Diane Schenke, 3015 Richmond, Houston, Texas 88098 (713-942-7275) appeared and stated that she was executive director and president of the Park People and they were committed to policies which promoted well maintained parks and today was urging Council to vote for the tax rate which was the basis of the adoption for the budget in July, it was lower than last year and yet generated more revenue than last year; that there would be new master plan revisions to account for planning in each of the 17 different sectors and the Parks Department would need to track revenues as a result of the ordinance and develop plans on spending; and urged the tax rate be set to fully fund the 2008 budget adopted. Council Members Johnson, Holm, Garcia, Noriega and Green absent.

Upon questions by Council Member Brown, Ms. Schenke stated that taxpayers were willing to vote for bond funds to fund parks, open space, green areas, it was part of the master planning process underway; and the national rate was in the upper 70% but for Texas it was over 90% voting for parks and open areas. Council Members Johnson, Holm, Garcia, Noriega and Green absent.

Mr. Bruce Hotze, 5219 Shady River, Houston, Texas 77056 (713-663-1831) appeared, presented charts and stated that the Mayor claimed to be cutting taxes but he had not, he raised them; that in 2004 he objected to Prop II, the taxpayers bill of rights and promoted Prop I as real property tax relief, but his charts showed the public was mislead and in 2006 it was \$34,000 above his cap and in 2007 it was \$47,000,000 and would be \$11,000,000 above in 2008; that higher taxes harmed the poor and middle class the worse and caused gentrification of historically Black and Hispanic neighborhoods; that all the red in his chart showed 20% and above and his real concern was those homes unfairly valued and in fact Mayor White's home was one of a good case as last year HCAD's market value went from \$2.895 million to \$1.961 million and how many other homes had problems just like his. Council Members Garcia, Noriega and Green absent.

Upon questions by Council Member Noriega, Mr. Hotze stated that he would urge real property tax relief. Council Members Garcia and Green absent.

Council Member Wiseman stated that she appreciated Mr. Hotze's personal expense to keep this city and this body accountable with respect to Prop I that passed; that it was interesting to note some would experience a tremendous decrease, it was suspect at least; and Mr. Hotze stated that properties had market values too high and the Mayor's home was probably too high but many other citizens were also too high and they were being taxed out of their homes; that priorities were wrong and they were building stadiums, etc, instead of water systems and the taxes should be used on building infrastructure and he would ask priorities be changed and tax relief be given to those who needed it; and Council Member Wiseman stated that what he would like to see would be some growth but equal to the rate of inflation and population; and Mr. Hotze stated that was where it should be. Council Members Garcia, Alvarado and Lovell absent.

Council Member Brown stated that under Mayor White they had given significant tax relief to seniors and had home owner exemption and he thought Mr. Hotze needed to make a distinction between the tax rate and the increase in appraisals; and urged he go before the Harris County Appraisal District with his presentation and also before H.I.S.D. and the Harris County Commissioners Court. Council Members Garcia and Lovell absent.

Council Member Edwards stated that she had been a Council Member for years and never seen a proposal by Mr. Hotze on how they could mitigate the foreclosures of African Americans in the Sunnyside/Fourth Ward Areas and would like to see the presentation in writing; and moved to suspend the rules to hear Mr. Franklin Jones after Mr. Hotze, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. Council Members Garcia and Lovell absent. MOTION 2007-1044 ADOPTED.

Upon questions by Council Member Lawrence, Mr. Hotze stated that capping property tax was not the solution, in his mind the solution was a tax payer's bill of rights which restricted the growth of government to inflation and population without a vote of the people. Council Members Garcia and Lovell absent.

Mr. Franklin Jones, 3453 N. MacGregor Way, Houston, Texas 77004 (713-748-6113) appeared and stated that he was chair of the Houston Public Library Foundation and present to speak in support of the proposed budget and current tax rate; that around 2000 they started receiving significant cuts and Council worked hard to get them money but much more was needed to become a world class library. Council Members Khan and Garcia absent.

Council Member Holm stated that she too thought the library was a part of the core services and vital part of the community; and upon questions, Mr. Jones stated that his understanding was the department was comfortable with the current budget, but how dollars were allocated he could not speak to; that he understood an additional roll back at this point would not affect the allocated dollars and no services would be cut; and he was not aware the Library Department would get any of the so called windfall coming but would welcome it. Council Members Khan, Garcia and Noriega absent.

Mr. Paul Bettencourt, 1001 Preston, Houston, Texas 77002 (713-368-2510) appeared and stated that he was present to reiterate that the proposed one-eighth penny tax rate reduction was not enough property tax relief, they had to balance the

needs of the tax payer's ability to pay with the city's needs laid out today and approved in their budget; that average tax bills would be up over 12% for an average home and for the average homestead up an astounding 9.1%; that the tax office estimated the city would receive \$92,000,000 more this year, 11.75% more in one year, and as Council Member Holm stated earlier the city was about \$25,000,000 over budget this year with tax revenues and Prop I limited tax increases to 1-1/2% a year supposedly; that the county cut their tax rate by one penny yesterday and gave back the public \$25,000,000 and they were out lapping the city by eight times today. Council Members Garcia and Noriega absent.

Mayor White stated that by in large the numbers the city had from him showed they calculated disbursements gross of the...including the TIRZ would indicate a year to year change of 11.75%; and Mr. Bettencourt stated that he knew the TIRZ was something they should get rid of but could not today; and Mayor White stated that net of the TIRZ number they were very close and he used the average residential increase of 12% and the city calculated it at 6.36% for the average homestead appraised value last year, this year using the truth and taxation formula, the exemption for seniors, for homestead and other exemptions and he would share his numbers and they should come up with the same. Council Members Garcia, Alvarado and Noriega absent.

After a very lengthily discussion, Mr. Bettencourt answered questions for Council Members stating state law limited Council Members to 20% and they were at their max on homestead exemption, but they could roll back the tax rate as appraisal went up; that this years increase was so strong that it applied to every subdivision within the Beltway with 336,000 protests and at this point about 25% reduced; that if it was reduced to the effective tax rate it would be about \$50.00 on an average home; that the county just cut by 1¢ and the last cut was in 2001, the city cut last year and the year before and before that, the county tax rate was lower though the city had a better record of cutting smaller amounts over the last few years than they did; that one penny was equivalent to \$25,000,000 at the county and about \$13,700,000 with the city; that the Council heard the city was \$25,000,000 above their property tax revenue estimate so they were above their set budget and above what they expected to come in and the tax code said they could make a cut and he would say they had a judiciary obligation to the 60% of the taxpayers who voted for Prop I to look and honor the limit and try and get the money back to the taxpayers; that he did serve on the appraisal board and he proposed last week and for years for appraisal reduction; that there was an average of 16% increase over the last two years on commercial property, the separation was that the chief appraisers empowered by the constitution to value property by market and the one thing no one had was mandatory sales disclosure and he testified for that for years; that the problem without it was because commercial properties sales were rarely recorded it became a difficult estimate because it was a bottom line issue, but right now the city's property tax revenue was increased and so high it was higher than Prop I or Prop H or Prop II limits and higher than their budget by \$25,000,000 and it was not budgeted to spend and it could be given back without layoffs.

Mr. Dan Hart, 71 Hibury Drive, Houston, Texas 77024 (713-781-2867) appeared and stated that he was chairman of Taxpayers for Equal Appraisal and received E-mails from all over; that he would suggest to each Council Member one entitled appraisal problems and another billions of dollars at stake and he would say the big boys knew the loops coming and going, like the Mayor was entitled to his reduction with his land going down into the bayou, but in other areas the district was not awarding that and people

needed to be treated fairly; that people were in a fog on appraisal and under his appraisal solutions, he wondered if appraisal districts were totally unaccountable; and his time expired. Council Members Holm and Green absent.

Mayor White stated that if Mr. Hart had any information he would like to turn in it would be copied and circulated. Council Members Holm and Green absent.

Upon questions by Council Member Khan, Mr. Hart stated that because homeowners did not have income used in commercial activities the shift of the burden of taxation was placed on them and homeowners needed a unified appraisal manual backed up with a taxpayer self reporting form to get individual characteristics of their property right and get their appraisal correct. Council Members Clutterbuck, Brown, Noriega and Green absent.

Council Member Edwards stated that she would like Mr. Hart to come and speak with seniors about what he was speaking of in a language they could understand and benefit from. Council Members Clutterbuck, Wiseman, Brown, Noriega and Green absent.

Mr. Jared Woodfill, 909 Fannin, Houston, Texas 77010 appeared and stated that he served as chairman of the Harris County Republican Party and the property tax rate was an important thing, but it was important to look at the tax rate in relation to what they were seeing in appraisals and the local party felt it so important they passed a platform dealing with the specific issue and he wanted to present it to Council; that their party position was when taxes increased as a result of an increase in property evaluations the tax rate should be reduced to produce the same revenue as prior evaluation and some of the present Council Members committed to support it and urged the rate be rolled back to 60¢ or so and allow them to pay effectively what they paid last year. Council Members Edwards, Noriega and Green absent.

Council Member Wiseman stated that members of the public were saying enough was enough and the role the Council played was adopting a tax rate and they could not increase exemption or adjust appraisal but they could adopt a tax rate which would effectively result in no increase for them and they could make a difference for the taxpayer. Mayor White, Council Members Edwards and Noriega absent. Council Member Alvarado presiding.

Council Member Holm stated that what their resolution called for was a 4¢ rollback; and Mr. Woodfill stated that he referenced the local government's party platform and that was what the local committee came up with and they were asking it be moved back to 60¢ so they would be paying what they paid last year; and Council Member Holm stated that at 4¢ they would have to revisit the 2008 budget and she would love to have from the committee their priorities on what services and what amounts should be cut. Mayor White, Council Members Edwards and Noriega absent. Council Member Alvarado presiding.

Mr. Michael Wolfe, 7607 Deadwood, Houston, Texas 77040 appeared and stated that he was with the Harris County Department of Education and present asking that the Council do what they did and lower the tax rate to the effective rate as they all needed tax relief. Mayor White, Council Members Edwards, Noriega and Green absent. Council Member Alvarado presiding.

Mr. Ryan Rowley, 11827 Glen Bay, Houston, Texas 77089 appeared and stated that he was a candidate running for Congress and it was a sacred duty for elected official to be wise and safeguard taxpayer's funds and use only what was needed; that taxpayers had the right to enjoy their wages and not be threatened to be taxed out of their homes; and urged all to give the taxpayers meaningful tax relief. Mayor White, Council Members Edwards, Garcia and Noriega absent. Council Member Alvarado presiding.

The City Secretary stated that she was required to announce a vote to adopt a property tax rate for the City of Houston for 2007 would be considered at the City council Meeting to be conducted in the City Council Chamber, second floor of City Hall, located at 901 Bagby on November 7, 2007, convening at 9:00 a.m. Mayor White, Council Members Edwards, Wiseman, Garcia and Noriega absent. Council Member Alvarado presiding.

Council Member Khan moved to close the hearing, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. Council Members Wiseman and Garcia absent. MOTION 2007-1045 ADOPTED.

Council Member Green moved to extend the meeting until the business of Council was completed, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. Council Member Garcia absent. MOTION 2007-1046 ADOPTED.

**MAYOR'S REPORT** - Regional Participation Agreement with The Woodlands

Mayor White stated that he would report briefly on the historic agreement which they would be considering today; that voters of the Woodland would also be considering it and he would hit highlights; that since 1999 the Woodlands and the City of Houston had been operating under an agreement that was adopted by the City Council at that time which required them to confer and have a dialogue concerning the future governance of that great and growing community and that was fit and appropriate because the Woodlands had grown in many ways far beyond the dreams of its visionary founder, George Mitchell, and the Woodlands was not a bedroom suburb but an employment center large and growing and had all features you would expect of a community with a great deal of independence, but like Houston it was not independent of areas around it and it was not independent of Houston and their residents used many of Houston's facilities and benefited from being a part of the region; that many talked with him and he attended a large public meeting in the Woodlands of which an agreement in 1999 required this dialogue and at the meeting he articulated some principles based on feedback he thought had general support and one was that the people of the Woodlands should have a great say in their future and also that they were economically interdependent and there were many services used and provided in the City of Houston for which the entire economic contribution should not simply be for taxpayers in the City of Houston and from the body language and feedback the elected officials in the Woodlands and what he got was there was a consensus of the basic principles and following that he and Senator Williams reached an informal agreement that set forth a structure by which the Woodlands could determine its form of governance and the annexation would defer and there would be substantial current and future economic contributions to projects of regional significance and the types of projects were defined in the agreement; that Senate Bills 1012 passed the Senate allowing the district to expand its boundaries and enter into the regional

participation agreement and the matter was on the November ballot for the Woodlands; and that concluded the Mayor's Report; and he recognized Senator Williams and others present with the Woodlands. Council Members Wiseman absent.

Mayor White called on Senator Williams; and Senator Williams appeared and stated that he thanked Mayor White for the opportunity to work with him on forging the historic agreement and he thought it accomplished a couple of important things, from the perspective of his home community the Woodlands it would allow them to determine their future governance and move forward with some degree of certainty about their services and what their local governance would look like and also importantly it allowed them to participate in regional projects with the City of Houston which would benefit all of their region and he had long been an advocate that regional projects which benefited the entire area fell to heavily on the City of Houston alone and this was a blueprint on how communities could work cooperatively in the future to obtain mutual goals. Council Member Johnson absent.

Upon questions by Mayor White, Senator Williams stated that he thought this passed unanimously in the Senate. Council Member Johnson absent.

Council Member Alvarado moved to suspend the rules to consider Item 25 out of order, seconded by Council Member Lovell.

Council Member Holm stated that when they worked together it was a shared interest and they should all work for the best outcome they could for those they represented and served; and thanked the Mayor, Senator Williams and all who brought this win/win solution. Council Member Johnson absent.

A vote was called on Council Member Alvarado's motion to consider Item 25 out of order. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1047 ADOPTED.

25. ORDINANCE approving and authorizing Regional Participation Agreement between the City of Houston and **TOWN CENTER IMPROVEMENT DISTRICT OF MONTGOMERY COUNTY, TEXAS** – was presented.

Council Member Wiseman stated that she appreciated the hard work and effort on behalf of Senator Williams and it was a wonderful opportunity for the people of the Woodlands; that she appreciated the hard work of all who worked on this and hoped with the agreement there would not be another time where people would be meeting here to vote on a full and complete annexation of any community.

A vote was called on Item 25. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1169 ADOPTED.

Mayor White stated that there was an error by the City Secretary and an individual had called in to speak at the hearing (Item No. 1) and with no objection this would be made a part of the record; and the City Secretary called Ms. Mona Lisa Chambers to the podium.

Ms. Mona Lisa Chambers appeared and stated that she was the Republican chairman of Texas Senate District 13 and a musician and small business owner and former HISD educator and now that the HISD bond proposal no longer carried a tax rate increase and the Commissioners Court approved a tax rate decrease she believed it appropriate for the city to

help by decreasing and approving real tax relief; that her district had more than 665,000 citizens and more than 243,000 households and with 43,000 households on social security she was especially concerned about those; and urged tax relief and dramatically lower their bill. Council Member Wiseman absent.

Upon questions by Council Member Edwards, Ms. Chambers stated that she would have to give her information at a later date on how much a small business owner would save, but Mr. Bettencourt would have the numbers later; and Council Member Edwards stated that she had no problem with people wanting their \$12.00 but where would they go when people wanted services, she would like to find a balance.

Mayor White stated that without objection the record would reflect her material within the hearing and the hearing was closed.

### **CONSENT AGENDA NUMBERS 2 through 40**

#### **ACCEPT WORK** - NUMBERS 2 through 6

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,146,972.75 and acceptance of work on contract with **RESICOM, INC** for Westbury Park, WBS F-504A08-0001-4 - 5.00% over the original contract amount - **DISTRICT C – CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1048 ADOPTED.
3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$90,038.00 and acceptance of work on contract with **PLAYPOWER LT FARMINGTON, INC** for Briarbend Park, WBS F-504B16-0001-4 - 3.54% over the original contract amount - **DISTRICT G – HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1049 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,708,616.63 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Timbergrove Storm Sewer Improvements Project, WBS M-000254-0001-4 - 4.68% over the original contract amount - **DISTRICT A – LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1050 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$529,709.71 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Safe Sidewalk Program C4 Project, WBS N-00610A-C4-4 11.53% over the original contract amount - **DISTRICTS C – CLUTTERBUCK; F - KHAN and G – HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1051 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$170,725.43 and acceptance of work on contract with **RESICOM, INC** for Various Water Plant Locations, WBS S-001000-0024-4 - 27.90%

under the original contract amount - **DISTRICT A – LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1052 ADOPTED.

**PROPERTY** - NUMBER 7

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Heather Guillen of Walter P. Moore & Associates, Inc., on behalf of Texas Children’s Hospital, for abandonment and sale of a 10-foot-wide utility easement between Main Street and Fannin Street, out of the Pleasant W. Rose Survey, A-645, Parcel SY8-021 - **APPRAISERS - DISTRICT D – EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1053 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 15

8. **DIGITAL SANDBOX, INC** for Site Profiler for Critical Infrastructures and Key Resources \$273,866.45 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1054 ADOPTED.
9. **HEWLETT-PACKARD COMPANY** for Maintenance and Support Agreement for Hewlett Packard Hardware and Software through the City’s Master Agreement with Texas Department of Information Resources for the Houston Emergency Center - \$324,362.07 - Houston Emergency Center Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1055 ADOPTED.
10. **ALL PLAY, INC** - \$150,092.00, **HUNTER KNEPSHIELD OF TEXAS, INC** - \$169,025.90 and **PLAYPOWER LT FARMINGTON, INC** - \$98,782.20 for Playground Equipment for the Parks & Recreation Department - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1056 ADOPTED.
11. **MD HELICOPTERS, INC** for One MD 500E Helicopter for Police Department - \$2,100,818.00 Police Special Services Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1057 ADOPTED.
12. **NATIONAL TECHNOLOGY TRANSFER, INC** for Industrial Technology Training for Public Works & Engineering Department - \$118,978.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1058 ADOPTED.
13. **HALLMARK INDUSTRIAL SUPPLY** for Pipe, PVC SDR-21 and DR-18 for Department of Public Works & Engineering - \$259,933.86 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1059 ADOPTED.

14. **MCNEILUS TRUCK & MANUFACTURING** for Special Truck and Body Replacement Parts for Solid Waste Management Department - \$1,200,000.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1060 ADOPTED.
15. **METRO FIRE APPARATUS SPECIALIST, INC** - \$212,793.96 and **NEVADA PACIFIC FIRE & SAFETY, INC** - \$1,650,015.40 for Fire Hose for Various Departments - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1061 ADOPTED.

**ORDINANCES** - NUMBERS 16 through 40

18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two 12-foot-wide waterline easements and a 10-foot-wide waterline easement; vacating and abandoning said easements to Baylor College of Medicine, the abutting owner (“owner”), in consideration of owner’s conveyance to the City of a 20-foot-wide waterline easement, Parcel No. KY7-239, and other good and valuable consideration; all easements located within a 34.592 acre, more or less, tract of land out of the D.W.C. Harris Survey, A-325, Harris County, Texas - **DISTRICT D – EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1170 ADOPTED.
23. ORDINANCE approving and authorizing Lease Agreement between the **FOURTH WARD CLINIC, dba GOOD NEIGHBOR HEALTHCARE CENTER, as tenant**, and the City of Houston, as landlord, for the purpose of having the tenant offer Primary Healthcare, OB/GYN Care, Dental Services, Behavioral Health Services and other Health Services to low-income persons at the West End Health Center - Revenue - **DISTRICT H – GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1171 ADOPTED.
24. ORDINANCE approving and authorizing contract for Legal Services in connection with the City of Houston’s Single Family Home Repair Program between the City of Houston and the **LAW OFFICES OF JENNINE HOVELL-COX** in the amount of \$350,000.00, which sum includes a limitation of additional funding in the amount of \$175,000.00 – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1172 ADOPTED.
26. ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on proposed amendments to the strategic partnership agreements between the City of Houston and **CHARTERWOOD MUNICIPAL UTILITY DISTRICT** and **CYPRESS HILL MUNICIPAL UTILITY DISTRICT** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such Districts in Harris County; proposed amendments to the strategic partnership agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 120** and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50** and on proposals for the City of Houston to annex for limited purposes certain territory located within such Districts in Harris and Fort Bend County; proposed strategic partnership agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400**; **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 196**; **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**;

**HUNTERS GLEN MUNICIPAL UTILITY DISTRICT; HARRIS COUNTY UTILITY DISTRICT NO. 15; HARRIS - FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3; LAKE FOREST UTILITY DISTRICT; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 173; FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 157; RICEWOOD MUNICIPAL UTILITY DISTRICT; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285; NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 391; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 167; HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 406; and CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 2** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such Districts in Harris and Fort Bend County; proposed strategic partnership agreements between the City of Houston and **CHELFORD ONE MUNICIPAL UTILITY DISTRICT; CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 4; and HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 152** and on proposals for the City of Houston to annex for limited purposes certain territory located within such Districts in Harris and Fort Bend County; proposals for the City of Houston to impose the City of Houston's sales and use tax in such territory; providing for the publication of notice of such hearings; containing other provisions relating to the foregoing subject; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1173 ADOPTED.

28. ORDINANCE approving and authorizing contract between the City of Houston and **LABORATORY AUTOMATION SOLUTIONS, INC** for Consulting Services for the Laboratory Information Management System (LIMS) for Houston Police Department; providing a maximum contract amount - \$99,985.00 - Grant Fund - **DISTRICT I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1174 ADOPTED.
30. ORDINANCE appropriating \$2,239,788.00 from the Reimbursement of Equipment/Projects Fund 1850 (N-000420-0030-2-01) for purchase of the former Missouri Kansas Texas Railroad Corridor, consisting of approximately 40.907 acres (1,781,929 square feet) of land, for a Hike and Bike Trail and related purposes; approving and authorizing an exchange agreement between the State of Texas, by and through the Texas Department of Transportation, Seller, and the City of Houston, Purchaser, to purchase, in fee and easement, such property - \$160,111.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT H – GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1175 ADOPTED.
32. ORDINANCE appropriating \$500,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to agreement for Professional Engineering Services for the Development and Implementation of a Traffic Management Program by and between the City of Houston and **TRAFFIC ENGINEERS, INC** for Traffic Management Analysis and Supplemental Security Application Services for Houston Airport System; Project 612T; WBS A-000486-0010-3-01 - **DISTRICTS B - JOHNSON; E - WISEMAN and I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1176 ADOPTED.
33. ORDINANCE appropriating \$682,100.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **SCIENTECH ENGINEERS, INC** for Concrete Pavement

Management and Improvement, Kashmere (approved by Ordinance No. 06-0549), WBS N-000782-0002-3 **DISTRICT B – JOHNSON** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1177 ADOPTED.

34. ORDINANCE appropriating \$120,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **PTI, INC** (approved by Ordinance No. 98-1039) (Contract No. 039755) for services associated with the East Water Purification Plant (EWPP) Expansion and Improvements, WBS S-000056-0012-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – WISEMAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1178 ADOPTED.
35. ORDINANCE appropriating \$1,088,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **BINKLEY AND BARFIELD, INC** for Sims Bayou, Kingwood West, Northgate, and MUD 203 Wastewater Treatment Plant Improvements, WBS R-000265-0032-4, R-000265-0029-4 and R-000265-0036-4 - **DISTRICTS B - JOHNSON; E - WISEMAN and I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1179 ADOPTED.
36. ORDINANCE appropriating \$3,148,000.00 out of Drainage Improvements Commercial Paper Series F Fund; \$3,000,000.00 out of Harris County Construction Fund, awarding contract to **BRH-GARVER CONSTRUCTION, L.P.** for Brays Bayou Detention Site, WBS M-000260-0005-4; 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 and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund and the Harris County Construction Fund - **DISTRICT C – CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1180 ADOPTED.
39. ORDINANCE appropriating \$6,474,100.00 out of Water & Sewer System Consolidated Construction Fund awarding contract to **BRH-GARVER CONSTRUCTION, L.P.** for Kingspoint and Torrington Sewer Construction, WBS R-000267-0080-4; 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 E – WISEMAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1181 ADOPTED.
40. ORDINANCE appropriating \$3,318,047.00 out of Water & Sewer System Consolidated Construction Fund and \$989,353.00 out of Water & Sewer Contributed Capital Fund; awarding contract to **HUFF & MITCHELL, INC** for Rehabilitation of Air Release Valves Package #2A/Relocation of 20-inch water line and 36-inch sanitary sewer force main along Almeda Road (FM 521) at Sims Bayou / Condition Assessment of the south 60-inch water transmission line, WBS S-000900-0102-4/S-000521-0038-4/R-000521-0038-4/S-000901-0004-4; 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 and the Water & Sewer Contributed Capital Fund **DISTRICT D - EDWARDS; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1182 ADOPTED.

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

**ORDINANCES** - NUMBERS 16 through 40

16. ORDINANCE **AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to rates for contract parking in parking lots operated by the Convention and Entertainment Facilities Department – was presented, and tagged by Council Members Holm, Edwards and Clutterbuck. Council Member Berry absent.
17. ORDINANCE supplementing Ordinance No. 2007-287 relating to the issuance of City of Houston, Texas Airport System Subordinate Lien Revenue Refunding Bonds, Series 2007A (AMT), and such other series or subseries as authorized herein; authorizing the Mayor and City Controller to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto; providing for the payment thereof; authorizing the refunding and defeasance of Certain Outstanding Airport System Senior Lien Commercial Paper Notes and Certain Outstanding Special Facility Bonds; approving the sale of the bonds and authorizing the execution and delivery of a Bond Purchase Agreement, one or more Escrow Agreements by and between the City and the Refunded Note Escrow Agent and Refunded Bond Escrow Agent, and a Paying Agent/Registrar Agreement; authorizing the purchase of Bond Insurance and a Reserve Fund Surety Policy; authorizing a supplemental Co-Bond Counsel Agreement and a Supplemental Special Disclosure Co-Counsel Agreement; making certain findings and other declarations necessary and incidental to the issuance of bonds; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1183 ADOPTED.
19. ORDINANCE consenting to the creation of the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8** and inclusion of certain land within the district - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1184 ADOPTED.
20. ORDINANCE consenting to the creation of the **TOWNE LAKE MANAGEMENT DISTRICT** and inclusion of certain land within the district – was presented, and tagged by Council Member Holm. Council Member Berry absent.
21. ORDINANCE approving and authorizing agreement between the City of Houston, **THE LELAND WOODS REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER TWENTY-TWO**, City of Houston, Texas (Leland Woods Zone) in connection with the City's Reinvestment Zone Number Twenty-two over the Leland Woods Area - **DISTRICT B - JOHNSON** – was presented.

Council Member Johnson stated that he did not have enough information and moved to postpone the item for two weeks, seconded by Council Member Wiseman.

Mayor White stated that they did not oppose; that for clarification the Administration did support the item and all Council Members had a right to tag but the Council Member would be absent next week and that was why the two week delay was supported.

A vote was called on Council Member Johnson's motion to postpone Item 21 for two weeks. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1062 ADOPTED.

22. ORDINANCE amending Ordinance No. 2004-1079 which approved contract with **MAXIMUS, INC** for the development of annual cost allocation plans for the Finance and Administration Department in compliance with OMB Circular A-87, to increase the maximum contract amount \$113,292.00 - General Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1185 ADOPTED.
27. ORDINANCE appropriating \$80,000.00 out of CNG Vehicle Replacement Fund; approving and authorizing contract between the City and **MIR FOX & RODRIGUEZ, P.C.** for Consumer-Focused Internet Website of Health Insurance Plans - was presented. Council Member Clutterbuck voting no. Balance voting aye. Council Member Berry absent. ORDINANCE 2007-1186 ADOPTED.
29. ORDINANCE approving and authorizing Professional Services Contract between the City and **CLAY POPE** and **CLIFF JOHNSON** for State and Federal Representation related to Water and Wastewater issues; providing a maximum contract amount - 3 Years - \$522,000.00 - Enterprise Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1187 ADOPTED.
31. ORDINANCE approving and authorizing an amendment to Contract No. C54690 between the City of Houston and **KINGDOM COME DEVELOPMENT CORPORATION** for the construction of water, sanitary sewer and storm sewer lines serving Section One of the Kingdom Come Place Subdivision - **DISTRICT D – EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1188 ADOPTED.
37. ORDINANCE approving and authorizing reimbursement agreement between the City of Houston and the **SOUTH CAMPUS SPORTS ASSOCIATION** for Street and Traffic Control Improvements, WBS N-000571-0001-4 - **DISTRICT C – CLUTTERBUCK** – was presented.

Council Member Clutterbuck stated that Items 37 and 38 were two exciting extensions of West Bellfort Road and a result of a collaborative project between the City of Houston and a private entity of residents and soccer and baseball parents known as the South Campus Sports Association and the road would go through the soccer fields and she wanted to thank all who were involved and who raised over \$300,000. providing infrastructure and connectivity to the Medical Center from that part of town.

A vote was called on Item 37. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1189 ADOPTED.

38. ORDINANCE appropriating \$2,348,000.00 out of Limited Use Roadway and Mobility Capital Fund awarding contract to **TRIPLE B SERVICES, L.L.P.** for West Bellfort Road Extension between Stella Link Road and S. Main Street (US Hwy 90A), WBS N-000571-0001-4 setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Limited Use Roadway and Mobility Capital Fund **DISTRICT C – CLUTTERBUCK** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-1190 ADOPTED.

Council Member Lawrence stated that on Item 26 a number of items were brought up in committee and as for the utility districts and spas they were possibly creating there was a posting done; and the area that wants to become a strategic partnership were the ones who paid for the sign and posted and that was where she did not get comments back and it was not time sensitive and the answer she did not get back was whether the entities could post the sign or whether it was too late to consider them; that Ms. Gafrick sent something late yesterday afternoon; and Mayor White stated that he would pursue it and he did see her memo and he would review; and to Ms. Stein he wanted a follow-up; that one reaction was when talking about taxpayers money a cost that should be a responsibility by a Municipal Utility District...the city had a lot of priorities rather than doing the work for a district which had not elected them, but on the other hand they wanted neighbors treated fairly; and upon questions, Council Member Lawrence stated that her recommendation would be for them to put up the sign, if it was posted by sign they were letting people know what was going on with the City of Houston; and Mayor White stated so then the city should require the MUD in its agreement with the city post the sign, he felt she was right and would give this direction, first point they were not saying the city should bear cost of notification or responsibility; second was Council Member Lawrence said in the standard agreement with a MUD her issue was would there be any reason why in the agreement the city should not require them to post with a sign and it did make sense and he would like Ms. Gafrick to respond; and Council Member Lawrence stated the same stipulation as the Planning Commission as for the size.

#### **NON CONSENT AGENDA** - NUMBER 41

#### **MISCELLANEOUS**

41. REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by **FRANK AGUILAR** on the denial of an Application for a Manufactured Home Hardship Extension at 2820 N. Main - **DISTRICT H – GARCIA** – was presented, and Council Member Garcia moved to uphold the decision of the General Appeals Board, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1063 ADOPTED.

#### **MATTERS HELD** - NUMBERS 42 through 46

42. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds (Regency Park Apartments) Series 2007 and approving the Official Statement with respect to such bonds – **(This was Item 16 on Agenda of October 17, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Wiseman stated that several members of the community were present at the public session speaking on this item and they still had many questions; and moved to postpone Item 42 for one week, seconded by Council Member Alvarado.

Mayor White stated that the Administration did support the item and was informed that because of the financing there could be a delay of one week but not more than one week or it would jeopardizing the financing.

Council Member Edwards stated that one issue was sidewalks and Mr. Ford indicated they would be willing to work with the community; and upon questions, Mayor White stated that there were several issues and people could draw their own conclusions, but one was the 1.3 miles of sidewalk; that they did have a sidewalk budget and it would be approximately \$430,000 and the sidewalk budget was about \$15,000,000 but they would work with people especially if the Council Member from the district said it was a priority.

Council Member Brown stated that he saw Mr. Norman in the audience and wanted to request since one concern was its isolation there was a lot of vacant and developable land there and he would like to know what provisions were there for utilities whereby they could envision a new Houston neighborhood coming into being around that site; and Mayor White stated that he wanted neighborhoods developed any place and the two principles were those who built and those who bought and there was a mechanism which had been successful and different techniques for investment in infrastructure which one was developer participation contracts which provided for 70% reimbursement and there was no reason the same tools would not be available for the same tracts; and Council Member Brown stated that he did not mean MUD financing but what was in the CIP to support quality development; and Mayor White stated that the City of Houston did not build streets and water/sewer for various developers the developer participation agreements did; and Council Member Brown stated that he only meant the primary infrastructure, not secondary; and Mayor White stated that if he meant the Major Thoroughfare Plan then they could identify it and answer his question.

Council Member Lawrence stated that they made a compelling presentation yesterday and said he bought buses before and she would like to see the city partner with him on the sidewalks.

Council Member Wiseman stated that with respect to see projects built she had to again remind all that was not the case as it related to the Ashby Highrise and this project required Council to pass a resolution supporting it in order for them to get their financial assistance and Council did not have to guarantee assistance but give it their blessing and that was what this item was about; that the community and school district and other levels of government saw serious problems with it and that was why the District Council Member was asking for the same courtesy which was to speak on behalf of those who elected them to be a District Council Member; that a comment was made maybe the city could build the sidewalk and she thought they should take it out of another district's CIP if another District Council Member wanted it, the sidewalk alone was what Council Member Brown was posing, was the infrastructure there to support it, not only did they not have the sidewalk, but there was no METRO transit services there and drainage was another issue, had they even looked at the impact of flooding and drainage and there was a host of other issues and she appreciated the interest and desire of her colleagues to see this built there but perhaps their backyard would be a better location with infrastructure in place, but she appreciated the delay so questions and concerns of her constituents could be responded to. Council Member Alvarado absent.

Council Member Edwards stated that in response, District D would not be willing to give up any CIP projects; she brought up the reference because the Council Member was not present yesterday and she wanted to be sure that all things discussed with the citizens were brought to the floor; that she did support the delay and if she did not want the project in her district then she supported and respected that.

A vote was called on Council Member Wiseman's motion to postpone Item 42 one week. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-1064 ADOPTED.

43. **ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Metal Recycling Entities, Secondhand Metal Dealers, and Secondhand Dealers; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability - **(This was Item 17 on Agenda of October 17, 2007, TAGGED BY COUNCIL MEMBERS WISEMAN and GREEN)** – was presented. Council Member Berry absent. ORDINANCE 2007-1191 ADOPTED.

44. **ORDINANCE AMENDING THE CITY OF HOUSTON FIRE CODE** relating to requirements for atrium buildings; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability - **(This was Item 19 on Agenda of October 17, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Berry absent. ORDINANCE 2007-1192 ADOPTED.

45. ORDINANCE appropriating \$400,000.00 out of TIRZ Affordable Housing Fund 2409 and adopting Administrative Guidelines for the Workforce Housing Downpayment Assistance Program to assist persons earning from 80% to 110% of area median income to purchase new affordable housing in areas selected by the Mayor for revitalization - **(This was Item 23 on Agenda of October 17, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Berry absent. ORDINANCE 2007-1193 ADOPTED.

46. ORDINANCE approving the issuance of Bonds and Notes by the Memorial City Redevelopment Authority - **DISTRICTS A - LAWRENCE and G – HOLM- (This was Item 31 on Agenda of October 17, 2007, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. Council Member Berry absent. ORDINANCE 2007-1194 ADOPTED.

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

Council Member Brown distributed a model of a high speed rail train and stated that it was built by Siemens and traveled at 200 mph and was one being considered for the Texas T-bone, a bullet train to connect Houston with Dallas, Ft. Worth, San Antonio and Austin and felt the City of Houston should aggressively support it by supporting the Texas High Speed Rail Transportation Corporation. Council Members Lawrence, Wiseman, Holm, Alvarado and Green absent.

Council Member Brown stated that the Marilyn Manor Highrise, was a favorite subject and Mayor White was taking leadership in this and it was time to look comprehensively at the future at get new ordinances and head off problems and not have to deal with them on case by case basis and he would like a site plan review process. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Green absent.

Council Member Brown stated that early voting started Monday and urged all to prove everyone wrong who said it would be low voter turnout. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Green absent.

Council Member Clutterbuck stated that there was a two week election and no reason to not vote; that there were 16 very important state constitutional amendment as well as bond issues and she too would like a good turnout. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Green absent.

Council Member Clutterbuck stated that the Houston Aeros won their first game and playing again Sunday at home, but would not be playing with Cal Clutterbuck, he did such an outstanding job for the Aeros that he was just called up to Minnesota and congratulated him. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Green absent.

Council Member Noriega stated that it was almost 20 years ago she had opportunity to attend her first Houston Hispanic Forum and again this year they were hosting an expo for high school seniors and their parents to be held Saturday, October 27, 2007, at the Houston Community College Central Campus, 1300 Holman at Caroline and it helped students understand steps needed to complete college applications and funding of loans, grants, etc. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Green absent.

Council Member Noriega congratulated the Northwest Medical Center for their high ranking in the healthgrade high quality in America study, and stated that they ranked in the top 5% in the nation for gastrol intestinal services and in the top 10% for treatment of stroke, general surgery and maternity. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Green absent.

Council Member Noriega stated that the Eastend Chamber continued to work hard for their area and all of Houston and on November 7, 2007, they were hosting a Champions of Freedom Gala and it would honor United States veterans who fought for our freedom with proceeds being used for a new house for a veteran wounded while serving in Afghanistan or Iraq and if any funding was left it would be for programs for Eastend middle schools. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado and Green absent.

Council Member Johnson stated that over the weekend there was a great turnout for the State of the District Address with close to 300 citizens showing up and he thanked all who made it a great event and Reliant for discussing their weatherization program. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Alvarado and Green absent. (NO QUORUM PRESENT)

Council Member Johnson stated that this Saturday at the Fifth Ward Multi Service Center Reliant would be doing another rally for weatherization to get people qualified for the program. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he had a concern with an item voted on today, it was a hot topic for him and that was the TIRZ; that one thing discussed in

regards to community participation and how they continued to reiterate their displeasure of how the development was shaping up and he did as well, but now he was asking for consideration of items coming on board, he did not know anything about the item and although it was an exercise he did not know anything and the developer nor the TIRZ board came to speak with him and he would not vote for an item he had no knowledge of and in moving forward he hoped to meet with the Leland Woods TIRZ and leaders of the community, he would like to see the project succeed and he expressed the same to Mr. Fiederlein . Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor White stated that on the actual details of what this act, the particular action in the triparty agreement, which was to facilitate cost reimbursement of cost already incurred he was under the impression Mr. Fiederlein had already visited with him and he thought there should be fair and open dialogue; that these were serious matters and he knew both their goals were to have consumer choices in the district, he just wanted to be consistent; and Council Member Johnson stated that he and Mr. Fiederlein did meet but he needed to meet with the developer and the TIRZ board. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she had been concerned with the staph infections reported and the number of deaths which had occurred around the country; to couple that with the mold in HISD she wanted a report from the Health Department as to the status of where they were here in Houston, especially relating to children and schools and areas of common places such as gyms, etc., if there were any new regulations. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that in 2009 the televisions would change from analog to digital and at some point there would be a storage or reclamation issue of where they would all go and she wanted to know if it would be city, federal or who would claim them, or would they just be thrown in the trash. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that there was a lot of discussion at the table regarding standardization, especially for affordable housing communities, and if it was okay she would like to work with builders and architects who worked with Hosuton Hope and pull together a process for standards of affordable housing, just where they would start and what it would look like, etc. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that some propositions on the ballot went to the heart of what they were trying to do as a country, did they want people to be involved and looking at the impact of international trade and how that coupled with state and local laws and ordinances; and she would say probably one out of ten Houstonians did not know what they were talking about and she would like to know how to use virtual reality or internet, or myspace, etc., so they could get information of items on the ballot. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that the Vietnam Wall was visiting Houston and arriving at the Veterans Memorial Park, 1800 Tidwell through Sunday; and encouraged all to visit; that at 4:00 p.m. that evening there would be a ceremony recognizing its significance; that it was significant to him as his older brothers were draft age during the war and many went voluntarily, but it was an important time in history. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that Sunday, 11:00 a.m. there would be a mass for firefighters, to be held at the Sacred Heart Cocathedral Church, Downtown; and urged all to participate and pay homage to firefighters. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that she wanted to thank and congratulate Mayor White for the work of Steven Williams over at the Health Department; that regarding the CIT and other issues of healthcare by the City of Houston, when he came into being a Council Member the issues were very important to him and the two of them worked together almost as soon as he arrived in developing in Houston what they now referred to as the Near Northside Health Community Partnership and through that initiative Mr. Williams worked to exemplify what was public health and they talked with the Police Department on addressing the issue of the mentally ill, not so much homeless, but those where they knew where they were and he incorporated AIM, it was essentially directing resources out into the community and his whole team was out knocking on doors and getting case management and service delivery done on the spot and it was going to have a tremendous impact, to make change you had to do it from the street level up and he thanked Mr. Williams for his leadership. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he would be running by Independence Heights Hall this evening for a night of karaoke; and encouraged all to go by. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that last week they visited Chiba, Japan, on the 35th anniversary of their sister city relationship and he wanted to acknowledge and thank all those who made it possible, it was a wonderful experience; and Chiba City sent a Japanese gardener to help in Hermann Park and after they went back they put together a manual to help maintain it and he presented it to Mayor White to be forwarded to the Parks Department and also presented him a special commemorative banner for the 35th anniversary. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 1:30 p.m. Council Member Berry absent. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary