

City Council Chamber, City Hall, Tuesday, February 5, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 5, 2008, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm Adrian Garcia, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Ms. Jo Wiginton, Division Chief, Contract 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.

At 2:05 p.m. Mayor White called the meeting to order and stated that Council Member Lovell would begin presentations. Council Members Adams, Holm, Rodriguez, Brown and Green absent.

Council Member Lovell invited those present regarding the presentation to the podium and stated that today they would honor Dr. Valentin Gertsman who was celebrating his recently released book Construction Site Equals Art which was presented to the Mayor and each Council Member; that Dr. Gertsman was from Russia and moved to Houston in 1974 and used art and photography to capture some of Houston's greatest architectural accomplishments; and presented a Proclamation to Dr. Gertsman proclaiming today as "Houston Art Construction Day" in Houston, Texas. Mr. Howard Tellepson stated that as a member of the Houston business community it was a pleasure to be with Dr. Gertsman today, it depicted the beauty and vibrancy of this great city; and Dr. Gertsman stated that he was truly touched today and his book was important to him, it was his last of three about Houston; that he was given a miraculous gift when he came here and the freedom and beauty of Houston gave him inspiration. Council Members Clutterbuck, Holm, Brown and Green absent.

Council Member Sullivan thanked Dr. Gertsman for the gift and stated he would share it with his daughter, a budding photographer. Council Members Brown and Green absent.

At 2:15 Council Member Sullivan led all in the prayer and pledge. Council Members Brown and Green absent.

At 2:16 p.m. the City Secretary called the roll. Council Members Brown and Green absent.

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

Council Member Clutterbuck moved the rules be suspended for the purpose of hearing Mr. Norman Rund at the top of the Agenda speakers list for two minutes and add Ms. Carmen Cooper to the list to be heard after Mr. Rund, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Brown and Green absent. MOTION 2008-0093 ADOPTED.

Council Member Garcia moved the rules be suspended for the purpose of hearing Mr. Greg Schoener at the top of the non-Agenda speakers, seconded by Council Member Khan. All voting aye. Nays none. Council Members Holm, Brown and Green absent. MOTION 2008-0094 ADOPTED.

Council Member Johnson stated that he would like a point of personal privilege and all have a moment of silence for a great man, musician and giant in the community, Mr. Conrad Johnson, who passed over the weekend. Council Members Brown, Lovell and Green absent.

Mayor White stated that friends and admirers of Mr. Johnson should know he was one of two Houstonians lost in the last 10 days, with the other being Mayor Louie Welch, for whom by action of this Council they authorized their oral history within the last six months and it was an abbreviated version and to Marty Council Members maybe could be notified of the exact web link to be forwarded to those who wanted a link, it was powerful to hear someone talking about their life on video. Council Members Brown and Green absent.

At 2:19 p.m. the City Secretary began calling the public speakers. Council Members Sullivan, Brown and Green absent.

Mr. Norman Rund, 1726 Wroxton Court, Houston, Texas 77005 (713-529-9276) appeared and stated that he was present asking Council not lose site of the high density ordinance, it needed to be completed and passed in its strictest and toughest form; the ordinance would help let the development community know they needed to be responsible for their actions, no one should be able to impact the lives of as many people as would be negatively impacted by the Ashby High Rise project; and he was disappointed the development community raised \$800,000 to fight the issue rather than just run the two renegade developers out of town. Council Members Sullivan, Holm, Rodriguez, Brown and Green absent.

Council Member Lovell stated that she would assure him most developers were agreeable to protecting the integrity of neighborhoods and the \$800,000 raised was not specific to this, there were developers in the city communicating with the other two developers on a daily basis and all were moving toward a good compromise and afterwards they needed to go about the business of doing an overall comprehensive traffic mobility plan. Council Members Sullivan, Holm, Rodriguez, Brown and Green absent.

Ms. Carmen Cooper, who was previously added to the speakers list, appeared and stated that she lived at 1717 Roxton, a block south of the proposed Ashby High Rise and she was present to urge passage of the high density ordinance amendment to Chapter 45 to urge responsible development in Houston. Council Members Johnson, Sullivan, Holm, Rodriguez and Green absent.

Dr. Jeffrey Cully, 1912 Lauderdale, Houston, Texas 77030 (713-794-8526) appeared and stated that he was present on behalf of the Debonshire Neighborhood in District D near the Medical Center; that a town home development was going up on Lauderdale and before it went up the neighborhood worked with the city to get a minimum building line in place, unfortunately, the second, third floors and roofline were allowed by Planning to overhang at least three feet with an additional overhang if they so chose; that they worked actively with Planning to preserve the integrity of the ordinance and neighborhood block face and now they heard a mistake was made but there was nothing that could be done on the current building, but they would enact it for future work; that he was present as the building was not complete and Planning asked they move the building back once before for not being in compliance; and asked for support in finding a way to get this pushed back. Council Members Johnson, Sullivan, Holm, Rodriguez and Green absent.

Council Member Adams stated that on December 30th he met with Ms. Gafrick and she would speak with Marlene to see where they were on this and she or her staff would call him back. Council Members Johnson, Holm, Rodriguez and Green absent.

Upon questions by Council Member Brown, Dr. Cully stated that the construction site had no windows yet, it was framed in with plumbing just begun; and Council Member Brown stated that a lender would be very concerned with this; and upon questions, Mayor White stated that he appreciated this being brought to their attention and the issue of overhang encroachments and reference to deed restriction and plat was something he may need guidance from Legal on

and to look at particular files, but they would investigate this and get answers. Council Member Holm absent.

Council Member Jones stated that she would work with Council Member Adams who was his District Council Member; and Dr. Cully stated that Planning said they did not intend to allow any overhangs from now on, but unfortunately this was a real issue for them and they would like it fixed. Council Members Holm and Lovell absent.

Ms. Regina Throop, 11402 Coalfield, Cypress, Texas 77453 (281-955-6143) appeared and stated that she was publisher and owner of Total Body Magazine, a Houston health and wellness magazine focusing on well being and they were free; that their main concern was keeping Houston healthy and in Spring would be launching the Total Body Expo at the George R. Brown and it would be open to the public and they would like to offer the Mayor's Wellness Council a free booth and they hoped to have Council's support. Council Member Holm absent.

Mayor White thanked Ms. Throop for what she was doing and stated that he thought the city was getting a little healthier. Council Member Holm absent.

Ms. Joyce Ballenger, 11301 Gladewater, Pearland, Texas 77584 (713-436-4972) appeared and stated that she was present to seek help of a wrong done with Houston's ticketing system; that January 29th her daughter called with a boot on her car, it cost her \$395.00, after going to the Parking Adjudication Office to receive copies of citations they never received found they had been in her name at a previous address, but when she got a divorce in 2003 she purchased her maiden name back and changed addresses; that the city had her in both names and both addresses and she did not know why she had not received notification or why she was responsible for something she was unaware of. Council Members Clutterbuck and Holm absent.

Mayor White stated that he and Ms. Vasquez got her information, a report today, and they would get her a copy. Council Members Lawrence, Clutterbuck, Holm and Lovell absent.

Mr. William Etzel, 18002 N. W. Freeway, Houston, Texas 77065 (713-896-9011) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck, Holm and Lovell absent.

Ms. Barrie Scardino, 315 Capitol #120, Houston, Texas 77002 (713-520-0155) appeared and stated that she and those with her were present to speak on the 99K design competition for an affordable, sustainable house; and invited Ms. Linda Sylvan, executive director of the Rice Design Alliance to speak; Ms. Sylvan stated that the finalist were on view downstairs in the Rotunda and they would like all to look at the five finalists and they appreciated everyone's support; that the winner would be announced in April and they would build the house and hoped it to be a prototype. Council Members Lawrence, Clutterbuck, Holm and Lovell absent.

Council Member Jones stated they were able to get LARA lots and they wanted good affordable homes and she looked forward to a finished product. Council Members Lawrence, Clutterbuck, Holm, Rodriguez and Lovell absent.

Council Member Garcia stated that he attended several symposiums they had and he thanked them for what they did and for their support with the Tejano Center. Council Members Lawrence, Clutterbuck, Holm, Rodriguez and Lovell absent.

Council Member Brown stated that he saw the exhibit and urged all to do so, they were five extraordinary designs for an affordable house and he complimented the Rice Design Alliance and Houston Chapter of the American Institute of Architects for doing this; and upon

questions, Ms. Sylvan stated that they also had support from the National Endowment for the Arts and the Houston Endowment, Inc.; and Council Member Brown stated that he could not decide which design was best and wondered if there was a possibility to build all of them; and Ms. Scaradino stated that she hoped they would all be built, they would all go to construction drawings; and Council Member Brown stated that he did not know why they could not have corporate sponsors; and Mayor White stated that for everyone interested in affordable housing, he would outline what was in place, there were about 700 lots in areas undergoing redevelopment and prices ranged from \$5,000 to \$11,000 per lot and that was submarket for families making 80% or below medium income there was \$30,000 down payment assistance and for those up to \$110% of family income there was down payment assistance equal to about \$18,000 to \$20,000 and it took two things, a buyer and a builder and as for as they were concerned the customer was king so they would get to choose between their plans so all elements were there and they could build 200 of them, financing was in place where 200 could be built if someone wanted to live in it and make the monthly payment. Council Members Sullivan, Holm, Rodriguez and Green absent.

Mr. Greg Schoener, 1411 Mapleton, Houston, Texas 77043 (713-824-1629) appeared and stated that he was present on a matter that he had ultimately been scratching his head over for well over a year; that he was a property owner of several properties in and outside of Houston, that two of them were in Houston and one of them was in the floodway, that he thought they might be able to see where he was going with that initially; that recently he received a copy of a press release where they were hailing the passing of the City receiving a Class Six on the insurance ratings from FEMA to the tune of \$5 million and what had him stumped was the billion dollars or more that citizens had been raped by City Council as a result of the changes in the floodway ordinance; that he was not quite understanding how \$5 million was worth well over a billion dollars and he could explain how he got to that math if it would help; could they help him understand that. Council Members Sullivan, Holm, Rodriguez and Green absent.

Mayor White asked if Mr. Schoener had improved or unimproved property and Mr. Schoener stated that he had a vacant lot and his numbers came up, based on the City's statistics there were 3,500 vacant lots that probably ranged anywhere from \$5,000 to upwards of a million, so he had taken an average of \$100,000 per lot and loss in value; and if they did those numbers they would get to at least a billion dollars just on vacant land alone, that it was official and on record that there was one property owner, he had yet to do it, that had his property appraised before the ordinance and after the ordinance, a 93% reduction in value, took a lot from \$130,000 to about an \$8,000 value and that was just one lot; that if they spread that over the 3,500 he thought \$100,000 average was probably not hard to get to and even if it was 30,000 they were still fifty million, so citizens were giving up well over \$500 million for a \$5 million savings; that he was a business person, had bought and sold businesses and understood that from the Mayor's background he could relate to some of that; and he was just not understanding, that he thought transactions needed to be a win/win, and in this case maybe win/win/win, and he could not find that and he was seeing if the Mayor could maybe help him. Council Members Sullivan, Holm, Rodriguez, Brown and Noriega absent.

Mayor White stated that he would do two things, first, he thought there were in addition to, he did not know how many, public hearings, that he did note that there were some questions and answers because other's had questions and answers, that maybe not all the Council Members were familiar with some things, and Mr. Schoener was pretty familiar with the floodway ordinance, he would take it, and Mr. Schoener stated that unfortunately he had to become; and Mayor White asked if before 1985 could citizens build in the floodway, and Mr. Schoener stated that they had been able to build in the floodway and as a matter of fact he knew of someone who was building in floodway right now, that they got a permit after the October 1, 2006 deadline, that he could even challenge them and say that he was under construction right now on a boat house that he was issued a permit on in July that was in the

floodway, so they had some real contradictions in what the City was allowing based on their ordinance, that every boat house that was going to be built on Lake Houston was in the floodway, were they going to stop the boat houses and stop the development of that lake, that it was just some real contradiction; and Mayor White stated that from time to time wise people had told him that people needed to listen to each other, but he understood Mr. Schoener's point but he did not agree with either the figures or certainly the characterization of these citizens who served on City Council, that first, before 1985 you could not build within the floodway, now there may have been some illegal building, he was not contesting that, nor was he saying pros and cons that he knew all of what the permitting practice was; that in that year there was a change in law that allowed there to be an exception to the ban of building in the floodway and after that time then there was a loose application and if you took the cumulative impact of the building that was done in the floodway after 1985, for example on White Oak Bayou, the cumulative impact of that had been muddled out by people who had an agenda as being a six inch rise in White Oak Bayou where there were a lot of citizens who had seen water in their homes and then when the new flood maps were drawn, not by the City of Houston, there were quite a number of properties that came out of the floodway, largely because of the improvements, principally along Braves Bayou, and there were properties that came within the floodway, a number of those along White Oak Bayou, where the flooding problem had gotten worse and worse, that there were certain improved properties and certain unimproved properties; that both before and 1985 the rule was no construction in the floodway, and after 1985 there being an exception which permitted somebody to apply for those, that it was not like in San Antonio or other cities in Texas where even floodplain construction was regulated; that they made some modifications after the original proposal on improved property, yes, and there was an issue on the unimproved property and it was basically a conflict that was hard to make win/win between those who wanted to develop their properties within the floodway and those who wanted to take actions that would reduce the risk of flooding to others; that he wanted to have a hearing and look at what the alternatives were that they were considering for those individuals who had unimproved property, but he thought the sense that Council Members Edwards, Lawrence and members of that committee had, after numerous hearings on it, was that they needed to do something different than they had done in the past if they were going to expect a different result on flooding, so there was nobody here who came in with an agenda that they wanted to hurt this citizen arbitrarily, and finally the cost of flooding to the community was not captured in the incremental reduction in premium, so there were a lot of issues in the community, for example, it may cost them billions of dollars to build the drainage to take some waters out of the neighborhood that would come from taxes and there were other Houstonians who wondered, and who had seen water in their houses along the White Oak Bayou shed, about the cost of flooding to them, that he could understand Mr. Schoener's sense and he could assure him that he had spent 90 minutes yesterday on the issues involving people with unimproved property within the floodway and he was not saying that they would come up with satisfactory answers or resolutions but he did want to say thank you for coming to Council today and appreciated some of his thoughts, that there were some misimpressions and there were some differences of opinion, but one thing he did want to say was that before and after 1985 there were regulations having to do with construction in the floodway; and Mr. Schoener stated that he heard a lot of what the Mayor was saying and he had a number of responses; that when they talked about taking the vacant lots and not allowing them to improve because of the negative effects, so to speak, on the conveyance and the flow of water, and so forth, that as the City said that were they prepared to say that they would not let another tree grow on a vacant lot, because all of that would have water displacement, were they willing to take that same level of commitment and not allow trees to grow, which they were going to do, that it might seem extreme but it was still hard for him to get his arms around, and Mayor White stated that he would say this in a respectful way, and he was not putting words in Mr. Schoener's mouth, because he did not think he was saying this, but if he was that was fine to, did Mr. Schoener think that the public had no interest in things that were obstruction to the flow of water in the floodway, was there a public interest in that, that if something obstructed the flow of water in the floodway so that the water

could not drain out of the City more and faster, was there a public interest in that, and Mr. Schoener stated yes, and Mayor White asked if he thought there should be no regulations of that, and Mr. Schoener stated that he probably wanted to give it some thought before he answered, and Mayor White stated that he thought the question was then, depending on Mr. Schoener's answer to that, and he would probably say that most Houstonians would probably say yes to number two as well, then the question became okay what were the rules and regulations; and Mr. Schoener stated that a couple of comments and reply, if they had a big picture in mind he could deal with it, but by the change of the ordinance, really he thought there was also that the City had violated his and many other's Fifth Amendment right, that he thought it was the Fifth Amendment that stated that the government shall not take a person's property for public use without compensation and he thought the Mayor's words just basically said that they would not let him build something because they needed his vacant land now to let that water continue flowing and continue move during a flood, so with all do respect the Mayor and all the folks that had voted on it were taking his lot as well as many others for the use during a flood and he was not receiving compensation, he was okay if they wanted to pay him fair market value, he was okay with that and would accept that and let them just move on down the road, but he thought about it from just the spiritual aspects, was it good and fair to each person, that they started with a prayer and then everyone saluted the American flag and he started to think about his constitutional rights, and maybe there could be a debate, but the side of the coin that he was on he thought it had been violated, that he had met with different folks and could not quite understand it without compensation, that if there was compensation, he thought, the City would put itself in a whole different position; and Mayor White stated that he appreciated Mr. Schoener appearing before them and it was something that they needed to address and finally because he knew that there were others similarly situated and some without using the words "rape" to describe what they were trying to do to protect the citizens from flooding, and asked Mr. Schoener when did he buy the particular unimproved land in the floodway, and Mr. Schoener stated that it was 1995, before the City ever had jurisdiction over the area, so the City actually annexed the area that he was in so now he had to deal with their regulations, that it took them to another point, FEMA allowed construction in the floodway, it was on their website and they clearly stated it, that Harris County allowed construction in the floodway, so they had all these other entities, even the one that had given the reduction in insurance, that they allowed it, they just say they just had to build to a certain standard, which he saw that as fair, that he had several lengthy conversations with a gentleman by the name of John Bount with Harris County right-of-way or infrastructure, who had been very involved in this matter, and not to speak for him, but he said it was the County's position that the County would not take that steam of a position because of it's violation to the constitutional rights of citizens, that was why they said if they were going to build they had to build a certain way, their house had to be elevated 18 inches above base flood elevation, so on and so forth, things that took all of those risks away, and the way they were built, being familiar with it, with all due respect, he did not think those houses would obstruct the flow of water during a flood, that were built up on pilings. Council Members Sullivan, Holm, Rodriguez, Brown and Noriega absent.

Council Member Khan stated that this discussion was important and he put the problem in a good perspective; that they would be conducting stakeholder meetings on a regular basis; and upon questions, Mr. Schoener stated that the Council did not draw the flood map but it was their vote on Chapter 19, Sections 43a and b which did have the impact; and it was not the flood map that was the problem, the problem started with property losses with Council's vote. Council Members Sullivan, Holm, Rodriguez, Brown and Noriega absent.

Council Member Lawrence stated that the ordinance could be amended and things were being looked at now and because property was in the floodway now did not mean it would be forever, it was a moving boundary line as retention came about; that there was tremendous hearings and communication and she was with him, she also had a lot in the floodway; that a meeting was set up with the Harris County Appraisal District because they were not aware and

it would be considered next year on taxes; that if he wanted more information her office sent a blast out and he could be included and kept abreast if he would like to be. Mayor White, Council Members Sullivan, Holm, Rodriguez, Brown and Noriega absent. Mayor Pro Tem Garcia presiding.

Ms. Sharon Lauder, 373 1/2 W. 19th Street, Houston, Texas 77008 (713-206-0953) appeared, presented information and stated that she was publisher of the Houston and Heights Tribune and against the new news rack ordinance which unfairly targeted small publications; that Council had diminished the freedom of the press and depleted community news papers leaving only corporate giants in downtown; that no publisher at the meetings had plastic news boxes and metal was decided to be the only ones allowed on sidewalks; that the first amendment had been totally violated and she had reasons why it should be rescinded. Mayor White, Council Members Sullivan, Holm and Brown absent. Mayor Pro Tem Garcia presiding.

Upon questions by Council Member Lawrence, Ms. Lauder stated that she had 12 boxes downtown, but most were plastic. Mayor White, Council Members Holm and Brown absent. Mayor Pro Tem Garcia presiding.

Mr. Terry Smith, 2100 Tannehill #2044, Houston, Texas 77008 (713-862-9743) appeared and stated that his concern was the fate of the Astrodome; that he did not understand why millions had to be spent on a new sports facility for the Dynamos nor why all new sports facilities need to be downtown; that the Astrodome should also be leased for large religious conferences, etc., that an additional large enclosed sports facility may help Houston get the Olympics and the Astrodome was known as the eighth wonder of world. Council Members Holm and Brown absent.

Council Member Garcia stated that this was not the first discussion he had about how the Astrodome could play in this and anything they could do to save the Astrodome he appreciated and appreciated him coming and speaking up on this; and Mr. Smith stated that his concern on saving money was if it were put to help feed the low income or unemployed it would be a win/win for all. Council Members Holm, Green and Jones absent.

Mayor White stated that given their position they would not use money that could otherwise be used for city services for the construction and to a considerable extent the issue concerning citing the people who had a big impact on that were those building and many alternatives were seriously considered including the Astrodome. Council Members Clutterbuck, Holm, Green and Jones absent.

Mr. William Collins, 6202 Star Lake, Houston, Texas 77396 (281-548-0979) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Holm, Green and Jones absent.

Mr. Richard Grasmick, 9029 Tavenor, Houston, Texas 77075 (713-419-9853) appeared and stated that his concern was flooding in the 9000 block of Tavenor; that property he purchased had flooded three times in the past 18 months for a total of \$159,000. and the two properties next to him flooded also; that the reason was the ditches and drains were in bad shape and Mr. Cole assured him the problem was being worked on, but the engineer told him culverts could not be set at proper heights; that property to the east of him built up the property in 1985 and closed a drainage canal and recently about 10 acres across from him sold and was being built up and that would making flooding worse; and urged Council's assistance. Council Members Clutterbuck, Holm, Lovell and Green absent.

Council Member Rodriguez stated that he had been to his street when he was with Council Member Alvarado and they resolved a flooding issue by regrading ditches and he would

like to go out with Public Works and speak with him. Council Members Clutterbuck, Holm, Lovell and Green absent.

Mayor White stated he would like to be kept informed and Mr. Norman would work with him. Council Members Clutterbuck, Holm, Garcia, Lovell and Green absent.

Mr. Mark Gonzales, 3016 Roe, Houston, Texas 77087 (no phone) (alt. # 713-688-9012) appeared and stated that he was concerned about his safety over a cold case file, death of an officer, a judge passed out 100 dollar bills to an officer to arrest him; and he wanted help getting on a witness protection program. Council Members Clutterbuck, Holm, Garcia and Green absent.

Mayor White stated that if he was working with an HPD officer he believed that individual would be in a position to respond to him. Council Members Clutterbuck, Holm, Garcia and Green absent.

Upon questions by Council Member Jones, Mr. Gonzales stated that this was televised but the actors knew who he was. Council Members Clutterbuck, Holm, Garcia, Lovell and Green absent.

Mr. Pete A. Navarro, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Holm, Lovell and Green absent.

Mr. Basman Bahrami, 310 1/2 Delmar, Houston, Texas 77011 (713-443-0114) had reserved time to speak but was not present when his name was called. Council Members Holm, Lovell and Green absent.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (832-264-1816) appeared and stated that he was not for immigration, Houston did not need to be a sanctuary city; that he was told taxpayers were paying for Chuck's defense and if so why; and he also wanted the city's support in getting rid of him asap and wanted Mayor White to start it off by saying he supported the effort. Council Members Holm, Lovell and Green absent.

Council Member Jones stated that in addressing his legal defense she had no idea one way or the other who was paying, but the city had no control over the Harris County District Attorney and on the issue of taking a stand, she already took a stand personally. Council Members Holm, Lovell and Green absent.

Mr. Rudy Sutherland, 2202 Poco Drive, Missouri City, Texas 77489 (281-841-8444) appeared and stated that he came to speak on a knowledge management initiative he wanted to introduce to the Mayor and would send in private correspondence issues he had with members of his office; that in the next 5 to 7 years the City of Houston would lose a significant amount of its workforce as people approach retirement age and it was prevalent in the government sector and it was his belief and the belief of his firm, Algicar LLC, that the City of Houston needed to tweak its knowledge management initiatives to start retaining knowledge and he was proposing identifying knowledge that may be at risk and his firm could calculate loss of knowledge and cost of lost knowledge. Council Members Holm, Lovell and Green absent.

Council Member Johnson stated that Council Members did get his information he sent out; and upon questions, Mr. Sutherland stated that it was a process, the federal government, etc., had knowledge management initiative within the organization, it was a cultural build starting at the executive office and went through the organization and this should be introduced to every director in the city, their product was service; that he was not currently a part of a knowledge management initiative with his company; and Council Member Johnson stated that he would like

to speak to him further about this. Council Members Clutterbuck, Khan, Holm, Lovell and Green absent.

Mayor White stated that he respected his coming down and generally because of the nature of their government under the Charter, it was no disrespect, but he referred people such as he to departments rather than having individual meetings with him. Council Members Clutterbuck, Khan, Holm, Brown, Lovell and Green absent.

Mr. Douglas Nichols, 2418 Broad, Baytown, Texas 77521 (no phone) appeared and stated that he had been present many times asking for help as his life was in danger; that HPD came and said he was being threatened by drug dealers and he wanted no part of the communication system; that he lived in an abandoned house, his name was ruined and officers said go home before dark; that he needed help and he was going to put a team together. Council Members Lawrence, Clutterbuck, Holm, Brown and Green absent.

Mr. L. F. Wynne, 6000 Telephone Road, Houston, Texas 77087 (281-753-7277) appeared and stated that a couple of months ago he was riding a ten speed and two Pit Bulls came from a mechanic shop and tried to attack him; that he was not attacked the owner came out of the shop and called them but said they were not his dogs and he would call Animal Control, but because people were mutilated by dogs he would propose making it mandatory that they be muzzled. Council Members Clutterbuck, Adams, Sullivan, Holm and Green absent.

Upon questions by Council Member Rodriguez, Mr. Wynne stated that it was at 5629 Ransom, the dogs were loose and he fell off his bike; and Council Member Rodriguez stated someone from his office would speak wit him. Council Members Clutterbuck, Adams, Holm, Lovell and Green absent.

Mayor White stated that Ms. Kathy Barton with Health was present and his suggestion made some sense and Council Members were to be helping him with suggestions on dangerous dogs. Council Members Clutterbuck, Adams, Holm, Lovell and Green absent.

Upon questions by Council Member Jones, Mr. Wynne stated that the dogs were running at him snarling and barking and the owner came out and talked to the dogs and they obeyed him, they went back into the mechanic shop, he did not know if he owned the shop but he told the officer he did not own the dogs; and Council Member Jones stated that she would work with Council Member Rodriguez. Council Members Clutterbuck, Adams, Holm, Lovell and Green absent.

Council Member Noriega stated that she was sorry it happened to him and there were incidents in her neighborhood having to do with dogs and it did need to be talked about and she would like to be included with Council Member Rodriguez. Council Members Clutterbuck, Adams, Holm, Lovell and Green absent.

Ms. Barbara Hargrove Wilkins, 7301 Touchstone, Houston, Texas 77028 (713-635-2535) appeared and stated that she was present on behalf of her son Lisbon Wilkins, III, who was reportedly found dead, murdered and allegedly linked to the Fiesta Fulton which took place on December 14, 2007, this came from a group of four officers two of which knocked on her door about 3:50 a.m. December 15th and announced her son was found dead and with no additional information they turned and left the property; and today she was present to elicit assistance in getting information about her son's death as she repeatedly left messages across the city and to date the only factual information she had was that her son was killed with two gunshot wounds. Council Members Clutterbuck, Holm, Brown, Lovell and Green absent.

Council Member Noriega stated that she could not imagine the shock of that knock in the

night and as the chair of public safety she would be happy to help her get information and her staff person would speak with her at this time. Council Members Clutterbuck, Holm, Brown, Lovell and Green absent.

Upon questions by Council Member Jones, Ms. Wilkins stated that she lived in District B; and Council Member Jones stated that someone would pick up her statement and make a copy at this time. Council Members Clutterbuck, Holm, Rodriguez, Brown and Green absent.

Council Member Garcia stated that he could appreciate her shock as he was just as shocked to hear of it as his wife and mother in law shopped there and a woman was gunned down; that he was sure his colleagues would get her answers. Council Members Clutterbuck, Holm, Rodriguez, Brown and Green absent.

Council Member Johnson stated that his heart went out to her and to his colleagues his office met with Ms. Wilkins and they were working to get her a copy of the police report she requested so she could get closure. Council Members Clutterbuck, Holm, Brown and Green absent.

Council Member Noriega stated that if Council Member Johnson was already proceeding they would do whatever they could to assist, it was her committee, but his district and she was sure they would be able to get what she needed. Council Members Clutterbuck, Holm, Brown and Green absent.

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

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he would wish everyone a happy Mardi Gras 2008 and a happy Fat Tuesday; that he wanted all to know he supported the Ron Paul Revolution on the Republican side and the Obama Revolution on the Democratic side, but he would be voting for Ron Paul; and after leaving he would celebrate. Council Members Clutterbuck, Sullivan, Holm, Brown, Lovell and Green absent.

At 4:01 p.m. City Council recessed until 9:00 a.m., Wednesday, February 6, 2008. Council Member Khan out of the city on personal business. Council Members Clutterbuck, Sullivan, Holm, Brown, Lovell and Green absent.

The Houston City Council reconvened at 9:00 a.m. Wednesday, February 6, 2008, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Adrian Garcia, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

At 9:29 a.m. Mayor White called the meeting to order. Council Members Johnson, Clutterbuck, Holm, Garcia, Brown and Noriega absent.

Council Member Lovell moved to suspend the rules to hear Mr. Scott Grishman after Mr. Dick Mills and to add Mr. Jeff Moseley to the list of speakers, seconded by Council Member

Khan. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Holm, Garcia, Brown and Noriega absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** relative to the nomination of Deloitte, LLP as an enterprise project of the Texas Enterprise Zone Program - **DISTRICT I – RODRIGUEZ** – was called.

Mayor White stated that he would make the following point to provide some context, that first, at the beginning of this administration the City government and many economic development professionals assisted in the appointment of a broad based task force on what they should do new and different on economic development within their region, that he would commend that report to a number of people here, among other things, that said that they should focus on particular sectors when they were doing economic development and the recruiting of new businesses and there were a number of other very specific recommendations which were made, that he knew that had an influence in some of the direction that the Greater Houston Partnership went in as well as their own approach; that second, at the beginning of this administration and in the prior administration, and the prior two mayoral administrations, much of the work on economic development was done in the City, particularly as it related to programs that may be available within the City, under State law, those that had tax incentives associated with them that came out of the local tax base had been outsourced to the Greater Houston Partnership, and he would say one of the committee recommendations was that the City have somebody who was an experienced point person for economic development that handled those matters within the City; that next, although it had been a learning process, he was glad that Mr. Tom Mesa had joined the City because he brought a lifetime of experience, principally in the development and lending to small businesses within their community, as a CEO of a bank and a longtime commercial banker, and one the big specialties was small business; that he had done a good job in coordinating with them and one of the things that Tom deserved particular credit for was auditing whether people who had sought tax abatements with the City complied with the agreements that they signed when they go the tax abatements, and they brought in over a couple of million dollars at least; that he thought most of them would characterize the City's efforts, before he got involved, as sloppy to be blunt, or not well defined in terms of who had responsibility for that, that it had been done within the Planning Department and the prior director had a big part in it; that finally, it was the sort of approach of both the City administration and he thought business professionals in their community to take advantage of and encourage those who wished to take advantage of various Federal and State programs that would provide money that would not come out of the City budget to firms seeking to expand their employment or relocate within the City of Houston, that even if some of them were sort of skeptical of some of these programs and the potential for favoritism or abuse to the extent that the programs existed and the money would go somewhere and they wanted the money in those programs to go to businesses and in that connection most of the programs did define what the role of various applicants were that were the people that were seeking various grants, so for example in the case of Neighborhood Centers, who they worked with in an initiative begun by Council Member Green, as chair of the Finance Committee, on new markets tax credits, they worked with that group and the group in fact did apply for the new markets tax credits and he hoped they would apply before the March 1, 2008 deadline, and anybody else who wanted they would say they support anybody who thought they could get federal money, and Mayor White recognized Mr. Tom Mesa for a presentation. Council Members Johnson, Sullivan, Holm, Garcia, Brown and Noriega absent.

Mr. Mesa reviewed a PowerPoint presentation in regards to the public hearing titled "Texas Enterprise Zone Program", a copy of which is on file in the City Secretary's office for review. Council Member Garcia absent.

Council Member Green stated that one of Mr. Mesa's slides mentioned that to participate in the State program local communities must nominate business and why had the County not done this or was the County another entity, and asked that Mr. Mesa explain that to him, how did the local community restrict it to the City of Houston, and Mr. Mesa stated that he was really not as versed in what the County could do but with the program he was aware the County also could apply for the same type of designation for various projects; and Council Member Green asked if they could have a separate six projects as well, and Mr. Mesa stated that he was not sure what their total was at this time, and Council Member Green asked if the City was having any sort of correspondence with them to make sure that they were utilizing the best efforts so that there was not a lot of overlap, was there any sort of agreement between the two bodies to make sure that if they were going to get six a piece that they get the most strategic six that help the region, that would be his question, and Mr. Mesa stated that he did not know, that he was in dialog with the County on various issues, that as to this issue particularly he was not, and Council Member Green asked that once they were in the program then they could designate programs outside of the city limits and outside of the enterprise zone, and Mr. Mesa stated within city limits, but they did not have to be enterprise zones, and Council Member Green stated that essentially for them the entire City could be an enterprise zone, and Mr. Mesa stated that it had because of their poverty rate; and Council Member Green stated that he had a couple of questions regarding the training and such, on page 10 of 23 that he gave them regarding Deloitte, that he had a couple of questions last week regarding the percentages of minority partners and such at the firm and knew that there were some restrictions in place that they had to increase or would like to increase the numbers and such through the program, that he was disappointed to know that 1% of the total partners in the Houston area were non white, but he had talked to somebody and it was something that the administration felt was okay, that he was just concerned that they get people to agree to things on the front end in order to get the tax incentives and they do not come to fruition, that he wanted to make sure that when they do these, and he hoped the program was very successful, that every time somebody came up to them and say they let Deloitte do it and they let the first person get away with it, whatever, that if there was something they were not comfortable with he felt that they needed to make sure that the issue was brought to the forefront right now, and he would be the first to tell them that the numbers for women and minorities in the partnership levels just did not look good to him at all, that he did not want the message to be, to the rest of the people downtown, that they were okay with it, that he wanted somebody, if nobody else around the table said it, he wanted somebody to say they were not okay with it, that the mailroom jobs were fine, but what about the people who were spending a lot of years there and did they have the opportunity to get promoted, so the numbers, he thought Tom sent them around or just sent them to him, the numbers were not the greatest, Deloitte, but he was not going to single them out and say that they were the only firm in the City that had similar numbers because they were not, which led him to why he was saying it, that there would be others with similar numbers that were just as dismal who wanted to apply for these programs and he thought they needed to be very careful of that, that they required vendors who did business with the City to have certain MWBE participation and he thought they needed to look at that when they nominated these firms as well; that one of the other questions, he thought on page 11 of 23, there was a mention of the type of job, the staff and lower level jobs, that Deloitte would be providing and he thought the annual salary last week said \$62,000 and this week it said \$55,800, that he wanted to make it very clear that these jobs, typically these people would already come to Deloitte with some sort of college training or college degree and asked if that was where they were, that these were not people who were going to be plucked out of Kentucky Fried Chicken and put in a training program and would be analyst; and Mr. Mesa stated that the 500 jobs, not all those jobs were staff level jobs, a percentage of those would be the lower level jobs, with the opportunity to grow; and Council Member Green stated that those were his concerns, that he believed the program would work and believed and was glad that Deloitte had the wherewithal to investigate these types of things because he thought other people could learn from them and obviously some of their clients this could be a good little base for them to consult on getting the process through, that they could

help other companies do it, that he was supportive of the program, but wanted to go on record, that it was very easy for someone to promise to do a lot of things in order to get these sort of tax breaks and to get the City Council to nominate them, but their history had to speak for itself, and that was what he thought they needed to reiterate to anybody who came before them and wanted them to participate in it, that while he did know there was an argument that they were not doing a lot, it was all State money, that State money was City money, but there were also some things that they got complaints about, the streamline permitting, building code exemptions, impact inspection fee exemptions, that was critical to a person who had a three man shop and was trying to enlarge somebody's kitchen and he had to spend three days down at the permitting office. Council Member Garcia absent.

Council Member Holm stated that she was hearing that it was a grant program that Deloitte wanted to apply for to bring economic and development and new jobs into it and they needed the City's recommendation, that it did not cost the City anything, that she was trying to figure it out because she had heard the statement that Deloitte was going to get away with something and just to be able to put it into perspective it sounded to her like it was something they ought to be supporting, and Mayor White stated that it was a pro and a con and this was the internal discussion they went through, more or less, that the pro, which obviously went on in their minds, was that their job was to help Houstonians and as Council Member Green stated there was a firm that probably took some initiative, that real estate professionals were well aware of the program, relocation professionals were well aware of the program and a lot of the commercial real estate brokers were, so they made application for the program and they heard some of the requirements to expand here and unless there was a good reason where they wanted the money to go to a firm that was not in Houston they thought they should support what the Houston business wanted and requested, and that was a big employer in their community and they said they would expand, and there were consequences for not expanding, as people who had run into Mr. Mesa's audit had found out; that the con was, and he would be candid with everyone here, that these were not monies that would otherwise go to the City for City functions, on that he would disagree with his colleague, it was money that would be in the General Revenues of the State, some of them wondered things like a lot of accounting firms were expanding, if they had the government giving one accounting firm some money should they all get some money, was it a program where because of the various professional fees and regulatory hurdles was more accessible for a large business than a small business, that he felt that if they understood the program by responding to the application they would be in a better position as a Council for businesses from all backgrounds who sought to expand to introduce them to this program, that to give them a sense, Brenham, Texas had gotten 10 of these, Wichita Falls, 16, so the question was not whether they should do one but how many could they do, and Council Member Holm asked what was the deterrent to the City, that she was trying to figure out from the City's perspective, if they were going to engage in it, what was the downside for the citizens of Houston, and if this was the only nomination she thought they ought to be very careful and not just look at the first one, but if this was the beginning of a process she was trying to figure out why they would not support the initiative.

Council Member Lawrence stated that it was her understanding that the only thing the City was putting forth was the permitting process and what was the range of variables that the City could put forth to entice somebody to have the enterprise, and Mr. Mesa stated that a number of incentives could be accompanied with this type of a program, that he would give her several incentives that would entice a company to move to Houston or to have some job growth in Houston, that there could be tax abatements, the Tax Increment Financing through TIRZ's, free port exemptions, building code exemptions, impact fees, one stop permitting, streamline permitting, that all they were offering, though Deloitte did approach them on other incentives, from the City perspective they were offering the stream line permitting process, and Council Member Lawrence stated that she thought the checks and balances for these program, maybe what the State or the City was doing to be sure that the contract was met, that 500 employees

meet certain categories, that it would actually take place, and asked Mr. Mesa to speak a little on that, and Mr. Mesa stated that it was a State program and within those five years Deloitte was committed to bringing in 500 jobs, they must maintain those 500 jobs within a three year time period, that the checks and balances in place were through the Comptroller's Office of the State of Texas, if they did not meet the requirements after the third year of keeping in line the 500 jobs then there was basically a recapture of any refunds they received within that time period, as well as any interest and penalties involved with that. Council Member Clutterbuck absent.

Council Member Khan asked how long had the program been in place, when did the State of Texas say the program was available, and Mr. Mesa stated that he understood it was a revamping of an old program that was established at one time, that it had evolved over the last 20 years with numerous adjustments and changes, that this was the final program that had come out, and Council Member Khan asked if Deloitte was the first to apply, and Mr. Mesa stated that the City did not set the criteria for enterprise zones, that was a State function, that there was a due process that the State had them go through and they were a legal pass through with their nomination of a company like Deloitte, that Deloitte applied for the program, the City did not actively pursue Deloitte, that recognizing that within a biennium there were six nominations that the City could have, but those were based on availability because there was a limit that the State set of 105 for the whole State of Texas, that all the City was trying to do was take advantage of a State incentive that otherwise they would not be able to have and would affect basically the City's coffers, and Council Member Khan asked if there was any dollar value associated with the local incentive which Deloitte was requesting, and Mr. Mesa stated that it was his understanding, in his discussions with Public Works, that was what they offered now, that part of Public Works policy was stream line permitting and they actually did that for many companies, that taking into account Council Member Green's comment that there were issues out there with people looking for permitting or trying to get permitting and having problems with that he fully understood his comment, but for companies, for example, of this nature they were offering that as they were trying to hopefully as a City offering that to other companies, and Council Member Khan stated that he hoped they did not wait for people applying for enterprise zone benefits to steam line the permitting process, and Mr. Mesa stated that he agreed. Council Members Johnson and Holm absent.

Council Member Rodriguez stated that he had the opportunity to meet with Deloitte officials and they were committed to coming into the district and doing job fairs at the local colleges and area high schools, so he and the constituents of District I were excited by the measure and with the support of his colleagues he intended to hold them to it, and he also wanted to thank the members of the Greater Houston Partnership who were present in support of the initiative. Council Members Johnson and Holm absent.

Council Member Lovell stated that she hoped Mr. Mesa had cleared up some of the questions that were out there, that she thought it was extremely important that they move forward with it because as Mr. Mesa said the first application meant that they could have more people apply; that she wanted to thank Deloitte for their efforts and work and wanted to thank them for more importantly wanting to move their regional office from Dallas to Houston, and wanted to make sure that it was a very pleasant experience for them and that they would know they were welcome, that they were looking forward to the jobs they were going to generate and their involvement with the City, that she had read about their company and they had a very good involvement; that Dallas had done it and Fort Worth did it 9 times, San Antonio had invested, even a little city called Gun Barrel City had seen the benefits of the program; that she knew they had other large companies come to the City, one in particular, Del Monte, years ago and they felt so insulted that they decided to just pickup and not move here, that she wanted to make sure as they went through the process that they ask good questions but not in such a way that somebody felt it was just not worth it to go through the process. Council Members Johnson and

Holm absent.

Council Member Brown asked Mr. Mesa if they could be assured that the next 5 projects would be more targeted toward economic development where it was really needed, and Mr. Mesa stated that he knew that was the strive of the administration as well as charge, to try to incentivize the low to moderate areas throughout the community and there were projects that he was currently involved with that were doing that, so they were striving to do that. Council Members Johnson, Khan, Holm and Lovell.

Council Member Garcia stated that he wanted to commend Deloitte because they had been working with some of the area school's in his district, Reagan and Hogg Middle School, that he was excited that they had an opportunity to continue to make Deloitte a partner in the City, the local community, and would like to talk to Mr. Mesa about how they could make sure to increase the roles and participations of the area businesses as they moved forward. Council Members Johnson, Lovell and Jones absent.

Council Member Sullivan stated that he wanted to point out that these were clean jobs and they had to be mindful of that and that was good for the City of Houston; and two, as was said there were a lot of cities competing for these dollars, that the City of Houston was a member of BAHEP, Bay Area Houston Economic Partnership and in the last year BAHEP brought in the Director of the Texas Economic Enterprise from Austin and he made a presentation to BAHEP in which he encouraged every small City, municipality down in the Bay area, Friendswood, Pearland, League City, Dickinson, Hitchhock, on and on, to participate in the program and offered his assistance so that they could compete with Houston, that not to take away from what they were doing but that was right in their backyard, that he would be supportive of this and hoped that they would have more of this come to the table, and Mayor White stated that he thought that what Council Member Sullivan just said was all of them should not be complacent, they were dealing with a competitive situation and the point of his talking about where they were in economic development was to say if they found another tool that others had used in the past then they should make sure that everybody knew about the tool and that they could use it, that he was also addressing it to their colleagues in the GHP, that if there were tools that were available and were not being used that resulted in a redistribution of their sales tax dollars to great cities that he respected, like Brenham and Wichita Falls, more power to them if they applied and the City of Houston did not; that he thought the issue before them was whether to take advantage of the program. Council Members Lawrence, Johnson, Noriega and Jones absent.

Council Member Green stated that this may or may not be the proper forum for a discussion of diversity and things of that nature, that every opportunity was an opportunity to talk about diversity and to talk about what happens after they agree to something and they do not hold a people's feet to the fire; that they were endorsing what the company did and the creation of jobs, but he did not know how to talk about it from the perspective of a high school kid from Reagan who was glad to just get a job and work his way up, that he wanted to make sure that the young lady, who Deloitte brought with them today, which was typically the case when they ask the kind of question's he asked, typically somebody who looked likes them and would come and explain and say it was a good place and okay, which he had no doubt, but he could challenge the young lady and anybody else, that he could show them a whole list of people who what they thought would come to fruition did not come to fruition and if the City of Houston was going to be a partner with somebody, and he thought they should be a partner with Deloitte, but he thought Deloitte needed to know going in that they were going to be very concerned that whatever was on the paper, whatever they had been sold they wanted to collect on the backend, that it was a great program and he agreed it was a great program, but they had to do it now because he was not going to be at Council in two years, and obviously there would be some people who would not ask the questions that he was asking today, that whenever they

agreed as a partner with any corporation they were committing the entire City and he wanted to make sure it was known and that they were very clear that they expected Deloitte to do everything that they say they were going to do as far as job creation and all of the good works that they do; that he had some questions for Mr. Mesa, that if Deloitte did not do what they were supposed to do Deloitte had to either refund some money or they did not get to avail themselves of the tax credit, and Mr. Mesa stated that the full amount was correct, and Council Member Green asked how did the City recoup a stream line permitting process, or how do they recoup variances in the building codes that they granted if it did not work out, and Mr. Mesa stated that the stream line permitting was a service and something they were doing currently and they were not offering any of the variances outside the stream line permitting, and Council Member Green stated that he wanted to make sure there were mechanisms in place so that if Deloitte did not hold up their end of the bargain the State could back out of it but for the City of Houston they were agreeing to be a partner and asked if the State could recoup their loss or commitment how did the City of Houston recoup impact inspection fee exemptions, how did they get it back, and Mr. Mesa stated that they were only doing the stream line permitting and it was a service that they offered from the City; and Council Member Green asked if they were moving their offices from 333 Clay to the Texaco Heritage Plaza and Mr. Mesa stated that they were moving their offices from the Williams Tower and One Allen to the Bagby location, that the partner who handled the region would be out of the Houston office; that the regional office was located in Dallas and they were making the business decision to make Houston the regional office; that the 500 jobs would be newly created jobs, new employees; and Council Member Green asked if any grocery store in District D or District B approached the City about getting some help to be able to make the numbers work to put grocery stores and doctor's offices and things of that nature in some of the under served areas, had they had any requests for that, and Mr. Mesa stated sure, multiple requests, that some of the comments made had been their association from a City perspective with the Greater Houston Partnership and even they had, that he had a strong relationship with both organizations and they were constantly being fed, whether it be from the City perspective, by word of mouth or from Council Members or anybody else, opportunities for economic development that were scrutinized or they go through basically BAHEP or the Greater Houston Partnership for requests for assistance, whether it be from incentive standpoint or what other assistance they may get from the State, even federal or local level, so that did happen, and Council Member Green stated that he wanted them to look at the questions because it was the first of many and they were setting precedent. Council Members Johnson and Clutterbuck absent.

Council Member Jones moved to suspend the rules to hear from Mr. Jeff Moseley at this time, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Johnson and Clutterbuck absent. MOTION 2008-0096 ADOPTED.

Mr. Jeff Moseley appeared and stated that the Greater Houston Partnership was committed to fighting for high paying jobs and the reason they were so committed to that was that high paying jobs built their tax base and the tax base ultimately was what took care of the City and County services, public education, health care delivery and so forth, that they thought what the City Council was doing today was tremendous, they were looking and bringing 500 high paying jobs into Houston, the downtown area, which quite frankly was an area that served not only the City but served HISD tax base in a very dynamic manner, that the reality of it was that jobs were very portable today and it was easy for 500 jobs in this sector, in the accounting firm sector to move and to be just as easily created away from the whole region, so the enterprise zone would allow them to assist Deloitte in making their decision and by giving them the stream line permitting the benefit cost ratio, the return on that investment to the City, was very dynamic, that their internal numbers showed over ten years a direct revenue back to the City of over \$8 million, there were a lot of different ways of slicing the data and Mr. Mesa had done a tremendous job of giving them numbers, but that was even showing a cost providing the utilities so that was just pure revenue back to the City; and over the ten years to the whole

region the numbers went up even more dramatically to somewhere close to \$60 million to all the jurisdictions, that he wanted to thank them for looking over the initiative that was administered by the State, the Comptroller would audit and see that there was performance, if there was non performance that was when there would be penalties and the person that received the incentives from the State, the rebate of sales taxes, they would have to refund those back to the State.

Upon questions by Council Members, Mr. Moseley stated that he believed it was really probably time for all of them to sit down and look for some creative ways to raise their own awareness about how it could be used so they could use it as a marketing tool, that it had not really been utilized as much in this region as it had in other regions in the State; that there were a lot of definitions about high paying jobs, but one of the definitions that resonates around the partnership was a job that provided health care benefits and a pension fund, so they knew that Deloitte would be taking care of their employees and giving them these benefits, so in addition to the base salary there was the full package that would take them up and qualify them generally for the definition of high paying; that the State basically said they were looking for defined poverty levels through the US Census Bureau and they would use that as the definition of an eligible employee that could apply for employment at any firm in an enterprise zone and if a zone met certain percent of workforce that came out of that, that had that poverty level, then they were able to come back to the State and get a reimbursement on sales taxes that they used to spend to start their business and create those jobs. Council Members Lawrence, Johnson, Garcia and Rodriguez absent.

After further discussion, Mr. Mesa stated that of the 500 jobs the majority of those were going to be staff level jobs, they were going to be college degreed individuals, that Deloitte was a prestigious company in that it looked for graduates of college that had good GPAs and basically that was who they hired but a percentage of those 500 jobs would be non staff related jobs, they were jobs that people could come into Deloitte, from his understanding, and come into a hiring program where they could be trained to get to a point where they were a staff level employee and maybe those were even questions they may direct towards Deloitte. Council Members Sullivan and Garcia absent.

Upon further questions by Council Members, Mr. Moseley stated that if they looked at their membership the vast majority, almost 80% he believed, were small businesses, so they very much saw that the depth and strength of their local and regional economy had to do with a strong small business community, but it should not escape any of them that going to work for large companies and helping them move into their region also spawns small businesses, so the 500 jobs they were looking at today would have 303 indirect jobs that would support those 500 jobs, which went right back to people that they cared deeply about, the small business entrepreneur, that they did not have a hard and fast definition of high paying but they thought that a job that provided health care benefits and pension fund, they were looking at a full package, that was getting them into that bracket of high paying, where they were able to sustain their family and take care of their health care needs in addition to a base salary, that they were pleased to support any entrepreneur who wanted to petition for an enterprise zone project, that they thought it was one of the highest and best uses for an incentive. Council Members Adams, Sullivan, Garcia, Lovell, Noriega and Jones absent.

Mr. Dick Mills, 12714 Rocky Meadow, Houston, Texas 77024 (713-480-7960) had reserved time to speak, but was not present when his name was called. Council Members Adams, Sullivan, Garcia, Lovell, Noriega and Jones absent.

Mr. Scott Grishman, 908 Brentwood, Coppell, Texas 75019 (214-557-6238) appeared and stated that he worked with Deloitte and was a senior manager out of their Dallas office and had been with Deloitte going on 8 years; that today he had brought a couple of colleagues from the

Houston office to hopefully address any additional questions that the City Council had and introduced Ms. Tamara Turk, who was currently Chief of Staff to their regional managing partner, Ms. Ann Taylor, that she had been with Deloitte for 7 years and focuses on the relocation to the workplace of the future on Bagby, that in addition to the move Tamara focused on their community involvement, that unfortunately Ms. Taylor could not be with them today and instead they had a partner, Ms. Kathleen Farlow, who had been with Deloitte for 25 years and was a native Houstonian and had served in many roles with the firm, including Gulf Coast Tax Managing Partner, Mid America Regional Tax Managing Partner and Deputy Tax National Managing Partner, always officering in Houston. Mayor White and Council Members Noriega and Jones absent. Mayor Pro Tem Garcia presiding.

Ms. Kathleen Farlow, 7608 Bellewood, Houston, Texas 77055 (713-982-2237) appeared and stated that they were very pleased to be spending \$61.4 million and expanding in the City of Houston, that their growth over the last two years had been more than they expected, between 14% and 15% and they were compelled to find a new location and were excited about that that it was a conservative estimate to have 500 new jobs, that would be over the next five years, that the positions would not be temporary, they would be primarily staff and lower level positions, but in particular they estimate that at least 10% of those jobs would be for administrative and paraprofessional levels and they would not require a college degree; that it was certainly their focus to enhance the careers of all of their employees and believed that Deloitte should be a career enhancing part of their resume and they were focused on their training development and experience, that they were proud that 10% of their partners were minorities and 1% of their employees, but 10% of their partners, the owners of their business and they were a privately owned business. Council Member Green absent.

Upon questions by Council Members, Ms. Farlow stated that all of their positions were posted internally so that people within Deloitte could progress up, but they were also posted on their website, Deloitte.net, for anyone to apply to, that they interviewed both internal and external candidates for the positions, that frankly they had no shortage of applicants and were eager to expand and grow in the City; that they very much enjoy working with Reagan and Hogg schools, that they were on the school campuses for Reagan and Hogg every week, their professionals were there and they took care of the complete JA Program and were very committed to the success of those students, they do a Job Shadow Day with them and they appreciate the opportunity to help their constituents; that they were willing to talk to anyone in the right venue, that they would be willing to partner with whoever the Council Member was.

Ms. Tamara Turk, 3327 Wichita, Houston, Texas 77004 (713-256-0238) appeared and stated that as Mr. Grisham mentioned she was very closely involved with their relocation to Heritage Plaza and also advised and led their community involvement at the firm.

After further discussion Mayor White stated that he wanted to thank the individuals from Deloitte and GHP, that no doubt there was going to be some scrutiny and questions that somebody who took the initiative asked, that nobody had applied for tax exempt industrial financing in the City of Houston in probably a decade, that there was a period of time where people did it to get tax exempt lower interest rate financing and it was perceived by professionals in the field that there was a history, unfair questions, based on other agendas so people just quit going to the City of Houston to do these tax exempt financings, that they were all done through Commissioner's Court, that he wanted to send a clear message that this was an education process and they were addressing some critical issues that were very important issues to the community, that they wanted to help and support and appreciated their being present.

Council Member Garcia moved to close the public hearing, seconded by Council Member Green. All voting aye. Nays none. MOTION 2008-0097 ADOPTED.

MAYOR'S REPORT

At 10:51 a.m. Mayor White stated that they would move to the consent agenda.

CONSENT AGENDA NUMBERS 2 through 31

MISCELLANEOUS - NUMBERS 2 through 7

2. REQUEST from Mayor for confirmation of the appointment of the following to the **ACCESS CABLE CORPORATION (now known as HOUSTON MEDIA SOURCE, INC) BOARD OF DIRECTORS**, for terms to expire December 31, 2008:
Position One - **MS. SYLVIA CAVAZOS**
Position Three - **DR. MARGARITA DE LA VEGA-HURTADO**

- was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. MOTION 2008-0098 ADOPTED.
3. REQUEST from Mayor for confirmation of the appointment of **MS. DOT CUNNINGHAM (TEXAS STATE SENATE DISTRICT 7 designee)** to Position One of the **UPTOWN DEVELOPMENT AUTHORITY BOARD OF DIRECTORS** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. MOTION 2008-0099 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$2,329.66 per acre for properties connecting to the 12-inch water line located along Morales, Renton, Koinm and JFK Blvd. constructed by **HALLIBURTON ENERGY SERVICES, INC - DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. MOTION 2008-0100 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$1,006,145.00 permit fees to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for Permit Year 2008 aggregated Ground Water Withdrawal and accrual of Over-Conversion Credits Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. MOTION 2008-0101 ADOPTED.
7. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **2016 MAIN OWNERS ASSOCIATION, INC** for law enforcement services of one (1) deputy from Harris County Constable Precinct 7 - **DISTRICT D - ADAMS** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. MOTION 2008-0102 ADOPTED.

ACCEPT WORK - NUMBER 8

8. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$17,050.00 and acceptance of work on contract with **ARC ABATEMENT, INC** for Slab and Lifts Removal, Soil Remediation and Disposal, 6003 Beekman Road, WBS Y-000002-0001-4 36% under the original contract amount - **DISTRICT D - ADAMS** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0103 ADOPTED.

PROPERTY - NUMBER 10

10. RECOMMENDATION from City Attorney to purchase Parcel AY6-041, from Archland Property II, a Delaware limited partnership; in lieu of condemnation, for the **LONG POINT @ WIRT INTERSECTION IMPROVEMENTS PROJECT (Pine Chase - Johanna)**, WBS/CIP N-000674-0001-2 - \$50,863.00 - **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0104 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 14

12. **THERMO FISHER SCIENTIFIC, d/b/a FISHER SAFETY** for Hazardous Materials Testing Lab Trailer through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Office of Emergency Management - \$68,090.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0105 ADOPTED.
14. **ANDRESS-WALSH CO.** for Portable, Self-Priming 4" Pumps through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Department of Public Works & Engineering - \$62,274.32 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0106 ADOPTED.

ORDINANCES - NUMBERS 16 through 31

16. ORDINANCE authorizing issuance of the City of Houston, Texas Taxable Pension Obligation Note, Series 2008; approving and delegating certain authority to the Mayor and the City Controller with regard to the Note; approving a Note Purchase Agreement; approving a Paying Agent/Registrar Agreement; making other provisions regarding such note and matters incident thereto; making certain findings relating to the subject and matters incident thereto; and declaring an emergency - was presented. All voting aye. Nays none. ORDINANCE 2008-0089 ADOPTED.
17. ORDINANCE approving and authorizing purchase of a Boiler and Machinery Insurance Policy from **ZURICH AMERICAN INSURANCE COMPANY** - \$62,893.00 - Property and Casualty Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0090 ADOPTED.
18. ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code - was presented. All voting aye. Nays none. ORDINANCE 2008-0091 ADOPTED.
19. ORDINANCE establishing the north and south sides of the 1300 block of Marshall Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. ORDINANCE 2008-0092 ADOPTED.
20. ORDINANCE establishing the east and west sides of the 2000 block of Arlington within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2008-0093 ADOPTED.

21. ORDINANCE enlarging the boundaries of Reinvestment Zone Number Sixteen, City of Houston, Texas, (Uptown Zone) - **DISTRICT G - HOLM** - was presented. All voting aye. Nays none. ORDINANCE 2008-0094 ADOPTED.
- 21a. ORDINANCE approving the second amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; authorizing the City Secretary to distribute such plans; determining the portion of tax increment the City will pay from the area annexed into the zone - **DISTRICT G - HOLM** - was presented. All voting aye. Nays none. ORDINANCE 2008-0095 ADOPTED.
22. ORDINANCE to establish the name Bear Ram Road for an existing private street located on the Alief Independent School District High School Complex between Cook Road and Dairy Ashford Road - **DISTRICT F - KHAN** - was presented. All voting aye. Nays none. ORDINANCE 2008-0096 ADOPTED.
23. ORDINANCE approving and authorizing Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT**, to provide \$50,000.00 in Home Investment Partnerships ("HOME") Funds to cover operating expenses associated with the development of a single room occupancy complex consisting of a minimum of 149 units located at 2300 Sakowitz - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2008-0097 ADOPTED.
24. ORDINANCE approving and authorizing Pre-Development Loan Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT**, to provide \$100,000.00 in Home Investment Partnerships (HOME) Funds to pay pre-construction costs associated with the development of a single room occupancy complex consisting of a minimum of 149 units **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2008-0098 ADOPTED.
28. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TEXAS CORRECTIONAL INDUSTRIES DARRINGTON TIRE RETREADING FACILITY** for Tire Retreading and Repair Services for the Solid Waste Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,638,537.50 - General Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0099 ADOPTED.
30. ORDINANCE appropriating \$2,081,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Briar Park & Gulf Meadows II, WBS S-000035-00L1-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS G - HOLM and E - SULLIVAN** - was presented. All voting aye. Nays none. ORDINANCE 2008-0100 ADOPTED.
31. ORDINANCE awarding construction contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Distribution System Rehabilitation and Renewal, WBS S-000MAO-0003; 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 Water & Sewer System Operating Fund -

\$2,046,127.50 - Enterprise Fund - was presented. All voting aye. Nays none.
ORDINANCE 2008-0101 ADOPTED.

Council Member Garcia moved to suspend the rules to consider Item Numbers 13 and 26 out of order, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0107 ADOPTED.

13. **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for advertising and production services for Houston Police Department Recruiting Program - \$200,000.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia, and tagged by Council Member Green. (Note: Council Member Green released his tag later in the meeting.)
26. ORDINANCE awarding contract to **MERRELL BROS., INC** for Onsite Water Treatment Sludge Dewatering, Hauling & Disposal Services for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years - \$3,852,811.00 - Enterprise Fund - **DISTRICTS B - JOHNSON and E – SULLIVAN** – was presented, and tagged by Council Member Garcia.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

6. RECOMMENDATION from Director Houston Airport System for approval of membership fees in the Airports Council International (ACI) for the period January 1, 2008 through December 31, 2008 - \$198,392.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0108 ADOPTED.

ACCEPT WORK

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$548,429.91 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Lateral and Service Connection Replacement Contract Part II for the Department of Public Works & Engineering, CC-6-0734-024-21095 - 0.94% under the original contract amount - **DISTRICTS B - JOHNSON; D - ADAMS; H - GARCIA and I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0109 ADOPTED.

PURCHASING AND TABULATION OF BIDS

11. **GLOBAL SEARCH ASSOCIATES, LLC** for an Executive Search for position of Deputy Director Finance & Administration for Houston Airport System - \$131,000.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia.

Council Member Holm stated that she was going to tag the item and part of her questions were that she was wondering if it was a procedure that they used for all departments when they were looking for executive level, that she could understand that of the \$131,000 to recruit a Deputy Director for the Airport, \$50,000 was for relocation, and she could understand that but that left \$81,000 and she wondered why they could not do with \$81,000 perhaps some of their

own search without hiring a firm, and were they able to do it because it was enterprise money or do they do it across the board for all of their high level positions, and Mayor White stated that he would defer that and would get those answers to her.

Council Member Garcia stated that he was concerned whenever they went out for executive positions because they should be working every day to create capacity within their staff, and it brought him back to the motion he made for the budget in working to create an executive mentorship program within Public Works, that he knew they wanted to keep the airport competitive but he was concerned that they might have that person inside, but just the fact that they were proposing to go across the Country and search, he was wondering whether or not they were doing due diligence on behalf of their employees to prepare them; that he wanted to make sure that whenever they had an entry level employee that there was a light at the end of the tunnel that they could see themselves walk into if they followed the rules and worked hard and serve the public interests, that he was concerned that they were even creating the opportunity to look outside, and Mayor White stated that they would get some answers to people, three quick points in response to the questions posed to the Chair, that number one, he thought that they could and should, that they were doing better in executive training but they could do even better still; that they probably could not do so much better in a specialized field that they fill a particular positions in a couple of months, that number two, the City of Houston was a City of opportunity and they looked at the career path of the person who held this job that was hired internally, who started as a clerk, and Ms. Sara Culbreth worked her way up to be a CFO of the Airport System, that he was proud that there were people who had worked their way up from one of the lowest paid categories to one of the highest paid within the City of Houston, that sometimes without enough of the assistance and mentoring, but education programming; that third, this was a very highly specialized position and they would get briefings for him and Council Member Holm. Council Member Clutterbuck absent.

After further discussion, Council Member Rodriguez stated that he wanted to know how they intended to reach out to minority candidates as well, and Council Member Brown stated that it would be helpful to know a little more about the selection process, and Mayor White stated that they would get an answer to the Council Members questions.

ORDINANCES

15. **ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the acceptance of existing alleys by the City – was presented.

Council Member Clutterbuck moved to postpone Item No. 15 until the end of the agenda, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0110 ADOPTED.

Council Member Garcia stated that he wanted to thank Council Member Clutterbuck for bring the item forward and for her good work.

25. **ORDINANCE** approving and authorizing Real Estate Marketing Agreement with **CB RICHARD ELLIS, INC, a Delaware Corporation**, to provide marketing services in connection with the sale of 151 acres of land on State Highway 3, south of Beltway 8 and adjacent to Ellington Field, for the Public Utilities Division of the Public Works & Engineering Department (141 acres) and the Houston Police Department (10 acres) - **DISTRICT E – SULLIVAN** – was presented.

After discussion, Council Member Green stated that he would tag Item No. 25. (Note: Council Member Green released his tag later in the meeting.)

27. ORDINANCE awarding contract to **STATEWIDE TREE SERVICE, INC** for Tree Planting Services for Parks & Recreation Department; providing a maximum contract amount - 2 Years \$736,521.00 - Street & Bridge Consolidated and Grant Funds – was presented.

Council Member Holm stated that she would tag Item No. 27 and requested some information.

29. ORDINANCE appropriating \$170,000.00 out of Parks Consolidated Construction Fund, awarding construction Manager At Risk Contract to **GILBANE BUILDING COMPANY** for Renovation to the Parks & Recreation Department Campus and Park, WBS F-0504D1-0002-4 - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0102 ADOPTED.

NON CONSENT AGENDA - NUMBERS 32 and 33

MISCELLANEOUS

32. RECEIVE nominations for Positions Five and Seven to the **ETHICS COMMITTEE** for two-year staggered terms – was presented.

Council Member Clutterbuck stated that she would nominate Mr. John J. Douglass for reappointment to Position Seven to the Ethics Committee and distributed his resume.

Council Member Holm stated that she would nominate Mr. Rick Cagney for reappointment to Position Five to the Ethics Committee and distributed his resume.

Council Member Garcia moved to close the nominations, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0111 ADOPTED.

33. **SET A HEARING DATE** to consider adopting a Municipal Setting Designation ordinance (MSD) for Union Pacific Railroad Company (UPRR) - **SUGGESTED HEARING DATE - FIVE WEEKS FROM DATE OF PASSAGE** - was presented.

Council Member Brown moved to set a hearing for 9:00 a.m. on March 12, 2008 to consider adopting a Municipal Setting Designation ordinance (MSD) for Union Pacific Railroad Company (UPRR), seconded by Council Member Khan.

Council Member Holm asked at what point did they actually examine the criteria and worthiness of it, that this particular site, she thought, had some arsenic in it for years and years and how do they know that it truthfully should be moved back into public and that they should release it for sale and that there could not be some ramifications, that if somebody could just explain that process, and Mayor White stated that they would get that explained, that one of the issues was going to be and he had been informed that there had been notification and this was one of the issues that was also going to be discussed at the hearing.

A vote was called on the motion to set a date for a hearing. All voting aye. Nays none. MOTIION 2008-0112 ADOPTED.

Council Member Green stated that he would release his tag on Item Numbers 25 and 13, and would like to take Item No. 13 first, and moved to take them out of order.

Mayor White stated that if there was no objection by consent it was so moved and requested the City Secretary to call Item Numbers 13 and 25.

13. **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for advertising and production services for Houston Police Department Recruiting Program - \$200,000.00 - General Fund – was again before City Council, previously moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0113 ADOPTED.
25. ORDINANCE approving and authorizing Real Estate Marketing Agreement with **CB RICHARD ELLIS, INC, a Delaware Corporation**, to provide marketing services in connection with the sale of 151 acres of land on State Highway 3, south of Beltway 8 and adjacent to Ellington Field, for the Public Utilities Division of the Public Works & Engineering Department (141 acres) and the Houston Police Department (10 acres) - **DISTRICT E – SULLIVAN** – was again before City Council. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2008-0103 ADOPTED.

MATTERS HELD - NUMBERS 34 through 39

34. WRITTEN Motion by Council Member Clutterbuck to amend Item 34C below:
I move to amend Item 55C, revisions to Chapter 45 in section 45-163 to strike the existing number 1 and in lieu of add a new number 1 that reads: “Would require a number of off-street parking spaces pursuant to Article VIII of Chapter 26 of this Code that is greater by 100 percent or more than the number of off street parking spaces provided under the current use of the parcel;” – **(This was Item 55 on Agenda of November 7, 2007, POSTPONED BY MOTION #2007-1112)** – was presented.

Council Member Clutterbuck moved to postpone Item Numbers 34, 34a, 34b and 34c for one week, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0114 ADOPTED.

Mayor White stated that there were Members of the City Council, elected officials who had a lot to do who were among the most informed people in the community on all aspects of it, and Mr. Icken, the City team on this were so incredible and it included some members of the City Council who had gotten into the facts and details of traffic engineering and he really appreciated the Council Members who had taken the time.

- 34a. WRITTEN Motion by Council Member Lawrence to amend Item 34C below:
Replace multi family residential development in Sec. 45-163 with residential development and to add the definition of Residential to Sec. 45-162 as follows:
Residential shall mean pertaining to the use of land for premises that contain habitable rooms for nontransient occupancy and that are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels and day care centers shall not be considered to be residential – **(This was Item 55a on Agenda of November 7, 2007, POSTPONED BY MOTION #2007-1112)** – was previously presented, and postponed by MOTION 2008-0114.
- 34b. WRITTEN Motion by Council Member Garcia to amend Item 34C below:
I move to modify section 45-163(3) by omitting the words “with two-way traffic.” – **(This was Item 55b on Agenda of November 7, 2007, POSTPONED BY MOTION #2007-1112)** – was presented, and previously postponed by MOTION 2008-0114.
- 34c. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to high-density multi-family development on two-way, two-lane local and

collector streets – **(This was Item 55c on Agenda of November 7, 2007, POSTPONED BY MOTION #2007-1112)** – was presented, and previously postponed by MOTION 2008-0114.

35. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,260,402.00 and acceptance of work contract with **ENVIRONMENTAL INFRASTRUCTURE GROUP, L.P.** for Upper Brays, Almeda Sims, and WCID No. 111 Wastewater Treatment Plants Improvements, WBS R-000265-0020-4 - 1.03% over the original contract amount - **DISTRICTS D - ADAMS; F - KHAN and G – HOLM** – **(This was Item 3 on Agenda of January 30, 2008, TAGGED BY COUNCIL MEMBERS JONES, RODRIGUEZ, LAWRENCE, JOHNSON, HOLM, GREEN and ADAMS)** – was presented, moved by Council Member Khan, seconded by Council Member Garcia.

Council Member Jones stated that she had a commitment from Ms. Marty Stein that she would get her the information that she had requested, and she did not want to penalize the company, so they could move forward, but she had some questions that she wanted answered.

A vote was called on Item No. 35. All voting aye. Nays none. MOTION 2008-0115 ADOPTED.

36. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$10,130,844.54 and acceptance of work on contract with **BOYER, INC** for Supervisory Control & Data Acquisition (SCADA) and Security at East Water Purification Plant, WBS S-000522-0006-4 - 6.04% under the original contract amount - **DISTRICT E – SULLIVAN** – **(This was Item 5 on Agenda of January 30, 2008, TAGGED BY COUNCIL MEMBER LAWRENCE)** - was presented. All voting aye. Nays none. MOTION 2008-0116 ADOPTED.

37. ORDINANCE approving and authorizing the City to release Four (4) lots owned by the Houston Housing Finance Corporation and located in the Fourth Ward from certain land use restrictions **DISTRICTS D - ADAMS and I – RODRIGUEZ** – **(This was Item 14-1 on Agenda of January 30, 2008, TAGGED BY COUNCIL MEMBERS ADAMS, RODRIGUEZ and JONES)** – was presented.

Council Member Jones moved to refer Item No. 37 back to the administration, seconded by Council Member Rodriguez. All voting aye. Nays none. MOTION 2008-0117 ADOPTED.

38. ORDINANCE amending City of Houston Ordinance No. 2004-0685, passed on June 30, 2004, which approved and authorized the submission of the 2004 consolidated plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – **(This was Item 20 on Agenda of January 30, 2008, TAGGED BY COUNCIL MEMBERS GREEN, KHAN, NORIEGA, ADAMS and GARCIA)** – was presented.

Council Member Garcia stated that in talking with a few of the stakeholders that had some experiences with this they were suggesting that maybe they needed to look at the staffing model and maybe add a couple more support folks in some of the process.

A vote was called on Item no. 38. All voting aye. Nays none. ORDINANCE 2008-0104 ADOPTED.

39. ORDINANCE finding and declaring public convenience and necessity for the acquisition of Fee Simple Title or easements for rights-of-way in connection with the public improvement project known as the Mercury Drive Paving Project, Segment 4 (from Herman Brown Park to Wallisville Road), authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple or easements in, over, upon, under, and across 14 parcels of land situated in the Reels and Trobough Survey, Abstract No. 59, Harris County, Texas, and being more specifically situated along and abutting the east or west lines of Oates Road between U.S. Highway 90 and Wallisville Road in Houston, Harris County, Texas - **DISTRICT I – RODRIGUEZ – (This was Item 35 on Agenda of January 30, 2008, POSTPONED BY MOTION #2008-92)** – was presented.

Council Member Rodriguez stated that though he realized the item related to the northern portion of Mercury Drive, not the southern, which directly affected the Songwood Subdivision in his district, he immediately contacted his Songwood constituents when the item was placed on the agenda a few weeks ago just to make sure they were all on the same page, that his constituents were not necessarily opposed to this project as they were to the potential of what the project could lead to in the future, that he felt strongly that this project would eventually lead to the connection of and growth of South Mercury Drive, which would negatively impact the Songwood Subdivision, that the expansion could occur through the major thoroughfare plan or the CIP and Songwood residents previously had requested that the southern portion of the Mercury Drive project be removed, but both proposals had not happened to this day; that what was disappointing was that in the past few weeks they had discovered a lot of miscommunication between his constituents and the Planning Department, they did have a meeting to try to resolve some of these issues and he did appreciate Public Works, Parks and the Planning Department meeting with them, that they had delayed the project as a CIP item but he was really concerned about what the northern project would do to his district because he thought eventually it would connect and they were just really concerned about the heavy truck traffic that may occur because of the potential project, so he just wanted to get the administration's thoughts on the item, but he did plan to vote no, that they were in the process of looking at a study and wanted to see what the study brought forth.

Mayor White stated that he thought it was important that individual constituents knew that their Council Members were listening to them; that contrary to some outside the City Council who assert that there were no long time plans in Houston they did have plenty of them and part of the idea of those plans was that the plans were not going to be changed every year or in response to one meeting or another, that was not a plan, that the major thoroughfare plan had options but not requirements that would allow the public to expand the transportation right-of-ways for the benefit of all citizens, if they would not have had the major thoroughfare plans then what they complained about traffic congestion would have been a whole lot worse; that at Council Member Rodriguez request they would make a commitment, that it may be different from the advice of some of the traffic planning professionals, that they would not include this item in a CIP, they took it out of a CIP, and for the citizens there were so many things that they needed to fund on a CIP that if it did not have the support of the Council Member and if the Council Member adamantly opposed money being spent in their district then there were plenty of opportunities to reallocate funds, that they needed to be careful because there was such a thing as a planning process and contrary to a planning process, was changing their mind every year, but Council Member Rodriguez had their commitment that they would not do so and they respected the reasons for which he would vote no, but the administration strongly did not support removing these positions; that he would say another thing to the Council Members and it applied to the Mayor as well, that he told people if the Mayor said to remove something from

the major thoroughfare plan to disregard what he says because they would never have planning if they started to mess around with the plans that were designed to be done through a process which included professionals and a Planning Commission, that if they thought the Planning Commission was bad then they should replace them.

Council Member Noriega stated that she appreciated the administration's willingness to work with the District Council Member in this situation, that it was over by Furr High School and was an old neighborhood that was very established, and would add her no vote in solidarity and was supporting Council Member Rodriguez's position on it.

Council Member Holm asked that they really set criteria for the establishment of their roadways and use that mechanism to actually designate roadways, that it appeared that it could be pretty arbitrary what the designation on some of their roads could be.

Mayor White stated that the administration supported the item and a vote was called on Item No. 39. Council Members Rodriguez and Noriega voting no, balance voting aye.
ORDINANCE 2008-0105 ADOPTED.

Item postponed to the end of the agenda.

15. ORDINANCE **AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the acceptance of existing alleys by the City – was again before the City Council.

Council Member Clutterbuck stated that she would tag Item No. 15 because they needed to adjust the Appendix A, that some of the suggestions and spelling corrections were not incorporated and she would ask all of her colleagues to go ahead and look over Appendix A if they had alleys in their district that they were interested in making sure were covered by the Alley Ordinance to make sure the Appendix was correct and if they had any changes that needed to be made to please submit them to her office and Public Works in the next 48 hours so they could make sure the appendix was accurate.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Green stated that February 7, 2008 was National Black HIV/AIDS Awareness Day and in recognition of the event there would be free HIV testing from 8:30 a.m. to 4:30 p.m. at the Legacy Community Health Services, which was located at 5602 Lyons Avenue, for more information they could call 1-888-259-9539; that the Black Contractors and Business Owners extended an invitation to a meeting on February 29, 2008, they were having a public forum which would start at 10:15 a.m. and would take place at the Carpet Depot at 6321 Hurley Street, that the purpose of the forum was to discuss fairness and resolution of growing disparities against Black businesses; that National Testing Day would be on March 8, 2008 and high school students would have the opportunity to take free full length practice SAT, ACT, SAT Subject Tests or PSAT and they would get detailed score reports highlight their strengths and weaknesses, that it was a good prep for them as they begin that quest for college, that for more information they could call 1-800-273-8439 or visit the PrincetonReview.com to register for a test near them. Council Members Lawrence, Johnson, Holm and Noriega absent.

Council Member Green stated that they had a lot of discussion on the Tax Enterprise Zone and he wanted to make it clear that he was very supportive of these types of programs, anything that would allow them to avail themselves of their tax dollars and that they could get those tax dollars back from the federal government and back from the State was a good thing, but he continued to say that they needed to look at what was below the surface, that it sounded great to say that they were bringing jobs to Houston and it was great to say that they had an

economic impact but it was kind of like the billboard issue, that the deal was that they were getting rid of all the new billboards and there was a relocation but to a person with a new billboard in their neighborhood it was a new billboard, and it was kind of the same thing when it went to jobs, if the economy was doing well they all knew that not everybody in the economy did well all the time, that he wanted to challenge Tom and if they needed to provide Tom with more support staff he was fully supportive of increasing Tom's budget because he was a huge proponent of economic development, but did believe they needed to make sure that all nine districts of the City were redeveloped; that he believed in the long run that the small mom and pop businesses made the economy go, that although they did well with their large corporations it was the small mom and pop businesses who could stand from stream line permitting, that was something he wanted to continue to challenge and he knew that not everybody in the room thought about the long term affects of the seemingly small decisions, just the fact that they agree to nominate someone, that had greater implications than just saying they bless what they were doing and he thought down the road it did affect the good paying jobs, diversity, and he would tell them that if they were not affected by it they did not think about it, that they always had to look at the bigger picture when it came to these, that it would be helpful if they got a lot more information on the front end. Council Members Johnson, Khan, Holm, Rodriguez, Lovell and Noriega absent.

Mayor White stated to Council Member Green that they needed to convene a meeting of many of the licensed real estate brokers who worked every day in the areas of town that they would think of as being neglected, and he did not think of it being the Central Business District, and then go through steps to do the application, that he thought it was a good idea and if Council Member Green would list out some of the groups and contacts that he thought they ought to meet then they would implement that and all of them could do their bit in trying to explain how to go through the hoops of the process, they needed to do that. Council Members Johnson, Clutterbuck, Khan, Holm, Rodriguez, Lovell and Noriega absent.

Council Member Brown stated that he handed out a Baltimore Development Corporation brochure which he thought was a good summary overview of how the various aspects of economic development worked in a city like Baltimore; that regarding economic development and the issues they talked about today, there was a larger overriding issue for the City and he would call that workforce development, how was the City really producing the kind of skilled and talented workforce that their industry, businesses and corporations needed to expand and compete in the global economy, that he had a conversation with the CEO of Schlumberger, who recently moved their world headquarters to Houston, which was a very good sign, and he asked him how they were doing in terms of finding a talent pool in Houston and he said that essentially all of their employees that were technically skilled they had to recruit them from outside of Houston; that Barton Smith did an analysis of how Houston was doing in terms of building a local talent pool in Houston compared to other cities and they were not doing a very good job and he thought the City needed to reflect on that, that they needed to get more of their young people graduating with skills from their high schools, that if they move up to college the number of attendees, young people attending college in Houston was to low, they did not have enough people related to the size of their industry in Houston, and then they move up to the next notch, where they were talking about highly skilled people with masters and doctorate degrees and they were way behind in that area to, that was the other side of the equation, how did they as a city through the economic development initiatives promote a more fruitful workforce development, that he knew the Mayor had been concerned about it and would like to share the Barton Smith Report with the Mayor, which compared them with other cities. Council Members Lawrence, Johnson, Holm, Rodriguez, Lovell and Noriega absent.

Mayor White stated that there were good paying jobs and careers with a future in this Country and community, in accounting, petroleum engineering, geo science and technical skills; that they needed some of these young people to have some role models who were there in the

schools and have assemblies where they could interact; that they had plenty of people who said they wanted to be an MWBE and others but how many people did they have mentoring the young people. Council Members Lawrence, Johnson, Holm, Rodriguez, Lovell and Noriega absent.

Council Member Brown stated that he thought sustainable growth was a term that they needed to understand better, not only as elected officials or as staff on City government but as a community as a whole, that Mayor White had created a new committee, which he was happy to Chair, that Houston was going to be a model in the twenty first century for sustainable growth, that sustainable growth had to do with a new paradigm, a new way that a City like Houston grows and changes. Council Members Johnson, Holm, Lovell and Noriega absent.

Council Member Clutterbuck stated that when they had excursions or sewer events or other types of problems in individual residences and they call a private contractor, a plumber, to begin work on it and it turns out that it was a City problem and in many cases in District C the resident simply goes ahead and pays the bill and chock it up to a discovery fee or investigation charge, but in other cases when citizens had submitted the bills for reimbursement to the City, in many cases in the thousands of dollars, these bills had been summarily rejected and there was one in particular in District C that they had been dealing with City Legal on a claim where it took several weeks and a lot of investigation to find out that the sewage problem, the issue of the standing sewage in a backyard was actually related to a broken pipe that was the City's fault immediately at the property line at the adjacent neighbors yard, that it did not seem equitable that they should then deny the citizens the right to have reimbursement for work that was done to investigate the problem and bring it to the attention of the City to begin with, that they were continuing to pursue it with City Legal but was something that she did not know if they were constrained by State law or by their interpretation of State law, but it seemed like there should some opportunity to review these situations with some equity. Council Members Johnson, Sullivan, Holm, Lovell and Noriega absent.

Council Member Clutterbuck stated that she had a number of constituents who were within the path of the designated University Line by Metro, who were very concerned about the possible takings, as well as the 12 inch gas line that ran parallel to the particular rail line; that the first issue relating to the taking, the property owners, in her opinion, deserved to know, for planning purposes, whether or not their property was going to be taken, inches, feet or entire condemnations and Metro was not responding to it claiming that they had the authority under the opinion of the Texas Attorney General that because these were still in the preliminary stages that they did not have to give the data out, and she would again implore Metro and their processes that they be able to deliver some kind of equity to the citizens who were trying to make plans and trying to know exactly how the Metro line was going to effect them; that on the issue of the gas line, Metro had told her that they had done the studies relating to the 12 inch gas line that ran parallel to their water line as well as the proposed Metro rail line and if it was true that they had done no studies on it she would think that it begged the question "why not", that it was a high pressure gas line, just as dangerous and volatile as a high pressure water line and it seemed to her that they would need to know what they were getting into should they have a failure of any kind along that line. Council Members Johnson, Holm, Lovell, Noriega and Green absent.

Council Member Adams stated that last night she held her first CIP meeting at the Willie Lee Gay Hall at the HCC Campus and they had standing room only, they had over 200 constituents that showed up, that it was an outstanding and informative meeting and she wanted to thank the Mayor's Citizens Assistance Office, her staff, the various departments, City of Houston employees, Council Members Noriega and Jones staff and Council Member Green and Judge Green for attending; that she would like to thank Council Member Garcia for his dedication and hard work about the Go Green Houston Initiative last week, that they had a great

turnout; that she wanted to salute the University of Houston Architectural Program for their design of a Green Building that was located on the University of Houston Campus; that she wanted to ditto Council Member Green mentioning the HIV/AIDS Testing Day, that there would be a testing site at the Sunnyside Multi Service Center beginning tomorrow. Council Members Johnson, Khan, Holm, Lovell, Noriega and Green absent.

Council Member Adams stated that February was Black History Month and she wanted to salute a dynamic women who had brought history into her life with her dedication, love and support, her mother, Barbara Stevens, for all the dedication and love. Council Members Johnson, Khan, Holm, Lovell, Noriega and Green absent.

Council Member Adams stated that she had been receiving questions on the Houston HOPE Program and asked if there were any plans in the future to expand a Houston HOPE Program to inside Loop 610, to what they called the Sunnyside Program area. Council Members Johnson, Khan, Holm, Lovell, Noriega and Green absent.

Mayor White stated that why do they not have a little dialog, that it did require some work with both other taxing jurisdictions and Mr. Tinnermon had done some, that they did it where there was a high concentration of tax delinquent properties, so he knew that Mr. Tinnermon and Mr. Butler had pulled that information a year ago and requested to Ms. Stein to have Mr. Tinnermon and Mr. Butler provide to both Council Member Adams and to him that information and then they could decide where to go with that, that he would work with Council Member Adams on that. Council Members Johnson, Khan, Holm, Lovell, Noriega and Green absent.

Council Member Johnson stated that she wanted to give a shout out to the University of Houston, their Urban Experience Department, because they put on an event this weekend and it had people from every walk of life and every community and it showed exactly what the City was all about. Council Members Johnson, Holm, Lovell, Noriega and Green absent.

Council Member Rodriguez stated that he wanted to remind people that the District I CIP was tomorrow night at 6:30 p.m. at the E.B. Cape Center, at 4501 Leeland, that department representatives would be on hand to answer any questions the constituents may have. Council Members Johnson, Holm, Lovell, Noriega and Green absent.

Council Member Rodriguez stated that he had mentioned firefighter Brandon Everett who was seriously injured, along with two other firefighters, battling a residential fire on January 21 2008, that last week they got word from Mrs. Everett that while his condition was still stable doctors were becoming more and more concerned about the seriousness of the damage to his lungs, that obviously with such a long stay in the hospital there were various costs that were associated with a stay like this and the Houston Professional Fire Fighters Association had set up a benefit fund to assist Mr. Everett's family, that they could visit www.Local341.org to get more information, and he was asking all Houstonians to do whatever they could to assist Mr. Everett, that the Houston Texas Federal Fire Fighters Credit Union was handling the account and the account number was 232359, for more information they could contact the firefighters association at 713-223-9166, that he wanted to say to Mrs. Everett and her young sons that their husband and father was a true hero and they all should be very proud of him. Council Members Johnson, Holm, Lovell, Noriega and Green absent.

Council Member Sullivan stated that Kingwood had two very successful events this weekend, a Mardi Gras Parade in Town Center and he would like to thank the Kingwood Chamber of Commerce and the Town Center Business Association for their hard work; that the YMCA had a very successful fun run called Bridge Fest and there were thousands of family there, and read an email, from Carol Sutton, YMCA, recognizing Susan Christian's employee, Corey Clinton, for her professionalism and hard work, and Wesley and his staff with the Traffic

Department, that they had all the cones and barricades setup and broken down in a timely manner. Council Members Johnson, Clutterbuck, Holm, Lovell, Noriega and Green absent.

Council Member Sullivan stated that the CIP meeting for the south sector was tonight at 6:30 p.m. at San Jacinto College South. Council Members Johnson, Clutterbuck, Holm, Lovell, Noriega and Green absent.

Council Member Sullivan stated that garbage service kicked off this week in Clear Lake and was absolutely flawless, that the residents that he spoke with were more than satisfied with the service and communications they received regarding the conversion from private hauling to City of Houston service, that he wanted to thank three City of Houston employees, Mr. David Thomas, Senior Side Loader Operator, Mr. George Hall, Supervisor, and Ms. Alice Coffee who had been his right hand throughout the process, that it had gone very well and the citizens of Clear Lake were going to be well served. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Lawrence stated that they were having their CIP meeting at Spring Woods High School on Monday, February 11, 2008 at 6:30 p.m., that besides constituents and Council Members she would also like to invite Mr. Tinnermon by email, that she had tried for two years to find out how he was spending CIP money or money designated to the Super Neighborhoods and her super neighborhoods would like to talk to him, so she would extend an invitation to come to her CIP meeting. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Lawrence stated that West 11th would be having a press conference and she wanted to thank Mayor White and Senator Whitmire, that money was raised and they had an inner loop 20 acre park that a lot of hard work went into with everybody joining together and working to make it happen, that there would be a celebration. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Lawrence stated that today was Ronald Reagan's birthday, that he would have been 97 years old. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Lawrence stated that there was an interesting article by Mr. Snyder, the Chronicle, on high density, that he talked about how no one was happy but maybe that was what a compromise really was, when no one was happy and when everybody had given a little bit here and there, that they were still working on that ordinance and welcomed changes that people came up with. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Lawrence stated that the idea of preserving history, the City of Houston, by interviewing Mayor's and other outstanding citizens was just a great jewel, that she thought the library would eventually have all those on line, that it was very interesting to remember the issue during Mayor Louie Welch's time and seeing his comments, that she looked forward to all the Mayor's putting comments on there. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Garcia stated that he wanted to thank Council Member Adams for their go green townhall, they had great participation and it was good to work and promote the issue of going green and doing an individual level of activity, that he wanted to thank Blue Door Marketing for their donation of a high efficiency washer and dryer combo that someone won that great prize. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Garcia stated that he wanted to thank all of the folks involved, his staff in particular, Rhonda, Tanya, John, Dawn and everyone for their help in having a successful CIP, they had a great turnout and there was a great feedback and discussions, that he wanted to thank the citizens for attending. Council Members Johnson, Clutterbuck, Holm, Brown, Lovell, Noriega and Green absent.

Council Member Garcia stated that he wanted to thank HPD, in particular Jack Hanagriff and others, for their work in addressing Mr. Claude Brown's issues, that Mr. Brown came to Council and complained about the noise that he was getting from a neighboring business because of their use of forklift activities and things of that nature, that he went out there yesterday with his staff to look at the conditions, that he would like to ask for the administration's support to try to reevaluate the access points to that particular business, because Mr. Brown lived at a dead end and while they were there the trash trucks came to pickup the weekly trash pickup, the truck had to backup and it was extremely noisy for what was occurring and he could only imagine what the resident was dealing with, that at 6:00 a.m. the business starts dropping and picking up steel loads and things of that nature, that Mr. Brown described how 18 wheelers carrying oversize loads were coming down the neighborhood street, they saw where the gas line had already been damaged and was recently patched over, that just about a block over was Highway 59, that he wanted to see if there was any way they could work with the business to see if there was a better way for their vehicles to get in and out of that neighborhood, that it was all enclosed by residential homes, that he was concerned also because he saw another condition that the homeowner was complaining about, that since they built up the property he was not sure whether they did the infill the right way or not because now the homeowner was saying that their whole yard started to flood, the whole neighborhood, as a result of that part of the businesses being redone, that he would like to ask for some help in that regard, that it was a humble neighborhood up by the Jensen and Berry Road area, that he was not saying that the business was a bad guy but maybe they could be a little bit contemporary and see if they could do some things that might make it better for everyone involved. Council Members Johnson, Clutterbuck, Sullivan, Holm, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated what a Super Bowl, that he was not giving up on the Texans, they were going to be there in his lifetime. Council Members Johnson, Clutterbuck, Sullivan, Holm, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor White stated that on the issue that Council Member Garcia mentioned they needed to get the coordinates, and stated to Mr. Norman that there were two issues in a neighborhood and one involved excessive fill causing drainage; that his question was that there was an industrial site with 18 wheelers and was there something that Public Works Traffic Engineering could recommend concerning traffic management so that the neighborhood was not just the conduit for the 18 wheelers, that he did not know what the answer was but knew what the question was and they knew what the issues were, could they force people to go another way, were there other ways that they could go, were there improvements that should be paid for by the industrial facility that would allow 18 wheelers to go somewhere else, did they have places where the 18 wheelers should be, were they already banned and were just violating the ban, that kind of issue, that they confronted this all over the City and it was a good trial run on what service and alternatives they could provide. Council Members Johnson, Clutterbuck, Sullivan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that tonight Mexico versus USA, the national soccer teams would be playing at Reliant Stadium, that last time he attended was in 2003, so he thought it was going to be a great night and encouraged everyone to come by and wished both teams all

the luck. Council Members Johnson, Clutterbuck, Sullivan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that today the Neighborhood Centers would be holding their Heart of Gold Celebration and would be honoring Ginger and Jack Blanton, that it was at the Hilton America's Hotel, that Neighborhood Center's Inc. was Houston's largest human services organization and provided over 200,000 people per year with an array of community based programs and served the needs of individuals from infancy to senior citizens; that NCI had 57 service locations in the greater Houston area that provided a wide range of services to address the needs of their clients; that they would be honoring Ginger and Jack Blanton with the 2008 Alice Graham Baker Crusader Award; that Ginger Blanton had a long history of public service including serving as the Chair of the United Way Campaign; that Jack Blanton had a long history of philanthropy and community service in Houston and had served as Chair of the Houston Endowment, and a member of the boards of the Methodist Healthcare System and the Texas Medical Center, that in 2006 the University of Texas opened the Jack S. Blanton Museum of Art. Council Members Johnson, Clutterbuck, Sullivan, Holm, Garcia, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that on Tuesday, February 12, 2008, they would have a Sister Cities Luncheon; that among the attendees would be the Consulate General of Spain. Council Members Johnson, Clutterbuck, Sullivan, Holm, Garcia, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to wish everyone a Happy New Year, that it was the Year of the Rat, that there were many events being planned around the City. Council Members Johnson, Clutterbuck, Sullivan, Holm, Garcia, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:12 p.m. Council Members Johnson, Clutterbuck, Sullivan, Holm, Garcia, Rodriguez, Brown, 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

Anna Russell, City Secretary