

City Council Chamber, City Hall, Tuesday, April 1, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 1, 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. Connie Acosta, Division Chief, Labor Division, Legal Department; Ms. Debra Dillard, Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present.

At 2:04 p.m. Mayor White called the meeting to order and stated that Council Member Noriega would begin presentations. Council Members Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Noriega invited those present for her presentation to the podium and stated that today she had the distinct pleasure of having a group from the NASA community, Oceaneering International, Inc., that she was stunned by how many products, etc., that were used all the time of which were developed out of the space program; that they were declared a finalist for the George M. Lowe Award, a NASA award for quality and excellence which recognized the businesses who demonstrated excellence and outstanding technical and managerial achievements in quality and performance on NASA contracts; that Oceaneering was judged to be the best contract at the Johnson Space Center in the large contractor products category for the past three years, 2005-2007; and presented Oceaneering International Space Systems Division representatives a Proclamation commending them on a job well done and extended best wishes for continued success and proclaimed today "Oceaneering International, Inc., Space Systems Division Day" in Houston, Texas. A spokesperson stated that it was an honor to be recognized and invited the Mayor and Council Members to come to Oceaneering and see what they did; that they played a key role in the space program, all tools used by the astronauts were managed by them among other products. Council Member Noriega stated that they were hoping on the next man mission on the moon in 2018 they would be wearing an Oceaneering space suit and all were very proud. Council Members Lawrence, Johnson, Adams, Sullivan, Rodriguez, Green and Jones absent.

Mayor White stated that he applauded what they did and he was very familiar with Oceaneering and what it had done for the exploration and for inner space as well; and they were proud of the whole team. Council Members Lawrence, Johnson, Adams, Sullivan, Rodriguez, Green and Jones absent.

Council Member Clutterbuck invited those present with her presentation to the podium and stated that she learned several months ago even though she had signed up in the past to be an organ donor she had to renew it; that today they were honoring organ donors and organ recipients and more particularly an organization called LifeGift, a non profit organ procurement organization dedicated to recovering organs and tissue for individuals needing transplants in 109 counties in Texas and they were consistently ranked among the most effective organ procurement organizations; that on April 3rd they would host a special grand opening ribbon cutting for its new building in Houston; and presented a Proclamation proclaiming today as "LifeGift Day" in Houston, Texas. A spokesperson for LifeGift stated that there were 100,000 Americans waiting for an organ transplant today and almost 8,000 Texans and 3,000 in Houston; and asked that all become an organ donor. Council Members Lawrence, Johnson, Sullivan, Rodriguez and Jones absent.

Council Member Garcia thanked the group for all that they did and stated that years ago he developed a particular appreciation for all their work when he was a Houston police officer. Council Members Lawrence, Johnson, Sullivan, Rodriguez and Jones absent.

Mayor White thanked the group for what they did and stated that they did honor them. Council Members Lawrence, Johnson, Sullivan, Rodriguez and Jones absent.

Council Member Holm invited all with her presentation to the podium and stated that today they were present to celebrate Jesse H. Jones who currently had an exhibit on display at the Heritage Society; that he changed the future of Houston, first as a home builder and who raised half of Houston's funds for the ship channel and was first chairman of the Houston Harbor Board; that President Hoover asked him to serve on the Reconstruction Finance Corporation Board and in 1940 it was reported next to the president no man in the government and probably in the United States wielded greater power and after 14 years in Washington, D. C., he and his wife returned to Houston and focused on philanthropy, they felt education was key to a healthy community and established scholarship programs to help students attend college; and in honor of Jesse H. Jones and recognition of the 134th anniversary of his birth and service he rendered to Houston and the nation today presented a Proclamation proclaiming Saturday, April 5, 2008, as "Jesse H. Jones Day" in Houston, Texas. A spokesperson stated that the Heritage Society at Sam Houston Park was very proud to be with its 9 historic structures and 30,000 historic artifacts and invited all to visit the museum gallery and see the wonderful exhibition of Jesse Jones life and evidence of the enormous impact he had on this city which would be open through June 1st. Council Members Lawrence and Johnson absent.

At 2:18 p.m. Council Member Green led all in the prayer and pledge. Council Members Lawrence and Johnson absent.

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

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

Council Member Noriega moved the rules be suspended for the purpose of adding Mr. Jim Box to the list of speakers, seconded by Council Member Khan. All voting aye. Nays none. Council Member Lawrence absent. MOTION 2008-0224 ADOPTED.

At 2:21 p.m. the City Secretary began calling the public speakers. Council Member Lawrence absent.

Ms. Diane Schenke, 6715 Fairfield, Houston, Texas 77023 (713-942-7275) appeared, presented information and stated that she was executive director of the Park People, a nonprofit citizens group working to preserve Houston parks and greenspace, and speaking on behalf of the master planning process for the Lake Houston State Park and in particular the proposal to select SWA to conduct the master planning process; that their involvement with the Lake Houston Park started shortly after their 1979 founding and they urged the state to acquire the Lake Houston Park in 1981 and in 2005 appeared and encouraged the transfer of the property to the City of Houston; that they had been involved with the stakeholder group to identify uses for the property and appropriate handling of the property; that the city had a unique opportunity to transform 5,000 acres 30 minutes from where they were sitting now into a world class park; that they had experience with SWA and thought the process the Parks Department went through in selecting SWA was the right one and the master planning process was the right time and Lake Houston was the right park to make a major impression, it would be like Memorial Park at one time, out in the boonies, but would soon be right in the middle of the city; and urged Council to approve the master planning process and go forward. Council Member Lawrence absent.

Council Member Brown thanked Ms. Schenke for her work and for reminding all of what the Park People did and of the great asset the city had and that they needed to be good stewards and conservers of such a marvelous piece of land; and he thought the entire city should have a master plan. Council Member Lawrence absent.

Council Member Sullivan stated that this was in his district and he was excited about it; that the whole community in the northeast sector was excited about having a national class park there and he appreciated the Parks Board and would be fully supportive of it. Council Member Lawrence absent.

Mayor White stated that he thanked Ms. Schenke and others for helping to keep this moving; and an issue to be posed and challenge to all would be to make sure they had within their support constituency groups and stakeholders in Montgomery County as well as Houston and Harris County, it would be a task to them to the extent of which they would be able to pull this off gracefully and he appreciated her being present. Council Member Lawrence absent.

Ms. Roksan Okan-Vick, 2001 Kirby #814, Houston, Texas 77098 (713-942-8500) appeared and stated that she would echo all Ms. Schenke said about Lake Houston Park, however, today she was present representing the Houston Parks Board who had been in partnership with the City of Houston Park Department for over 32 years and in summary the Park Board had brought over 13,000 acres to the system and spent \$17 million on improvements and today was asking Council to please approve the Parks and Recreation Master Plan update, Agenda Item one tomorrow, it was well done and needed; and thanked all who participated in it.

Ms. Sally Tyler, 1529 Fountainview, Houston, Texas 77057 (281-546-2108) appeared and stated that she was the executive director of the Memorial Park Conservancy, a 501c3, established by Ms. Ima Hogg to protect the park; that she was present to speak in favor of awarding a contract, Agenda Item 21 on tomorrow's Agenda, the concept of a pedestrian/bicycle bridge over Memorial Drive was to enhance safety of users and they had received nothing but positive support and looked forward to Council's support; that in rushing to Houston's future they should not forget Houston's past and they appreciated the work all had done and were grateful to Clark Condon and Associates creativity and their heartfelt support.

Mayor White stated to all Council Members that he could use feedback and they could take an action within Administration policy and if anyone had views on it he would spot the issue as it had to do with Memorial Park; that two acres along the median of Memorial Park and eight other acres they would see the City of Houston decided to plant many wildflowers, along Brays Bayou near McGregor and Willow Water Hole and it was all together ten acres, higher density than you would see on some of the TxDOT sites; that he witnessed families taking photos there instead of leaving for Brenham and they had thought of making a larger commitment with volunteer labor and expanding it with private and a little public funding and if they thought wildflowers may be...; that TxDOT did it for years and this was an experiment.

Council Member Garcia thanked Ms. Okan-Vick for them helping Council to realize the full vision for the parks system for all the work they had collectively done.

Council Member Brown stated that again he would bring up changing the speed limit through Memorial Drive to 35 mph.

Council Member Jones stated that she was glad to see people working to preserve parks and if her office could do anything they would be happy to work with them and it would be a great thing to have wildflowers for families. Council Members Lawrence, Khan and Lovell absent.

Mr. Jim Box, who was previously added to the speakers list, appeared and stated that Council Members should have received a letter from him representing the Houston Real Estate Council and Park Patterson representing the Greater Houston Builders Association and there was a significant amount of undeveloped property within the city and Agenda Item eight was a great facilitator.

Council Member Holm thanked Mr. Box for being present and stated that his knowledge was helpful and the project he concluded in her district was an asset and contribution to the community.

Upon questions by Council Member Khan, Mr. Box stated that builders needed reliability and predictability.

Mayor White thanked Mr. Box for coming and stated that this would be progress once passed.

Ms. Sheryl Washington, 8507 Cottage Gate, Houston, Texas 77088 (281-780-2333) had reserved time to speak but was not present when her name was called.

Ms. Candance Pitchfork, 1843 Hewitt, Houston, Texas 77018 (713-203-0412) appeared and stated that she was present today on behalf of her father sharing what the impact of the flooding ordinance, Chapter 19-43, would have on the financial stability of her father; that he lived in the Shepherd Forest Subdivision near T. C. Jester along White Oak Bayou; that he found his home and paid for it in cash and took great care of it, he knew it was in the flood plain but purchased flood insurance and he turned 80 this year; that in 2006 Council passed 19-43 and now his home was in a floodway and if for some reason they needed to sell his home she did not think they could get a fair amount for it; that if they added footage it would have to be raised and if a fire caused more than 50% damage they would not get a permit to rebuild, they may get around regulations with guidelines for repair but because guidelines were not law they would not be guaranteed that; and it caused them great concern.

Upon questions by Council Member Lawrence, Ms. Pitchfork stated that she would like it repealed or at least the guidelines codified; and Council Member Lawrence stated that she would reassure her that was what the Flooding Committee was doing, they were looking at that; that there were bayous in Houston and due to retention they were brought back in their bounds and the floodway had shrunk and that was what they were trying to do now, this was not permanent for floodway, she lived in the floodway, and she knew what she was saying, but in five years she hoped they had brought White Oak Bayou, with the help of Harris County, into its bounds and there would not be a floodway; that as they had more retention and detention the floodway would shrink and she would get her email and send her information.

Mayor White stated that she had raised two instances one being fire damage and changing guidelines and he heard her and decisions would be made, there was misinformation out, she also raised the issue of adding square feet to an existing structure within the floodway and Council Member Lawrence just informed her with the bayou improved some would be taken out of the floodway.

Council Member Holm stated that many had the same concerns because of revamping of maps and she hoped there was some reassurance knowing the city was aware of that; and upon questions, Mayor White stated that there were two parts, one was features of the regulatory system from time to time could be changed and there were periodic reviews of the floodway by FEMA or a FEMA contractor which would be Harris County Flood Control District and perhaps one of his colleagues or others could join...; from time to time there may be

revisions, he knew there were cases for example in the floodplain where maps were revised based upon new engineering which occurred, but he did not know the frequency and perhaps a colleague who had attended hearings may know that, but things were taken out of floodplain so he would assume they could be taken out of floodways, but in fairness to all the Harris County Flood Control District did not want to pay consultants every day to reexamine every neighborhood.

Council Member Garcia stated that he thanked Ms. Pitchfork for coming and that this was an issue they were trying to make progress on relating to residential flooding as it occurred in many parts of the city and he commended the Mayor as he was open to using many opportunities to get to the point Council Member Lawrence eluded to sooner rather than later.

Mr. Jay Green, 1532 West 21st, Houston, Texas 77008 (832-647-3047) appeared, displayed a map and stated that he was present in two capacities, one as a resident of the floodway and the other as president of Shady Acres Civic Club; that last Wednesday he met Sheila Jackson Lee and if she was still on Council there would be no conversation of floodway as she got it, the floodway issue was about safety but also about property rights and Council's silence on property rights were deafening, they talked about trying to resolve the problem, but all the permits needed in the floodplain would have taken care of the floodway, they had in the past; that the fact they did not want to build in the floodway now but would in five years was playing Russian roulette; that Turkey Creek was not mapped because only 15 miles were mapped by FEMA.

Council Member Jones allowed Mr. Green to continue; and Mr. Green stated that as a retired architect he knew about flooding and drainage; that Mayor White was the first Mayor to promote zoning with the ordinance, de facto zoning, without doing a lot of preliminary work to see what impact it would have; and what good is it to stop building in the floodway where there was no impact if it was built on pier and beam; and Council Member Jones stated that she would like a copy of what he had and they could talk later. Council Member Lovell absent.

Council Member Brown stated that he took pictures in Shady Acres of improper development practices which compromised the development of other properties there and he would share them with the Mayor and Council. Council Member Lovell absent.

Ms. Sharon Lauder, 373 1/2 West 19th, Houston, Texas 77008 (713-206-0453) appeared, presented information and stated that she was publisher of the Houston and Heights Tribune and against the news rack ordinance which affected smaller publications; that one thing which concerned her was an email from the Houston Chronicle wanting to contract with the City of Houston to pickup other publishers news boxes who were not in compliance and did not have permit decals, to her that was a very serious offense; that she also had a letter from HPD, her rack was missing from the City Hall tunnel and someone from City Hall told a disabled, mentally challenged security guard to take out her rack and her newspapers and she was offended by that to and she wanted him to get his job back, she did not want him to lose his job because someone told him to take her rack out; that after reading all legal letters she came to the conclusion the Houston Chronicle decided on the cement base as that was what they used anyway and the only one using such before the ordinance was in effect and the Houston Press challenged them on it at first; that cement bases were not needed and were trip hazards and according to HPD it could be used by thieves, they have had problems downtown with them being thrown into the windshield of a car. Council Members Johnson, Brown and Lovell absent.

Council Member Lawrence allowed Ms. Lauder to continue; and Ms. Lauder stated that some Council Members had concerns the ordinance would be a burden on smaller publications and it had, she was the only community paper left in the downtown area and she was pleading for Council to revise the ordinance; that it was to go into effect April 11th and it already had left

only corporate giants in downtown Houston and an ordinance which targeted a narrow segment of the media was constitutionally invalid.

Council Member Jones stated that she never read the Houston Tribune before but was looking at a copy now and it spoke of many beautiful things in the city and different tours, etc., and it made her sad this information would not be out; that she would look into this and try and get up to speed and sit and talk with her; and Ms. Lauder stated that she would appreciate it, she had published 22 years in Houston and appreciated her concern and asked that the city not hire the Chronicle to pick up her boxes. Council Member Noriega absent.

Mr. Beau Beason, 25010 Pike Crest Drive, Spring, Texas 77389 (832-527-4282) appeared and stated that he was present as two weeks ago he was driving Greens Road and I-45 on the northside of Greens Point Mall and stopped at a light and a car came behind him and edged into the back of his car and began shoving him through the intersection; that he turned around to try and pull on the side of the road and the car began accelerating toward him so he took off and the car chased him all the way to the feeder road and he was on the phone with 911 and they transferred him to police who said they would send someone out so he gave his cross streets and no one showed, even an hour later no one showed; that he sat at a Shell Station and a Sheriff drove up and he told him what happened and asked if he could help but apparently Sheriff, Constable, Police and whatever different forces could not work together if they were different jurisdictions and he said he should call them back and get an eta which he did and he was told there were too many calls and a half hour later they called asking if he still needed someone to talk to; that he was not talking bad about police, but his concern was if it was someone else, if it was his wife and two children and they got out, if something happened there would have been no police; and he wanted to know what was necessary to do so this would not happen to someone else, this was at 1:00 in the afternoon and near the mall where they had police. Council Members Lovell and Noriega absent.

Council Member Holm stated that this brought up a concern experienced by several others and herself and regarding police response she still had concerns regarding the way they were able through the 911 system to respond; that she even had an emergency situation where they were moving and she was told they could not respond to a moving vehicle and to bring clarity she would like things prioritized; and Mr. Beason stated that he was also told they needed exact cross streets and he had to go to a specific location. Council Members Lovell and Noriega absent.

Mayor White stated to Marty that he wanted through the HPD representative and working with HEC Center it was helpful for process improvement if they worked through these cases; that Chief Hurtt had brought one to his attention; that calls were monitored and there were quality controls but there were mistakes; that they had to evaluate that; they were facing a good economy and a tight job market and 911 had its challenges too, but if they could go through the protocol as Council Member Holm said a moving vehicle, that did not sound right to him on protocol and they could use Mr. Beason's particular complaint just to go through the chronology and Council Member Holm they would find out what the protocol was when they could not respond to a moving vehicle. Council Member Noriega absent.

Council Member Khan stated that if he or his family members were in a situation he wanted police to respond; that was what they expected; and in asking about response time in the past was told they prioritize calls based on the severity of the call; and a friend of his who was bumped by another car had the car take off and he called police with the license plate number and was told he could go to a station and not have to wait so he did and then they would not take his report because they said he lived in West University and this was City of Houston so his choice was to go back to the same spot call again and wait for response to file and sometimes commonsense should prevail. Council Member Noriega absent.

Council Member Garcia stated that years ago call takers did not have as much technology as today and in some ways was bad, but today they were loaded with information and to improve response and service they created a very structured process in collecting information and in cases such as his became a bad thing because some of the fluid thinking was taken out, once he said he was moving it should have triggered a different thought process; that he already called Mr. Cuttler, the person in charge of the call taking process and his issue was communicated as they now spoke. Council Member Noriega absent.

Upon questions by Council Member Lawrence, Mr. Beason stated that he called 911 at 1:01 p.m., Thursday, March 20th; and Council Member Lawrence stated that she wanted the tapes reviewed, as Council Member Garcia stated there was plenty of technology and there was no reason that should have happened, he was close to a station and they needed to know where the breakdown was; and Mr. Beason stated that when he was transferred from 911, they did not know he had called 911 so it was listed as two cars leaving the scene of an accident instead of him being chased by a vehicle so there was a breakdown there; and Council Member Lawrence stated that if Mr. Beason was carrying a concealed weapon something else would have happened. Council Member Noriega absent.

Mayor White stated they would see if the breakdown was HEC or at the station and he did want to say that something which troubled him was he knew what the solution was but did not know if the will was in the governance body to solve it; that a number of years ago the city decided a fairly large amount of commercial property in the Greens Point Area should have the amount it contributed to public safety, libraries, parks, etc., capped at levels 10 or 15 years ago and real estate had gone up substantially there so at the same time citizens were looking for a patrol call they had a reinvestment zone which had \$10 million or \$20 million in the bank just sitting there; that they had people he appointed to the board and he found this very frustrating and if you were not in that little zone the money could not be spent; and business there did not even pay the same percentage as someone living there. Council Member Holm absent.

Council Member Jones stated that last week a friend called her as her son had been shot at and they had a suspect and went to take a report and they did not want to do that; that the Mayor came up with a real time crime program and it gave law enforcement the ability to get demographics, etc., but in his situation law enforcement told him they did not work with other law enforcement and she found many times people were not convicted because law enforcement did not share information, but she would like all information working together, taxes were paid to all agencies and if she needed help she did not care who did it; and Mayor White stated that was excellent and they would get a report to that committee; that they had meetings with Sheriff and Constables and Chief Hurtt may be able to share thoughts. Council Members Holm and Lovell absent.

Council Member Johnson stated that in light of comments made he would agree at one time Greens Point was called Gun Point, but through works being done they were trying to turn it around and in his situation an officer should have been made available; that he went through something similar years ago. Council Members Lawrence, Adams, Khan, Holm, Lovell and Jones absent.

Mayor White stated that there was no law he was aware of which kept Sheriffs from responding to citizens who paid taxes and that included all within the City of Houston; that one thing was there were different ways to convey information rather than in person and what did they need intervention of an officer for and how did they inform citizens how to report rather than to an officer. Council Members Lawrence, Holm, Green and Jones absent.

Council Member Brown stated that they were working toward a web based technology

system and that was good for the future. Council Members Lawrence, Adams, Holm, Rodriguez, Noriega, Green and Jones absent.

Council Member Garcia stated that they spent 30 minutes plus on his issue and it communicated how public safety ranked as priority in this community; that they all took an individual interest in his case; and his staff was present to get information and they would communicate back with him. Council Members Adams, Holm, Green and Jones absent.

Mr. Barry Blumenthal, 1124 Fugate, Houston, Texas 77009 (281-658-4762) appeared and stated that he was with Public Youth Skate Parks for Houston, a grassroots organization for skateboarders, and they helped raise funds and design the new Lee and Jo Jamail Skate Park to open June 1st; that he was present as they were trying to protect the facility from what they considered to be a bad decision, the park was to open June 1st and then be closed the 30th through July 5th to stage fireworks for the City of Houston; that this was the largest amount of funds raised for a skate park ever in the United States; that this would push kids back to the streets and during a bad period of time; that if a skater was injured that week end when they had one of the best skate parks on the planet, he just could not believe it; that the grand opening was being announced to the whole world and skate tours, etc., were coming to enjoy it and he could not imagine in the peek of summer season they would come and this would be closed; and in talking to the contractor he said the artillery shells could cause too much heat and damage the facility. Council Members Adams, Holm, Brown and Green absent.

Council Member Lovell thanked Mr. Blumenthal for all he did to make the park possible and stated they were all looking forward to the grand opening; that the festival had been held there for years and it was seen by millions as it was even televised; that they closed down Allen Parkway and other areas because it was a signature event for this city; that she knew they were upset to have it closed, but she felt people could be responsible and during such an event not go around destroying other properties and she spoke with Susan Christian in Special Events and they were to make sure nothing happened to the facility and if they posted the closure on the website then people should know it would be closed; that this was a great skate park in a great spot and it was one of the best in the world; and Mr. Blumenthal stated that the park had been on the table years and he just felt there were other sites for the fireworks; and Council Member Lovell stated that they were checking on it, but for now this was being planned. Council Members Lawrence, Johnson, Adams, Sullivan, Holm, Brown and Green absent.

Council Member Rodriguez stated that it should only be closed six days and other skate parks were in Council Member Garcia's district at Cliff Tuttle Park for one and those could be utilized. Council Members Johnson, Clutterbuck, Adams, Holm and Brown absent.

Council Member Garcia stated that people could be part of the problem or solution and he had a chance to communicate with youth and help them to understand and be a part of the solution and he would ask him to be that which was the way he always saw him. Council Members Johnson, Clutterbuck, Adams, Holm and Brown absent.

Council Member Jones stated that this park was brand new and provided something positive and she could not believe they were talking about this being closed six days when even streets were being shut down. Council Members Johnson, Adams, Khan, Holm, Brown and Green absent.

Mr. Caleb Gonzalez, One De La Plaza, Houston, Texas 77030 (832-493-0339) appeared and stated that he was also an advocate for skate parks and he came from Puerto Rico and one thing which impressed him about this city was the people and he was impressed about the skate boarding community and he thanked Mr. Blumenthal for his leadership on the skate park; that it was a grassroots effort from many families and if it was not for Barry and people on the

Parks Board this would not be happening; that this was to be the biggest skate park in the state of Texas and one of the biggest and best in the United States and he would guarantee it would be over capacity from day one and with a major event weekend kids should not be blocked out and big skate boarding communities would be coming to Houston that weekend and blocked out; that he did not understand why Parks did not move the fireworks location. Council Members Johnson, Adams, Khan, Holm, Brown and Green absent.

Council Member Lovell stated that no one was diminishing their efforts in allowing this to happen and it was a team effort by many people; that she believed the situation was being exaggerated, the City of Houston had a signature event and it was staged next to the most incredible skate park on earth and they were so lucky to have it; that she agreed the moment it was opened it would be full, but they gave up things to stage this event and it went out to millions and she had no doubt those who used the skate park could be mature and give it up for a short time; that from now until next year she did not doubt Susan Christian and others would get together and figure a way to launch the fireworks and still allow the park to be open; and Mr. Gonzalez stated that they were responsible, but to the organizers of the event, they knew over a year ago it would be there so why not just move the launching platform to another location and he enjoyed the firework event. Council Members Johnson, Adams, Khan, Holm, Brown and Green absent.

Council Member Jones stated that she would ditto what Council Member Lovell said and no one was trying to minimize what Mr. Blumenthal did; that the skate park was a wonderful idea and Council supported it and their signature event had always been done from the same place. Council Members Lawrence, Johnson, Khan, Holm, Noriega and Green absent.

Mayor White thanked Mr. Gonzalez for appearing and for his passion; that last year they closed Allen Parkway for two days and with no complaints and he did it because over one million people watch the fireworks. Council Members Lawrence, Johnson, Khan, Holm, Noriega and Green absent.

Mr. Dave Jacobs, 3371 Bellefontaine, Houston, Texas 77025 (713-858-7878) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Khan, Holm, Noriega and Green absent.

Mr. Theodore Friedman, 4618 Stackstone Lane, Katy, Texas 77450 (281-829-6732) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Khan, Holm, Noriega and Green absent.

Ms. Bettie Patterson, 3839 Arbor, Houston, Texas 77004 (713-526-4839) appeared and stated that in December she called 311 and someone finally came out to look at the gutter which had been damaged by the City of Houston when they put fresh asphalt on the street; that she had dealt with the problem a long time and was pleased someone was finally coming out, but after inspection a notice was left which said she was in violation of Chapter 40, Article 3, Section 40-84 which was that property owners were responsible for maintaining curbs, gutters, sidewalks and driveways so she called the number on the notice and was told they could not help her, it was her responsibility, but they gave her a name, Senora Simmons, which she called on many occasions and only got a voice mail, but finally she did speak with her and she said she would investigate a little further and call her back but never did; that she finally called Council Member Adams office and spoke with Ms. Johnson last week and she tried to help by calling Ms. Simmons but was told nothing could be done; it was not the city's problem and that was why she came today, she wanted to know if she was responsible to repair damage which occurred because of city equipment and if she was responsible for this did she have the right to police that part of her property and tell people they could not park there as she thought it unfair to be responsible for this when it was the city who damaged it. Council Members Lawrence,

Johnson, Khan, Holm, Noriega and Green absent.

Council Member Adams stated that her understanding from Public Works was they did the overlay and that if she felt ...; and Ms. Patterson stated that she had pictures for her to view and presented them to Council Member Adams and explained the pictures; and Council Member Adams stated that Mr. Gary Norman with Public Works was present and she would give him the pictures to look at and he would meet with her and see what the next step would be. Council Members Lawrence, Johnson, Khan, Holm, Rodriguez and Green absent.

Ms. Margaret Smith, 4610 Pinebrook Lane, Houston, Texas 77053 (713-478-2256) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Green absent.

Mr. Nathaniel Hopkins, 2401 Westridge #2907, Houston, Texas 77054 (713-666-7747) appeared and stated that he was present regarding a problem he had at his residence which was a towing policy and procedure and all have pointed fingers at the City of Houston saying the procedure was authorized by them and he just wanted facts; that March 18th between midnight and 1:00 a.m. he was towed from his residence to a storage lot at 4121 Osage, his car had been parked where he normally parked and had for seven years and his car was legal in every way; that the next day he found out from his apartment management the car had been towed and to where and the reason was the resident tag did not show through the window; that he paid \$197.00 to get the car out and the problem was resolved and since he knew the system he had his car back and the money was back in his account. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Noriega allowed Mr. Hopkins to complete his statement; and Mr. Hopkins stated that his question was why were they out at 1:00 in the morning on a residential property towing cars and why would the city allow them to use a storage lot outside the bus zone. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Hopkins stated that he got his money back and the towing company was American Wrecker Service, the bank gave him his money back; that he spoke with management and the storage lot and both parties put the blame on the city so he came today; that the storage lot was Sundown Auto Storage. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that the towing on private property happened at the direction of the apartment complex managers and that was where the bulk of accountability should be, but he did thank him for coming and thought his colleague would follow-up with him. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Jim Rozzi, 10126 Winding Trail, LaPorte, Texas 77571 (281-471-5141) appeared, presented information and stated that he was present today as Major General W. Montague Winfield would be coming to Houston April 11th to award 26 scholarships to students in the Houston area and his proposal was to proclaim that day or give a proclamation to the Major General; that he served in many capacities. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that if he could interrupt, was the gist of his visit to get a

proclamation for a great soldier; and Mr. Rozzi stated yes; and Mayor Pro Tem Garcia stated then it was done; that in Houston they loved, appreciated and held up the nation's finest and it was done; that Council Member Noriega had a Colonel in the U. S. Army, he was a veteran of a different sort, he wore the blue uniform, but they did respect the men and women in service and if he would take a seat someone would be with him; and Mr. Rozzi thanked him for that and for the opportunity to speak and stated that he had been reading the Council Members biographies and was amazed, it was those who were in leadership; and Mayor Pro Tem Garcia stated that he trumped all of them by advocating for the nation's finest. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Chris Coronado, 4012 Arnold, Houston, Texas 77005 (713-241-1649) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Reginald Butler, 2610 Ridge Hollow Drive, Houston, Texas 77067 (713-550-7887) appeared and stated that he was present as on March 9th he received a citation from a City of Houston inspector while working the rodeo; that they were receiving violations for something as simple as not having their suit jacket on when exiting the vehicle to allow passengers into the rodeo; that it was petty on their part and he felt it needed to be addressed; that he understood it had something to do with the sixth month rule, they had to have jackets on anytime they exited or drove the vehicle six months out of the year; that he had been a driver 10 years and never had a problem with attire before; that he left a message for Mr. Daniels in the Transportation Department and he hoped to hear from him on this as well. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia thanked Mr. Butler for coming and stated that he appreciated his frustration and concern on this; that he received a citation and imagined by his commentary he would be making an appearance to dispute the citation; and Mr. Butler stated that he would; and Mayor Pro Tem Garcia stated that with limited facts he would say that would be the best place for him to voice his issues. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Joseph Ballard, 6302 Rocky Nook, Humble, Texas 77396 (281-850-0388) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Birgit Green, 1532 West 21st, Houston, Texas 77008 (832-647-3047) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr/Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the actual U. S. President and he had a crime victim case against city hall and Bill White walked out again and he filed criminal charges on the attack

he led when he had him unlawfully arrested on the past October 16th through March 11th; and continued to express his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that President Charles came and visited with Council often and they may not agree but he always handled himself as a gentleman and he thanked him for coming. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Michael Lambert, 709 St. Charles, Houston, Texas 77003 (281-404-5576) appeared and stated that he was present to make a modest proposal for public notice publication, "To all those with current and prospective business with the City of Houston please be advised that as of March 31, 2008, the term deadline when used in the context of negotiations with the city should be interpreted to mean guideline and as such the term deadline should in no way be construed to have any impact on the process whatsoever, however, when the term deadline is used in conjunction with the modifier firm well then we really, really mean it. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he wanted to know how much Noriega paid Mr. Box to add and put him on top of the list, were they selling positions on the speakers list now; and continued to express his personal opinions about Council Member Lovell and Mayor White until his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

At 4:47 p.m. City Council recessed until 9:00 a.m., Wednesday, April 1, 2008. Council Member Green absent on city business. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, April 1, 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; Ms. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

At 9:25 a.m. Mayor White called the meeting to order. Council Members Adams, Brown and Green absent.

MAYOR'S REPORT

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented. Council Members Adams, Brown and Green absent.

Mayor White recognized the City Controller for the Monthly Financial Report. Council Members Adams, Brown and Green absent.

Ms. Annise Parker, City Controller stated that this was the Monthly Financial Report for the period ending February 29, 2008, that the good news, which they discussed yesterday, they fortunately had been granted a one tick upgrade by both Standard and Poor's and Fitch on their Combined Utility System credit rating, when they combine it with S&P's upgrade of their General Obligation Debt from December they saw that the rating agencies, even considering all the problem that were going on in the market and some difficulties that they had in Houston with the Annual Report and some various other things, they were looking favorably on Houston and their ability to manage the finances of the City and she wanted to congratulate the Mayor and Council for that; that currently in the Controller's office they were projecting a small budget surplus of \$1.4 million, it was a net impact of an increase of revenue projections of \$4.4 million combined with an increase of expenditures of \$2.9 million, that due to year to date trends and the addition of some limited purpose annexations they had increased their projections of Sales Tax Revenues by \$3.1 million, that if they recalled Finance raised their number last month and they made another increase this month, they were still a couple of million dollars ahead of them but the trends continued in the right direction, at this point it was more a matter of just watching how the trends continued more toward the end of the fiscal year, that other revenue changes, they had a \$1.2 million increase in other franchise fees to reflect higher than anticipated collections of Cable Franchise Fees, that it was a welcome reversal in decline in franchise fees over the last few years; that they had a \$1.4 million increase in their projection for sale of capital assets to account for the sale of Fire Station No. 6 and a couple of other smaller land sales; that there was a decrease in Direct Inter Fund Services for 3-1-1 and Information Technology because they would not be receiving that money from the Combined Utility System in this fiscal year, that overall their projections for expenditures had increased \$2.9 million from last month's report; that most of the changes attributed to the 3% salary increases included in the new contract between the City and the HOPE union, Council Member Noriega asked a question yesterday specifically about whether money was being moved to the departments to cover the increase in salaries because of the new HOPE contract, that the answer was yes, and that was certainly what she understood, that because the Council Member asked the question she went back and did some more research and apparently that question only applied to the General Fund, that the Enterprise Funds had not, at this point, been given an offsetting increase in their budgets and she did not believe that was anticipated currently by the administration; that in other expenditure categories, the Police Department projected increased spending of \$2.5 million due to higher fuel prices, that currently they were the only department that had come in asking for more fuel money, but the large fleets she was assuming that if they did not come in this year Council should see increases in fuel

costs for the next budget year; that they had lowered the projection for the Fire Department by half a million again due to a delay in the start up of the "Ask a Nurse Program"; that on the enterprise funds there was some discussion yesterday, there was a change showing nearly \$400,000 increase in C&E's budget and she gave an answer that was correct but probably left the wrong impression, it was an accounting change to reflect GAP requirements rather than a change in an unexpected budget item, that C&E was required to report differently a prepayment from Lakewood Church, that it was true that it was a question of what fiscal year it appeared in but it was not that they did not know it was coming, they were told to change their reporting and she wanted to make that clear; that there was a typo in her printed letter about the Combined Utility System, it should read that their projection for Operating Expenses decreased rather than increased by \$3.4 million, that the numbers were correct, the word was incorrect; that they had also distributed the latest look at where they were in the Comprehensive Annual Financial Report, and that concluded her report. Council Members Adams, Holm and Green absent.

Mayor White recognized Ms. Michele Mitchell, Director of Finance and Administration. Council Members Adams, Holm and Green absent.

Ms. Mitchell stated that their projection for General Fund Revenue had increased, as the Controller mentioned, due to Sales Tax by about 10.62% over February 2007 receipts, that they had also increased their projection for LPAs, there were 23 districts, by \$1.2 million, which gave them an overall increase in their Sales Tax of \$3.5 million from last months report, that she believed that the \$1.2 million was very conservative, they should start receiving collections in April and would monitor that to see if they do get an increase from \$1.2 million; that they had also increased their projection for Industrial Assessment by \$1.8 million and it was based on information provided to them by the Harris County Appraisal District, that on all the other revenues she and the Controller were in agreement with, the Franchise Fee by a million, other taxes by 463 to reflect Mixed Beverages and the Police Departments projections for expenditures had increased by \$2.5 million due to higher fuel prices, that she thought they could absorb the fuel prices but she did believe that they needed to monitor the fuel prices going forward, as they all knew the increases were rising and she thought they might start seeing increases in all of the departments projections for fuel so they had to be reviewing that very carefully; that on the \$2.2 for HOPE she wanted to clarify something, that they were doing an analysis for the Enterprise Funds and were looking at how they had paid over the past few years, so they were looking at that before they did any increasing; that their expenses and revenues for Enterprise Funds they were reflecting the same as the Controller; that the Fire Department continued to save in the expenses; the projection for Katrina Aid and Recovery, the Governors Department of Emergency Management audit program worksheets totaling \$235 million was scheduled to begin shortly, and that concluded her report. Council Member Green absent.

Mayor White stated that they had a report on various elements of the budget was significant with what the Controller started out by saying which was that two days ago two of the services gave them an upgrade in the rating of the largest debt, the combined water and sewer, that was at least the second time during his administration that they had done so, that the General Fund Debt was upgraded a couple of months ago, that went against the grain of what was happening in all the other cities in the Country, that because of the turmoil in the markets they were going the other way and the City was going the right way, and it was a credit to Members of the City Council as well as the City Controller and the professionals in the City that they had this financial discipline; that while Ms. Mitchell mentioned the Fire Department and commendations on some elements on cost containment, that of course the costs had gone up year to year it was just not as much as projected, that they would need to, in the equipment budget, be addressing the long standing needs for a plan of equipment replacement in both Fire and the Public Works General Fund, that Public Works was Right-of-way Maintenance, as an example, when they do an overlay, contrary to what he had heard said, they do a milling operation which meant that they take the street and asphalt and bring it down a little bit so that when they lay the asphalt they were not just building up the street; that those machines were ancient and all but one was usually out of service, that just gives them an example

where productivity could be enhanced, that there was another machine that was used to fix traffic lights where if they had a modern machine it could be done with one person, and with the old machine it took more, and then in fire, maybe that was worth being before the Public Safety Committee, that Council Member Noriega's committee may want to get a report on fire equipment because they had a lot of fire equipment and they were going to significantly increase the pace at which they replace some of that fire equipment so that they could be replacing things in an orderly basis rather than waiting until there was a crisis like occurred in the late 1990s; that they were in good shape financially for the reasons that they had indicated but there were needs and one of the pressing needs had been the deferred equipment, that they had already made a commitment and were catching up on the police marked vehicles, that was the other major category of rolling stock, and they had the radio systems which would be coming in, but equipment was going to be a major issue that they were going to be confronting in the Council. Council Member Green absent.

Upon questions by Council Member Noriega, Mayor White stated that they did look in large part to the directors of the department and people reporting to the directors to manage the budget and they had given those directors some flexibility to manage the budget to meet those goals, that in the four years or so of this administration the compensation per FTE at the Aviation System, in the last four years, had gone up by about a little less than 5% compounded, that he would want to know with Aviation, was that in their plan, where and what did they plan for that to be this year, next year and the following year and what policies and procedures now, some of that was because the salaries were adjusted to meet market, which was appropriate, but if they had it in their contract then they would assume that there would be less need to adjust the salary to meet market if it was a higher salary, that the same thing, and he could give them a figure, on the Public Works Department and he had given people some flexibility, that in contrast, for example, the civilian employees of the Fire Department, he thought, had less than a 2% and he was trying to figure out why, but maybe it was because they shed FTEs, he was trying to figure out per FTE, over four years, 20% in Aviation, almost 20% in Public Works, that he was talking about civilians, so really what he thought they ought to be asking their directors, what was their plan, and he told directors that when they adopted the budget they adopted budgets last year that had a significant civilian employee pay increase in the budgets, and when they did their dash board, their five year plan, which had been in the committee, they assumed that they would have, so the first thing that he would say to each department director was, "what had been your plan and what had been your policies to address this", and then take it from there as opposed to assuming that whatever it was that they add a number on top of that, if they say that then he was wondering was it because somebody took a nap during those directors meetings, was it because nobody managed what their cost was.

Council Member Noriega asked if their infrastructure going to suffer at all, that she would like to be clear about it, and Mayor White stated that he welcomed that, that he thought it was a great question and thought it was worthy of a hearing and in that same hearing one of the issues might be that sometimes it was economical and was good to have overtime, because if they had a line break then thank goodness there were people who were working hard, and in the contract the shift differential pay was more modern, but suppose they had a department, and he was not picking on anybody but they could provide each Member of the Council, if they wanted to look at statistics of hours of overtime by department per employee on average, then one of the questions would be should they have more fulltime employees and less overtime and how do they make that decision, so he thought it would be worth having a hearing on.

Council Member Clutterbuck moved to accept the Monthly Financial Report, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2008-0225 ADOPTED.

Council Member Garcia requested a point of personal privilege and stated that as many of them knew the Shell Houston Open had begun and they were joined by good people from all over the world to participate in the great event, and he had asked two special people to join them today, the host of

the event, Mr. Kevin Ligus, Shell and Mr. Mathias Granberg, a golf pro from Sweden, and Council Member Garcia recognized both men for their contributions and requested Mayor White to read a proclamation to Mr. Grangberg. Council Members Lawrence, Johnson, Rodriguez, Brown, Lovell and Jones absent.

At 9:56 Mayor White stated that they would move to the consent agenda. Council Members Johnson, Rodriguez, Brown and Jones absent.

CONSENT AGENDA NUMBERS 1 through 28

ACCEPT WORK - NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,028,219.25 and acceptance of work on contract with **SOUTH COAST CONSTRUCTION, INC** for Reconstruction of West Little York Bridge over Vogel Creek, WBS N-000687-0004-4 - 1.95% under the original contract amount - **DISTRICT A – LAWRENCE** – had been pulled from the Agenda by the Administration, and was not considered. Council Members Johnson, Rodriguez, Brown and Jones absent.

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 6

3. **SIMPLEXGRINNELL, LP.** for Fire Alarm System Equipment from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department - \$277,641.00 and contingencies for a total amount not to exceed \$291,523.05 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0226 ADOPTED.
4. **EMSYSTEM, LLC** for EMTrack Patient Tracking System for the Office of Emergency Management of the Mayor's Office - \$99,500.00 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0227 ADOPTED.
5. **ACUSHNET COMPANY** for Resale Items for Golf Course Pro Shops for Parks & Recreation Department - \$125,000.00 - Parks Special Revenue Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0228 ADOPTED.
6. **AMEND MOTION #2005-629, 6/29/05, TO EXTEND** expiration date from July 5, 2008 to July 4, 2010, for Fire Hydrant Repair Parts for Department of Public Works & Engineering, awarded to **HYDRAFLO, INC** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0229 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 7 through 28

7. RESOLUTION approving and authorizing the submission of an application for grant assistance to the **U.S. DEPARTMENT OF JUSTICE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT FUND** administered by the State of Texas through the Criminal Justice Division, Office of the Governor (“CJD”), to support the After-School Achievement Program; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the

application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. RESOLUTION 2008-0009 ADOPTED.

9. 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 North Main Reconstruction Project, (from Interstate 45 to Airline Drive); 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 20 parcels of land situated in the John Austin Survey, Abstract No. 1, Harris County, Texas, and being more specifically situated out of property along and adjoining North Main Street as it intersects with Beauchamp, Shelly, Enid, Cottage, Walton, Tabor, Northwood, Fugate (a.k.a. Florence) De George, Edsee, Watson, Julian, and 14th Streets in Houston, Harris County Texas **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2008-0267 ADOPTED.
12. ORDINANCE approving and authorizing contract with **ARMOR HOLDINGS PRODUCTS, LLC** for Bullet-Resistant Body Armor for the Houston Police Department; providing a maximum contract amount - 5 Years - \$4,875,713.00 - General and Asset Forfeiture Funds – had been pulled from the Agenda by the Administration, and was not considered.
15. ORDINANCE appropriating \$2,000,000.00 out of Airports Improvement Fund, and approving and authorizing Amendment No. 1 to Contract for Professional Consulting Services between the City of Houston and **CARTER & BURGESS, INC** for Airport Spatial Information System Development and Management Services for the Houston Airport System; WBS A-000417-0002-3-01; Project No. 584A - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2008-0268 ADOPTED.
17. ORDINANCE appropriating \$718,000.00 out of Metro Project Commercial Paper Series E Fund No. 4027 and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PATE ENGINEERS, INC** for Design of Reconstruction of West Bellfort Blvd. from S. Wilcrest to S. Kirkwood, WBS N-000764-0001-3; providing funding for contingencies relating to construction of facilities financed by the Metro Project Commercial Paper Series E Fund No. 4027 - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. ORDINANCE 2008-0269 ADOPTED.
19. ORDINANCE appropriating \$2,844,250.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ACM CONTRACTORS, INC** for Water Line Replacement in West Gray Area, WBS S-000035-00F9-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2008-0270 ADOPTED.
20. ORDINANCE de-appropriating \$324,889.00 from the Street & Bridge Consolidated Construction Fund for Reimbursement of Labor Costs and other expenses related to In-

House Capital Improvement Projects for the Rehabilitation of Concrete Pavement, WBS N-000655-0005-4 and N-000845-0007-4, appropriated under Ordinance No. 2008-77 – was presented. All voting aye. Nays none. ORDINANCE 2008-0271 ADOPTED.

21. ORDINANCE appropriating \$400,794.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing Professional Landscape Architectural Services Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** for Design and Construction Phase Services for the Memorial Park Pedestrian Bridge, WBS F-000690-0001-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2008-0272 ADOPTED.
23. ORDINANCE No. 2008-242, passed first reading March 26, 2008
ORDINANCE granting to **CLEANSERVE, INC., a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0242 PASSED SECOND READING IN FULL.
24. ORDINANCE No. 2008-243, passed first reading March 26, 2008
ORDINANCE granting to **TROY CONSTRUCTION, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0243 PASSED SECOND READING IN FULL.
25. ORDINANCE No. 2008-205, passed second reading March 26, 2008
ORDINANCE granting to **AAA FLEXIBLE PIPE CLEANING CO., INC., a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0205 ADOPTED THIRD READING IN FULL.
26. ORDINANCE No. 2008-206, passed second reading March 26, 2008
ORDINANCE granting to **CLEAN PIPE OF TEXAS, L.P., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0206 ADOPTED THIRD READING IN FULL.
27. ORDINANCE No. 2008-207, passed second reading March 26, 2008
ORDINANCE granting to **EVERGREEN ENVIRONMENTAL SERVICES, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas;

providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. **ORDINANCE 2008-0207 ADOPTED THIRD READING IN FULL.**

28. ORDINANCE No. 2008-208, passed second reading March 26, 2008
ORDINANCE granting to **HAMMERHEAD INDUSTRIAL, INC., a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. **ORDINANCE 2008-0208 ADOPTED THIRD READING IN FULL.**

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION from Director Parks & Recreation Department for approval of the Parks & Recreation Master Plan Update – was presented, moved by Council Member Khan, seconded by Council Member Garcia.

Council Member Lovell stated that she wanted to say thank you to everyone at the Parks Department for all their hard work, that it was a very good plan and would improve the parks in the City.

A vote was called on Item No. 1. All voting aye. Nays none. MOTION 2008-0230 ADOPTED.

RESOLUTIONS AND ORDINANCES

8. ORDINANCE **AMENDING SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to developer participation contracts; containing findings and other provisions relating to the subject; providing for severability – was presented, and tagged by Council Member Green.

Council Member Adams stated that one thing she wanted added was to make sure that the District Council Member was being informed when the developer applied for the contract, that they needed to be notified as to what developer, what they were doing and what they were building in the community so that they could look at the process or the plans they were doing, so if a community sees the land being cleared for the homes to be put on there then they could communicate back to the community on what was being done, that Mr. Icken replied back as to what they would do for the District Council Members.

Mayor White stated that they had agreed to that; that he would say to Mr. Norman and within the department these days there were package programs that somebody could buy that were really clip on programs where they could on whatever spreadsheet that they input the application for the DPC and then attach that DPC and clip on a GO locating program so that it was available on line at all times, who had applied for what and where, that they would probably save FTEs if they did that and then Council Members could be instructed and notifications could go out to Council Members; that he thought there was a packaged program that would send out an automatic email, whenever something was added if they put the GO coordinates of the Council districts on there, to the Council Members so that they would receive it and post what

some of the boundaries were and would be available to the public and anybody else on line, that he would request they do that.

After further discussion Council Member Green stated that he would release his tag on Item No. 8 for the purpose of Council Members presenting motions to amend Item No. 8.

Council Member Brown offered the following written motion to amend Item No. 8:

“Amendment to the Developer Participation Contract

Section 47-164. Construction by developers under developer contract.

After:

Subject to the availability of funds allocated for that purpose by City Council, the City may share in the expense of construction of the main and other eligible costs by any of the following methods, as applicable, at the option of the developer.

ADD:

Awards of Developer Participation Contracts will be subject to compliance with standards and guidelines issued by Department of Public Works and Engineering, and approved by city council, which reflect principles of sustainable growth and mixed income neighborhoods., tagged by Council Member Brown.

Council Member Johnson offered the following written motion to amend Item No. 8:

“Pursuant to Chapter 47 of the Code of Ordinances relating to Developer Participation contracts, district council members must be notified and approve all individual DPC contracts prior to approval of the Director of the Department of Public Works and Engineering.”

After further discussion by Council Members, Council Member Sullivan stated that he would tag Council Member Johnson’s amendment to Item No. 8.

After further discussion by Council Members, Council Member Khan stated that he would tag both amendments.

After a lengthy discussion Council Member Green offered the following written motion to amend Item No. 8.

“I move to amend Section 6 of Section 47-164 of the Code of Ordinances, relating to developer participation contracts as follows:

Section 6. Once this ordinance has been passed by the Mayor and Council, it shall take effect on and not before January 1, 2010”, tagged by Council Member Green.

Council Member Green stated that he would tag all amendments to Item No. 8 and Item No. 8.

10. ORDINANCE amending Ordinance No. 2005-322 (passed by City Council on March 30, 2005) to increase the maximum contract amount for the Interlocal Agreement between the City and the **TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR)** and the Intergovernmental Agreement with **FAIRFAX COUNTY, VIRGINIA** for the procurement of Technology Products and Services for Various Departments - \$60,000,000.00 - Various Funds – was presented, and tagged by Council Members Jones, Khan and Johnson. Council Member Noriega absent.
11. ORDINANCE approving and authorizing first amendment to Contract (C56218) between the City of Houston and **PETDATA, INC** for Animal Licensing Services for the Health & Human Services Department - Revenue – was presented, and tagged by Council Member Holm. Council Members Noriega and Jones absent.

Council Member Holm stated that they had an agreement with Petdata for some time and she thought it was on a revenue basis and thought anytime they could offer convenience online that was great, that she would like to tag the item and would ask why could they not go online if somebody wanted to do so and submit it straight to the Department of Health so they would not pay that extra fee and service their citizens, and second, if they were willing to add \$1.75 onto it why did they not give the veterinarians the \$1.75 and let them file it when they vaccinate the animals, as a process, so it was just something as they were going forward, that she would like some answers to see if there was a better way they could serve their citizens. Council Members Noriega and Jones absent.

Council Member Clutterbuck stated that since the item was being tagged she had also requested from the Health Department, from the contract with Petdata over the last four years or so, to help them with their licensing, they should know through Petdata how many animals had been vaccinated and she would like to have a cross reference between the number of vaccinations and the number of paid licenses because she thought what they were seeing that while Petdata provided the envelopes to the vets the vets hand the envelopes to the pet owner and there was probably a lag between sending in the actual registration and while they were contemplating it she thought it would be good to know whether or not it was the most effective way for them to register all animals in the City of Houston, and she would like that information about where there was a disconnect; that secondly if they did end up deciding to go forward with Petdata contract or amendment to allow them to do online registration for an additional fee would there be a link on the City of Houston website to take them to the Petdata. Council Members Noriega and Jones absent.

13. ORDINANCE appropriating \$1,235,000.00 out of Street & Bridge Consolidated Construction Fund and awarding contract to **IDEA INTEGRATION CORP.** for an Automated Mobile Pavement Condition Rating and Manual Asset Tagging System and Data Collection Vehicle for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options – was presented. All voting aye. Nays none. Council Members Noriega and Jones absent. ORDINANCE 2008-0273 ADOPTED.
14. ORDINANCE appropriating \$200,000.00 out of Police Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **MILLER & VAN EATON, P.L.L.C.** for Legal Services regarding the Trunked Radio System; providing a maximum contract amount – was presented. All voting aye. Nays none. Council Members Noriega and Jones absent. ORDINANCE 2008-0274 ADOPTED.
16. ORDINANCE approving and authorizing Professional Engineering Services Contract between the City of Houston and **KIMLEY-HORN & ASSOCIATES, INC** for Comprehensive City Mobility Planning Tool, WBS N-000662-0031-3 - \$596,616.00 - Mobility Response Team Fund – was presented. Council Members Noriega and Jones absent.

Council Member Lovell stated that she would tag the item, that it was a pretty large amount of money and she would like to have some discussions about it, that she thought they would do it at the TIA meeting on Tuesday, April 8, 2008. Council Members Noriega and Jones absent.

Council Member Khan stated that he would add his tag and wanted to have some discussion as to what were some of the consulting services they wanted to require which they did not have in house, that they did have traffic engineering people in house, what were some of the things which they could not do which would require an outside consultant to perform.

Council Members Noriega and Jones absent.

Council Member Brown stated that he was very supportive of the item, that it was a very good step for the City, that some of it was going to be done in house but others required outside transportation consultants, that it was in effect the beginning of a comprehensive plan that was going to help rationalize the expenditure of taxpayer dollars, to get the most bang for the buck and included a number of the amendments to the budget that he added last year. Mayor White and Council Members Noriega and Jones absent. Mayor Pro Tem Garcia presiding.

18. ORDINANCE appropriating the additional \$245,300.00 out of Water & Sewer System Consolidated Construction Fund for Professional Engineering Services Contract between the City of Houston and the **BLACK AND VEATCH CORPORATION** for the Almeda Sims Sludge Processing Facility Improvements, WBS R-000298-0001-3 - **DISTRICT D – ADAMS** – was presented. Mayor White and Council Members Noriega and Jones absent. Mayor Pro Tem Garcia presiding.

Council Member Adams stated that she wanted to congratulate Jeff Taylor and his team for the Almeda Sand and Sludge Processing Facility, that it was an ongoing facility and was like a \$40 million project and would reduce their air emissions and also reduce their cost to treat waste water sludge, that it was near the Almeda sinkhole that happened. Mayor White and Council Members Clutterbuck, Sullivan, Noriega and Jones absent. Mayor Pro Tem Garcia presiding.

A vote was called on Item No. 18. All voting aye. Nays none. Council Members Clutterbuck, Sullivan, Noriega and Jones absent. Mayor Pro Tem Garcia presiding. ORDINANCE 2008-0275 ADOPTED.

22. ORDINANCE appropriating \$802,655.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing Professional Services Contract between the City of Houston and **SWA GROUP** for Master Plan Services for the Lake Houston Park, WBS F-000695-0001-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund – was presented. All voting aye. Nays none. Council Members Noriega and Jones absent. ORDINANCE 2008-0276 ADOPTED.

MATTERS HELD - NUMBERS 29 and 30

29. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Karen Riddle, Abel Permits, on behalf of Pedro Arreguin, for abandonment and sale of ±21,760-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, adjacent to Lot 75 of the Eureka Acres Subdivision, Parcel SY8-010 - **APPRAISERS - DISTRICT H – GARCIA** – (**This was Item 13 on Agenda of March 26, 2008, TAGGED BY COUNCIL MEMBER LAWRENCE**) – was presented. Mayor White and Council Members Clutterbuck, Sullivan, Noriega and Jones absent. Mayor Pro Tem Garcia presiding.

Council Member Lawrence moved to postpone Item No. 29 for one week, seconded by Council Member Green. All voting aye. Nays none. Mayor White and Council Members Clutterbuck, Adams, Sullivan, Noriega and Jones absent. Mayor Pro Tem Garcia presiding. MOTION 2008-0231 ADOPTED.

30. ORDINANCE amending City of Houston Ordinance No. 2008-257, passed March 26, 2008, which altered and established maximum Prima Facie Speed Limits in certain zones

in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty – **(This was a portion of Item 44 on Agenda of March 26, 2008, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented. Mayor White and Council Members Clutterbuck, Adams, Sullivan, Noriega and Jones absent. Mayor Pro Tem Garcia presiding.

Council Member Lawrence moved to refer Item No. 30 back to the administration, seconded by Council Member Khan. All voting aye. Nays none. Mayor White and Council Members Johnson, Clutterbuck, Adams, Sullivan, Noriega and Jones absent. Mayor Pro Tem Garcia presiding. MOTION 2008-0232 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Garcia stated that he wanted to thank the administration for the item regarding the process for the reconstruction of North Main, that the residents and businesses owners on the North Main Corridor from I-45 North had been looking for some relief in that particular area, there was a lot of street flooding so the project was very much anticipated. Council Members Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that regarding street lights and what happens when they do street project in a neighborhood, that many times the street lights were off because the cable was cut or whatever and the general understanding between Public Works and Centerpoint was that Centerpoint would not come in to fix the street lights while the construction was still going on, that they would come after the project was completed and fixed the street lights, but that had caused a lot of concern and problems in the neighborhoods; that constituents felt confused with the process, that they would call 3-1-1 and say the street lights were out and would get a response that it was a Centerpoint problem, then they would call Centerpoint and they would say it was a City problem, that yes the City and Public Works and Centerpoint were involved; that he would like to see Public Works and Centerpoint get together and maybe have a better way of handling those calls and complaints, that he understood there was a guideline that after the project was completed, within so many days, that they needed to come back and fix it but many times it was taking much longer, that he would appreciate it if the Mayor would have somebody take a look at it. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor White stated to Mr. Norman that he thought they needed to have some kind of operating protocol between Centerpoint and Public Works, that maybe it may exist already, where call intake was exactly what they say and if they were not responsive to bring it to his attention, that first Mr. Webb, in Regulations dealing with Centerpoint and then to his attention if needed; and to Council Member Khan, if there was a particular constituent complaint that inspired this that they could work through, that what he was encouraging Mr. Norman and others, if they drilled down into a complaint then to often they solved the complaint but they have not solved the problem, the problem was the process, so that was why he wanted to drill down into the complaint and asked Council Member Khan to get them the complaint, and Council Member Khan stated that he would be more than happy to share specifics. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that their inspectors were too few and were overworked but in construction contracts, especially if somebody was doing private construction, they relied on inspectors to complete their job in a timely fashion and it was both industrial and commercial, that what they hear sometimes, and sometimes they get complaints that inspectors would come

and they would point out a list of things to do in order for them to get a process completed and get their operations going, then they would fix all those things and then the next time the inspector would come, either the same one or a different one, and they would check all the things done and then give additional ones that they could have given the first time they were there, that for most businesses, at least the ones he talked to, they do not complain about the fee they charge, they say if they had to charge more fees they could live with that, what they could not afford was having to continue to spend resources, especially time resources, towards doing things that if somebody would tell them at one time they could get it all done, so if Mayor White could have somebody take a look at it. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that where he had heard it the most tended to be with Fire, that he heard the most that there were different standards that were applied by the individuals, that individuals were concerned, as they should be, that if they started complaining about the conduct of individual inspectors who may come back to the building that it was not a good idea, so if Council Member Khan could help him think through it and maybe if they had some brave people who were willing to come before Council and go through a couple of case studies, that was what he would really recommend. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to thank them for addressing it; that he thought if they could challenge folks to provide an explanation as to why some critical items were not initially found, that he thought they needed to challenge their folks to pay attention to detail, that if they could find some standards that their folks had to meet, that performance needed to be evaluated based on what had been missed and should have been caught early on in the beginning of the process. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to congratulate their ex colleague and an outstanding Houstonian, former Council Member Gordon Quan, on his appointment to the Board of South Texas College of Law, that Mr. Quan was an outstanding public servant and was a symbol of what was wrong with term limits. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that Mayor White had been very successful at improving the DPC program, that the DPC program was 5 years old and maybe it was time to look at it and see how it was working and make some improvements to get better outcomes. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that he had a personal experience about a human being in Houston, Texas who had no place to go, that he went to the Mexicana Restaurant and there was a gentleman standing out there and asked him if he could spare a couple of dollars, that he saw a man who he would say was in the acute stage of AIDS, that he needed help and was really suffering and he took him to a clinic for medical help, that the Legacy Clinic on Montrose was closed on the weekend, so he took him to Saint Joseph's Hospital, the emergency room, that they really did not want to take him but he said to the supervisor that the man needed help right now, that he did not know what happened, but he thought there should be a clinic, a 24 hour clinic for people who were suffering like that should be able to go and see some help and care. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Lovell, Noriega, Green and Jones absent.

Mayor White stated that they should check out the number of new hospital beds that were going into the community, where they were going and the absence of emergency room facilities, that they should think about where Saint Joseph's was heading and why and the number of places that were in the urban areas, in the City, that were being sold and they were closing emergency room facilities and physician owned hospitals that were migrating outside the area and often where there was the greatest need, that those that were left, he could show them the number of unreimbursed care and it was highly concentrated in a relatively small number of institutions, that the State law said that the Harris County Hospital District had the sole responsibility, so if Council Member Brown wanted to pursue it and have a hearing on it he thought that he would do a great public service and they had certainly people who worked within the City on health policies that would be happy to join in this, that it was a matter of State policy of what the licensing requirements were for these new hospital beds and the amount of indigent care and emergency facilities they provide, it was a matter of State policy what qualified when they had a non profit hospital that had three or four billion dollars in the bank, concerned about their obligation to provide unreimbursed care, and Council Member Brown stated that he would like to do that. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:20 a.m. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Lovell, Noriega, Green and Jones 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