

City Council Chamber, City Hall, Tuesday, May 13, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 13, 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; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present.

At 1:58 p.m. Mayor White called the meeting to order and stated that Council Member Holm would begin presentations. Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Brown, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm invited those with her proclamation to the podium and stated that it was a special opportunity to welcome the National Collegiate Athletic Association (NCAA), that they were in Houston for their Division II Spring Sports Festival and she also wanted to recognize the City of Houston Parks Department, Mr. Joe Turner and his staff who had been awesome; that they wanted to be sure the NCAA was welcomed and well served; that the NCAA in cooperation with the Harris County Houston Sports Authority and Rice University selected the City of Houston and Memorial Park as location for the Division II Spring Sports Festival the week of May 12th through May 18th and Houston welcomed the opportunity to showcase the park and work with the NCAA, Rice University and Harris County Houston Sports Authority to produce a wonderful event and presented a Proclamation to the group to commemorate the event and honor and congratulated and wished them a successful Sports Festival and proclaimed today as "National Collegiate Athletic Association Day" in Houston, Texas. Council Members Lawrence, Johnson, Clutterbuck, Adams, Brown, Lovell and Green absent.

Their spokesperson thanked the City of Houston for the hospitality shown and all who made this a great partnership. Council Members Lawrence, Johnson, Clutterbuck, Adams, Brown, Lovell and Green absent.

Council Member Jones stated that as a former NCAA athlete she wanted to say it had done a lot for many people and she was glad to help and thanked Mr. Miles Brand for his leadership with the NCAA athletics. Council Members Lawrence, Johnson, Clutterbuck, Adams, Brown, Lovell and Green absent.

Council Member Garcia invited those with his presentation to the podium and stated that it was an honor to be joined by Council Member Khan in recognizing two Super Neighborhoods, Second Ward Super Neighborhood Council in District H and the Braeburn Super Neighborhood Council in District F, and wanted to recognize the city staff who helped in this process; that both communities were the epitome of being engaged in civic involvement and participation and looking out for neighbors and it was honor and pride to recognize them today. Council Member Khan stated that Super Neighborhoods was a great way to participate in civic duties and the Braeburn community did a wonderful job and he thanked all city departments who helped them out. Council Member Garcia presented the Second Ward Super Neighborhood a Proclamation designating them as such and proclaimed today as "Second Ward Super Neighborhood Day" in Houston, Texas. Council Member Khan presented the Braeburn community a Proclamation designating them as such and proclaimed today as "Braeburn Super Neighborhood Day" in Houston, Texas. Council Members Johnson, Clutterbuck, Brown and Green absent.

Council Members congratulated all for being involved and for doing what they did. Council Members Johnson, Clutterbuck, Brown and Green absent.

Council Member Adams stated it was with great pleasure to present Foster Care Month today, the month of May was designated as National Foster Care Month and would be recognized by Catholic Charities Children and Family Services at a ceremony to be held May 30, 2008, the family was an indispensable foundation of society at its best, however, some parents were unable to provide a minimally acceptable level of care for their children and other placement was necessary and foster parents provided children memories of a loving home and more than 14,000 children resided in foster care in Texas; and presented a Proclamation to the group saluting and commending organizers and participants of this worthwhile endeavor and wished continued success; and proclaimed "Foster Care Month" in Houston, Texas. Council Members Johnson, Clutterbuck, Rodriguez and Green absent.

Mayor White stated that he wanted to say in his view the people who walked the walk of foster parents walked the walk of their faith and trust of the community; that here foster parents were honored, you would not see a show about foster parents but they were heroes and heroines. Council Members Johnson, Clutterbuck, Rodriguez and Green absent.

A spokesperson introduced Ms. Karen Symcerian and her daughter Kim Symcerian and Kim stated that she was in foster care since she was four and her brother since he was eight; and she told their story of being scared and unhappy and how their foster mother helped them to adjust; that through counseling she adjusted and realized she liked her new life and healing began; how an attachment was born to the foster mother but they were moved to another family when that family moved out of state and they were then adopted by their current foster mother and told of the new family they received and when her mother was complimented on her children she thanks them and says she got to pick; and she thanked all who helped them. Council Members Johnson, Clutterbuck, Rodriguez and Green absent.

Council Members congratulated and thanked them for all they did and complimented Kim on being a perfect example of why foster parenting was vital. Council Members Johnson and Green absent.

At 2:30 p.m. Council Member Rodriguez invited Chaplain Gary Blackman of the Houston Fire Department to the podium to lead all in the prayer and Council Member Rodriguez led all in the pledge. Council Member Green absent.

At 2:33 p.m. the City Secretary called the roll. Council Member Green absent.

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

Council Member Johnson moved the rules be suspended for the purpose of hearing Mr. Tony Jones at the top of the three minute speakers, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent. MOTION 2008-0317 ADOPTED.

At 2:34 p.m. the City Secretary began calling the public speakers. Council Member Green absent.

Mr. Tony Jones, 1950 Spinwick #318, Houston, Texas 77055 (713-935-0011) appeared and stated that last Friday he and his wife went to BARC to get his seeing eye dog his 2008 license and it took about 45 minutes to do so; that he gave the attendant of the customer service window information, but the gentleman had a problem accessing Pet Data's data base and when he did the information there was wrong and they tried to get it straightened out; and Mr. Jones time expired. Council Member Green absent.

Mayor White thanked Mr. Jones for coming and stated that they did enjoy his last report and quite a few things had happened since then as a result of it. Council Member Green absent.

Mr. Russell Lehrman, 2901 Rusk, Houston, Texas 77003 (713-222-2295) appeared, presented information and stated that he was present to speak on Agenda Item 38, the parking of large vehicles in residential areas and being put forth by Council Member Lawrence; that for four years they came to Council with truck problems in the area of the Oak Farms Dairy and this seemed like a perfect time to ask the ordinance be amended so trucks would need to stay 300 feet away from residential areas, they were noisy and caused pollution and it was a life safety and health issue which had been addressed by the Health Department and Mr. Arturo Blanco head of the Office of Air Quality Control for the City of Houston; that trucks and tractors parked on their narrow streets and sometimes all night long with their motor running waiting for Oak Farms to open, the parked on sidewalks and run down a pole three times and while there were nineteen pages of calls over a two year period to Oak Farms there was not one single ticket issued. Council Members Lawrence and Green absent.

Upon questions by Council Member Adams, Mr. Lehrman stated in his pictures the trucks were parked on Denver Street, the main entrance to Oak Farms Dairy for all their 18 wheelers; that part of Bell Street was sold to them with the promise they would not build on top of it because of the sewer underneath, but somehow they did and closed the street; and Council Member Adams stated that she met with one of the attorneys last week concerning the issue and it was her understanding Mr. Arturo Michel monitored the air quality in the community there on a weekly basis; and Mr. Lehrman stated they signed an agreement with Oak Farms that they could only be monitored four times a year and they had to be warned in advance and then they rolled the trucks out of the lot which created the pollution and noise and there were no citations given. Council Members Lawrence, Garcia and Green absent.

Upon questions by Council Member Khan, Mr. Lehrman stated that over a two year period there was not one citation written even with all the calls; and Council Member Khan stated that something which bothered him was there were ordinances on the books and if they did not enforce them what was the point of having them and it was important to have the Chief on board saying ordinances would be enforced. Council Members Lawrence, Garcia and Green absent.

Upon questions by Council Member Jones, Mr. Lehrman stated that if trucks were loading or unloading the truck was allowed to be there and that was fine and he did not want to detract from the ordinance Council Member Lawrence had done, but to save the city a lot of money in a lawsuit which would take a lot of time would be to not allow them within 300 feet of a residence. Council Members Lawrence, Garcia and Green absent.

Council Member Brown moved the rules be suspended for the purpose of hearing Mr. Richard Leal at this time, seconded by Council Member Khan. Council Member Clutterbuck voting no. Balance voting aye. Council Members Lawrence, Garcia and Green absent. MOTION 2008-0318 ADOPTED.

Council Member Brown moved the rules be suspended for the purpose of allowing Ms. Elvira Rodriguez to speak at this time, seconded by Council Member Khan. Council Member Clutterbuck voting no. Balance voting aye. Council Members Lawrence, Garcia and Green absent. MOTION 2008-0319 ADOPTED.

Ms. Elvira Rodriguez, 1906 Good Meadow, Houston, Texas 77064 (832-526-9047) appeared and spoke in Spanish which was translated that she stated she and her husband purchased a home in 2000 with a variable interest rate; that in 2005 an advisor recommended she refinance and they did so but did not know she was going into another variable interest rate,

then in 2005 she was diagnosed with cancer and her husband lost much work taking care of her and then they started falling behind and the bank asked them for \$1,500.00 up front for six months and after the first two payments they were not able to continue and the bank began foreclosure, but they found ACORN and went to ACORN Housing and found out no other bank was willing to finance but they were able to negotiate with the same bank and they got a lower interest rate and went from an 11.5% variable to a 7.5% fixed interest rate. Council Members Lawrence and Green absent.

Council Member Rodriguez thanked Ms. Rodriguez for coming and stated that he did not doubt the organization did good work, all Council was doing was asking questions, it did not mean they were ultimately against it; and he did appreciate ACORN would be meeting with him today. Council Members Lawrence and Holm absent.

Mayor White stated that he had the same attitude on various things; that ACORN was one of the first in the country to have offered these kind of services in the 1980's and Mr. Celli's experience with the program had a lot of weight with him. Council Members Lawrence and Holm absent.

Council Member Jones stated that when people were being taken advantage of and tricked ACORN was instrumental and they did good work. Council Members Lawrence and Holm absent.

Mr. Richard Leal, 7314 Nordling, Houston, Texas 77076 (713-694-5138) appeared and stated that he thanked the Mayor and other Council Members who helped with foreclosure and housing issues and affordable housing opportunities and ACORN had a long history in Houston and across the country; that studies showed that foreclosures increased violent crimes and that property values decreased along with tax value; that the problem was getting worse with more adjustable rates and ACORN and ACORN Housing was working to secure long-term loan modification and prevent foreclosures; and they appreciated all the Mayor's help and wanted to continue to work on it. Council Members Lawrence and Holm absent.

Council Member Brown thanked Mr. Leal and ACORN and stated that ACORN would be holding foreclosure prevention fair at the George R. Brown on Saturday, June 7th from 10:00 a.m. to 4:00 p.m.; and upon questions, Mr. Leal stated that foreclosure was a major crisis and they tried to save as many people as they could. Council Members Lawrence and Holm absent.

Mr. John Hall, 9607 Weatherwood, Houston, Texas 77081 (832-465-1823) appeared and stated that he was present regarding the ordinance banning commercial vehicles in subdivisions; that he drove a single axle bobtail which he parked in his driveway each night and it blocked no traffic; that if they passed the ordinance it would put many in a bind because he could not afford to pay to park his truck in a storage lot and then spend another 30 minutes to go to and from it; that he had been there 20 years and no complaints and if they could fit in their drive he would like them exempted. Council Members Lawrence, Johnson and Holm absent.

Upon questions by Council Member Clutterbuck, Mr. Hall stated that his truck parked in his driveway and did not extend over any walkways or into the street; and Council Member Clutterbuck stated that in that case the ordinance would not affect him, it only affected on street or blocking the sidewalk, any public right of way, but there may be deed restrictions in his area against him doing so. Council Members Lawrence, Johnson and Holm absent.

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. Council Members Lawrence, Johnson, Holm and Rodriguez absent.

Ms. Andrea Brown, 3305 Pease, Houston, Texas 77003 (713-236-8605) appeared, presented information and stated that she lived in the area of Oak Farms Dairy and was speaking on her and her neighbors behalf; that their trucks constantly passed on their streets which were marked "No Through Trucks" and they honked their horns and ran their engines day and night and the pollution caused by them was so bad her sons had to use breathing machines and inhalers; that Oak Farms did not respect any of them and they would like their trucks to stay 300 feet away from any residence. Council Members Lawrence, Johnson, Khan and Holm absent.

Mr. Trevor Palacio, 6135 SW Freeway #233, Houston, Texas 77057 (832-967-6096) appeared and gave definitions of snob, democracy, etc., and stated that with pollution by corporate America, the rapid cost of living and being denied a living wage was why Council and the Mayor were voted in to make those kind of decisions; that they had pursued their endeavor with Oak Farms for the past four years, people there were affected by the dairy health wise and they were being gentrified by the costly homes being built and taxes; and asked they all step back and look at why they were sitting in their places which was their great intentions. Council Members Lawrence, Johnson, Khan and Holm absent.

Upon questions by Council Member Noriega, Mr. Palacio stated that a couple of family members were sick with breathing issues and also affected by the tax issue; that lives were lost and they talked and then just moved on, they shared this information four years now; and Council Member Noriega stated that she lived near there and she had a lot of concern about the dairy and wanted to assure him they were paying attention to this. Council Members Lawrence, Johnson, Khan and Holm absent.

Council Member Rodriguez stated that he met with Mr. Lehrman and Ms. Anderson yesterday and their concerns were valid regarding environmental health policy and his question was whether this particular ordinance amending Chapter 26 was germane to their issue and he agreed to work with him on health initiatives and environmental impacts, he was vice chair of the sustainable growth committee and knew Council Member Brown was very interested in the topic as well. Council Members Lawrence, Johnson and Holm absent.

Upon questions by Council Member Adams, Mr. Palacio stated that their concern was parking on streets and emissions and Oak Farms was paving the sidewalks making them into streets and they wanted it to all stop; and Council Member Adams stated that if the property was in front of a residential home and it could be proven it was damaged by Oak Farms then who was responsible for that street repair; and Mayor White stated that he would think and respond to her on that, if they knew someone was destroying city property they should be stopped, but he could not say they brought a lot of actions against people running over curbs and breaking them, his gut was the person causing the damage needed to pay for repair, but they did not have a big budget for curbs so probably did not sue a lot of people; that they were checking on air quality around the dairy and they could give a bit of a briefing by tomorrow, there had been much work on this and they were monitoring; and Mr. Palacio stated that the dairy was being monitored by day but the same was going on at night. Council Members Lawrence, Johnson, Holm, Rodriguez and Jones absent.

Ms. Marcie Anderson, 3306 Pease, Houston, Texas 77003 (713-227-0397) appeared, presented information and stated that she was present to revisit an issue of great concern to her and her neighbors and it was the Oak Farms Dairy and their affect on the neighborhood with noise and air pollution near Leeland, Roberts and Scott Street; that they ran their trucks and refrigeration containers all hours of the day and night and gave them no relief; and she urged the city address their problem with distance between the trucks and residence. Council Members Johnson, Holm, Garcia, Rodriguez and Jones absent.

Council Member Noriega thanked Ms. Anderson for coming and bringing her comments in writing and stated that her sense of things was that the ordinance would probably not be amended tomorrow to accomplish this though her points were well taken and her concerns were good to be reminded of and there were ordinances needing to be enforced with Oak Farms and she requested for an update on this, she believed things were better but not great and they did deserve relief and to know what was going on; and this spoke to the larger problem of whether the city had the right to enforce air quality standards which was even a bigger issue. Council Members Johnson, Holm, Garcia, Rodriguez and Jones absent.

Mr. Lewis Jenkins, 922 Dolly Wright, Houston, Texas 77088 (281-999-2932) had reserved time to speak but was not present when his name was called. Council Members Johnson, Holm, Garcia, Rodriguez and Jones absent.

Ms. Anita Robinson, 3902 Tuam, Houston, Texas 77004 (713-842-2317) had reserved time to speak but was not present when her name was called. Council Members Johnson, Holm, Garcia, Rodriguez and Jones absent.

Ms. Patricia Vala, 2403 Auburn Vale, Houston, Texas 77067 (713-928-3365) had reserved time to speak but was not present when her name was called. Council Members Johnson, Holm, Garcia, Rodriguez and Jones absent.

Mr. Max Watson, 3389 Inwood Drive, Houston, Texas 77019 (713-526-7511) appeared, presented information and stated that he was present to speak on Section 46-20 of the Building Code, a part of the Sign Code, it had been six years since he was present speaking on this and he came to give a short history; that in 2001 and 2002 a move was afoot to use city property and city assets to put in spectacular billboards, etc., and the City of Houston and county owned projects at that time did not have to conform to the city sign code, they were exempted, and he and many others worked to come to some accommodations and as originally passed the accommodations wanted to make sure there was equity across all people who had something to do with this, county, Harris County Sports Authority, theater district, etc., and this ordinance was put in place only for governmental owned entities and not for profits, they had strengthened the ordinance and such facilities agreed to do less than they could and forever be bound by the Houston Sign Code; that the ordinance to be before Council tomorrow dramatically changed it and opened it up to any and all entities within the city. Council Members Johnson, Garcia, Rodriguez and Jones absent.

Council Member Holm stated that several of his points were valid and in 2001 and 2002 it was an over a year process where a large group went over this and there were two issues, one to create a Downtown Scenic District and to the best of her knowledge it was one of the few sacred parts of the sign code, they never waived anyone to have any exception to the scenic district and this ordinance did that; and upon questions, Mr. Watson stated that there were 20 plus scenic districts and the ordinance changed the restrictions the central business district imposed on themselves about 1996 and changed the Houston Sign Code; and Council Member Holm stated that the outcome when they established the special districts was to bring the city into compliance with the Sign Code; and Mr. Watson stated that many things had unintended consequences over a long period of time. Council Members Johnson, Garcia, Rodriguez and Jones absent.

Council Member Clutterbuck stated that she too wanted to add thanks to Mr. Watson for coming and his comments were extremely helpful as they reviewed the ordinance tomorrow. Council Members Garcia and Jones absent.

Mayor White thanked Mr. Watson for the time he devoted to these causes. Council Members Garcia and Jones absent.

Rev. Edward Vincent, 5500 MLK Blvd., Houston, Texas 77021 (713-256-5740) appeared and stated that he was supposed to speak on the Aramark situation but would really speak about grace because it was no coincidence that today's prayer opened talking of grace; that the situation with Aramark workers was really about the possibility and opportunity of grace on behalf of the city, Council and Mayor; that it was refreshing the city would be involved in negotiations for Aramark workers because then there was balance in bringing about an equitable situation; that when people said there were immigrants or refugees here this city said no they were neighbors, friends, etc., and in the case of Aramark workers they were not using terms to disconnect them from others, but talking about people who needed a union and descent living wage; and asked that the Mayor and Council lead the way. Council Member Garcia absent.

Council Member Jones stated that she supported the SCIU and working people. Council Member Garcia absent.

Council Member Brown stated that principles he described eloquently were similar to principles they agreed to as a city with municipal employees; and it seemed they needed a consistent set of principles and Aramark was a vendor to the city; and upon questions, Mayor White stated that first he respected rights of workers to organize under the national labor regulations Act and there were procedures and people making lower wages, he did not fault advocates of those people, he had not addressed this particular issue because their negotiations occurring by anyone who lived in Houston with anyone in the management of Aramark ...; that he would leave it at that, but they were all legitimate issues. Council Members Lawrence, Clutterbuck, Sullivan, Holm and Garcia absent.

Dr. Eugene Carway, 327 County Fair Drive, Houston, Texas 77060 (281-447-5536) appeared, presented information and stated that he was looking for civil and professional treatment from city agencies and he was very much against the red light cameras; that he did not believe 2.5 seconds was enough to stop safely and as a point of information one of their vehicles went into an intersection and they called the Red Light Enforcement Program to try and get information and told they were not held to Texas law and they were directed to the Municipal Courts Assistant Administrator who when they asked questions about the program they were told to go hire an attorney; that they requested information under the open records act and if they would note after they were contacted by the Texas Attorney General Office they conveniently changed the date on the form as received by the courts on April 18th when the green card from the post office showed it delivered April 3rd and with Texas law saying they had to respond within 10 days they simply modified city records; that yesterday they received notice a hearing was held on May 7th at 5:00 a.m. in the morning and since he did not attend they were found guilty and they never received notification of that hearing, but he was not sure anyone was in the courtroom at that hour; that the program seemed to be aggressive and annoyed that citizens would ask questions and when they tried to view videos on line they could not do so and when they asked for information on the Arizona company which ran the cameras they were told they would not get it. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Clutterbuck, Sullivan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Jones stated to be clear he received a failure to appear and had to pay \$75.00 for not showing up at 5:00 a.m. on May 7, 2008, and Mr. Carway stated that was true; and Council Member Jones stated that he also received a certified mail return request dated April 3rd and the city put April 18th and upon questions, Mr. Carway stated that the individual at the agency of the red light program said the city was not held to Texas law, he had called the number on the form; and Council Member Jones stated that his District Council Member was Council Member Johnson and she would work with him if he needed her in any kind of way

because this totally lacked commonsense. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Clutterbuck, Sullivan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Johnson stated that he heard about the 2.5 seconds and the ticket; and upon questions, Mr. Carway stated that they went back to the light and the camera was operating on a 2.5 to 3 seconds and the state law mandated there should be signs to warn you and he did not believe the sign met the Texas state standard and that was information they were trying to receive and they would see on the 2.5 seconds there were many skid marks and someone was going to be killed there and it was located at I-45 and West Road; and Council Member Johnson stated that the basis of what he was saying was there might be impropriety here or discrimination because of different prolonged levels of yellow light in various locations; and Mr. Carway stated that all the lights should be consistent for all citizens and the city had excellent engineers and they should determine what a safe time was for stopping, he did not believe 2.5 to 3 seconds was; and no one gave him information on the timing but said to go hire an attorney. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Clutterbuck, Sullivan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Noriega stated that she was addressing her remarks to the Administration, she heard concerns before about the yellow light and thought Council Member Johnson had a valid point, if there were differences in different parts of the city that was a problem and also if they were not timed correctly, it was probably easy to get out of whack and they just needed to get back and she felt the yellow light concern should be addressed; and Vice Mayor Pro Tem Lovell stated that they made notes and were asking it be checked out and Ms. Talvert was present with Municipal Courts and could speak with him at this time. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Clutterbuck, Sullivan, Holm, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Regina Harris, 2802 Mansfield, Houston, Texas 77091 (281-741-0469) had reserved time to speak but was not present when her name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Clutterbuck, Sullivan, Holm, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Twanda Twine, 4931 Trail Lake, Houston, Texas 77045 (713-443-8377) appeared and stated that she was present asking for help in finding a job with the City of Houston; that in her background she had a misdemeanor and felony and wanted to change; that she could not change her past but could learn from it and she wanted to be productive and able to buy a home, she wanted to be an asset and not a statistic and would like to be pointed in the right direction to help herself and others like her. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Holm, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Adams stated that her staff had been in communication with Ms. Twine and her issue of job placement and there was a reentry program in the Mayor's Citizens Assistance Office; and upon questions, Ms. Twine stated that she had not contacted anyone in that office; and Council Member Adams stated that Ms. Vasquez was the director for that office and the reentry program was headed by Roseanna Ruiz and that was one of her expertise to help ex-offenders find employment; and commended her for coming and asking for assistance. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Johnson stated that he was working on a program in which they were

helping individuals such as her, people looking for a second chance, if there was a mark on her record they could help expunge that through a process and if she would speak with his office they would work with her, the next program would be May 31st in the Fifth Ward Community; and he hoped they would be able to help. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated if she did not qualify for an expungement she may qualify to have her records sealed; and upon questions, Ms. Twine stated that her skills were customer service, data entry, switchboard, whatever she was taught she could do. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Ms. Twine stated that she applied for Human Health Services, Public Works, HPD and Human Resources as administrative assistant, data clerk, etc.. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Bruce Norcini, 11711 Memorial Drive #367, Houston, Texas 77024 (713-201-4201) appeared, presented information and stated that about a month ago the Mayor and a member of the Floodway Coalition got in a debate about Chapter 19 and its affect on property, the Mayor said he did not agree with figures thrown out of several billion dollars in property; that this was property in their estimation illegally taken by Chapter 19 and they took the liberty and the work to do a study with a top appraisal firm in Houston who quantified those numbers and they were in the billions of dollars, he believed this was the most important thing their group had done in a year and a half or so; that the last paragraph in his presentation was the bottom line which was the restrictions in Ordinance 19 (as revised in October 2006) would reduce market value of land and improvements in the City of Houston by \$1.9 to \$3.5 billion and the property tax revenue would be reduced by \$38 to \$70 million per year, assuming a net effective tax rate of 2% which was conservative; that the Mayor had not agreed and Council Member Khan had said he would look into this. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated the study was done by O'Connor & Associates and their business was to lower taxes; and Mr. Norcini stated that was correct. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Adams, Adams, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Brown stated that certainly they had no intent of reducing the value of the city tax base, but they were trying to protect property owners from flooding as flood damages cost tax payers of Houston between \$200 and \$300 million a year and continued with his multiplication; and Mr. Norcini stated that he lost him, if he would look at his last paragraph the estimate at 2% tax growth to city, county, HISD, etc., was \$38 to \$70 million a year and that was very conservative, it was probably closer to 3%; and Council Member Brown stated that this was a concern and the other side of the coin was flood damage was a very serious problem and it affected many who had their life savings in their home; and Mr. Norcini stated that he could not agree more and according to Ordinance 19 they just lost their life savings; and Council Member

Brown stated that they were taking steps to allow a process, but they were not taking property and making it worthless and he might want to redo his figures based on changes they were making in Chapters 9 and 19. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Robin Bennett, 7226 Jadewood Drive, Houston, Texas 77088 (832-467-1854) appeared and stated that she was a community advocate for preventable disease in the community; that the African American community was hit with high numbers in HIV and AIDS, but Hepatitis C was four times more prevalent than HIV and with her poster showed numbers from the city which were 50% of African Americans were infected by HIV and AIDS and if you were four more times prevalent to have Hepatitis C then do the math, this meant they were co-infectors, more were infected with HEP C than with HIV and there was no media attention of funding; that on April 26th she put on an event and addressed youth with the target group being ages 13 to 30 because youth were tattooing themselves and it was not being done legally; that HEP C was blood to blood and she was affiliated with the St. Luke's Liver Center and she was asked to go into the African American community and they did and from testing 202 young women there were 70 with HEP C, HEP C was more prevalent and ten times more infectious and numbers read 5 million world wide, 25 million in the USA and 6 million in the United States with 380,000 in Texas and 70% of those infected did not even know they had the disease; that if people were on drugs they could not get into the therapeutic clinics and Mr. Johnson who was present, was tested positive with HEP C and a recovering drug user and he could not get into a therapeutic clinic, he could not get into Ben Taub because you had to be 10 months to two years free of drugs. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Ms. Bennett stated that they were asking for Council action, they needed help in getting awareness out and help in placing people into care; and Council Member Jones stated that the hospital was with the County and she would help place her in contact with someone who could assist her. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that Ms. Bennett was exactly right and they were going into budget and she would encourage her to come with her information and encourage more funds be placed there. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Brown stated that there were 86 clinics and some were in schools and he suggested she meet with Mr. Robertson and ask what the city could do to disseminate the information; and Vice Mayor Pro Tem Lovell stated that she would need to speak with Mr. Williams, Mr. Robertson was over BARC and Ms. Kathy Barton with Health was present and could speak with her at this time. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Rashard Yusef Reynolds, 4406 Jorns, Houston, Texas 77045 (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Rick Dickson, 7621 N. Hollow Circle, Humble, Texas 77396 (281-446-3626) appeared,

presented information and stated that it had been five years since he had been present and he was present in support of the airport zoning ordinance; that he had been victimized by the Houston Airport System for 20 years, they built before the master plan, but the new runway was built and informed CHARGE, citizens against the airport, and he went to look at the charts and he was told they were not eligible for mediation based on the fact they were in the 64 dB area, but the chart showed three runways and they were at 64 with a third runway and all you needed to figure this out was an LOS (lick of sense) and if they were at 64 with three runways what were they at two runways, they had to be over, so they sat there 15 years with excess in a 64 dB area. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Johnson, Mr. Dickson stated that according to the airport system there were three tiers, and Tier One could have no new residential construction; Tier Two there had to be soundproofing and the airport's answer to their problem was to soundproof Tier One and he begged Council to resolve the problem by applying a Tier One answer to a Tier One problem and a Tier Two answer to a Tier Two problem, not to do backwards steps; and the Harris County review showed his house reduced from \$98,000 to \$78,000. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Sister Marilyn Davis, 6600 SW Freeway, Houston, Texas 77027 (no phone) appeared and stated that she just wanted to touch a few issues such a fair housing opportunities, fair job opportunities with fair wages; and many health issues which needed to be cleaned up such as mosquitoes, etc.; and continued expressing her personal opinions until her time expired. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that the Mayor had a great program, Houston Hope which had affordable housing and the Housing Department had done a lot to help with affordable multifamily as well and there were numerous health clinics and 311 should be able to assist her. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston Texas 77088 (281-445-0688) appeared and stated that she lived in Willow Run and had worked in the community about 30 years and they had a plan for a park, allocated since 1995 and nothing was yet done; that they were now requesting it to be a YMCA instead of a park and they were on the books this year and she was asking it not be moved and to proceed, she had done all she could do. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Brown stated that it sounded like a good thing, and upon questions, Ms. Taylor stated that they had met with the YMCA, but they could not do it alone; and Council Member Brown stated that this was in Council Member Johnson area and he would like to hear from him. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Johnson stated that the money for the park was there and certainly it would not be moved, they would make sure it happened, it was on the CIP, and they already talked about the YMCA and that was a private nonprofit and it was completely and totally left up

to the YMCA, the City of Houston could not tell them what to do, but they were working to get the park up to standard and beyond that they already talked about the memberships necessary to get the YMCA over there, he would love to see it there but it was a nonprofit; and Ms. Taylor stated that she understood about it more than he did, Mr. Baker was in charge and would give the go ahead and all they needed was these powerful people to help. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez and Noriega absent.

Mayor White stated that Council Member Johnson, who he had much confidence in, would fill him in and he would love to help the neighborhood and they would work on this as a team. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez, Brown and Noriega absent. (NO QUORUM PRESENT)

Mr. Bernard Middleton, 5500 Ardmore, Houston, Texas 77021 (713-875-0304) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez, Brown and Noriega absent. (NO QUORUM PRESENT)

Mr. Antonio Valdez, 12707 Blue Timbers, Houston, Texas 77044 (713-637-0400) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez, Brown and Noriega absent. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez, Brown and Noriega absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-407-5344) appeared and stated that he was the official president of the U. S.; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez, Brown and Noriega absent. (NO QUORUM PRESENT)

Ms. Marilyn Nowlin, 2430 Droxford Drive, Houston, Texas 77008 (713-594-6524) appeared and stated that she was present to remind all of Mr. Marcotte's words, what would have to happen before Salford would be opened and she would ask again that they stand by those words; and when the developer was asked why he needed their street he said he did not need it, he wanted it, and she was asking Council to not give him what he wanted and instead give the neighborhood what they needed for their way of life. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez and Brown absent.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (832-264-1816) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez and Brown absent.

At 4:30 p.m. City Council recessed until 9:00 a.m., Wednesday, May 14, 2008. Council Members Lawrence, Sullivan, Khan, Holm, Garcia, Rodriguez and Brown absent.

The Houston City Council reconvened at 9:00 a.m. Wednesday, May 14, 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 9:36 a.m. Mayor White called the meeting to order. Council Members Garcia and Brown absent.

**MAYOR'S REPORT** - Fiscal Year 2009 Budget

Mayor White stated that Chairman Clutterbuck yesterday outlined an ambitious set of hearings; that the good work of some Members of the City Council, for a number of years, had laid the groundwork for them to have a City budget that had one of the largest tax rate cuts in Houston history, that continued with their trend of significant increase in the senior and disable exemptions, that affected a 100,000 households and they were talking about between 20% and 25% of all the tax paying households in the City of Houston, and significantly increases their investment in public safety and also provided some things that Council Members had highlighted should be priorities within the civilian departments, that often those were not as well noted, that there were meetings he had with individual Council Members that were in January and February and sometimes following those meetings he would follow up with an email, that he would say that practically everything new that they had done came up at one of those meetings with Council Members so it was their budget not just the administrations budget as far as he was concerned; that on the revenue side, the total amount of tax rate cuts that they had in the last several years had been 1.625 cents and that represented, compared to the rates that existed several years ago, about \$20 million in property tax relief in this current fiscal year and that was excluding the effect of senior exemptions which they would treat separately, that to put it another way, they adopt a budget based on this rate that was half a cent below last years rate, compared to when some of them came in together, that would be over the next ten years a quarter of a billion dollars less in property tax revenues or tax relief compared to what the rates were at the time they came to Council, and that was not including the effect of the senior exemption; that people could debate the pros and cons of it but the basic sort of logic for Council Members was that they did have rising appraisals and people's income did not go up as fast as some of the appraisals did and they did want people to have to chose between home ownership and paying their taxes, medicine or what have you; that Council Member Clutterbuck had really wanted them to break it down in the past years, that they were assuming the ad valorem tax revenues at 5.5% above what they were last year, that the total appraised value on people's properties would go up higher than that, but the revenues for the City of Houston went up by 5.5% and the reason was because of their increase in the senior exemption and the rate cut, and the fact that an increase in percentage of the City Property Tax Revenues went to the TIRZ, that new construction accounted for, by their estimate, about half of the 5.5%, so if they looked in relation to the Prop 1 limit, they had inflation plus population growth, he thought it was going to be at or below inflation plus population growth for this year but it was going to be well within the limit, they said at a maximum no more than 4.5% per year, unless they held an election and specifically authorized more than 4.5% per year and they did that, and the public said they could spend up to \$90 million more per year on public safety and that was what they were doing, that they were not going to the limit of what the voters had authorized but were consistent with the popular vote; and then there were some of the things they had talked about, they had a five year plan on patrol cars that they were on schedule on, they caught up in the last 12 years and thought they had somewhere around 2,000 marked units and probably within the last 14 months had added 400 and they were going to put 300, so they were on a replacement cycle that was business like now, that the helicopters and helicopter maintenance and support, the new police station with staff, modern property room with more staffing for forensics and then they would have extended hours for the store fronts, with civilian employees being there, so if the classified employees were out on a call there would be somebody for the citizen to contact; that they were in the program of hiring civilians to replace classified personnel who could then be put on patrol and investigations and things that only classified personnel would do; that they would pass the 5,000 HPD mark at the graduating class in June and he would invite Council Members to come to the graduating class in June to mark that major milestone; that they would add 150 more officers during the year, 200 more than they had today, 150 more than they would

have at the end of June in their next fiscal year; that Fire was not a stepchild, that there was a significant increase in their budget for both pension, the payroll increase under the contract and the new program such as the Triage Program at the 9-1-1 center, where they would have paramedics that were there, there were calls that came in that they did not think required an ambulance run if they had some paramedic handling that particular program, that 11 new assistants to assist in the large fire emergencies and other things that they would see within the Fire budget; that he would talk about other civilian departments, that as they knew they had been adding to Park space, the newly acquired park in the Alief area, a lot more water playgrounds, which they all had seen were well utilized during the summer time, the Keith Weiss Park expansion, which was incredible and the Harris County Flood Control District was building a 150 acre lake in the middle of Keith Weiss Park, and the soccer fields and all the amenities that would be built around Keith Weiss Park; the new downtown skate park would require staffing that they would have, it was privately funded; the Memorial West pocket park, that he could go on and on, and an increased staff position for the Urban Garden Program that Council Member Brown and his committee had pushed; and the Wild Flower Seeding Program that would be more than matched by private funding; a major tree planting initiative, that approximately a third of the super neighborhoods had particular tree planting projects that they identified in various esplanades and all of them would be done and well within the budget because of the additional money they had allocated to it; that he was excited that Apache Corporation had agreed to donate the tree material, that they would negotiate the limit, but it would be a lot, that he would approach others to if they could do the planting and watering for the first 18 to 24 months to meet some of the goals they set at the State of the City address on trees; that they restored staffing to the Central Library and opened additional express library locations, including their express on wheels mobile unit to bring technology to senior centers and neighborhood, it increased some of the staff at their busiest libraries; that the Health and Human Services Department, they recognized the efforts that the employees, under the leadership of Steven Williams, had done to make it a Health and Human Services Department; that they funded for a full year for service for veterans and now they had a Veterans Office, that they were looking at what to do to transition some of their first offenders, who wanted to work, into a work place so they were not simply recruited again into the gangs, it was a very conservative or fiscally prudent approach to take and they were doing it on a pilot basis, in collaboration with many other non profits and other governmental organizations; mental health issues, there was a defined number of people who made chronic calls to HPD where they were the first responders to the mental health issue and it puts their officers in a very difficult position and they could track who they were, so it gave the Health Department some resources to work for HPD to deal with that situation; that in Public Works they were increasing the number of times they mowed on the right of ways; that they encourage development within the City limits through Developer Participation Agreements within the Public Works Department as well as the important thing of rehabbing their infrastructure; that they heard the results of the money they allocated in water sewer system for rehabbing the sewers, a sharp decrease in the number of calls they were having to make for line breaks, and that number was in the budget book, 3,348 work repairs in FY2004, that number was cut to 2,260 in FY2008, so that was quite an amazing cut; that in Solid Waste they would have chipping facilities for recycling wood waste and an outreach program on wood waste and yard waste, that knew that Council Member Clutterbuck was going to have a hearing on it but they wanted to both reduce the rate at which they used their valuable landfill space and they wanted to be physically prudent about doing that and they wanted some responsibility to be on their citizens for helping separate out these wastes, that nothing was free, that it was important that their communities have service and that they not have deterioration and they communicate about their citizens concerning what they were going to do and what was expected of them and he would say that they support good cost effective recycling efforts and it should not be a trade off between some basic levels of service and recycling, and finally the Civilian Mobility Service, the Mobility Response Team, they should get a Mayor's Report on that, that they had gotten good reports, whenever they could use civilians to do what classified officers were doing or what they ought to be doing because they were

growing so rapidly, and to give people more mobility alternatives including mass transit, that summarizes some aspects of their budget.

Council Member Clutterbuck stated that as her colleagues would notice in the Budget books they were extremely well laid out and were the result of months of polite and sometimes firm nudging to the department heads to make sure they got their initiatives in, that the budget also reflects, in her opinion, the Mayor's commitment to be collaborative and to listen to the needs and concerns of the Council Members, that she thought there were a number of things in the budget that reflected the Mayor's interest in making sure that this was a budget that addressed all of the needs of Houston, while also delivering a tax cut; that they had a series of budget meetings coming up as her colleagues know, that they start on May 27, 2008 and she would urge everybody, now that they had the budget in, to get their questions out to the department heads, that she had sent them, on CD's, copies of all of the budget amendments that were offered last year, as well as all of the questions that were asked last year, and she thought that would be extremely helpful, especially for the new Council Members, as well as for those of them who were trying to see what had happened, if they were continuing to ask the same questions over and over again to the departments and how they were responding to them, that the budget hearings start on May 27, 2008 and they were asking everybody to get the questions in a week before that so that the department heads would have an opportunity to answer their specific questions and that they would have efficient meetings and an opportunity to answer the questions and address additional questions; that it was her hope that the committee meetings would run as smoothly and efficiently as they did under Council Member Green's leadership; that they would actually start during their Budget and Fiscal Affairs Committee meeting at 10:00 a.m. in the Council Chamber when Director Mitchell was going to be outlining the Five Year Dashboard, that it was a phenomenal document and an opportunity to see how the City was planning ahead for the next five years, that it was something that was new in terms of Mayor White letting all of the Council Members in on it and Director Mitchell really taking it to them in a way that was understandable.

Mayor White stated that there were two issues that he had committed to Ms. Mitchell that he would address; one, how does drainage fit in, that the budget accommodates and was consistent with completely the almost a quarter of a million drainage projects they started several years ago plus about \$211 million in more projects that were in the CIP that they adopted, that they used for the first time significant amounts of ad valorem taxes to pay for drainage projects and called that a very important essential City function, and at a time when Council Members Khan and Clutterbuck decide they could have some hearings and whenever the Legal Department was ready he had asked to see how by ordinance they could try to dedicate or earmark some amount of their ad valorem taxes over the longer run to a dedicated Drainage Fund, that they would need their view, they had an idea and had a proposal that they would make on that, that the administration had developed a proposal but they could debate that separately and they were not necessarily going to have to vote on that proposal in this budget, now if they raised spending a lot out of property taxes so they did not have money for drainage without raising property tax rates then it would be moot, but if they stayed within the budget on the use of ad valorem taxes then they should be able to do that drainage program.

Mayor White reviewed a PowerPoint presentation (a copy of which is in the City Secretary's office for review) and stated that citizens had asked him where all their money went, that the Water and Sewer money went into the Water Sewer System, Aviation money went into Aviation, some Hotel and Occupancy taxes was split between several things including the Convention Facilities, the Bureau, the Sports Authority and arts venues, etc., but it was their basic General Fund expenditures, the first pie chart showed them with Debt Service, which was generally for Public Works plus City buildings, that was a short answer of what the Debt Service represented, and on the next slide, which took out Debt Service, that if they took out Debt Service, which they really did not have an option to not pay, that he was not saying they had an

option to pay all of it because they had pension obligations, labor contracts and the like and other things, but two thirds of the General Fund Budget, after Debt Service, went for Police and Fire.

After discussion and questions by Council Members, Mayor White stated that on their 100,000 people households that have the benefit of the senior and disabled exemption, which had moved up from \$44,000 to now \$70,000 per household, that was done by using the Social Security Disability criteria, of which many of the disabled veterans did qualify for that, so the first thing that he would say was that it depended on their level of disability, but for somebody who was seriously disabled, that was one of the 10,000 Houstonians who qualified for the disability exemption, that they did not pay any taxes now if they adopted the budget as proposed and really did the senior exemption in October on the first \$70,000, and then there was an additional veterans authority they may have from the State for an additional \$12,000 depending on the level of disability, but they would get a report and figure out what the right thing to do was; that as to how much of the total dollars would be dedicated to the drainage projects in the budget he would give them a ballpark and then would ask Ms. Stein to get them the number, that in Fiscal Year 2009 he thought it was something in the neighborhood of \$50 million of projects, that they would find that number in two places, number one, it was in the CIP that was adopted about two weeks ago, that it had to be revised and Public Works would have it by the fact that these drainage projects tended to occur a little slower and be a little more expensive than they originally estimated, that his guess was that some of the projects that were supposed to be done in 2008 were a little slow, that was just his guess but he may be wrong, but it was going to be in that general neighborhood, that what the budget did, to put it another way, to fund these projects they had projected a certain use of the property tax, in other words City Council had not voted to reserve that property tax or dedicate it, but they would be asking them to do that, and they may come up with other ideas, that Council Member Khan's committee and Fiscal Affairs may want to have some joint hearings and have different people's ideas about how to create a dedicated fund and legal ideas and public finance ideas; that for their purposes they said they were going to put point 3 cents this year of the ad valorem tax in their sort of internal controls model allocation as being dedicated towards drainage, that now there was another source of funding for drainage on the current projects and that was the dedicated fund out of the Water Sewer Utility, so as that money went down then the money that was available out of the property taxes goes up and they sort of have a smooth transition from Water Sewer System to the General Fund for the drainage.

After further discussion by Council Members, Council Member Khan stated that he would like to see where and which department had really worked hard to bring more efficiencies into the processes, not just in order to save money but efficient ways of serving the people, providing services as they do, and Ms. Mitchell stated that she would.

Upon further questions by Council Members, Mayor White stated that for the tax rate cuts through FY09, if they adopt the budget, it would be about \$69.4 million and the senior exemption would be about \$44 million. Council Members Lawrence, Johnson, Khan, Lovell and Green absent. (Note: See statement by Mayor White after the passage of Item No. 38A.)

Council Member Garcia moved to suspend the rules to consider Item No. 13 out of order, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Lawrence and Lovell absent. MOTION 2008-0320 ADOPTED.

13. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **BUREAU OF JUSTICE ASSISTANCE** under the Smart Office Support Program for the Adam Walsh Act Implementation Grant Program FY2009; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept

such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented.

Council Member Garcia stated that they had some professionals in the Houston Police Department that did some of the toughest jobs that they could possibly ask of them and recognized Officer John Barnes, who was present in the audience, and was a recipient of Reactive Investigator of the Year and worked in the Juvenile Division. Council Member Jones absent.

A vote was called on Item No. 13. All voting aye. Nays none. Council Members Brown and Jones absent. ORDINANCE 2008-0415 ADOPTED.

### **CONSENT AGENDA NUMBERS 1 through 34**

#### **MISCELLANEOUS** - NUMBER 1

1. REQUEST from Mayor for confirmation of the appointment of the following to the panel of hearing officials to consider appeals from the denial, suspension, or revocation of permits to operate adult arcades, adult mini-theatres, and sexually oriented businesses:

**MR. MARK TRACHTENBERG**  
**MR. JOEL W. MOHRMAN**  
**MR. DAVID E. HARRELL, JR.**  
**MR. ROBERT L. KETCHAND**

- was presented, moved by Council Member Khan, seconded by Council Member Garcia. Council Members Brown and Jones absent.

Council Member Clutterbuck stated that on Item No. 1 she wanted to take the opportunity to thank the individuals who had signed up to volunteered to be officers for their Sexually Oriented Business Review Panel and wanted to thank them for their service to the City, and Mayor White stated that they did appreciate the volunteer assistance. Council Members Brown and Jones absent.

A vote was called on Item No. 1. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0321 ADOPTED.

#### **ACCEPT WORK** - NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$704,043.03 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Godwin Park, WBS F-504A07-0001-4 - 4.96% over the original contract amount - **DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0322 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 4 through 6

4. ORDINANCE appropriating \$550,000.00 out of Public Health Consolidated Construction Fund for Purchase of Office Furniture for Department of Health & Human Services, WBS H-000053-0001-5, D-000080-0001-5, H-000054-0001-5 - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2008-0416 ADOPTED.

- 4a. **CONTRACT RESOURCE GROUP, LLC** - \$841,345.00 and **MITY-LITE, INC** - \$75,000.00 for Office Furniture through the State of Texas Building and Procurement Commission's Contract for the Department of Health & Human Services – General, Grant and Special Revenue Funds - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0323 ADOPTED.
5. **AT&T** for Routers and related equipment through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Houston Public Library - \$234,331.42 - HALAN Fund - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0324 ADOPTED.
6. **TOMMIE VAUGHN MOTORS, INC** for Automotive, Air and Spring Brake Parts for Various Departments - \$772,822.16 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0325 ADOPTED.

**ORDINANCES** - NUMBERS 9 through 32

9. **ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the transfer of Parking Management duties from the Convention & Entertainment Facilities Department to the Public Works & Engineering Department - was presented. All voting aye. Nays none. ORDINANCE 2008-0417 ADOPTED.
11. **ORDINANCE enlarging the boundaries of REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS, (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE) - DISTRICTS D - ADAMS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0418 ADOPTED.
- 11a. **ORDINANCE approving fourth amended Project Plan and Reinvestment Zone Financing Plan for REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE); determining the portion of tax increment the City will pay from the area annexed into the Zone; authorizing the City Secretary to distribute such plans DISTRICTS D - ADAMS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0419 ADOPTED.
- 11b. **ORDINANCE relating to the fiscal affairs of the Old Spanish Trail/Almeda Corridors Redevelopment Authority on behalf of Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone); approving the Fiscal Year 2009 Operating Budget for the Authority and the Fiscal Year 2009-2013 Capital Improvement Budget for the Zone DISTRICTS D - ADAMS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0420 ADOPTED.
12. **ORDINANCE approving second amended Project Plan and Reinvestment Zone Financing Plan for REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREENSPPOINT ZONE); authorizing the City Secretary to distribute such plans - DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2008-0421 ADOPTED.
- 12a. **ORDINANCE relating to the fiscal affairs of the GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREENSPPOINT ZONE); approving the Fiscal**

Year 2009 Operating Budget for the Authority and the Fiscal Year 2009-2013 Capital Improvement Budget for the Zone - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2008-0422 ADOPTED.

14. ORDINANCE approving and authorizing amendment No. 1 to Lease Agreement between the City of Houston and **HAM'S AVIATION MAINTENANCE SERVICE, INC** for certain premises at William P. Hobby Airport - Revenue - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0423 ADOPTED.
15. ORDINANCE appropriating \$5,000,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 2 to an agreement for Job Order Contracting between the City of Houston and **KELLOGG, BROWN & ROOT SERVICES, INC** (Project No. 516); WBS A-000348-0001-4-01 - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0424 ADOPTED.
16. ORDINANCE appropriating \$45,318,002.00 out of HAS Consolidated 2004 AMT Construction Fund and \$744,662.00 out of Airports Improvement Fund (Project No. 536K) WBS A-000354-00005-4-01 and awarding construction contract to **BOMBARDIER TRANSPORTATION USA, INC** for Automated People Mover Phase 3, System Fabrication and Installation at George Bush Intercontinental Airport/Houston; setting a deadline for Bombardier Transportation USA, Inc's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding Bombardier Transportation USA, Inc in default if it fails to meet the deadlines; providing funding for contingencies and the Civic Art Program relating to construction of the facilities financed by such funds - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2008-0425 ADOPTED.
17. ORDINANCE approving and authorizing an agreement between the City of Houston and **SSFP 288 VII LLC** to provide \$1,500,000.00 Performance-Based Loan of Federal "HOME" Funds for costs to construct apartments to be known as Cypress Creek at Reed Road, located in the 2900 block of Reed Road, Houston, Texas, to house qualified low income residents - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. ORDINANCE 2008-0426 ADOPTED.
20. ORDINANCE appropriating \$260,000.00 out of FY08 Equipment Acquisition Fund for the purchase of Technology Upgrades and Modifications to the Computer Aided Dispatch (CAD) System for the Houston Emergency Center - was presented. All voting aye. Nays none. ORDINANCE 2008-0427 ADOPTED.
21. ORDINANCE appropriating \$567,000.00 out of Equipment Acquisition Consolidated Fund, WBS X-650003-0001, and awarding contract to **HOWARD R. GREEN COMPANY** for Purchase of a Hosted License and Permit System for Administration & Regulatory Affairs Department; providing a maximum contract amount - 2 Years with three one-year options - \$580,000.00 General Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0428 ADOPTED.
22. ORDINANCE awarding contract to **PORTER LEE CORPORATION** for Software Licenses, Implementation and Maintenance Services for an Integrated Evidence Management System for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$367,690.00 - General and Asset Forfeiture Funds - was presented. All voting aye. Nays none. ORDINANCE 2008-0429 ADOPTED.

23. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and appropriating \$3,231,134.98 out of Water & Sewer System Consolidated Construction Fund and awarding contract to **TIBH INDUSTRIES, INC** for Plastic Meter Box and Cover Installation Services 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. ORDINANCE 2008-0430 ADOPTED.
26. ORDINANCE appropriating \$25,000.00 out of Public Library Consolidated Construction Fund for Programming Services in connection with the Renovation of the Deluxe Theater in the Fifth Ward, WBS E-000178-0001-3 - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2008-0431 ADOPTED.
29. ORDINANCE appropriating \$106,187.50 out of Parks Consolidated Construction Fund; awarding construction contract to **BOYER, INC** for Hermann Park-Phase II and 5KV Upgrades, WBS F-000508-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. ORDINANCE 2008-0432 ADOPTED.
31. ORDINANCE appropriating \$1,701,916.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **NORTH HOUSTON POLE LINE, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-001A-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0433 ADOPTED.
32. ORDINANCE appropriating \$1,036,197.20 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **TEXAS ReEXCAVATION, LC**, for New Front Easement Reconnections (UM), WBS R-002011-0063-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0434 ADOPTED.

Council Member Holm stated that on Item No. 21, where they had authorized Mr. Moran to coordinate and take over some of the coordination of their permitting and some of the processes that they did, she applauded the administration for the selection and applauded Mr. Moran for taking it over and trying to bring some great balance and good management.

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

**PURCHASING AND TABULATION OF BIDS**

3. **COMCAST** for advertisements, marketing and promotional materials for the Houston Health Choice Initiative for the Department of Health and Human Services - \$100,204.00 - General Fund – was presented, moved by Council Member Garcia, seconded by Council

Member Lovell. All voting aye. Nays none. MOTION 2008-0326 ADOPTED.

## **ORDINANCES**

7. ORDINANCE authorizing the issuance of one or more series of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2008 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2008, and ending June 30, 2009; prescribing the terms and form thereof and authorizing the Finance Working Group to determine certain terms and conditions relating thereto; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of a Preliminary Official Statement and official notice of sale to be used in connection with the sale of the Notes; authorizing the preparation and distribution of an Official Statement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement and a Co-Bond Counsel Agreement; making other findings and provisions relating to such notes and matters incident thereto; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Rodriguez absent. ORDINANCE 2008-0435 ADOPTED.
8. ORDINANCE approving a supplemental borrowing evidenced by City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2008A to provide for payment of current expenses of the City for a portion of the Fiscal Year beginning July 1, 2008, and ending June 30, 2009; providing for the payment of the principal of and interest on such Notes; authorizing the procedure for determining the terms and conditions of such Notes; authorizing the execution of a Note Purchase Agreement; approving Co-Bond Counsel; making other findings and provisions related to the subject and matters incident thereto; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Rodriguez absent. ORDINANCE 2008-0436 ADOPTED.
10. ORDINANCE **AMENDING SECTION 4620 OF THE CITY OF HOUSTON BUILDING CODE, ("The Houston Sign Code")**, to expand and revise the application of the provisions thereof currently applying to the East Side Sports and Convention Complex District and the Theater District to include a Retail and Entertainment District; containing other provisions relating to the foregoing subject; providing for severability; providing an effective date - **DISTRICT I – RODRIGUEZ** – was presented, and tagged by Council Members Holm, Johnson, Khan, Green, Brown, Clutterbuck, Noriega, Adams and Jones.
18. ORDINANCE approving and authorizing sixteen (16) Single Family Home Repair Contracts between the City as the Repair Agency, acting on behalf of sixteen (16) Homeowners, and seven (7) Construction Contractors (**MARCO ANTONIO RAMIRIZ FRAMING, SF ADVANCE DRYWALL, PPMG CUSTOM HOMES, CM CONSTRUCTION, KIRKLAND HOMES, GENERAL CONTRACTOR SERVICES, INC, and JOSHUA DADE HOMES**) and providing \$1,356,383.56 (including a 10% contingency of \$123,307.60) in Community Development Block Grant Funds for the demolition and reconstruction work (Tier III) on sixteen (16) houses under the Single Family Home Repair Program Administrative Guidelines, as amended - **DISTRICTS B - JOHNSON; D - ADAMS; H - GARCIA and I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0437 ADOPTED.
19. ORDINANCE approving and authorizing contract between the City of Houston and **FELDMAN & ROGERS, LLP** for Legal Services relating to Civil Action No. 4:07-CV-04021; Shelby Stewart, et al. v. City of Houston, et al; in the United States District Court for the Southern District of Texas, Houston Division; establishing a maximum contract amount - \$150,000.00 - General Fund – was presented, and tagged by Council Members

Jones, Green, Johnson and Holm.

After discussion by Council Members, Mr. Michel stated that it was correct that they were still at the trial level, that it was the beginning of litigation of their 12B Motions but no discovery yet, that the RCA mentioning an appeal must have been a mistake and he would take a look at it; that they would get her information on the clean shaven being for the officers own public safety, and Mayor White stated that on issues concerning some of the requirements he would hope they gave some respect to the professionals in the field, and Mr. Michel stated that they did not commence the law suit they were defendants and it was filed by the officers, and Mayor White stated that he hated to authorize money to pay for legal fees where they could use it for public service, but he would hate even worse for someone to govern the conduct of their departments by threatening or bringing lawsuits, and Mr. Michel stated that the policy existed because of the concern that gas masks, in terms of a catastrophic situation would not fit well on faces that had facial hair, the officers disagree on that but with Chief Hurtt they could get a memo that addressed all of the questions that were asked, that the policy would prohibit officers with facial hair, and they could have facial hair if they had a documented doctors reason for them to do that, but the policy prohibited those officers from wearing their uniforms and conducting activities where they would have to wear their uniforms, such as off duty jobs, that the officers were not claiming it was a public safety issue.

After further discussion by Council Members, Council Member Clutterbuck requested information regarding a medical waiver, and Council Member Green requested Mr. Michel to do the due diligence and share with them whether there was a medical exemption, and Council Member Johnson asked if there was in fact a policy change regarding safety masks would they in fact still need to pursue the lawsuit and defend it, and Mr. Michel stated that if they changed the policy it may make resolving the lawsuit easier but because it was a lawsuit with another party out there they would have to drop the lawsuit in order to have it completely resolved, that he would go back, he had been taking very careful notes, and would work with the Police Department and get a memorandum that answers the questions including the history, the reason and timing, so that they could make an informed decision, if they had any questions either he or the Police Department could follow up.

After further discussion by Council Members, Mayor White stated that per a memo that he had just read from the Chief, he had to go through gas mask training and was available to respond, and HPD representatives would check it to, that it was a requirement for all HPD.

Mayor White stated that Item No. 19 had been tagged.

24. ORDINANCE awarding contract to the **LETCO GROUP, LLC** for Wood Waste Removal Services for the Solid Waste Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,943,700.00 - General Fund – was presented.

Council Member Brown stated that this item was one of the early products of their Sustainable Growth Committee and that they had a very dynamic program to substantially increase recycling in the City of Houston, that the net savings from 90,000 tons per year of green waste, heavy trash green waste that they were going to grind up and sell would save the taxpayers of the City of Houston \$1.7 million, so he wanted to point out that spending \$1.9 million for three years to save \$1.7 million per year he liked those economics.

A vote was called on Item No. 24. All voting aye. Nays none. ORDINANCE 2008-0438 ADOPTED.

25. ORDINANCE approving and authorizing Professional Energy Audit Services Contracts

with the City of Houston and **SIEMENS BUILDING TECHNOLOGIES, INC** and **TAC AMERICAS, INC** for Various City Facilities - \$200,000.00 - In-House Renovation Revolving Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0439 ADOPTED.

27. ORDINANCE appropriating \$2,214,735.00 out of Parks Consolidated Construction Fund; awarding construction contract to **THE GONZALEZ GROUP, LP** for Forestry Complex Relocation, WBS F-504A17-0001-4; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT A – LAWRENCE** – was presented, and tagged by Council Member Jones.
28. ORDINANCE appropriating \$626,335.00 out of Parks Consolidated Construction Fund; awarding construction contract to **ARROW SERVICES, INC** for Asbestos Abatement and Interior Demolition at Gragg Building, WBS F-0504D1-0003-4; 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 project management, construction oversight, air monitoring and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. ORDINANCE 2008-0440 ADOPTED.
30. 00000000ORDINANCE approving and authorizing agreement between the City of Houston and **CH2M HILL, INC** for Water System Operations Engineering Support, WBS S-000522-0009-3 - 5 Years \$3,000,000.00 - Enterprise Fund – was presented, and tagged by Council Member Johnson.
33. ORDINANCE appropriating \$1,397,504.50 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **METRO CITY CONSTRUCTION, L.P.**, for FY08 Water Distribution System Rehabilitation and Renewal, WBS S-000035-0V12-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented, and tagged by Council Member Adams.
34. ORDINANCE appropriating \$3,668,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **WESTERN SUMMIT CONSTRUCTORS, INC**, for Improvements to HSPS3 and Yard Piping at EWPP Plant 3, WBS S-000056-0037-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. ORDINANCE 2008-0441 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 35

**MISCELLANEOUS**

35. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance for (MSD) for LUI Houston Studemont, L.P. for property located at 1200 Givens - **DISTRICT H - GARCIA - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - JULY 2, 2008** - was presented.

Council Member Garcia moved to set 9:00 a.m., Wednesday, July 2, 2008 for the hearing to consider a Municipal Setting Designation ordinance for (MSD) for LUI Houston Studemont, L.P. for property located at 1200 Givens, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0327 ADOPTED.

**MATTERS HELD** - NUMBERS 36 through 39

36. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$2,034,808.20 and acceptance of work on contract with **R J CONSTRUCTION COMPANY, INC** for Drainage Improvements at Grade Separations, WBS M-000241-0002-4 5.36% under the original contract amount - **DISTRICTS D - ADAMS; H - GARCIA and I - RODRIGUEZ - (This was Item 8 on Agenda of May 7, 2008, TAGGED BY COUNCIL MEMBERS ADAMS, JONES and RODRIGUEZ)** - was presented, and tagged by Council Member Green.
37. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$3,247,170.41 and acceptance of work on contract with **ALLCO, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-0099-4 4.88% over the original contract amount - **(This was Item 9 on Agenda of May 7, 2008, TAGGED BY COUNCIL MEMBERS JONES and RODRIGUEZ)** - was presented, and tagged by Council Member Green.
38. WRITTEN Motion by Council Member Lawrence to amend Item 38A below:  
I move to amend Item 38A by making the following change in Section 3 of the proposed Ordinance:
1. Amend Section 26-96 by changing the first sentence to read as follows:  
"No person shall park or cause to be parked or permit to remain parked any large vehicle upon any street or highway in any residential district." - was presented.

After discussion by Council Members, a vote was called on Item no. 38. All voting aye. Nays none. MOTION 2008-0328 ADOPTED.

- 38A. **ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the parking of large vehicles in residential areas and on the streets – **(This was Item 17 on Agenda of May 7, 2008, TAGGED BY COUNCIL MEMBERS ADAMS and KHAN)** - was presented.

Council Member Adams presented the following written motion to amend Item No. 38a:

"I move to amend Item 38a by making the following change in Section 3 of the proposed Ordinance:

Amend Section 26-96 by changing the second sentence to read as follows:

It is a defense to prosecution under this section that a large vehicle is:

- (1) Actually in the process of being loaded or unloaded;
- (2) Parked while the driver or operator is performing a service visit; or

(3) Leased or borrowed for a period of not more than 72 hours.”

After discussion by Council Members, Mr. Michel stated that the definition was whether the Parking Hearing Officer would look to see whether the houses within 300 feet of the street in question were 50% or more residential or the lots rather, that was what the determination was going to be and how they looked at it for purposes of Chapter 26, that the district defined the area that ran from where the car was parked so they would look at where the car was, in other words it was all in relation to a potential violation, that if somebody would try to raise as a defense that it was not residential they would have to look from where the violation existed, it was really for purposes of determining if there was a violation, it did not define an area as residential or not for other purposes, that they could look for some means that they could be consistent, but for purposes of Chapter 26 it was for purposes of the violation.

After further discussion, Council Member Adams stated that she would amend her amendment to say “leased or borrowed and parked” for a period of not more than 72 hours.

Mayor White stated that if there was no objection it was so ordered. Council Members Sullivan and Jones absent.

A vote was called on Council Member Adams motion to amend Item No. 38a. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2008-0329 ADOPTED.

Council Member Lovell moved to amend the caption of Item No. 38a to strike the word “areas” and put the word “districts”, for keeping it the same in the definition in the chapter, seconded by Council Member Khan. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2008-0330 ADOPTED.

A vote was called on Item No. 38a as amended. All voting aye. Nays none. Council Members Sullivan and Jones absent. ORDINANCE 2008-0442 ADOPTED.

Mayor White asked when the ordinance was effective, and Mr. Michel stated that he thought it was effective upon passage or execution by everyone, that he did not think there was any delay built into it, and Mayor White stated that he thought a lot of people had confidence in Ms. Rambo and the Parking Commission and what should be the division of responsibilities but in the meantime he would make sure, to Mr. Fontaine and Ms. Adams, that those people who were parking on Regg Street were warned and then arrested, and asked if they could do that, and Mr. Michel stated that yes, they could arrest for Class C misdemeanors, in fact he thought some targeted enforcement may be helpful in administering the ordinance, that the ordinance was effective upon the Mayor’s signature. Council Members Johnson, Sullivan and Jones absent.

Mayor White stated that he had to correct something that was said earlier, that he answered a question in response to Council Member Garcia’s question about the cumulative effective of tax rate cuts through 2009, that it was \$64.9 million, not as he said \$69.4 million, it was a transposition error. Council Members Johnson, Sullivan, Holm and Jones absent.

39. ORDINANCE approving and authorizing contract between the City of Houston and **ACORN HOUSING CORPORATION, INC** to provide \$155,000.00 in Community Development Block Grant Funds for Foreclosure Prevention Counseling Services – **(This was Item 34 on Agenda of May 7, 2008, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented, and tagged by Council Member Green. Council Members Johnson, Sullivan, Holm and Jones absent.

After discussion by Council Members, Council Member Clutterbuck stated that she wanted to make sure that they were not engaging in other political activities, that ACORN and their PAC had endorsed a Presidential candidate; that she thought it was critical that they make sure that organizations that were being paid by federal housing dollars and supported by the City were also not engaging in political activities; and Council Member Rodriguez stated that he was concerned that there was not an RFP on the process. Council Members Johnson, Sullivan, Holmes, Garcia and Jones absent.

Mayor White stated that he encouraged people to investigate and ask questions, that under the State of Texas Funds, where they got a separate grant to do some foreclosure, that the three organizations that they had selected, non profits to do statewide, based on their track records, were ACORN, Catholic Charities and another firm that he could not remember, that he was very sensitive of the type of stuff that Council Member Clutterbuck raised, which they avoided, mixing public policy and politics within the City of Houston, that he did not think that they were selected by Governor Perry and the department on the basis of political consideration.

After further discussion Council Member Adams asked if there was an order on how they received contracts, did they pick the top three or were there other companies that had applied for the type of work that ACORN was doing, that she would like to see the resumes of the individuals who were providing the work, that they wanted to make sure they were picking the best company that was out there to be able to provide such a service. Council Members Johnson, Sullivan, Noriega and Green absent.

After further discussion Mayor White stated that Item No. 29 had been tagged. Council Members Lawrence, Johnson, Sullivan, Holm, Noriega and Green absent.

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

Council Member Khan stated that tomorrow at 10:00 a.m. Mayor White and a lot of good citizens in Houston would be getting together to do the ground breaking ceremony for the Asian Society Asia House, that it would be located at 1370 Southmore, that the 30,000 square foot facility was scheduled to open in 2010 and would serve as the permanent home of the Asia Society Texas Center. Mayor White and Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding.

Council Member Khan stated that May 2008 was Asian Pacific Heritage Month all over the Country and the Houston Airport System, in coordination with his office, was conducting a seminar, "Business Opportunity Workshop", next Tuesday, May 20, 2008, from 8:30 a.m. to 11:00 a.m., that it would be at the International Trade Center, at 11110 Bellaire Boulevard, west of Hillcroft, in southwest Houston; that they had a stakeholders meeting of the Flooding and Drainage Committee on Monday at the City Hall Annex and more than 40 people attended and there were some very effective and important feedback from the community and he wanted to assure everybody that all the suggestions they made would be given fair consideration, that they would be holding another stakeholders meeting dealing with vacant lots. Mayor White and Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that he wanted to acknowledge Mr. Tracy Samuel in Right-of-Way for all of the help he had been providing, that he had been working with his staff on a lot of items related to right-of-way and ditches. Mayor White and Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that on Thursday, May 22, 2008, at Burbank Middle School at 6:00 p.m. there would be a program recognizing the over 250 minority students of the Gifted and Talented Program; that on May 16, 2008, Friday, from 9:30 a.m. to 11:30 a.m. at the Independence Heights Community Health Center there would be an open house and ribbon cutting event. Mayor White and Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that he wanted to take time out to remember Mr. Tom Jones, the curator for the Art Car Museum, who was tragically killed by a drunk driver, that he wanted to take the opportunity to say thank you to Mr. Jones for all of his good work and for all that he had done for Houston by helping to make the Art Car Parade what it was, that to his family and friends, thank you. Mayor White and Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that he wanted to recognize Officer Paul LaSalle, who worked in the HPD Traffic Enforcement Division and was also an officer who was recognized on Monday for his good work in preventing drunk driving; that at Monday's event he talked about developing a passion for the issue because he was a youth pastor and one of his parishioner was killed by a drunk driver and he had since taken on the mission of dealing with drunk driving; that he pointed out that the national average for fatalities involving alcohol was 41% and the Texas average was 48% and the Houston/Harris County average was 62%, so they had a tremendous amount of work to be done. Mayor White and Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding.

Council Member Khan stated that he wanted HPD to start cracking on the itinerant vendors, that on the weekend he took a trip all over his district and he saw more and more of the itinerant vendors coming on the weekend and occupying property without permission and selling items which were a health hazard, that it was a nuisance and a health hazard and should not be tolerated. Mayor White and Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding.

Council Member Green stated that he wanted to alert the community to a job fair that was going on in the Fourth Ward area at the Rosharon Baptist Church, that it would be held tonight from 7:00 p.m. to 9:00 p.m., that Reverend Elmo Johnson was endeavoring to try to get individuals employed with the Houston Solid Waste Department; that the Community Artist Collective Spring Canvas, an event of contemporary African American Art, was holding a fund raiser on May 16, 2008, Friday, from 5:30 p.m. to 8:30 p.m. at the home of Dr. Ron and Irene Johnson, for more information they could call 713-444-5469; that on May 17, 2008, Saturday, the Northside Economic Development Coalition would meet and were going to discuss short and long term planning strategies for economic development in Houston's Northside, that the day was entitled, "Empowerment with Direction", that more than 55 ministers in the Northside were invited to participate, for more information they could call 713-742-6995. Council Members Johnson, Sullivan, Khan, Rodriguez, Lovell and Noriega absent.

Council Member Green stated that last week he, along with former Council Member Carol Alvarado, Deputy Chief of Staff Terrance Fontaine and the General Services Director, were in China and luckily the day they got back was the day that the earthquake happened, that he received a lot of calls wondering if they had made it back, that he wanted to send out his sympathies to all of the individuals who were affected, that he knew there were a lot of Houstonians who had family members there and were still awaiting notification that they were okay so certainly their heart goes out to the Chinese Community in Houston and abroad; that on a lighter note the City of Houston had a lot of respect throughout China, that they were gaining traction in China and he thought it was an area he thought for them to try to further develop the ties between their communities here and abroad because he thought there were opportunist for

bilateral trade, not just for them to purchase from China and import but also for them to export. Council Members Johnson, Sullivan, Khan, Rodriguez, Lovell and Noriega absent.

Council Member Brown stated that the groundbreaking of Asian House would be at the corner of Caroline and Calumet Streets. Council Members Johnson, Sullivan, Khan, Rodriguez, Lovell and Noriega absent.

Council Member Brown stated that he and Council Member Johnson had a wonderful picnic Saturday morning at the renaming and rededication of the Barbara Jordan Family Park, that it was in the Fifth Ward, and displayed a picture of the event; that Barbara Jordan's sister, Ms. Rosemary McGowen, was honored by the park, that Ms. Jordan was the first African American since Reconstruction elected to the Texas Legislature, that she was a State Senator and the first African American woman elected to the United States Congress, that during the ceremony they played portions of her keynote speech at the 1976 Democratic National Convention. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that as they drove two blocks away from the park they saw unpaved streets and trash in ditches and he wondered if they could set some priorities for the clearance of dangerous buildings and the cleanup of trash in ditches that were not working any more, around their parks and schools and where there was a convening of people in the neighborhoods. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he had handed out an invitation to a fantastic event that was taking place Friday evening, from 7:00 p.m. to 9:00 p.m. at the Omni Hotel which he would define as the "battle of the titans", or David versus Goliath, that it was the debate of how they shape the future of their great City. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she would urge her colleagues to join her in reviewing the budget and compiling questions for each of the departments, that it was her hope that they could deliver questions to the department heads in a timely fashion to give them time to respond and continue to have productive meetings as they go through the budget, that they did have an ambitious schedule and had 23 meetings scheduled to go through each of the divisions and departments of the budget, that her office had sent the calendar to everybody, but she did not believe they sent it out in terms of using the Microsoft Office Outlook, inviting everybody, so she would urge them to talk with their staff to put them on their schedule, that if there were particular departments they were interested in and may have schedule conflicts to please let them know; that they would look forward to having the budget meeting on May 27, 2008 that would kick it all off with a five year forecast presented by the Director of Finance, Ms. Michele Mitchell. Council Members Johnson, Sullivan, Khan, Rodriguez, Noriega and Green absent.

Council Member Adams stated that she wanted to congratulate a member of her staff, Mr. Christopher Banks, who graduated from the University of Houston on Friday, with a law degree. Council Members Johnson, Sullivan, Khan, Rodriguez, Noriega and Green absent.

Council Member Adams stated that they would invite everybody to the SPARK Park dedication at Kashmere High School, that they would be unveiling a statue of Mr. Conrad Johnson at Kashmere; that on Sunday she had the opportunity to drive along MLK Boulevard and wanted to thank the Southeast Patrol, under the leadership of Captain Futuris and his team for what they were doing to limit the crowd control on Martin Luther King Boulevard; that she wanted to wish a belated Happy Birthday to Council Member Khan; that on Saturday they were

going to have their first Economic Development Summit and she wanted to thank Ms. Velma Laws for her assistance, that it would be called, "Navigating the Maze of City Contracts" and would be held from 9:00 a.m. to 1:00 p.m. at Palm Center, that they welcomed all individuals who wanted to know how to do business with the City; that on Tuesday, May 20, 2008, they would be meeting with the Planning about Regg Street, to give the options they had about the opening of that narrow way and wanted to thank Ms. Marlene Garrick and her team, so if they were concerned about Regg Street they were asking them to come to the meeting on Tuesday, May 20, 2008, at Hobby Elementary School at 7:00 p.m. Council Members Johnson, Sullivan, Khan, Rodriguez, Noriega and Green absent.

Council Member Adams stated that she tagged Item No. 33, that last week they had some people come and discuss something that was happening on Grove Street, that she wanted to thank Mr. English for sitting through the whole Council session today to address the issue and thanked them for coming forward; that she wanted to thank Council Member Brown for taking some pictures at night and early in the morning of the 18 wheelers that were passing along Grove Street, that they had "no thru truck" signs that were there, that her concern was that today they were one of their prime contractors that they were hiring to do some work, they had piles of dirt and stacks of pipes on an unoccupied lot making it an eyesore across the streets from homes that were in the Near Town area, they had huge dump trucks and other construction vehicles driving down the narrow streets causing damage to the streets and waking them up early in the morning and blocking their homes so that they could not get in and out of their driveways, that dirt from piles blew onto their homes and vehicles, those were the complaints that they had been receiving, that the City contracted Metro City Construction for Oak Estates water line, which just happened to be in the District D area at this time, that Metro City was housing all of their material on a vacant lot in Near Town, in District D, and she wondered when they gave contracts to organizations or to companies did they make sure they had proper housing for their materials when they were doing business with the City and not utilize their vacant lots to store their material in any of the districts, that Metro City uses the land to store dirt and pipes and drives it back and forth to the site of the actual construction work with dump trucks and other construction vehicles, that recently Public Works cited Metro City for several violations and she wanted to thank them and was glad to hear from the residents that there had been some improvements, but not enough, they must find a way to find readiness for the grievances of their neighborhoods and find a better way to learn in advance what their contractors were applying and planning to do before they approved their plans, and Mayor White requested a copy of the pictures that Council Member Adams mentioned. Council Members Johnson, Sullivan, Khan, Rodriguez, Noriega and Green absent.

Council Member Jones stated that her Agenda Director, Linda Layton's mother died, Mrs. Karmolete Everyne Philio Walker, was 91 years old, her services would be on May 15, 2008 at Jerusalem Missionary Baptist Church located at 2201 Tuam Avenue, visitation from 10-11am, and worship at 11 am. Council Members Johnson, Sullivan, Khan, Garcia, Rodriguez, Noriega and Green absent.

Council Member Jones stated that yesterday she attended "Bridge to the Future Luncheon", the Center for Houston's Future 2008 Annual Luncheon; that Reverend William Lawson, Wheeler Avenue Baptist Church, won the Eugene H. Vaughn Civic Leadership Award; that she participated with Judge Hillary Green and Cynthia Cooper in the Barbara Jordan Project Memorial Speech Competition, that the kids had to speak and write on the theme of her keynote address at the 1976 Democratic Convention, that there were some great speeches. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Jones invited Mr. Shawn Godfrey to the podium and stated that Mr. Godfrey graduated from Texas Law School and was the Managing Editor of the Law Review,

Partner at Sussman Godfrey, Co-founder of the U. S. Public Service Academy in Washington, D.C., Board Member of the Houston Area Woman's Center, Board Member for Teach for America; that he co-founded the Sunflower County Freedom Projects, where he took abjectly poor kids from the Mississippi Delta and exposes them to things in all kinds of way, including bringing them to his home in Houston, where she went and spoke with the kids, to instill a sense of hard work ethic and broaden their possibilities; that he raised money for it and bought a building in Mississippi where the kids could lean, that he worked with a kid that was 15 years old, Charles Sourney, in the first grade and could not read, that Shawn worked with this kid and in 2008 he was graduating from college, that he co-owned a beverage company in Connecticut and worked with troubled teens; that she wanted to give Mr. Godfrey a certificate from her office and wanted for the City to recognize that they had really smart people who put people in a position to enrich themselves and their communities and give them dignity and respect; that Leonard Pitts, Houston Chronicle, wrote a wonderful article, "Freedom Project Instills Lofty Dreams in Students". Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that they were all sad by the passing of Mr. Tom Jones, that the Art Parade was a wonderful parade; that people were all over Discovery Green after the parade. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that this was "National Police Week" and would be her twelfth year attending the memorial and was something they all needed to recognize the peace officers who sacrificed their lives while protecting the City and their constituents so she urged her colleagues to attend at 7:00 p.m. on Friday, that tomorrow they asked that everybody keep their lights on and honor the fallen officers. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that on May 16, 2008 was the day that Austin officially became the Capital of Texas. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she too wanted to convey her condolences to Mr. Tom Jones family and the Art Car community, that it was truly a loss, that she hoped everybody out there would not drink and drive; and also the passing of Mr. Ron Stone, he was an institution and someone who made the news very interesting and the chemistry he had and what he taught them; that yesterday she lost a good friend of 25 years, Mr. Michael Whitmire, who before any of them had children, talked and dreamed of having children, they were neighbors and their children were all about the same age, so he leaves three wonderful children, Travis, Mikie and Shay, that it was a loss for the community and neighborhood and a personal loss, that they were establishing a memorial and his children would be taken care of. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that his past Friday they went to Jackson Middle School and would be going to other schools and talk about graffiti and how summer was coming and to not go and commit a crime, that they took posters around and passed them around to all the students, that she wanted to thank Principal Ms. Samaripa for allowing them to come and speak to the students, that Council Member Rodriguez was present and thought it was really cool that he had been an Astros batboy and he was very good in talking with them; that she wanted to thank Janaeya Carmouche of her staff who put it together, going to all the middle schools, that she appreciated it. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that they had the TIA meeting on the Metro Consent Agreement and she wanted to commend Director Marcotte and his staff, that it was a really great presentation, that he had the answers to the questions, that they did not finish up and had many public speakers, that they would come back and believed May 30, 2008, would be the date but they would let everybody know so all the people who wanted to come and speak would have the opportunity to do so, that she wanted to thank the Metro staff and to Mr. Williams for staying and listening to the Council Members and the public. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that Council Member Lawrence was wearing one of the best Art Car Parade t-shirts that they had made. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm stated that she too wanted to extend condolences to the family of Mr. Ron Stone, who lived in District G. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm stated that probably the number one concern of citizens and neighborhoods had always been protecting the integrity of their neighborhoods and the quality of life of their residents, that for them the critical issue had always been cut through traffic and speeding cars through neighborhoods, that they were aggressively working with 22 neighborhoods, Westmont, Tanglewilde, Walnut Bend, Lakeside Estates, Frostwood, Memorial Forest, Memorial Woods, Ashford Forest, Ashford South, Ashford Forest Lake, Village West, Pinewood Estates, Avolon Place, Bayou Woods, Charm Wood, Briar Bend, Briar Meadow, Tealwood, Afton Oaks, Briar Grove, Briar Hills and Briar Grove Park to address issues that mitigate traffic, that Ray Chong, Deputy Director of Traffic and Transportation and Gary Draebek, who administrates that program, did a phenomenal job and almost all of the neighborhoods had engaged in a process in some form to identify and improve their situation; that they had adopted speed cushions, which were put into the ground and they could contract it individually and allowed for emergency vehicles and was one that many neighborhoods would like to be able to implement safely and would give some results and would even do some of the funding themselves, so she hoped they would really look at a process to be able to move that forward and to find some fair and equitable process that worked for everybody; that there was also another neighborhood, Rivercrest, who had been very challenged by the cut through traffic, that the City had come up with an incredible means of mitigating that cut through traffic and that was to make the street a one way street so that there was no egress from Westheimer onto that street; that of the 22 neighborhoods, 13, including Briargrove Park, it would change their life if they could do it for them, that right now there were three streets, East Rivercrest West Rivercrest and Siegler that were north south streets between Fondren and Gessner and by allowing East Rivercrest to do this, which she was glad they did and needed to figure out how they could help everybody else do it, they had now posted signs and closed the streets in order to make them one way, they posted signs that say detour through Siegler, so they had transferred all of the north south cut through into one neighborhood of 1,200 homes, that were so terribly challenged, that they had started calling her, they were so concerned and upset that there had not been a process that they had been engaged in, there had been no notice, and in addition to transferring all of the cut through traffic to Siegler now Rivercrest traffic had to cut through Siegler, that she thought it was a great process and alternative, she was just soliciting the help of the Mayor's office to figure out how they engage community and establish an effective process that was fair and equitable and that they could serve all of their citizens, because as often happens the unintended consequences create situations for them that were significantly harder to manage. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm stated that on premise signage, she believed it was their greatest concern in the City and on the agenda this week it was tagged and she hoped they had some time to really review it so they could look at establishing once again appropriate guidelines, that on March 25, 2008 in a letter she ended it with the Mayor that she really wanted to be a part of the team to improve the quality of life for all Houstonians crafting responsible and enforceable signage standards; that Rice University had been wanting and in need of some signage and had for 18 months engaged in a process, that it concerned her greatly that they had not been able to address their issues. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm stated that there had been some discussion among her colleagues about a good process for pop off; that while she respected the time that was allowed each of them to speak, for her it was sometimes one of the opportunities that she had to actually discuss with administration or to have some communication and conversation, that she wanted to go on record saying that she respected everyone of their individual rights and opportunities and need for good and open communication but also thought if they could develop an effective process it could help all of them. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:27 p.m. Council Members Johnson, Adams, Sullivan, Khan, Garcia, Rodriguez, Brown, 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

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Anna Russell, City Secretary