

City Council Chamber, City Hall, Tuesday, August 19, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 19, 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, 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; Ms. Marty Stein, Agenda Director; Ms. Marta Crinejo, Assistant Agenda Director and Stella Ortega, Administrative Assistant, Agenda Office, present. Council Member Peter Brown out of the city on city business.

At 2:09 p.m. Mayor White called the meeting to order and stated that Council Member Clutterbuck would begin presentations. Council Members Johnson, Sullivan, Holm, Garcia, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that today she was celebrating Blue Bird Circle Day and invited those present for her presentation to the podium. Council Member Clutterbuck stated that the Blue Bird Circle started in 1923 as a charitable organization and the first projects were to provide aid to the Young Women's Cooperative Home and to a day nursery for working mothers; that this was their 50<sup>th</sup> anniversary and they continued providing vital services; and congratulated and commended them and presented a Proclamation to the group proclaiming today as "Blue Bird Circle Day" in Houston, Texas. A spokesperson for the group thanked all for honoring them and stated that it was much appreciated. Council Members Johnson, Sullivan, Holm, Rodriguez, Lovell and Jones absent.

Council Member Adams stated that the Blue Birds sat in District D and she thanked them for all they did. Council Members Johnson, Sullivan, Holm, Rodriguez, Lovell and Jones absent.

Mayor White invited Mr. Gary Trietsch to the podium and stated that this community was lucky to have had outstanding public servants at all levels of government and the Texas Department of Transportation local district was viewed as one of the leaders in service transportation on the planet and there was no way this community could have grown without contributions of their engineers and contractors and Gary Trietsch had a long and distinguished career and whenever he or a director called him for something it was always a straight forward and quick response; and presented him a Proclamation honoring his 40 years of service and proclaimed today as "Gary Trietsch Day" in Houston, Texas. Mr. Trietsch stated that he came here 13 years ago and it was the highlight of his career and he and his wife planned on staying in Houston and that was the biggest compliment he could give. Council Members Johnson, Rodriguez and Lovell absent.

Council Members commended, complimented and wished Mr. Trietsch a successful retirement. Council Member Johnson absent.

Council Member Green invited Miss Hanna Kirkland and Ms. Elise Horner to the podium and stated that Houston was filled with beautiful people and there were ambassadors all over, but today was very special as they were honoring two people who were representing the city; that Hanna was Miss Teen USA and Elise was crowned Ms. Houston USA and would compete in the Ms. Texas Pageant and presented each a Proclamation proclaiming today as "Hanna Kirkland Day" and "Elise Horner Day" in the City of Houston, Texas. Miss Kirkland thanked all for the Proclamation and Ms. Horner stated she thanked all for recognizing their accomplishments, it was something they would both cherish.

Council Members congratulated and commended Miss Kirkland and Ms. Horner on their accomplishments and for being a roll model. Council Member Noriega absent.

At 2:40 p.m. Council Member Adams led all in the prayer and in the pledge.

At 2:42 p.m. the City Secretary called the roll. Council Member Brown out of the city on city business. Council Member Garcia absent on personal business.

Council Members Garcia and Khan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Brown out of the city on city business..  
MOTION ADOPTED.

Council Member Adams moved the rules be suspended for the purpose of hearing Ms. Andrea Hinckson after Mr. Tony Wilke, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Noriega absent. MOTION 2008-0646 ADOPTED.

At 2:43 p.m. the City Secretary began calling the public speakers. Council Member Noriega absent.

Ms. Rita Verros, 1114 Persian Garden, San Antonio, Texas 78260 (210-764-2304) appeared and stated that she was present as a former beauty queen as well from Venezuela, but importantly present as a former contestant and castaway of Council Member Jones on CBC's reality show Survivor Figi as was her castaway member present with her Ms. Natalie Bolton; that they were present to inform all and invite them to the very first Houston Survivor Challenge which would take place Saturday, October 25, 2008, Council Member Jones and Mayor White were bringing the event to Houston. Council Member Noriega absent.

Ms. Natalie Bolton, 3018 Grace Lane, Highland, Texas 77562 (323-702-4445) appeared and stated that they were present to speak on behalf of the Buffalo Bayou Partnership, [www.buffalobayou.org](http://www.buffalobayou.org), and the Connelly Foundation for SIDS, it was an important foundation and an important charity. Council Members Johnson, Clutterbuck and Noriega absent.

Ms. Verros stated that the proceeds would go to help the two foundations and there would be challenges but it would be a lot of fun, no one would go hungry and it was for two very important causes.

Council Member Jones stated that Natalie was a native Houstonian and had made it very far on the last survivor, the upcoming was a four day event and 20 would be interviewed for placement and a grand prize winner in the end; that there would be Pigmy Island at Sesquicentennial Park for children and they could compete and get autographs there; that it was for two important causes, to fix up Buffalo Bayou and for SIDS research, etc. and it was free to participate. Council Members Lawrence, Johnson, Clutterbuck, Holm and Noriega absent.

Council Member Khan thanked Ms. Verros and Ms. Bolton for bringing this to Houston and helping great causes. Council Members Lawrence, Johnson, Clutterbuck, Holm and Noriega absent.

Council Member Rodriguez thanked Ms. Verros and Ms. Bolton for volunteering their time and thanked Council Member Jones for the event being in his district. Council Members Lawrence, Johnson, Clutterbuck, Holm and Noriega absent.

Ms. Jolene Williams, P. O. Box 27352, Houston, Texas 77227 (832-641-5656) had

reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Clutterbuck, Holm, Noriega and Jones absent.

Mr. Tony Wilke, 2713 Morningside, Pasadena, Texas 77506 (713-473-0269) appeared and stated that Houston was his home, but he lived a nightmare for over a year and this was brought before the Harris County Hospital District, on television you hear about mistakes and manipulations, but they happen, they were going to let him die and not tell him; that he was very sick and on chemo and it was free but the Harris County Hospital District said they had to pay for it, the pharmaceutical company wrote him and said they did not have to pay, they were not charged and neither was he, not even the shipment of the medication; that for months he suffered symptoms but was made to believe they were of a mental nature and no physical basis, but while under the care of a psychiatrist care it was discovered his ailments did not stem from psychiatric conditions and disclosed he suffered from Hepatitis C and when he tried to confront past physicians he was again discounted; and today he was trying to bring the light to MD's he trusted to treat him in the Harris County Hospital System and they neglected to tell him his test results from numerous visits. Council Members Lawrence, Johnson, Clutterbuck, Holm, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia stated that the city had no governance over the Harris County Hospital District; and upon questions, Mr. Wilke stated that yes, the Commissioners Court gave him a runaround and Commissioner Lee refused to visit with him and he had proof he tried to sanitize his files, but the doctors were going to let him die and no one would have known and he had contacted federal agencies. Council Members Lawrence, Johnson, Clutterbuck, Holm, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Andrea Hinckson, 2211 Norfolk #810, Houston, Texas 77098 (713-520-3470) appeared and stated that she was with Mental Health America of Greater Houston and since 2004 they had been working to increase the number of permanent supportive housing units in the City of Houston and it had not been easy, with Magnolia Glen being the latest; that she felt there was much misinformation out on Magnolia Glen, it was not a facility, drug treatment center, halfway house, shelter, soup kitchen, hospital, etc., it was permanent housing and those on site would have access to services such as case management, job training and medical care, but it was primarily housing and there would be former homeless people there, but these were human beings. Council Members Lawrence, Johnson, Clutterbuck, Holm, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Upon questions by Council Member Garcia, Ms. Hinckson stated that she wanted people to know they were speaking of veterans, battered women, people looking for opportunity to rebuild their lives and there were similar projects in Council Member Garcia's district and before they cost people up to \$80,000 and now they paid taxes themselves. Council Members Lawrence, Johnson, Clutterbuck, Holm, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor White thanked Ms. Hinckson for coming and stated that many were concerned for their neighborhood protection or compassion for citizens and the vast majority of complaints had to do with the homeless population and he thanked her for being an advocate for permanent housing for the homeless, they could not just be moved around, but needed the cycle broken and placed back on the cycle of self-sufficiency. Council Members Lawrence, Johnson, Clutterbuck, Holm, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia thanked Ms. Hinkson for her work and stated that she and others had been very good about creating dialogue with his constituents and helping them understand what they were doing and he could not remember having a complaint on those facilities and he thanked her for her patience of dialogue and leadership. Council Members Lawrence, Johnson,

Clutterbuck, Holm, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Gerry Vander-Lyn, 4404 Pease, Houston, Texas 77023 (713-923-7478) appeared and stated that she was a resident of District I and lived six houses from Council Member Noriega and represented about the same number of residents as Steve Barker a few weeks ago only they were all in favor of using Magnolia Glen as a part of a strategic initiative to address homeless in the neighborhood; that Magnolia Glen was an eyesore at their gateway and described other rundown places near there. Ms. Vander-Lyn stated that some of them felt there was an irrational quality to the arguments in opposition to Magnolia Glen, however, opening Magnolia Glen as an SRO without addressing the rest of the gateway issues would be in her opinion a waste of time, talent and treasure known as tax money. Council Members Johnson, Clutterbuck, Khan, Holm, Rodriguez and Jones absent.

Mayor White thanked Ms. Vander-Lyn for coming and she did have their attention. Council Members Johnson, Clutterbuck, Khan, Holm, Rodriguez and Jones absent.

Ms. Lynda Greene, 1418 Preston, Houston, Texas 77002 (713-224-1418) appeared and stated that she was the community director of the DeGeorge at Union Station, a 100 room SRO, owned and operated by the Housing Corporation of Greater Houston, Inc. and located downtown across from Minute Maid Park; that since they opened they had housed over 600 veterans and their capacity was 100 and always full with a waiting list and approximately 60% were disabled; that 1/3 of the homeless were veterans and the proposed Magnolia Glen would house approximately 100 veterans; and urged Council's support. Council Members Khan, Holm, Rodriguez and Jones absent.

Mr. Eugene Hamilton, 1418 Preston #614, Houston, Texas 77002 (713-471-3573) appeared and stated that he was from DeGeorge and was homeless, his wife passed and he could not afford his home; that each day he saw the homeless and for anyone to want to stop a building for the homeless who were men, women and children...; that it was a disturbing sight and they only wanted a roof and a good meal and with Magnolia Glen many could get off the street and find life was worth living; and urged Council's support. Council Members Sullivan, Khan, Holm, Garcia and Rodriguez absent.

Ms. Tamara Echols, 607 Thornton, Houston, Texas 77018 (713-518-9269) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Khan, Holm, Garcia and Rodriguez absent.

Mr. Bill Opegard, 607 Thornton, Houston, Texas 77018 (713-518-9269) appeared and stated that he was present in support of the homeless, he was a volunteer and resident at Jackson Hines Gardens; that he had been homeless and was helped and they needed more such places; and urged Council's support. Council Members Sullivan, Holm, Garcia and Rodriguez absent.

Mr. James Tisdal, 1418 Preston #313, Houston, Texas 77002 (832-285-6854) appeared and stated that he resided at DeGeorge and did maintenance there; that he used to live in his car until DeGeorge and he was treated well and other veterans needed a place to be housed; and urged support. Council Members Sullivan, Holm, Garcia and Rodriguez absent.

Mr. John Keating, 1418 Preston #406, Houston, Texas 77002 (832-271-6851) appeared and stated that he was a resident at DeGeorge and was 100% disabled; that 1/4 of his heart was dead; that he was also a graduate of Prairie View A & M with a masters in therapeutic counseling, etc., anyone could become disabled at anytime and DeGeorge saved his life; that people who railed against a problem usually had the problem hurt them in the past and had not had opportunity to heal; and suggested a city health social worker go speak to those in pain and

find out the real problem, but progress should not be hampered; and urged support of Magnolia Glen. Council Members Holm and Rodriguez absent.

Council Member Adams moved the rules be suspended for the purpose of hearing from Mr. Tom Lord after Mr. Raleigh Heath, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Members Holm and Noriega absent. MOTION 2008-0647 ADOPTED.

Mr. Raleigh Heath, 601 Thornton road #246, Houston, Texas 77018 (832-888-3978) appeared and stated that he was in favor of the Magnolia Glen project, about three months ago he was homeless and did not know where he would go, but was blessed and allowed to go into a program which helped him get his life back and he was a resident at Jackson Hines Gardens at 607 Thornton, it was a blessing and many today needed a home and the program being discussed would provide that residence for some 100 people; and urged support for the less fortunate. Council Members Holm and Noriega absent.

Mr. Tom Lord, 2329 Bluebonnet, Houston, Texas 77030 (713-526-9470) appeared and stated that he was president of the Housing Corporation of Greater Houston and in 1993 he was appointed to be president of New Hope Housing and he walked around and tried to understand the people around the church; that he went under Highway 59 and immediately a tarpaper shack caught his attention because over it flew the American flag and he thought here was a homeless person and yet he flew the flag, he went to meet him and found he was a Vietnam veteran suffering from posttraumatic stress syndrome and told him he wanted a home and asked if he could move into New Hope; that he realized in that moment in a blink of an eye the tables could turn and he could be the one down and the same was true of each who were present, these people were not different, he spoke to people daily who were engineers, writers, etc., just regular people living at DeGeorge; that they did not need a shelter to stay at night and leave in the morning and they did not need a soup kitchen, etc., they needed a permanent home where they signed a lease just like other people; and that was what they did they provided a home. Council Member Holm absent.

Council Member Garcia thanked Mr. Lord for coming and stated that he pointed out the issue of the Vietnam vet and one point was he was hearing that they were already seeing Iraqi veterans on Houston streets and it was an important point he made; that much was said about Magnolia Glen; and upon questions, Mr. Lord stated that he passed out to the Council Members a sheet which showed voluminous work to obtain agencies work for the project and they would notice the first allocations of apartments were for veterans, we owed them and wanted to make sure they had a home. Council Member Holm absent.

Council Member Noriega stated that she was glad he mentioned the new Hope Project, the one on I-45 which used to be the HouTex Inn which was a concern to Idylwood, they really fought it, but efforts were made to get them comfortable and eventually the neighborhood which did not want the project came around and were willing to have it done; that she understood the value of the property for that project, but this neighborhood was not comfortable yet and they had a right to weigh in and they deserved the same as Idylwood and their next meeting was at the Cape Center in September and they would talk through this issue and for her that was her sole intent and she did understand his point of view.

Council Member Jones stated that this process was not over yet and the issue was more complicated than if you don't support Magnolia Glen, you don't support the homeless; that her Dad was a veteran and she fought hard for them; that she and her son helped to feed the homeless and it was not a one central area, there were many places in Houston where they could be helped and she did hope this discussion would be about solutions and looked forward in working with everyone to resolve a difficult issue.

Mayor White thanked Mr. Lord for coming and stated that he had city personnel on the line here and he wanted a little dialogue, but he would be asking questions; that he felt he was aware there was a group meeting in the city which started about three years ago with John Walsh, Tim Horan, Michael Moore, Richard and Anthony Love and they looked at old hotels for use for homeless or seniors, etc.; and upon questions, Mr. Lord stated yes, he was familiar with that and they had many senior facilities, they had developed the senior facility in Independence Heights; and Mayor White stated that he knew this neighborhood and he believed there could be misinformation out there, but he knew how much money they had to support both homeless SRO's and senior housing and there was not enough money for either; that this was not the only place they would ever find for permanent housing and he was trying to understand why the issue was just about Magnolia Glen; and Mr. Lord stated that this property was in excellent condition and they most deeply wanted to see this turned into a permanent housing facility as it was very inexpensive for that purpose, if they bought new land for new apartments it would cost \$75,000 to \$100,000 per unit and here it would be \$26,000 and that was a bargain for all who supported and they did work daily in finding other places; and Mayor White stated that he remembered how excited everyone was when they found this place two years ago and it met criteria set forth. Council Members Clutterbuck and Sullivan absent.

Upon further questions, Mr. Lord stated that there was no major rehab needed, only some cosmetic work such as carpet, roof leak, etc., and maybe \$30,000 per unit, it was not the right place in the market for the elderly they needed medical facilities and to be part of a neighborhood, this was very commercialized and even the current owners felt it would not be acceptable for seniors, but if it was opened as a permanent housing facility it would include many seniors by nature of what they did, many seniors, many veterans; and Mayor White stated that he would like him to explore with Mr. Sampley and Mr. Celli, he understood if something was uniquely suitable and his number one objective was to have the facility used for something good and there was much need for seniors and homeless and after discussions if they found it was not suitable for seniors then they would understand that; and thanked him for all he did. Council Members Clutterbuck and Sullivan absent.

Council Member Holm stated that they had tried to get together and had not been able to and she may be coming from a different perspective, but to her this was not whether they wanted a homeless or senior facility, it was comprehensively looking at if the city was making a financial contribution had they evaluated the whole total picture, it was in the University of Houston area, had they looked at their master plan to see how it would affect the economic development and growth of the area, this was the big overall picture and she would like to visit and figure out what the criteria was for the city in deciding how to spend the money; and Mayor White stated that to create clarity they could do more good to help more people if they had more decent rooms and he could point out a lot of places for both seniors and permanent residence for homeless built in the neighborhood of \$80,000 to \$90,000 per room and when they found they could get three times as many rooms it sounded like a good thing to do and he was not an expert in the market but there was an issue which involved community acceptance and there always would be and he would urge communities..., if they did not give people some permanent residence they would not make progress and having said this he challenged Mr. Lord, the worst thing for him would be if they could not use this facility to do good for someone because so many had so many needs; and Council Member Holm stated that she did not want to be misunderstood, she did not want them to choose the right place for soup kitchens and that was her point, but with the city's investment they had to invest in something other than because it was a good deal, it was a bigger picture. Council Members Clutterbuck and Sullivan absent.

Council Member Noriega stated that she agreed with Council Member Holm on her point and thought there may be a market for folks who have family in that area, where she lived there was no where close for people to place their parents; and again when it came to the HouTex Inn

it took a while but they worked hard and it was accepted and here they were meeting in September to discuss this. Council Members Clutterbuck and Sullivan absent.

Mayor White stated to Mr. Lord he wanted to share with his colleagues, including Council Member Holm, to imagine they had 6,000 to 7,000 chronic homeless in the community and then there were tens of thousands who were indigent seniors and there was a certain pot of money over a period of time and if it was at \$100,000 a unit they may have three units to meet tens of thousands of needs and if it was at \$30,000 a unit they may have 900 units and he encouraged dialogue with the community, but he was also explaining to the neighborhood and his colleagues why there seemed to be such compassion for this particular facility, this particular facility may be acquired for seniors or homeless for about one third the cost it normally took for such a facility and that was why he would not just let it go away without asking them to look at this. Council Members Clutterbuck, Sullivan and Rodriguez absent.

Ms. Peggy Slay, 12866 Pelican Island Drive, Willis, Texas 77318 (936-856-8293) appeared, presented information and stated that she was president of the Houston and surrounding area Chapter of the American Gold Star Mothers and present to heighten awareness of their organization, the American Gold Star Mothers was a national organization 80 years old this year and they were mothers of the fallen, they lost children serving in the military of the United States of America and the Houston Chapter was chartered in 1950 and it was important for all to be aware of their organization, no one could understand what they had been through except another who had gone through it; that the first 13 pages spoke hundreds of thousands of words, the Houston area had over 100 fallen soldiers from the recent war on terrorism; that currently they served the southern half of Texas and wanted to reach as many families as they could, they were here for families and to honor the fallen over the years, over a million had given their lives in service of this country since the civil war; that they promoted patriotism among the young and wanted to help and support all U. S. veterans, one event coming up was Gold Star Mothers Day to be at the Houston National Cemetery on September 28<sup>th</sup> and there was a memorial wall in front of Section 5 unveiled in Katy, Texas in June 1008 and it covered all fallen from Iraq and Afghanistan to date and it was now traveling the state and would be back in Houston in September; that she wanted all to know about Wreaths Across America, Houston Chapter, all heard of Wreaths Across America, it was a wreath company in Main and they delivered 10,000 wreaths to Arlington Cemetery every year and Houston would be the first city in the nation to have a wreath for each and every grave at the Houston National Cemetery which was upwards of about 56,000 graves and they needed the information out to make this available. Mayor White, Council Members Clutterbuck, Sullivan, Holm, Rodriguez and Jones absent. Mayor Pro Tem Garcia presiding.

Council Member Garcia stated that he could not say how much all respected the military and the Gold Star mothers. Mayor White, Council Members Clutterbuck, Sullivan, Holm, Rodriguez and Jones absent. Mayor Pro Tem Garcia presiding.

Council Member Adams thanked Ms. Slay for coming, she had asked that she come to Council so Houston could be informed of her great information; and asked that she continue; and Ms. Slay stated that on Wreaths Across America Channel 11 was doing public service announcements and all cared about veterans, but this would be on the national level and no cemetery in the country had ever tried this before, Wreaths Across America-Houston was a non profit organization in the process of raising funds and they needed to make sure all veterans around the world were recognized and thought Houston would feel privileged to be the first city to accomplish that. Mayor White, Council Members Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Noriega stated that Ms. Slay would not be present if she had not had a significant sacrifice herself and they appreciated her family and what they had given; and Ms.

Slay stated that present with her was a Gold Star father, he was their official photographer; and Council thanked him as well. Council Member Noriega stated that when her husband was in Afghanistan she remembered visiting with her mother-in-law and said how hard it was to have her husband there, but she could not imagine sending either of her sons; that she was recently at a funeral at the National Cemetery in Houston and the director mentioned they were doing two a day and now were up to about 20 and some were veterans from previous wars but some were young ones from the current and there was an escalation in awareness and she would encourage all listening to see if there was a way they could contribute and also if anyone was aware of families with those in the military if they could do anything including babysitting it would be appreciated. Mayor White, Council Members Clutterbuck, Sullivan, Khan, Holm, Rodriguez and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Lawrence thanked those present with Gold Star for the sacrifice their families had given and for the book presented; that she was at the national cemetery on Veterans Day and Gold Moms and Blue Moms sat in different places; and upon questions, Ms. Slay stated that the Blue Star Mother had someone currently serving in the military and a Gold Star Mother had lost someone while serving in the military and the pictorial in the notebook was put together by the Blue Star Mother Group of Kingwood, a very active chapter; and Council Member Lawrence stated that because of 9/11 eventually they wanted to list all soldiers who sacrificed their life and had they given the names to the governors office; and Ms. Slay stated the state had some information, but with the public privacy act it was difficult to get a lot of information, the state probably had more information than they had; and Council Member Lawrence stated that the Governor's Office wanted to place all fallen names on the memorial in Austin, Texas, and she would encourage her to get a list to them. Mayor White, Council Members Clutterbuck, Sullivan, Holm and Rodriguez absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that others said it well, but among other reasons she and the Gold Star Father were present because they had made the supreme sacrifice for our freedom and liberty; that the City of Houston was not without saying thank you and Mayor White had dedicated tremendous time and resources in dealing with returning veterans, their housing, health, employment opportunities and that when returning they would be respected and held up, but the two of them had gone through so much and all held them up in the highest esteem. Mayor White, Council Members Clutterbuck, Sullivan, Holm and Rodriguez absent. Mayor Pro Tem Garcia presiding.

Council Member Adams thanked the Blue Star and Gold Star Moms for the book presented, and upon questions, Ms. Slay stated that the national website was [www.goldstarmoms.com](http://www.goldstarmoms.com) and a phone contact would be 936-856-8334. Mayor White, Council Members Clutterbuck, Sullivan, Holm and Rodriguez absent. Mayor Pro Tem Garcia presiding.

Mr. Lee Perry, 2209 Pannell, Houston, Texas 77026 (713-876-4571) appeared and stated that he was a certified environmental auditor and in the 1970s did the national survey to determine the quality of drinking water in Houston, he did testing on Lake Houston, Peach Creek and Caney Creek; that about 10 years ago he was the same auditor who tested 32 treatment plants which bordered Houston to determine the quality of the wastewater treatment plants affecting building and some changes were made to those plants; that today he was present as a company set up shop in Acres Home on 1727 DeSoto and they were a gunite company and the chemicals to make it were stored on the ground and they ran into the ditches and contaminated the soil and years from now those people there would need to be treated for cancer, etc., and when the company walked away the city would be responsible for cleaning the soil. Mayor White, Council Members Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding.

Council Member Johnson stated that he appreciated Mr. Perry coming and giving his

knowledge; that he understood what he was saying, but did not know how he came to the conclusion the property had that particular chemical, but none the less in a city not zoned he believed should be able to regulate such properties to make sure those type businesses would not be in residential communities, his knowledge and information was vital, but with respect to this particular company they would be sending out a team to look at the permit they do not have for run off water and at least build a wall to ensure some kind of containment, but this problem would not go away case by case and this city needed to do a much better job in regulating properties as this could destroy property and the quality of life, but they would address 1727 DeSoto and find out about their permits and what they did and chemicals they used; and he would like him to continue working with him and Damon Mattox had given him his card and they would work together on building a better permitting system; and thanked Mr. Gary Norman for sending inspectors. Mayor White, Council Members Lawrence, Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr/Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77318 (936-856-8293) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Brenda Parish, 4307 Brook Head Trail, 77066 (832-249-9472) appeared, presented pictures to view and stated that she had a complaint against Housing; that they keep passing housing that should not pass and when she complained they wanted to terminate her housing; that she came last week and was told it would be straightened out and that was why she came back as it was not taken care of; that they were trying to terminate her housing and when she gave someone money for a house they ran off with it and she was disabled and it was time for her daughter to go to school and the water was turned off and it was to be all bills paid. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Adams stated that she was looking at the pictures; and upon questions, Ms. Parish stated that her housing was terminated because she was complaining about the landlord; that she stayed on the northside in a house, she was in Section 8; and Council Member Adams stated that the City of Houston did not have jurisdiction over HATCH; and Council Member Adams stated that Marnine Thomas was with the city's housing and may have a contact person; and Ms. Parish stated that she gave her information last week but nothing was done. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Jones stated that her district Council Member was not present but she was happy to work with him; and upon questions, Ms. Parish stated that the pictures were of where she now lived and Housing inspection passed it; and Council Member Jones stated that it looked like mold from an air vent; and Ms. Parish stated yes and they said it was not their problem; and there was mold on the carpet and part of the ceiling fell; that her worker was Ms. Sheila Mays and there was a hose running from inside to the outside for drainage and they glued the toilet down and the cabinet had mold; and Council Member Jones stated that there was no way anyone should live under the conditions shown in the pictures; and Ms. Parish stated that the landlord was Mike Tran and he forged her name saying she agreed to pay \$1,000 a month and it was to be \$818.00 and then they terminated her housing and had her water cut off; and Council Member Holm stated that Mr. Trevino was a staffer of hers and she should get with him and if they could they would assist her. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Adams stated that she just got off the phone with the executive director of

the Housing Authority and she provided them with her information and she should be receiving a call, but she would give her their information as well and she was sure Mr. Etuck would make sure someone would get on top of it. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Allen McDonald, 10923 Carlton, Houston, Texas 77047 (713-734-3177) appeared and stated that he represented the Inner City Sports Association and the whole world enjoyed sports and sporting events were an economic boost to the economy and brought people together; that sports could rebuild a community, change a life's course and build a bridge; that revenue could be applied to housing and by creating the league opportunity was given to young people and they would be sought out and the bridge was bringing people together; that Houston was a sports Mecca, well represented in all sports; and he was asking the city to try a large scale basket ball league promoted to the general public. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Jones thanked Mr. McDonald for coming and stated that she agreed sports did wonderful things for people; that at Fonde there were summer leagues for youth and it was free. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Mr. McDonald for coming and stated that she wanted to introduce him to Mr. Dan Pederson with Parks and Recreation, he was in the Chamber at this time and they could speak and exchange information; and Mr. McDonald stated that this was not for the youth, there were a number of things for them already, but once they became adults then they were wondering what was next, you were constantly promoted with the games but when you were a certain age you were then left in the cold and the Inner City Sports Association was talking about young adults. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. C. J. Harrison, 3611 Parkwood, Houston, Texas 77021 (832-297-0651) appeared and stated that he worked with several mayors in the City of Houston helping with the homeless program; that he donated over 10,000 pounds of meat to Rep. Sheila Jackson Lee during Christmas to be given out and he commended Mayor White for helping with the homes on the northside; that he was trying to put a similar program together on the southeast side and help lower cost of homes; that Sunday he gave away 25,000 fans and people could pick up free dirt for the Third Ward if they called 713-664-5054; and commended the Mayor's work in bringing down the number of foreclosures. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia thanked Mr. Harrison for coming and stated that he was sure people paid attention to what he had to offer. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Steve Moore, 9502 Woodfair, Houston, Texas 77036 (512-296-7444) appeared and stated that he thanked them for their letter of support on the renovation tax credit award which was received by the Premiere Apartments in southwest Houston; that he hoped they were proud of their renovations as with their ongoing positive influence on the neighborhood; that he purchased the apartments about 1-1/2 years ago and began living part time on the property and he founded and funded the Westwood Foundation to improve the whole neighborhood, the goal

was to get the neighborhood off the high crime listing and getting other properties to evict criminals, screen applicants and have controlled access gates the owners could do far more at their expense to reduce crime than police patrol could do alone at the city's expense; that all owners were not responsible but all responded to profit so by tabulating a comparative crime statistics it could be key to motivating other Westwood apartment owners; that Nate Thompson, director of the Westwood Foundation and working with HPD crime statistics unit was able to put together a crime statistics list comparing properties and when a regional director for one of the nicer properties got the list he called him in disbelief and knew that low crime statistics was one of the most valuable leasing tools. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Khan thanked Mr. Moore for coming and stated that he remembered when he was in the process of getting the unit and was happy to write the letter; that he was glad he had delivered more than what he promised or what was expected; that was one of the toughest neighborhoods and to turn it around was remarkable and he was the kind of property owner he hoped others would follow in his lead; that they now passed an ordinance where the police department monitored calls for service and suggested steps to take which could reduce crime and if they failed to take action there were consequences and he hoped he would visit that and see how his suggestions were in the ordinance and if something was missed or something more needed to be done they would be happy to look at his suggestions. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Nate Thompson, 9502 Woodfair, Houston, Texas 77036 (512-296-5069) appeared and stated that Mr. Moore had introduced and they had worked close together in the Westwood Neighborhood and had started the Westwood Foundation about a year ago; that their goal was to improve the neighborhood before they could work on quality of life and beautification and it was their main focus; that their accomplishments included a community news letter keeping people aware and 27 properties had joined an apartment alliance, they helped to bring the Gulf Coast Community Services satellite office into the neighborhood, worked on the creation of the Super Neighborhood Council for Westwood and would hold the first national night out in quite a while and it would be a big block buster; that crime statistics were on line from the City of Houston Police Department, but it was difficult to use and the average citizen may not be able to get as much information as he could, but they knew his gripes with the system. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Khan thanked Mr. Thompson for coming and stated that he appreciated him and Mr. Moore for coming and for waiting so long to speak; that they had an agreement to not bump people up unless it was a serious reason; that besides what he suggested to Mr. Moore he said he had difficulty getting information from HPD; and upon questions, Mr. Thompson stated that from what he understood the Mayor was pushing for real time information on crime stats, but the problem was certain information could not be put out and the information was only by the hundred block and there may be two to three apartments in the hundred block; that he could not get any information in electronic form and it was all print out and a system from the '70s and his goal was for someone to go on line and see a list comparing the apartments on justifiable equal terms, that would be useful in allowing people to see really how much crime per unit; and Council Member Khan stated that it made sense and would visit on suggestions and be more than happy to push them forward. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez, Lovell and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that he would ask the Administration to have Officer Doug

Anders get in touch with them, he was in charge of the project of monitoring apartments which was the apartment safety ordinance Council passed and he felt they could all learn from one another; that Mr. Fontaine was present and would also touch base with him. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Christy Cushman, 10 S. Briar Hollow Lane #22, Houston, Texas 77027 (713-724-0649) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Monique Viator stated that she had power of attorney to speak for Ms. Cushman; and the City Secretary stated that was not in accordance with the Rules of Council; and Ms. Viator stated that each speaker here out she had power of attorney to speak for; and Mayor Pro Tem Garcia stated that they were recognizing speakers as listed and if she was not the speaker they could not recognize her at this time. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Linda Ray, 7703 Bobbitt Lane #B, Houston, Texas 77055 (713-331-1770) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Kelly Lawrence, 1330 Post Oak Blvd., Houston, Texas 77056 (713-331-1760) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Courtney Estenson, 6464 San Felipe #1302, Houston, Texas 77057 (832-456-4015) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. D'Lane Vickers, 10407 Willowgrove, Houston, Texas 77035 (713-729-1706) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Monique Viator, 9729 Vasson Drive, Houston, Texas 77075 (713-702-7469) appeared and stated that it was unfortunate the Mayor left she had a letter from two of his good friends and ardent supporters and signed by about 40 of his close associates and supporters and all asked that she speak on their behalf and read a letter from Mr. and Mrs. Cushman dealing with the City's Bureau of Animal Regulations and Care (BARC) as they were deeply troubled by reports of deplorable conditions and policies and practices there after years of promises of change and were asking he rethink the approach and give the issue attention deserved as they understood thousands of animals were euthanized yearly and funding was abysmal with dispirited volunteers. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Jones allowed Ms. Viator to sum up her comments; and Ms. Viator stated that she would have to come back weekly to finish reading the letter; that they were trying to approach the problem before Robertson's position was filled; that she did not know why the

power of attorney did not work here when it did in a courtroom; that many new policies would soon be the norm and Houston was behind with no rational or viable reason for the city to not lead on the issue; that they asked with the resignation of Kent Robertson as Bureau Chief for Council to take the opportunity to finally implement the change at BARC which was long needed and adopt a new progressive policy and hire someone who would meet goals, hire Nathan Winograd, the country's foremost expert in the "no kill" movement and allow him to launch a national search for the ideal candidate to lead BARC and Houston in finally solving the issue and sterilization and not killing was the answer. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that Ms. Viator should turn her information over to Ms. Vasquez and it would get to the Mayor; and he met with the Director of the Health Department today, he oversaw the Bureau of Animal Regulation and Care, and there was a lot of effort in finding better responses to the issue and they could use her information. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and stated that this was Vincent Price, Michael Jackson was the Thriller; and continued expressing his personal opinions until his time expired and presented two rings to the city in his grandfather's memory which he wanted displayed in City Hall and they were handed to Ms. Vasquez. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-407-5344) appeared and stated that he was still requesting more time to be heard and he was being assassinated, attacked 24 hours a day; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

At 4:57 p.m. City Council recessed until 9:00 a.m., Wednesday, August 20, 2008. Council Member Brown out of the city on city business. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, August 20, 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, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Peter Brown out of the city on city business.

At 8:30 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:34 a.m. Mayor White called the meeting to order and stated that the first item on the agenda was a public hearing. Council Members Johnson, Clutterbuck, Sullivan, Holm, Garcia and Green absent.

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

1. **PUBLIC HEARING** to consider a Municipal Setting Designation ordinance (MSD) for the following:

Randall's Center/West Bellfort site located at 8671 West Bellfort  
**DISTRICTS C - CLUTTERBUCK; D - ADAMS and F - KHAN**

Fondren Road Plaza, Ltd., for the site located at 7042 Bissonnet  
**DISTRICTS C - CLUTTERBUCK and F - KHAN**

The City Secretary stated that Ms. Carol Ellinger would make remarks concerning the hearing. Council Members Johnson, Clutterbuck, Sullivan, Holm, Garcia and Green absent.

Ms Ellinger, Senior Assistant Director of the Department of Public Works & Engineering, stated that as they may recall, the Texas legislature authorized Municipal Setting Designations or MSDs about five years ago, that an MSD designates a particular parcel, beneath which contaminated groundwater was prohibited from use as potable water, that State law was administered by the Texas Commission on Environmental Quality or TCEQ, that MSDs were intended to encourage redevelopment of vacant or abandoned property while protecting the public health; that although TCEQ was the agency that issued MSDs, participation in the State program required local support; that on August 22, 2007, City Council amended Chapter 47 of the Code of Ordinances by adding a new Article 13, that Council action provided a process by which the City may support, or not support, a party's MSD application to the State; that today they were holding a public hearing for two applications, although these two sites were not owned by the same person, they were located near each other; that at the request of the applicants, the City held the public meeting for both of these sites on the same date, therefore, for the convenience of the applicants, and some minor time-savings for Council, the public hearing would address both applications; that the first application was submitted by Fondren Road Plaza, Ltd. for 7.57 acres of land located at 7042 Bissonnet Avenue, that historic dry cleaning operations in the Dry Clean, Etc. tenant space had resulted in chlorinated solvents in soil and shallow groundwater, Dry Clean, Etc. was entered into the TCEQ Voluntary Cleanup Program in 2001, that response activities had included the removal of impacted soil and construction of infiltration galleries that injected potassium to speed up the natural decomposition of these contaminants, that there were six contaminants of concern at this site; that groundwater sampling data exists starting in 2000 and quarterly sampling had been performed since 2006, that this sampling data indicated that the areas of impact appeared to be stable or even decreasing over time, however, contamination did still exist in the groundwater that exceeded human ingestion protection levels. Council Member Clutterbuck absent.

Ms. Ellinger stated that the second application was submitted by Gary K. Ferguson and Bohica Holdings, Limited, commonly known as the Randall's Center West Belfort site for 8.4 acres of land located at 8671 West Belfort, that historic dry cleaning operations in the Belfort Cleaners tenant space had also resulted in chlorinated solvents in soil and shallow groundwater; that Belfort Cleaners was entered into the TCEQ Voluntary Cleanup Program in 2000, that response activities had included the removal of impacted soil and also construction of infiltration galleries that injected potassium to speed up natural decomposition of the contaminants, that there were also six contaminants of concern at this site, that groundwater sampling data had been collected since 1998 and quarterly sampling had been performed since 2006, that this sampling data indicated that the areas of impact appeared to be stable and even decreasing over time, however, contamination did still exist in the groundwater that exceeded human ingestion protection levels; that the public hearing was a required step in the MSD process, that in April 2008 separate written notice was mailed to the property owners within ½ mile of each property and to owners and operators of water wells within 5 miles of each property, that Public Works then hosted a concurrent public meeting on June 24, 2008, at the Marion Community Center, which was located between, and very near, both sites, that the public meeting was well-attended and representatives of both Fondren Road Plaza and Randall's Center West Belfort were present to answer questions, that based on the information supplied in the application, input from various City Departments, and input at the public meeting, the Director of Public Works and Engineering requested this concurrent public hearing and was currently preparing separate recommendations to support these two MSD applications; that depending upon the outcome of today's hearing, the Director of Public Works and Engineering would forward two separate requests for Council to adopt an ordinance to support both of these MSD applications, that these ordinances included all the elements required by State law and Article 13 of Chapter 47 of the Code of Ordinances, in particular it stated the City's support of the application to TCEQ for Fondren Road Plaza and also the Gary K. Ferguson and Bohica Holdings, Limited, that it prohibited the use of groundwater beneath the designated property as potable water and described the maximum depth of the designated groundwater, in this case 200 feet. Council Member Clutterbuck absent.

Council Member Noriega stated that she wanted to thank the Mayor's staff because she had some questions about several of these and they produced all the letters and listed the contaminants, that it was interested what they did in their life that turned out to have implications later because she suffered through a year of Organic Chemistry, which she would never want to wish on anyone, but it was useful and they were able to give her the information she needed. Council Member Clutterbuck absent.

Council Member Khan moved to close the public hearing, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0648 ADOPTED.

## **MAYOR'S REPORT**

Mayor White stated that he would say to the Council Members, and Ms. Stein may know this, that he believed he should have sent out a couple of weeks ago something on police radios, that he would commend that to people because they would be trying to keep things on track, that he would personally be responsible for some negotiations between the parties, they had two well qualified bidders with competitive bids, that as they move into September they would be bringing it to closure; that so everybody knows, the approach that they were taking was the way they would take a commercial negotiation, which was that they would have various contracts, that he was reviewing it last night before the function and this morning when he got up and they would be doing it tomorrow, that they would get comments but they would have a contract reflecting what they wanted; that he would ask the bidders to make sure they had people in meetings with him and others on the team that had authority. Council Member

Clutterbuck, Sullivan and Green absent.

**CONSENT AGENDA NUMBERS 2 through 28**

**ACCEPT WORK** - NUMBERS 4 through 6

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$493,138.78 and acceptance of work on contract with **APACHE SERVICES, INC** for Driving Range Upgrade - Memorial Park, WBS F-000596-0001-4 - 4.90% over the original contract amount - **DISTRICT G – HOLM** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0649 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,203,021.63 and acceptance of work on contract with **SOUTH COAST CONSTRUCTION, INC** for Old Westheimer Reconstruction; Brays Bayou to Westheimer, WBS N-000749-0001-4 - 4.05% under the original contract amount - **DISTRICT G - HOLM** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0650 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$364,376.96 and acceptance of work on contract with **E. P. BRADY, LTD.**, for McCarty No. 1 Lift Station Force Main Replacement, WBS R-002011-0039-4 - 34.28% under the original contract amount - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0651 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 11A

8. **ORACLE USA, INC** for Oracle Software License and Support Service Agreement through the City's Master Agreement with Texas Department of Information Resources for the Information Technology Department - \$412,770.29 - Central Service Revolving Fund – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0652 ADOPTED.
9. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **HARRIS COUNTY** for Leased Vehicles and related items for the Houston Police Department 1 Year with 4 one-year options – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0724 ADOPTED.
- 9a. **ENTERPRISE LEASING COMPANY OF HOUSTON** for Leased Vehicles for Police Department -6,499,140.00 - Grant, Auto Dealers, Asset Forfeiture and Police Special Services Funds – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0653 ADOPTED.
10. **CPR SERVICES AND SUPPLIES, INC d.b.a. MDN ENTERPRISES** for Fittings and Appurtenances for Department of Public Works & Engineering - \$1,577,127.00 -

Enterprise Fund – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0654 ADOPTED.

11. ORDINANCE appropriating \$78,721.44 out of Solid Waste Consolidated Construction Fund and \$90,000.00 out of General Improvement Consolidated Construction Fund for Purchase of Office Furniture and Equipment for the Solid Waste Management and Municipal Courts Administration Departments, WBS L-000036-0001-5, D-000113-0001-5 – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0725 ADOPTED.
- 11a. **CONTRACT RESOURCE GROUP, LLC** for Office Furniture and Equipment through the State of Texas Building and Procurement Commission's Contract for Municipal Courts Administration Department - \$90,000.00 - General Improvement Consolidated Construction Fund – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0655 ADOPTED.

**ORDINANCES** - NUMBERS 12 through 28

12. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a water line easement (Parcels SY7-028) extending from 65th Street to 66th Street, located between Blocks 36 and 46, Central Park Subdivision, Houston, Harris County, Texas; vacating and abandoning said easement to Houston Independent School District, the abutting owner, in consideration of its payment of \$15,106.00 and other consideration to the City **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0726 ADOPTED.
13. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 38,700 square foot subsurface pipeline easement (Parcel SY8-067) within an existing CenterPoint easement, located in the Reels and Trobough League, A-59, Houston, Harris County, Texas; vacating and abandoning said easement to Magellan Pipeline Company, L.P., in consideration of its payment to the City of \$5,805.00 - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0727 ADOPTED.
14. ORDINANCE annexing to the City of Houston, Texas territory located adjacent to I-10 and in the vicinity of Barker Cypress and Park Row, in Harris County, Texas; extending the corporate limits of the City of Houston, Texas, to embrace and include territory within such boundaries; instituting proceedings to annex to its corporate limits the territory included in such boundaries; containing findings and other provisions relating to the foregoing subject; adopting a service plan for certain areas adjacent to I-10 and in the vicinity of Barker Cypress and Park Row; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability **DISTRICT A – LAWRENCE - FIRST READING** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0728 ADOPTED.
15. ORDINANCE approving and authorizing contract between the City of Houston and John M. Fultz, Receiver for **VERGIL MARTIN D/B/A/ H&J UTILITIES** for the transfer of

- customers to City of Houston Retail Water Service - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0729 ADOPTED.
16. MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater from beneath a 1.85 acre site located in the John Austin Survey, Abstract No. 1, Harris County, Texas, commonly known as 1200 Givens, Houston, Texas, 77007 and a portion of the Givens Street right of way, 1200 Givens, City of Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission On Environmental Quality - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0730 ADOPTED.
  17. ORDINANCE approving and authorizing contract between the City and **DISABILITY MANAGEMENT ALTERNATIVES, LLC** for Third Party Administrative Services for the City's Long Term Disability Plan; approving and adopting the Long Term Disability Plan which is incorporated as an exhibit to the contract; providing a maximum contract amount - 3 Years with two one-year options - \$935,000.00 - Long Term Disability Fund – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0731 ADOPTED.
  18. ORDINANCE appropriating \$15,878.00 out of FY08 Equipment Acquisition Fund, WBS V-1800-2008-02-05-02 and \$12,647.00 out of Fleet/Equipment Internal Service Fund for the Purchase of Three NFPA Compliant Breathing Air Fill Containment Devices and One Power Stretcher for the Houston Fire Department – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0732 ADOPTED.
  21. ORDINANCE approving and authorizing contract between the City and **ELEVATOR REPAIR SERVICE, INC** for Maintenance and Repair Elevators and Escalators for the Convention & Entertainment Facilities Department; providing a maximum contract amount - 3 Years with two one-year options - \$6,279,295.26 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0733 ADOPTED.
  23. ORDINANCE authorizing the Mayor to act as the City's representative to approve and accept funding from the United States Department of Homeland Security Transportation Security Administration (TSA) in the amount of \$16,440,750.00, for the construction of a Fully Automated In-Line Explosion Detection System Baggage Handling System at George Bush Intercontinental Airport/Houston; declaring the City's eligibility for such funding; and further authorizing the Mayor to apply for and accept all subsequent awards of funding and to execute any contracts with the TSA pertaining to the receipt of grant funding from the Homeland Security Program - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0734 ADOPTED.
  25. ORDINANCE appropriating \$409,000.00 out of Public Health Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to construction contract (approved by Ordinance No. 2006-0579) between the City of Houston and **TIMES CONSTRUCTION, INC** for the Renovation and Expansion of Fifth Ward Multi-Service Center, WBS H-000054-0001-4; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays

none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0735 ADOPTED.

26. ORDINANCE approving and authorizing an Inter-Governmental Reimbursement Agreement between the City of Houston and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for a Septic System Removal and Abandonment Project to reduce non-point source pollution entering Lake Houston - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0736 ADOPTED.
27. ORDINANCE appropriating \$563,066.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEAN SERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation, WBS R-000266-0125-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0737 ADOPTED.
28. ORDINANCE No. 2008-702, passed second reading August 13, 2008  
ORDINANCE granting to **AROUND THE CLOCK TRASH HAULING, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2008-0702 ADOPTED THIRD AND FINAL READING IN FULL.

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

**MISCELLANEOUS**

2. RECOMMENDATION from Director General Services Department for the designation of seven residential parking permit areas in the Super Neighborhood of the Greater Fourth Ward **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown out of the city on city business. Council Member Clutterbuck absent. MOTION 2008-0656 ADOPTED.
3. RECOMMENDATION from Director Parks & Recreation Department for approval to change the name of Cliff Tuttle Skate Park to **JOE AND THERESA PADILLA SKATE PARK** - **DISTRICT H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown out of the city on city business. MOTION 2008-0657 ADOPTED

Council Member Garcia stated that he wanted to thank his colleagues for their support on this particular item, that he believed that it was last year that the Padilla's were recognized as Family of the Year, that they had been stalwart community members and he had never taken a call from them asking for anything for themselves, that it had always been for their neighbors in

the Denver Harbor Community. Council Member Jones absent.

Council Member Rodriguez stated that he wanted to congratulate the Padilla's, that they were a driving force in the Denver Harbor Community and advocated for both District H and I, so they were lucky to have them, that he was proud to work with them on numerous projects as well, that he wanted to congratulate them for over 50 years of service to the community. Council Member Jones absent.

Council Member Noriega stated that she wanted to add kudos to the Padilla's, they were a tremendous asset to the community, that it was a treat to have them recognized in such a way. Council Member Jones absent.

### **PURCHASING AND TABULATION OF BIDS**

7. ORDINANCE appropriating \$427,315.90 out of General Improvement Consolidated Construction Fund for Pierce Elevated Parking Lot Lighting Upgrade for the General Services Department, WBS D-000127-0001-4-01 – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. ORDINANCE 2008-0738 ADOPTED.
  
- 7a. **C. F. MCDONALD ELECTRIC, INC** for Pierce Elevated Parking Lot Lighting Upgrade for the General Services Department - \$388,469.00 and contingencies for a total amount not to exceed \$427,315.90 - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Brown out of the city on city business. MOTION 2008-0658 ADOPTED.

### **ORDINANCES**

19. ORDINANCE approving and authorizing contract between the City of Houston and **MICHAEL ROBERT BOYD d/b/a BOYD SMITH & ASSOCIATES** for Professional Polygraph Testing Services for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$514,000.00 - General Fund – was presented, and tagged by Council Member Holm.
  
20. ORDINANCE creating the Drainage Supplemental Debt Service Fund (“The Fund”); establishing the sources and uses of the funds therein for City Drainage Programs; appropriating from the General Fund Fund Balance and transferring to the fund an amount based upon the City's ad valorem tax revenue for Fiscal Year 2009 for the purposes set out herein; amending Ordinance No. 2004-403 to include such funds as additional security for the City's General Obligation Commercial Paper Notes, Series F – was presented, and tagged by Council Members Clutterbuck and Holm.

After discussion by Council Members, Mayor White stated that he knew there was a committee hearing where a number of the Council Members attended and they reviewed certain numbers, and the Council Members, especially those Members who would be continuing on after those of them who face term limits, might consider the following facts, that it also helped in explaining what they were doing to their constituents; that historically the City of Houston for several years before this administration, they were spending between \$20 million and \$30 million a year on drainage, most of which had to do with open ditch or removing obstructions to the flow; that in 2004, \$15 million was dedicated to that in funding, although \$20 million to \$30 million was budgeted, so they ran out of money, that they did have a dedicated fund in the Combined Utility System, which provided for this year, he thought \$32 million or \$33 million, that it escalates every year, to continue that level of activity, to continue cleaning the open ditches, to continue some of the maintenance of the system and de-clogging the system that existed,

that in addition to that, between Fiscal Years 2005, for about 9 or 10 fiscal years out, they had approximately \$450 million or close to half a billion dollars neighborhood drainage plan, of which this provided at least approximately \$220 million between now and Fiscal Year 2018, that close to half a billion dollars to get the water out of the neighborhoods into the bayou system and they hoped to be considering in the near future additional detention as well, was a critically important piece of what they needed to do in drainage within the City, so they would be discussing this at more length, but wanted to highlight that they had already done some things and he hoped that Council Member Khan and Council Member Lawrence and other Council Members would work with Marty Stein and the Public Works Department, they had identified potential sites for additional detention and would like to add one or more of those to their plan, that right now they had some plug numbers that say detention but did not have a site, that he thought they had identified some sites, for example, along White Oak Bayou and thought one along Halls Bayou where they could expand, but there were several others, because as anyone who visited Keith Wiess Park noted when they had Eduardo, detention worked, lakes filled up and it was better to fill up lakes than to fill up neighborhoods. Council Member Green absent.

After further discussion by Council Members, Mayor White stated that he would share two thoughts to the question if somebody says blank number of years from now how could they do another half billion dollars; that first, as Council Member Clutterbuck made clear at the hearing, per their projections, in a number of years, say after 2020, there would be additional capacity within the dedicated fund, that it was not just \$220 million; that the two thoughts were, number one, the corp of engineers throughout the United States funds tens of billions of dollars of flood control projects and Ms. Travis or somebody could get to them, when they looked at the Federal Legislation, it was almost different than anything else they would see because it was all what they might call earmarked, the name of a state, a project and a particular amount and it tended to be spread all throughout the Country; that the Members of the U.S.. Senate and Congress needed to be lobbied for that and there was nothing that says that money could not be spent for taking water out of neighborhoods and into the bayou systems, and Harris County Flood Control District, it did not just need to be done by the City of Houston, the more money they got the faster they were able to move; that the second point, he was not advocating anything he was just letting them know, that the numbers for this availability would be much greater if somebody ever decided they were going to put on the ballot did they want to have an exemption of the 4.5% increase in property taxes for amounts that were spent on flood control, limited to blank amount, and if the public approved that then they would have the capacity, because they were assuming and he thought their appraisals were going to be going up more than 4.5% but they were capped at that under the City Charter, except for what they approved by the ballot by an 80% margin for \$90 million more for public safety and if anybody ever wanted to do that for flood control, with the permission of the voters, they could do it; so by creating this dedicated fund they created a vehicle by which the voters could speak if they wished to, that they wanted to spend more and have a funding mechanism without a new fee or tax. Council Members Adams and Rodriguez absent.

22. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein, and awarding contract to **TIBH INDUSTRIES, INC** for Litter Removal Services for the Public Works & Engineering Department - 5 Years - \$7,500,000.00 - Stormwater Fund – was presented, and tagged by Council Member Holm. Council Member Rodriguez absent.
24. ORDINANCE appropriating \$65,850,507.00 out of Airports Improvement Fund and awarding construction contract to **SPAWGLASS CONSTRUCTION CORPORATION** for the Renovation of all levels of Terminal C and adjacent curbsides at George Bush Intercontinental Airport/Houston, (Project No. 490K), WBS A-000322-0007-4-01; providing funding for contingencies relating to construction of facilities financed by such funds for engineering testing services, and for the Civic Art Program - **DISTRICT B - JOHNSON** –

was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. ORDINANCE 2008-0739 ADOPTED.

- 24a. ORDINANCE appropriating \$4,176,190.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **CONTINENTAL AIRLINES, INC** (Project No. 490Y), WBS A-000322-0008-4-01 and the partial assignment of a related construction contract with Spawglass Construction Corporation, after it is awarded, and Laboratory and Testing Contract No. 53725 with Paradigm Consultants, Inc for the Renovation of Terminal C - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. ORDINANCE 2008-0740 ADOPTED.

**NON CONSENT AGENDA** - NUMBERS 29 through 31

**MISCELLANEOUS**

29. **SET A PUBLIC HEARING DATE** to consider amendments to Chapter 42 relating to certain replats - **SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - AUGUST 27, 2008** – was presented.

Council Member Garcia moved to set August 27, 2008 to consider amendments to Chapter 42, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. MOTION 2008-0659 ADOPTED.

30. **SET A PUBLIC HEARING DATE** regarding second amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone (TIRZ) Number Five, City of Houston, Texas (Memorial Heights Zone) **DISTRICTS A - LAWRENCE; D - ADAMS; G - HOLM and H – GARCIA -SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - SEPTEMBER 3, 2008** - was presented.

Council Member Garcia moved to set September 3, 2008 for a public hearing regarding second amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone (TIRZ) Number Five, City of Houston, Texas (Memorial Heights Zone), seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. MOTION 2008-0660 ADOPTED.

31. **SET A PUBLIC HEARING DATE** regarding first amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone (TIRZ) Number Eighteen, City of Houston, Texas (Fifth Ward Zone) - **DISTRICT B – JOHNSON - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - SEPTEMBER 3, 2008** – was presented.

Council Member Garcia moved to set September 3, 2008 for a public hearing regarding first amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone (TIRZ) Number Eighteen, City of Houston, Texas (Fifth Ward Zone), seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown out of the city on city business. MOTION 2008-0661 ADOPTED.

**MATTERS HELD** - NUMBERS 32 through 34

32. MOTION by Council Member Khan/Seconded by Council Member Green to adopt recommendation from Director General Services Department for condemnation of .229 acres of land located at 1204, 1206 and 1208 Victor Street and 1510-1512 Cushing Street,

owned by Estrellita H. Redus, Trustee of the Redus Revocable Trust - **DISTRICT I – RODRIGUEZ** – (This was Item 11 on Agenda of August 13, 2008, TAGGED BY COUNCIL MEMBER RODRIGUEZ) – was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. MOTION 2008-0662 ADOPTED.

33. ORDINANCE AMENDING SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to developer participation contracts; containing findings and other provisions relating to the subject; providing for severability – (This was Item 16 on Agenda of August 13, 2008, TAGGED BY COUNCIL MEMBER HOLM) - was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. ORDINANCE 2008-0741 ADOPTED.
34. ORDINANCE appropriating \$12,000,000.00 out of Water & Sewer System Consolidated Construction Fund, \$1,500,000.00 out of Drainage Improvement Commercial Paper Series F Fund, \$2,000,000.00 out of Homeless and Housing Consolidated Fund and \$2,000,000.00 out of Affordable Housing Uptown Series 2004 Fund for the City's Developer Participation Contract Program – (This was Item 17 on Agenda of August 13, 2008, TAGGED BY COUNCIL MEMBER HOLM) - was presented. All voting aye. Nays none. Council Member Brown out of the city on city business. ORDINANCE 2008-0742 ADOPTED.

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

Council Member Holm stated that last night the City of Houston celebrated their birthday and it was a great event, the enthusiasm and spirit really was so energizing and exciting. Council Member Lawrence absent.

Council Member Holm stated that she wanted to wish Council Member Lovell a Happy Birthday on Friday. Council Member Lawrence absent.

Council Member Holm stated that she wanted to spend a few moments talking about Park Memorial, that it had been a very challenging and emotional and complex issue for the City and 108 families and property owners, that most of the questions were not related to the decision the City made at the end of the result of an evaluation but the process that was used by it, that because of the emotions, frustrations and fears she did not want to complicate or further confuse the challenged citizens, but she did understand their concerns, that she would send to all her colleagues the backup information she had and some communications to understand the scenario of how it got there; that for the homeowners of Park Memorial there was a message sent last night from her office and the Mayor that if they were unable to meet the September 15, 2008 deadline for moving and vacating their premises, there was a number given them and an email and they should call that number immediately in order to work with the Public Works Department in taking care and making sure they had examined and could assist them in the best way possibly, that additionally, in the vacate notice that they received last Friday it stated that the City would terminate utilities on September 15, 2008 and at this point and time the utilities would not be terminated on that date; that for the citizens of Park Memorial they were very sorry that the circumstances were what they were, that she had heard no doubt in anyone's mind and could assure them from the City's perspective, the Mayor, Public Works and the engineers and public safety that they were living in a very dangerous situation and they must evacuate. Council Member Jones absent.

Council Member Garcia stated that today they passed the item on the skate park and would like to announce they were having a ribbon cutting on September 5, 2008 at 4:00 p.m. and everyone was invited to attend; that Tanya Makany of his office just became the proud

mother of baby Anthony, born Sunday morning, that they both were resting well; that they were in the back to school mode and in District H they had a long standing tradition of providing hair cuts to the students of District H and would invite all the kids in District H to come by on Friday and Saturday, August 22 and 23, 2008 from 8:00 a.m. to 3:00 p.m. at the Texas Barber College at 610 Cavalcade, that he wanted to thank the Texas Barber College for their continued support in this important endeavor; that they had a public meeting in relation to the Park Road reconstruction on Monday evening and he wanted to thank Public Works and particularly wanted to recognize Nancy Collins, Reed Mersney and all the staff that was present, that he also wanted to thank the constituents of the Parker Road community for taking time out of their schedule to attend the meeting . Council Members Holm and Jones.

Council Member Khan stated that Neighborhood Centers were holding their Voices to Visions Summit at Ripley House, that it started yesterday and would be going on today and tomorrow; that he wanted to recognize Ms. Helen Chang and Ms. Rogene Calvert who did a wonderful job. Council Members Clutterbuck, Holm and Jones absent.

Council Member Green stated that the event last night was a great function to celebrate the City's 172nd birthday; that as he had mentioned for the last couple of weeks they were having their back to school drive for the SEARCH Homeless Services Center, that there was a box set up on the first floor of the City Hall Annex or they could call his office at 832-393-3012 or visit the SEARCH website at [www.searchhomeless.org](http://www.searchhomeless.org); that the Houston Area Urban League Young Professionals would host their 6th Annual State of the City Forum at the TSU Barbara Jordan/Mickey Leeland School of Public Affairs on September 9, 2008 from 5:30 p.m. to 6:30 p.m., that it would be hosted by Channel 26 Issah Carrie, if they had any questions they could call John Guess IV at 713-829-0834; that the Culturally Yours International African Gala Night 2008 would be on August 23, 2008 at 2900 Briarpark, that special guest of honor would be Ms. Cleo Johnson McLaughlin, for more information they could call 832-721-8418 to purchase tickets or go to the website at [www.frontgatetickets.com](http://www.frontgatetickets.com). Council Members Holm and Jones absent.

Council Member Khan stated that they all heard of the heroic efforts of Council Member Jones who saved someone from a burning car, that it was amazing what she ended up doing, rescuing a person from a burning car with the help of two other good Samaritans. Council Members Holm and Jones absent.

Council Member Clutterbuck stated that she wanted to thank everybody who was able to attend the City of Houston Birthday Party, that it was a wonderful opportunity to acknowledge the birth of their City; that she wanted to thank Susan Christian and Dawn Ullrich and their staff. Council Members Council Members Holm, Lovell and Green absent.

Council Member Noriega stated that she to wanted to thank Mayor White and Council Member Clutterbuck for a terrific event, that putting on something like that takes all kinds of people and there were often contract folks as well as regular folks, they had been talking about some of the people who worked at the different stadiums and the convention venue and they were going to be bringing forth a proposal to look at some kind of shuttle and parking assistance, some kind of support for people who come there and clean the bathrooms or do things behind the scenes that do not show, that she wanted to thank everyone who do things that do not show as well as the terrific honorees and all the sponsors. Council Members Council Members Holm, Lovell and Green absent.

Council Member Noriega stated that she wanted to recognize Chief Martha Montalvo and Captain Mark Iceman, who had been meeting with folks such as the East End Crime Committee to talk about the Real Time Crime Center and the efforts of the Police Department to reduce crime, they had a fairly intense discussion going on in the media and in meetings about what

should be their over arching system to handle data about crime issues and she thought that the folks that came and visited with the Real Time Crime Center staff were very impressed, that she knew that their police officers were doing a great job when a citizen was so impressed that they write to let them know how terrific they thought it was. Council Members Council Members Holm, Lovell and Green absent.

Council Member Noriega stated that the University of Clear Lake was still on the leading edge of educational innovation and they started in 2003 a Masters Degree Program in Criminology in the entire State, but what people may not know was that there were classes offered at the City's EB Cape Center, that the option of taking the courses offsite was between the University of Houston Clear Lake and the Houston Police Officers Union, that they had 189 students enrolled in 2007/2008 in the courses at the Cape Center so she would really encourage folks if they wanted to make a career in criminal justice or criminology that this would be something for them to consider. Council Members Council Members Khan, Holm, Lovell and Green absent.

Council Member Noriega stated that she wanted to give the Downtown Business District and the City some kudos for getting 20 downtown hot spots up, they had WiFi going now in several sections of the downtown, it was not a comprehensive web but was a good beginning and there were things that people could do, that restaurants could pull the signal inside if they buy a modem and people were able to stop in different areas of downtown and pop their laptop up, that it was clearly a case of where the technology was coming along. Council Members Council Members Khan, Holm, Lovell and Green absent.

Council Member Noriega stated that they had two children left in cars over the past week, and she took some time and read the articles and there were all kinds of reactions about how could someone do that, that putting a child in a car seat and putting them in the back seat and then forgetting them was not a question of negligence, that driving was one of the most automatic pilot things they do, that she would just suggest that it was going to take all of them, that there were all kinds of suggestions of putting their purse in the back, or tying something to their toe or whatever, that there was no criminal penalty that was as dreadful and as terrible as living with the outcome of that, that it happened occasionally at daycares where they had a kid in the back of the bus, that she thought as a community they needed to all accept responsibility, when they go by a car they might check it and see if there was a car seat in it or even a pet, that it was possible for anything to happen, that she would also like to channel the folks out there to come up with some clever device that would alert parents that they did not get that car seat out of the back of the car, that she would ask them to be compassionate as they figure out a way to do a better job of it. Council Members Council Members Khan, Holm, Lovell and Green absent.

Council Member Adams stated that the Texas Medical Center and the world lost another pioneer in medicine, Dr. Ralph Feagan, who passed away, that he was Chief Physician of the Texas Children's Hospital; that she wanted to send condolences to the family of Dr. Feagan. Council Members Council Members Khan, Holm, Lovell and Green absent.

Council Member Adams stated that the Houston Arts Alliance Space 125 Gallery would open Hero's Alter Egos tomorrow at 3201 Allen Parkway, that the exhibit would feature Houston artists and two were recipients of the Houston Arts Alliance Grant, Robert Hodge and Michael K. Taylor; that this past week their office sponsored, coordinated and attended the parents night at the Blue Ridge United Methodist Church, hosted by the Sunnyside Civic Club; that they attended the opening and dedication of Fire Station 24, located at Reed Road and Highway 288, that she wanted to thank the Fire Department, Fire Chief Boriskie, Issa Dadoush and former Council Member Ada Edwards and Karen Dupont for helping coordinate the event; that the Home Repair Seminar that was cosponsored by the Housing and Community Development

Department the District D office wanted to thank them and also Mr. Luther Anderson and Ray Davis, that they wanted to thank the Houston Finance Corporation and Executive Director Jeff Smith for coming out and thanks to Rebuilding Together Houston, Director Bob Caucklin, for attending the Home Repair Workshop that took place at the Sunnyside Multi Service Center and thanks to Mr. Celli and his team for helping to put the event on; that she wanted to thank Lilliana Rambo and her team for providing parking education to the communities, that every time there was a meeting they always notified their office when they were going into the district to let them know they were educating people about parking management, the do's and don'ts of parking in communities; that on Saturday she would be participating in a ribbon cutting for the grand opening of the McGregor Fitness Center, that Parks was putting it together and she wanted to thank Dan Pederson for all that he did; that she wanted to thank Mr. Art Kidder and his team, they were always on board when it floods, that for the last couple of days they had a lot of rain and she wanted to thank him for monitoring the Roseneath Community for their flooding problems; that she wanted to congratulate Dr. Rhea Lawson for being recognized as Who's Who in Black Houston; that they were excited about their Back To School Championship Weekend that would be taking place on Saturday at Grooves, that those who would like to come and join her, along with the owners of Grooves and James Posey, Celtics; Mike James, Hornets; J. R. Smith, Nuggets; T. J. Ford, Toronto Raptors; Damien Jones, Cavaliers; Robert Horry, Spurs; Damien Studmier, Spurs; Kevin Garnett, Celtics; Glen Davis, Celtics; Ray Allen, Celtics; Sam Gasse, Celtics; and Eddie House, Hornets; that she wanted to thank them for wanting to give back to the community, that they would be providing school supply backpacks to the community; that she wanted to thank Mayor White and Council Member Clutterbuck for the wonderful event last night, the City of Houston birthday and wanted to thank them for the canvas bags; that there would be a Hip Hop, DJ Bring the Beat Back, which would be sponsored by DJ Hurricane and would be at the XO Bar and Lounge, that it was a back to school event, for further information they could call Council Member Green's office. Council Members Johnson, Khan, Holm, Noriega and Green absent.

Council Member Jones stated that she wanted to thank Council Member Khan for his comments about her; that she wanted to thank Council Member Clutterbuck for an interesting introduction last night; that she wanted to recognize who put on a health fair this past weekend called Hip with Health, that the Health Department and the County were out there giving shots and taking blood pressure, that the MD Anderson Cancer Center did a presentation with puppets and telling the ill effects of smoking and second hand smoking; that she wanted to recognize the 63rd Anniversary for the Republic of Indonesia; that she wanted to thank Mayor White and Council Member Clutterbuck for putting on a wonderful event last night; that she wanted to advise people that the 2200 Rosedale variance had been resubmitted and would be on the Planning Commission agenda at 2:30 p.m. on August 28, 2008, that she believed it was now in line with the neighborhood; that there would be Housing and Community Development Committee meeting on August 28, 2008 at 1:00 p.m. and the presentation would be a status update given by Housing on the difference between the Senior Home Repair Program and the Single Home Repair, how to qualify and what the differences were and where they were in the process, that it would be in the Council Chamber; that in response to what Council Member Noriega stated, Channel 11 did a wonderful report on things they could do to remind them they had children in the car, like take a stuffed animal and sit it next to them and as long as they got out of the car and the stuffed animal was still there then they knew the baby was in the back, that they also stated that there was a car seat that alarmed them, that people might want to think about that; that she had good news about HPD, that she would like to give kudos to HPD Officers Lu, George, Chase and Phillips for the incident that happened last weekend, that there was a bunch of discussion about who's scene it was because the car went off of the toll way and HPD was the first law enforcement agency that showed up and it landed at the Transit Center, which was Metro, that those four officers stayed out there for the two hours that it took for the constables to get there because they were responsible for it; that she wanted to ask everybody to keep the young lady in their prayers, Megan Caplin, that she wanted to commend

her son, Giovanni, who saw the car fly off of the HOV lane, that she was very proud of her son. Council Members Johnson, Holm, Lovell, Noriega and Green absent.

Mayor White stated that on the Home Repair he was glad that she was having something to both getting good information out and clear the air, that they had a program that was Emergency Home Repair, for seniors, low income emergencies, that they had a Home Repair Program, Tier 2, that they were not going to buy a new house, that was not Tier 2; that they were being very limited on the number of people who hit the house lottery, that they had a limited amount of funds and they did not want to patch something that was going to fall down anyway; that they may want to get Rebuilding Together Houston, that in the Houston Hope areas they had been doing more home repairs through the Houston Housing Finance and a non profit than through HCD, that they might want to have Mr. Smith and some of the people with Rebuilding Together Houston, and Council Member Jones stated that she would contact them and Mayor White stated that Ms. Stein would call them. Council Members Johnson, Holm, Lovell, Noriega and Green absent.

Council Member Rodriguez stated that last Friday he hosted the District I Third Annual Back to School Backpack Drive for needy families in District I and close to 300 students received school supplies, that they also receive important immunizations and the Houston Zoo passed out Houston Astros tickets, WalMart gift cards and some families took home green light bulbs for energy conservation, courtesy of the Mayor's Summer Youth Conservation Corps, that he wanted to thank the following organizations for helping out, the Y.M.C.A. Casa Boom, the East End Life Center, the Houston Astros, HEB and Texas Petro Chemicals, that he wanted to thank his Chief of Staff, Gracie Garza for her diligent work on the project and Ms. Janette De Los Santos, of his office; that the newly formed Airport Commission would be hosting a public hearing tomorrow to discuss Land Use Regulations at 2:30 p.m. at the George R. Brown Convention Center and residents would have an opportunity to speak for two minutes. Council Members Johnson, Khan, Holm, Noriega and Green absent.

Council Member Sullivan stated that he wanted to talk about agenda Item No. 26, which allowed the City of Houston to work with TCEQ on a \$500,000 funding grant for septic tank systems around Lake Houston, that money did not just fall out of the sky, people worked to get those grant funds and he wanted to recognize two in particular from Public Works who had a part in it, Dannelle Belhatche and Jeff Taylor, that Jeff Taylor was on top of water quality and always had been and was a renowned expert in the field, that was how he first got to meet Jeff and know him through water quality projects that he still had a great interest in, that the \$500,000 would help reduce the number of active residential septic tanks through the Lake Houston area and would not cost the City of Houston anything, the City of Houston would go out, once someone applied, that they had to apply first, the City of Houston would go out and their contractors would work to upgrade, that it was multi phased, they would upgrade sanitation systems and/or shut down holding tanks and then the TCEQ money would reimburse the City, that it helped residents of all economic levels but it was mainly targeted for low income residents, and around Lake Houston they did have some forgotten residents who bordered on needing a lot of help, that it would help them financially and it was also good for the City's water supply, that if anyone was watching and were interested in learning more about the program or wanted to apply for it they could contact the District E Council office; that it would help improve water quality at Lake Houston, that septic tanks were old technology and they knew that and the City of Houston had invested a great amount of money on sewer systems around the lake and improving water quality and waste water treatment as well, that it was a natural evolution to try to get rid of these septic tanks, it would improve the water quality of Lake Houston, which was something that he had always been interested in and frankly as the District E Council Member would like to be a little more interested in moving forward and he would also like to point out that it did not just benefit the City of Houston, the City of Houston sells water to a lot of people so what they were doing and the steps they were taking would benefit not only Houstonians but all

of their retail and wholesale water customers and he thought that was important for them to know because Clear Lake City Water Authority, for example, the City of Humble, Galveston, a lot of those municipalities purchased their water from the City of Houston, so it was one of those big picture items and he just wanted to shed a little light on it today. Council Members Johnson, Khan, Holm, Noriega and Green absent.

Mayor White stated that Council Member Sullivan had received a memo from him about sand mining and there may be some other issues that affect water quality such as fertilizer runoff, that whenever they had fertilizer runoff they were basically feeding bacteria, that the Coastal Water Authority, a good group of people, he appoints them and the Council approves them, that they wanted them to use their independent judgment but it was not independent of the City unless they wanted to give the public money back and fund it themselves, he was not saying that to be critical but was saying that they had been sitting on over \$20 million in cash since he had been Mayor and Council Member Sullivan might want to visit with their executive director and share some thoughts, that looking at the water quality issues in Lake Houston, was there stuff they ought to be advocating upstream to improve the water quality based on science, no agenda, if there were no problems, no long term trends, great, they had done a study and relieved themselves, if having people remove the banks of the river had no effect on the river, and if fertilizer runoff did not have any problem, then fine, but he did know that it was an important issue for their community, that he did not think that he had ever sat in the Council chair and really been encouraging people to study something or make a real quick study then figure out what they ought to do about it, but this was something if it involved some of their universities and it could not just be hiring a bunch of civil engineers because it dealt with ecology, law and yes engineering, that it needed to be a team that they put together where they say was this the best team, that if Council Member Sullivan could help him on that it would be good; that they had a representative from Public Works present and they ought to get a report on his memo on the issue and then maybe Council Member Sullivan ought to visit with people, the Chairman of the Coastal Water Authority, that when he gets back to his office he would route to Council Member Sullivan their financial statements; that one of the things they were talking about doing was doing some work and funding some work to build a canal across some east Texas from one water shed to another to bring water to Lake Houston, but he was thinking did they have a real handle on everything they ought to be doing and advocating on the upstream uses of Lake Houston to keep it intact, and Council Member Sullivan stated that was a good point, that when Mayor White mentioned what were other water basins doing that could affect their water they needed to be aware of it, and Mayor White stated that there were a lot of upstream Trinity River projects, that he would put it another way, if within a couple of weeks Council Member Sullivan did not know what the three or four top critical issues were, what their timetable was, they did need to study something, they ought to have an agenda. Council Members Johnson, Khan, Holm, Noriega and Green absent.

Council Member Lovell stated that having come from the San Joaquin Valley she was very familiar with fights over water rights and whether it went to Los Angeles or stayed in the valley for the farms, and it was a very serious issue. Council Members Johnson, Khan, Holm, Noriega and Green absent.

Council Member Lovell stated that it was a wonderful event last night, that it just let them know what a wonderful place Houston really was and the reason it was so great was because of some of the people before them, their efforts and what they had done and their generosity, that it inspired them to continue to make it a wonderful City of opportunity; that she and Council Member Lawrence wanted to thank Mayor White for mentioning Charlotte Allen, which for the next year everybody in the City was going to be hearing a lot about Charlotte Allen, who got no credit for what she did to make Houston what it was. Council Members Johnson, Khan, Holm, Rodriguez, Noriega and Green absent.

Council Member Lovell stated that she wanted to say thank you for her birthday card, that Friday was her birthday and in her household August was birthday month, to her middle son Collin, who turns 18, happy birthday on August 14, and to her oldest son, Steven, on August 24, 2008 turns 20 and happy birthday to him. Council Members Johnson, Khan, Holm, Rodriguez, Noriega and Green absent.

Council Member Lovell stated that Francisco Castillo was an intern in their office for about a month during the summer, Mayor White may know him better as Formencio and Jannie Reyes grandson, that he had left to go back to Strake Jesuit and finish his senior year but they hoped to have him again before he moved on to college. Council Members Johnson, Khan, Holm, Rodriguez, Noriega and Green absent.

Council Member Lawrence stated that on Thursday they would be having a Regulation Development and Neighborhood Protection Meeting, that they would be talking about the Public Works policy of encroachment and neighborhood street markers, that Chief Edwards was going to give a presentation on junk vehicles and abandoned vehicles, where they were on that and what they needed to push their State Legislators forward to have a little bit stricter control of those things that happen in their municipality as far as junk vehicles and right-of-way, what can and cannot go on in their right-of-way, where were they, that it was spread all over the code, and having a presentation on putting all that together so that various law enforcement agencies could enforce the things that were already on the ordinance books and then parking in yards, that she hoped would come to a vote in the committee, that many of them had talked with her about getting that forward and they had really been working on that and thought they were going to have a great ordinance to talk about. Council Members Johnson, Khan, Holm, Noriega and Green absent.

Council Member Lawrence stated that she was very fortunate to have people like Ricardo Barnes and Victor Alvarez in her district who had been organizing and had a very successful back to school health fair, that they gave out backpacks full of wonderful school supplies, that people who really stepped up were Memorial Spring Brach, Rotary Club, WalMart furnishing all the backpacks with school supplies, that they had over 1,600 backpacks, 3,000 people participated and there were over 300 volunteers, that it was a huge event. Council Members Johnson, Khan, Holm, Noriega and Green absent.

Council Member Lawrence stated that she wanted to give kudos to Council Member Clutterbuck and Susan Christian for a wonderful event; that on August 26, 1836 with the inheritance of Charlotte Allen, 6,642 acres were bought from John Austin's widow for Houston, that they would hear more about that hopefully over the next year as many historians were moving forward on establishing some information that was out there on line, that hopefully they could get a book written about Houston's history. Council Members Johnson, Khan, Holm, Noriega and Green absent.

There being no further business before Council, the City Council adjourned at 11:14 a.m. Council Member Brown out of the city on city business. Council Members Johnson, Khan, Holm, Noriega and Green absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

---

Anna Russell, City Secretary