

City Council Chamber, City Hall, Tuesday, April 7, 2009

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 7, 2009, Mayor Bill White presiding and with Council Members Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, James G. Rodriguez, Peter Brown, Sue Lovell, Ronald C. Green and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Marty Stein Agenda Director present. Council Member Toni Lawrence out of the city on city business. Council Member Melissa Noriega absent due to being ill.

Note: Council Member, District H Position, vacant.

At 2:07 p.m. Mayor White called the meeting to order and stated that Council Member Khan would begin presentations. Council Members Clutterbuck, Adams, Sullivan, Holm, Rodriguez, Brown and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that he was delighted to share important information; that on April 9 through April 11, 2009, the Annual Dance Salad Festival would be held at the Wortham Center and invited Ms. Nancy Henderik, founder of the event, to the podium. Council Member Khan stated that innovative dance companies were put together from across the globe for the festival now in its 14th year; and presented Ms. Henderik a Proclamation proclaiming this week as "Dance Salad Festival Week" in Houston, Texas. Ms. Henderik thanked all for the recognition and stated that Houston welcomed good ideas and she was happy to be here and in their 14th year; and Houston received recognition for this internationally. Council Members Clutterbuck, Sullivan, Holm and Rodriguez absent. (NO QUORUM PRESENT)

Council Member Lovell stated that Ms. Henderik was a great ambassador for the City of Houston and she thanked her for what she did. Council Members Clutterbuck, Sullivan, Holm and Rodriguez absent. (NO QUORUM PRESENT)

At 2:12 p.m. Council Member Jones led all in the prayer and pledge. Council Members Clutterbuck, Sullivan, Holm and Rodriguez absent.

At 2:46 p.m. the City Secretary called the roll. Council Member Lawrence out of the city on city business. Council Member Noriega absent due to being ill. Council Members Clutterbuck, Sullivan and Holm absent.

Council Members Khan and Lovell moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Lawrence out of the city on city business. Council Member Noriega absent due to being ill. Council Members Clutterbuck, Sullivan and Holm absent. MOTION ADOPTED.

At 2:15 p.m. the City Secretary began calling the public speakers. Council Members Clutterbuck, Sullivan and Holm absent.

Mr. Morgan Holman, 3211 McIlhenny, Houston, Texas 77004 (832-438-2620) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck and Sullivan absent

Mr. Al Davis, 1433 Memorial Drive #40, Houston, Texas 77079 (713-816-0007) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck and Sullivan absent

Ms. Kathy Lord, P. O. Box 131563, Houston, Texas 77219 (713-907-1191) appeared in favor of the paddle trail/Hogg Bird Sanctuary, presented information and stated that she was the executive director of the Bayou Preservation Association whose mission was to protect and restore the richness and diversity of the waterways through activism, advocacy, collaboration and education; that they had worked to make Buffalo Bayou cleaner and toward creating the 26 mile paddle trail which would hold the title of the longest paddle trail in the State of Texas and there were 9 segments of the paddle trail. Council Member Sullivan absent

Council Member Jones stated that she wanted to commend Ms. Lord for what she did for Buffalo Bayou, she had an event there last year and it was a gem needing protection. Council Member Sullivan absent

Council Member Holm thanked Ms. Lord for her work and stated that to capitalize on resources of the bayou was a great thing; that the question she was receiving was regarding a ramp at the Hogg Bird Sanctuary and to Mayor White stated that she wanted confirmation; that many times they had gone through the issue of appropriate usage of the Hogg Bird Sanctuary and the challenge and threat of losing all of Memorial Park; and if the ramp was placed there she wanted assurance it was appropriate use and did not jeopardize any covenant with the park or restrictions placed on its usage; and Mayor White stated that he was informed this was consistent of terms of the acquisition and it made sense a public recreational use would be consistent with the purpose. Council Member Sullivan absent

Mr. Eric Ruckstuhl, 3201 Allen Parkway, Houston, Texas 77002 (713-298-3021) had reserved time to speak but was not present when his name was called. Council Member Sullivan absent

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak but was not present when his name was called. Council Member Sullivan absent

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (281-995-5995) appeared, presented information and stated that he had been present several times trying to encourage the city to do something better with their bio solids other than burning them and polluting the atmosphere and he just came across a machine which only took about a one horsepower motor to run it and there was no energy and no odor, it used 2% wood and 1% bio solids and this was not as expensive as what the city now used; that he spoke to the lady at Wastewater and was told there were four engineering firms doing a test but the wheel did not need to be reinvented and he would bring his machine to Houston and let the engineers see it. Council Member Sullivan absent

Council Member Brown stated that he would like more information; and Mr. York stated that he would get the information and personally deliver it. Council Members Sullivan and Khan absent

Mayor White stated that they had a study six years ago regarding sludge management; and to Gary Drabek stated that over an appropriate time period he would like someone to provide information to him on the following, what was the unit cost of the current sludge treatment practice per pound and per ton and what would the cost be for the alternatives considered within the study six years ago and today and if someone was to give a long explanation as to why they could not do it then it was a problem with management information systems and he would like it within a few weeks and wanted the cost per ton and the backup materials in calculating the cost per ton, currently and alternative processes; and Mr. York stated that he would get him information also. Council Member Khan absent

Mr. Darell Green, 5531 Goldspier, Houston, Texas 77091 (713-688-0957) had reserved time to speak but was not present when his name was called.

Ms. Monique Clinton, 6725 Run Oak, Houston, Texas 77028 (281-902-9767) appeared and stated that her complaint was against the Cy Fair Community College, they dropped her off the program and she was discriminated against; that she owed 15 hours and paid tuition fee and was kicked out of the program.

Upon questions by Mayor White, Ms. Clinton stated that it was the Massage Therapy Program for 500 hours and she contacted the Vice Chancellor and was told things were the students fault, it was never the staff's fault; that she was not given opportunity to appear before the board; and Mayor White stated that the board had obligations and Ms. Vasquez could give her information to contact them. Council Member Rodriguez absent.

Mr. Paul Magaziner, 3773 Richmond Avenue, Houston, Texas 77046 (713-626-4045) appeared, presented information to Council Members and stated that since 2005 METRO orchestrated a crafted program of strategic misrepresentation and it had now grown into a \$2 billion plus lie and he wondered if Mr. Wolfe knew when he quoted in March total project costs that it did not include land, rail cars and financing; that the City of Houston participated as a full partner with METRO for three plus years and complicit in allowing METRO's Enron like off balance sheet financing and they currently owed Houston much money on street improvements; that Council approved the five seat METRO Board and law allowed them to remove board members for inefficiency, etc., and the voter referendum contract with specific terms was not to be repealed, altered or rescinded by succeeding boards and METRO started violating covenants by mid 2005, they changed it from METRO rail to bus rapid transit then back to METRO rail and by December 2007 METRO proclaimed total cost of LRT on 5 alignments to be \$2.4 billion, in March 2008 the FTA projected cost of only 2 alignments to be approximately \$1.3 billion and METRO said the higher cost did not worry them; that METRO was paying 100% of Harrisburg and Post Oak; that METRO submitted to the FTA a cost estimation of \$1.573 billion in August 2008 and what alignments were they referring to; that they then claimed total cost was brought down to \$1.46 billion. Council Members Khan and Rodriguez absent.

Mayor White thanked Mr. Magaziner for providing information to him and for his kind words of Ms. Bandy. Council Members Khan and Rodriguez absent.

Council Member Clutterbuck stated that she was reading along with him and stated he should continue; and Mr. Magaziner stated that the City of Houston should not participate with METRO in trampling property rights using 1978 state law loopholes and he was asking Council to remove their five appointed people to the METRO board and order them to stop purchasing all further real-estate and asked that Council revoke METRO's use of the city right-of-way as well as stop all new code changes on major thoroughfares; that today they had about \$600 million in income and this was going to break them and when cost started running over they started cutting bus services which they had already started. Council Member Rodriguez absent.

Upon questions by Council Member Khan, Mr. Magaziner stated that METRO was broke; that every three months they received METRO's performance report and as of December 2008 their investment portfolio shrunk from \$250 million three years ago to \$110 million and at the same time their commercial paper borrowing was at \$143 million and they were scrambling to refinance; and Council Member Khan stated that on the city's end they needed to carefully look as to the economic feasibility of the METRO operation as well as their projects. Council Member Rodriguez absent.

Council Member Jones stated that she attended that March meeting and took notes and was he saying the \$1.4 billion number given was not the totality; and Mr. Magaziner stated that

he gave Council Members the rundown and the North Corridor would cost \$387 million and as of March 23, 2009 it was \$896 million and on the Southeast alignment METRO said it would cost \$441 million and it was \$911 million and historically in the U. S. on rail projects if you took a legitimate estimate the projects would overrun by another 40%; and Council Member Jones stated to Mayor White that she sat there at the meeting and took notes and she would at this time make a request from METRO to give her a video copy of the meeting because she knew what she heard; and Mr. Magaziner stated he did not know why they were doing this in the inner city, it would be a 50 ton train costing 3 and a half million dollars and it acted like a bus; and Council Member Jones stated that she was a proponent of rail but concerned about representations being made; and Mayor White stated that there were other public speakers and he felt it would be appropriate to give her something in writing; that he was aware of the issues and explanations and there was one point where Mr. Magaziner caused them to probe into figures; that he did think the Metro Board was acting in good faith but some points did deserve appropriate response and he would get the information. Council Members Johnson and Brown absent.

Council Member Green stated that on a point of personal privilege he wanted to say that T-shirts were presented to Council Members and they were compliments of SEARCH who would be celebrating 20 years at the end of the month and they were celebrating with their Picnic in the Park April 29th at 7:00 p.m. at the Discovery Green amphitheater; and urged all go out in the support tackling the issue of homelessness. Council Members Johnson, Lovell and Brown absent.

Ms. Daphine Scarbrough, 2016 Richmond Avenue, Houston, Texas 77098 (713-523-8413) appeared and stated that she was present from the Mobility Coalition for Quality of Life and she was speaking about the land, the transit corridor plan just posted on line, eminent domain and METRO; that the transit corridors which would follow each of the light rail alignments and have to have eminent domain enacted by METRO to get the land needed and come from adjoining neighborhoods and she was curious as it said it was based on traffic congestion studies and she had yet seen a traffic congestion study in conjunction with any of the five light rail alignments and the question occurred to her whether the city would not allow METRO to build in all adjoining neighborhoods back yards in the transit corridors the city was prescribing in documents posted on line based on traffic congestion study and if so where were such studies, it was strange to her such a study was done by Toronto Canada people who were not here in the summer time. Council Members Johnson, Holm, Brown, Lovell and Green absent.

Council Member Adams stated that she would like Mayor White to give a brief point and Mayor White stated that in 2001 through 2003 there were approximately 200 public hearings and almost \$20 million of corridor studies to identify corridors if the city continued to grow where they would see more traffic over years with people going to and from work and after the specific corridors were refined there were issues concerning grade crossings; that all had to be balanced and there would be traffic impact studies. Council Members Johnson, Holm and Green absent.

Ms. Dee Simon, 5210 Cortelyou Lane, Houston, Texas 77021 (713-644-2957) appeared, presented information and stated that eminent domain and its twin condemnation along with their big brother in wolf's clothing redevelopment were tools misused by a government supposed to serve the people; that she did not think they were placing light rail in their neighborhoods; that she wanted Council to order METRO to stop from any construction and engineering contracts involving rail and replace all five city appointees on their board and within two weeks rescind the city ordinance giving METRO use of city right-of-ways; that there must be accountability and they should study who did it right and the 2003 referendum ballot was a legal binding contract with the citizens and they brazenly broke it placing rail on streets not agreed to;

and urged they rescind the ordinance which gave METRO use of all city right-of-way and study the true costs. Council Members Johnson, Holm and Green absent.

There was applause and Mayor White stated that there were a number of speakers and the law must be enforced in all meetings; and asked the City Secretary to read those laws; and the City Secretary read from Chapter 2 of the Code of Ordinances under the Rules of Council which provided that no person shall boo, clap or otherwise express approval or disapproval of actions being taken except for public recognition initiated by City Council. Council Members Johnson, Khan, Holm, Green and Jones absent.

Mr. Sam Akers, 2223 Richmond Avenue, Houston, Texas 77098 (713-527-8208) appeared and stated that he was present to speak about eminent domain and its relationship to Houston METRO, approximately 12 years ago he constructed a new facility for his business and with the ongoing discussions he was afraid he would lose his business because of not enough parking, etc., that loss of one space would put him in conflict with codes and he would be losing eight to ten feet of property and his business would be destroyed; that he believed it was METRO's master plan to take property through eminent domain and sell the rest to developer friends, they were buying more than they needed and then selling it to help finance the rail and the city had granted rights to MER based on false information and in the near future information would be disclosed which would challenge cost estimates METRO provided as well as issues on several rights; that it was the City's right to represent the citizens of Houston and Mayor White had appointed the board members and he recommended they rescind the ordinance giving METRO use of right-of-way within two weeks and replace all five of the appointees on the board and order them to cease from all construction and not buy any more real estate pending further investigation. Council Members Johnson, Green and Jones absent.

Council Member Clutterbuck stated that she knew Mr. Akers and others present were losing money by being here today and the fear being expressed she felt they owed to the public to alleviate; that she had not heard of his property requiring but maybe 12 inches being taken from it; and upon questions, Mr. Akers stated that METRO had not talked to him, but he looked at drawings at various sessions and he expected they would have to take eight to ten feet of his property in order to fit the train and the five foot sidewalk, etc.; and Mayor White stated that he and former Council Member Garcia had to deal with this, first he had an experience where a number of people were concerned about takings and what turned out was there was a federal requirement which required notices go out about the work and many thought their land was going to be taken and that was not true at all; that he got a memo about those appearing today and it said there was no plans to acquire any property from Mr. Akers, Ms. Scarbrough, Ms. Simon, Reverend Fana or Mr. Umanzor and he did have amounts of awards on land taken from others; that Ms. Williams was present with METRO and to her he would like some confirmation with respect to the individuals including Mr. Akers where there was no plans to take any property if it could be provided to those individuals and copies to him and Council Members; and to Mr. Akers he would like a copy of the drawing showing his property so he could do some quality control, he would like it sent to himself and Ms. Williams at METRO and she could give him her email address at this time. Council Members Johnson and Green absent.

Mr. P. C. Gonzalez, 5537 Harrisburg, Houston, Texas 77011 (713-921-1357) appeared and stated that eminent domain was a poison pill which destroyed a community, once a condemnation was established you could forget about your property rights; that economic development came next and that was a developer coming in after buying property from an entity and being able to resell it; that in the east end where he lived people did not understand eminent domain, it had become a nightmare for many in his community and on his street and the practice of that gain should stop; that he and his wife could not start all over again; and eminent domain was hurting many. Council Members Johnson and Green absent.

Mr. Carlos Garcia, 5516 Harrisburg, Houston, Texas 77011 (281-507-6166) appeared and stated that he was a stakeholder on Harrisburg Street and he wanted to speak on eminent domain but could not add more than those before him; that he already had a court order to move which would destroy his business by Saturday, but all was not bad news, the president and CEO of METRO was creating 23,000 new jobs and he needed an application, because he would soon need one. Council Members Johnson, Lovell and Green absent.

Mr. Rob Robles, 2324 N. Main, Houston, Texas 77009 (713-227-7608) appeared and stated that his family worked hard and gave many jobs; that his father started the business in 1968; that in 2006 he got over 3,000 signatures from citizens who felt the light rail should have been put on North Hardy where the voters had voted for it to go, but the Mayor was not listening and after he spoke Council would say thank you for being here and sharing your comments; that former Council Member Michael Berry once told him to keep doing what he was doing so why were they being kicked out; that METRO wanted to only give his mother \$14,000 and she was very upset, the train would be right at his front door and then with 15 feet of needed sidewalks where would they stand in the plans. Council Members Johnson, Green and Jones absent.

Mayor White stated that when speakers talked he did take notes and he could not always solve everything, but he could assure him he did listen; and Mr. Robles stated that he had maps and drawings and there would be two stations in front of him, not just one but two, and this was what it would sound like and he played a recording; that the property adjacent to them were awarded \$860,000, about \$85.00 a square foot, and his property was next door and it was only worth \$15,00 a square foot and that was not fare; that they were awarded \$14,000 for 178 square feet. Council Members Johnson, Green and Jones absent.

Mr. Felix Garza, 1710 Common, Houston, Texas 77009 (713-222-8375) appeared and stated that the sign in the Chamber said "The People Are The City" and yet they were being treated very unfairly by METRO; that they did not need what METRO was proposing, they already had perfectly good bus service within the 610 area; that what was needed was commuter rail, something to get people from the suburbs into the city quickly; that people stopped at HOV Park and Rides to pick up others just to ride the HOV, why did they not just jump on the bus was it because they would rather ride in a private vehicle and if they had an elevated rail over the HOV lanes running all day more people would want to ride it because they would have a way back at any time; that people needed an incentive to ride mass transit and today that was a deterrent, they needed to be placed over the freeways where they could not run into others and it would be a safe system; and if an above rail was put in to Galveston it would give many a way off the island when a hurricane was coming. Council Members Johnson, Green and Jones absent.

Mr. Mario Umanzor, 1622 N. Main, Houston, Texas 77009 (713-927-3232) appeared and stated that he was speaking on behalf of many on the north side on behalf of the light rail; that they were not against light rail, but against the way the project was manipulated, the project was not what it was when presented to voters in 2003, that referendum had been abandoned and the project had changed so much they could no longer say they were trying to honor the voter's voice; that light rail should not interfere with traffic or pedestrians and they had several elementary schools, clinics and parks and churches along the north corridor and METRO apparently was going to go to schools to educate children about the train, but how many times did you tell a child not to do something and they still did; that light rail should also be a dependable mode of transportation and they should think of something which could be used in case of evacuation; that light rail should also be assessable, they had 40 or more bus stops on the north corridor and that would be reduced to 8 train stations which was not assessable; that the rail should not radically change the lifestyle of the communities, many would be forced to move out and many would not want to live in the vicinity of the rail because of the noise and

dangers; that the project was funded by tax dollars and it should be by and for the people in general. Council Members Sullivan and Green absent.

Reverend Edward Fana, 5055 Dickens road, Houston, Texas 77021 (713-256-5740) appeared and stated that a public servant 6,000 years ago said he did what the people loved and God praised and he came to Council before saying METRO was lying to them and now he wanted to give them more proof of it; that they spoke of economic feasibility and the cost of things and METRO decided to put a rail down Martin Luther King Boulevard as opposed to going over 200 yards to the spur already cleared by the Texas Department of Transportation; that they decided to take a ground rail through 2 gas stations and told Peck Elementary they would build them an overhead so kids would not be hit by the rail, that was not economic feasibility when they could have just gone 200 yards over; that they were also placing the rail by Kipp Academy and the YMCA, etc., and they were going to build overheads by those and he did not see how that could be cheaper; that you could not convince him taking out two gas stations and building many overheads was cheaper than going 200 yards over where the land was already cleared and at some point the City was going to have to hold METRO accountable for its behavior and for the money it was costing them and for the lives it was going to destroy; that it was impossible to train very small children to avoid a light rail train running in front of them, when it could be moved over and not an issue. Council Member Green absent.

Upon questions by Council Member Jones, Mr. Fana stated that also there was a funeral home and there three churches all on MLK and they would all have their land taken away by METRO; that he brought METRO to the civic club meetings because he thought they had a good idea, but when they started presenting what they would do to the street that was when they ran into problems; and Council Member Jones stated that she would like him to forward to her how much land they planned to take. Council Members Rodriguez and Green absent.

Council Member Adams stated that she met with METRO yesterday and looked at the new plans for Peck Elementary and the rail would be at grade and not an overhead at the two streets Peck sat in the middle of; that it was up to TXDOT as to whether they wanted to give the land, but they had plans for it and if he had additional questions she would ask for him. Council Members Khan, Rodriguez and Green absent.

Upon questions by Council Member Jones, Council Member Adams stated that they could get with her office and show the layout METRO provided them with yesterday; and Council Member Jones stated that grown folks were hit by light rail downtown and this was going by elementary schools with small children. Council Members Khan, Rodriguez and Green absent.

Council Member Clutterbuck stated that she would remind all colleagues of the rules of council; that there were a large number of speakers still waiting and there were time limits and she would place this in a point of order; and Mayor White stated that her point of order was sustained. Council Members Khan, Rodriguez and Green absent.

Mr. Charles Martel, 2606 Sakowitz, Houston, Texas 77026 (713-670-7123) had reserved time to speak but was not present when his name was called. Council Members Khan, Rodriguez and Green absent.

Mr. Johnny Robinson, 7819 Huffman, Houston, Texas 77016 (713-631-1758) appeared and stated that his side of town would take the rail because they never received anything; that he was present regarding Triangle Gardens, they only received leftovers and the city was doing a drainage there and had the opportunity to do something good, but they were not doing it; that ditches were being dug deeper and he did not know why, they paid taxes and Houston was the only city with ditches and he did not know why they could not get rid of them. Council Members Khan, Holm, Rodriguez, Lovell and Green absent.

Mayor White stated that on open ditch drains if someone developed an area with open ditch drainage streets were usually put in by developers and if they went back and rebuilt all streets it would cost billions and billions and that was why there was a backlog; some prefer open ditch to having construction and curb and gutter and some keep the ditches up and then their neighbors did not and it trashed the place out, but they had not figured out a way without spending billions to rebuild streets to give curb and gutter systems; that he would take some responsibility because he wanted it moved up because they were trying to do things to improve the neighborhood; and Mr. Robinson stated that the ditches were so deep someone could drown; and Mayor White stated that he was out there recently and what he said was right there were places ditches were very deep and steep, but last week and before he and others recruited builders to build, they wanted vacant lots with people in it and every Council Member had areas with open drainage. Council Members Sullivan, Khan, Holm, Rodriguez, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he appreciated him coming today and the work he did in redeveloping the area; that they had to take into consideration the tension residents new and old were putting into the communities, the City of Houston would not be the sole responsible entity to reinvest into the communities, unfortunately there was still vacant property in his area and it was important for people to decide the community that grew them up was important enough to reinvest back into it; that they did have an extensive amount of money slated for Laura Koppe between Homestead and Hirsch and it would be redeveloped through the CIP; that it was pointed out some loved and some hated ditches and often those with ditches did not flood as fast as those with curbs because it flowed faster and there was still trash but it was under clogging up the system; that he understood his frustration, but at the end of the day it was a process and he had begun it by developing. Council Members Adams, Sullivan, Khan, Holm, Rodriguez, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Jones stated that his complaints were in a lot of places and she just learned the city was not in the business of developing, however, they had procedures in place to encourage people to develop and they had DPC's to encourage people to develop where the city would pay 100% of any engineering, it was actually on a reimbursement system and for DPC's they would give up to 70% of the cost of getting the infrastructure such as the water lines, etc., and Mr. Robinson stated that he would make an appointment with Council Member Johnson to discuss something like that. Council Members Adams, Khan, Holm, Rodriguez, Lovell and Green absent. (NO QUORUM PRESENT)

Mayor White stated that would be great and to all present he would like them to help him spread the word, there were 60 lots in the Trinity Houston Gardens area where if someone built houses and closed a construction loan then they city would give them the lots to build on, it had to be a house under a certain price range and it would qualify for different down payment assistance programs; that the lots were on the City of Houston website and he googled Houston Hope Hopes and got it. Council Members Khan, Holm, Rodriguez, Lovell and Green absent.

Ms. Tina Araujo, 815 Live Oak, Houston, Texas 77003 (713-504-2042) appeared, presented information and stated that she was with the East Downtown Management District and wanted to give Council an update on East Downtown; that she thanked the Mayor for the condition of the district as it was today; that they had been working hard on identification and branding of the area and they had gone through a contest of naming the district and came out with EaDo (East Downtown) and they had the tag line of "The Art + Soul of the City" and they were very excited about it, they had good responses; and read a list of City of Houston employees who had been very helpful to them in their efforts. Council Members Johnson, Khan, Rodriguez and Green absent.

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

Ms. Melva Denson, 6607 W. TC Jester Boulevard, Houston, Texas 77091 (713-515-1612) appeared and stated that she was a constituent of Acres Homes, District B, and she was present representing the youth of the neighborhood; that Acres Homes was a very dynamic and makeup of people and this September there would be 5,000 of their kids walking to school; the school was implementing this, however, the makeup of the area was not designed for them to walk because of the ditches previously spoke of; that they did not have curbs and the traffic was dangerous for them; that she would like a chance to collaborate with Council Member Johnson to help those children be safe and she wondered if he was aware of the event coming up and if was willing to meet with them to work out a resolution. Mayor White, Council Members Sullivan, Khan, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Johnson thanked Ms. Denson for coming and stated that he would like her to send him information to his office; and Ms. Denson stated that there would be a meeting on this Thursday at Anderson Elementary; and Council Member Johnson stated that he was supportive of programs for children and he was with her 100%. Mayor White, Council Members Sullivan, Khan, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Janice Van Dyke Walden, 220 W. 34th, Houston, Texas 77018 (713-869-0911) appeared and stated that the City of Houston through its Parks and Recreation Department had consented to an apparent approval by the Buffalo Bayou Association and the Memorial Park Conservancy for the Buffalo Bayou Paddle Trail to include a put in and take out at the Hogg Bird Sanctuary and she was not against the paddle trail, but against a put in and take out at this location for the following reasons, the consent by the city was in violation of the covenants of the sanctuary and regulations stipulated by Texas Parks and Wildlife; the Hogg Bird Sanctuary was the only official bird sanctuary in the City of Houston's Parks and Recreation portfolio and it was a sanctuary and not a park therefore it was not to be treated like a park having recreational facilities; that park swings, basketball courts, boat access were to be excluded and in Ms. Ima Hogg's giving the property to the City of Houston on October 21, 1958 under City Ordinance 1958-1141 the property was, "A virgin parcel of land." to be set aside as a bird sanctuary; that numerous encroachment issues were by residents abutting the sanctuary who mowed and landscaped into the sanctuary; that during the encroachments the City of Houston had supported the covenants in letter only, not by enforcement by law, and they continued and furthermore the City of Houston was in jeopardy of violating state requirements, for its paddling trails Texas Parks and Wildlife stipulated, "Public Access must be a minimum of 4 paddling miles to a maximum of 12 paddling miles for each segment." the Hogg Bird Sanctuary put in and take out was less than 4 miles from Eleanor Tinsley Park downstream and the Woodway Bridge upstream; that in the City of Houston granting access to the Hogg Bird Sanctuary there was no protection against bus loads of large volumes of boaters disturbing the sanctuary during festivals and regattas and there was no restrictions against motorized craft from navigating to this point on a regular concession basis and there was noise disturbance and loading and unloading large volumes of people on a regular basis. Mayor White, Council Members Johnson, Sullivan, Khan, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Holm stated that she too was very supportive of the paddle trail for canoeing, but she raised issues earlier with the Mayor and she would very much appreciate have her comments and the covenants if she had examples so they could affirm; that they needed to make sure they followed the covenants that were a treasure to them and gift to them and if they were following the intention and the covenant was she opposed to the same site and why; and Ms. Walden stated that if it was following the covenants it had to be proven and at this

point the put in and take out was not critical to the success of the paddle trails, if it were critical or essential to the success of the paddle trail she would be for it, even if there were a gray area, but it was not essential; that from Woodway to Eleanor Tinsley Park it took about 3-1/2 hours. Mayor White, Council Members Johnson, Sullivan, Khan, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Frank Salzhandler, 1813 Missouri, Texas 77006 (713-520-1985) appeared and stated that there were 10 canoe launches along Buffalo Bayou and he was for the paddling trail but concerned about the site proposed in the Hogg Bird Sanctuary; that boat launches could ravage fragile embankments and delicate wildlife habitat and little could stop the canoe and kayak teams from inadvertently trampling the embankment floor leaving mudslides and conversation nightmares; that with 9 other sites along the bayou why risk putting in this one, the paddle trail could be successful without this launch sight and he believed well intended people failed to do due diligence and consider ramifications of using this sanctuary as a boat launch and voices were being heard and the risk to the sanctuary was becoming more evident and more could be expected from birders and conservationists; that there was a balance between accessibility and wilderness ethic and with the 9 other sites why risk this which could become a conservation nightmare, how many cuts could they make in a natural area before it ceased to exist and once damage was done it was difficult to heal; and there was precedence he found in the case of the Bryar River Ranch vs. the Bryar Wildlife Refuge Department of the Interior Fish and Wildlife Service, the U. S. District Court found "Documented evidence of rapidly increasing canoe usage and potential for devastation of nesting birds was entirely reasonable for the service to impose a moratorium."; and urged that all step up and prevent this. Council Members Johnson, Sullivan, Khan, Rodriguez and Green absent.

Council Member Holm stated that she greatly respected his intent and desire to keep the preservation of the sanctuary as it was with its usage and his questions were merited; and to Mayor White she thought he was listening in the back and the previous speaker also raised questions she raised earlier and it was her impression and interpretation that the covenants were indeed clear this would be an inappropriate usage and if they did get the information she would like him to give Council Members a review and explain how the interpretation would vary and if this was a proper site and covenants had not been violated in anyway; that as much as some would want to preserve all protected land there would always be two different interests with benefits and consequences from each, but for her the most critical issue was to make sure the integrity was preserved and they in no way jeopardized the intent of Ms. Hogg or any portion of the restriction placed on it and would appreciate clarity legally because there were clearly sightings and interpretations of covenants; and Mayor White stated that they would do that and in brief he reviewed the information while in Council and if one would have an encroachment by a private entity on the park land it could be inconsistent with the quest, the sanctuary designation was made by Park rule and it would be policy and not terms of the quest; and Mr. Salzhandler stated that his question was even if it were possible to put the site there was it necessary; and Mayor White stated as a general statement people did value the bayou as a resource, including its natural attributes and others wanted to preserve and were concerned with overuse, but if he looked at other experiences where there was a group of responsible waterway users it was a powerful group of people for preserving the natural qualities of that waterway. Council Members Johnson, Sullivan, Khan, Rodriguez, Lovell and Green absent. (NO QUORUM PRESENT)

Mr. Ty Kelly, 61 Tiel Way, Houston, Texas 77019 (713-526-4370) appeared, presented information and stated that they needed people on the waterway to see and hear when things went wrong, they had log jams, water quality incidents, etc., and the more people there the better; that they did support progress; and displayed an aerial shot from Google displaying the bird sanctuary, etc., and stated the words boat launch were used repeatedly and it was just a foot path, a two man walkway, that there was no law on the 4 mile mentioned previously and the

Texas Parks and Wildlife was their partner on this and approved the location; that it was an unproven hypothesis that hordes of people on a bus would come through. Council Members Johnson, Sullivan, Khan, Rodriguez, Lovell and Green absent. (NO QUORUM PRESENT)

Upon questions by Council Member Clutterbuck, Mr. Kelly stated that the intent was for this to be a limited and light use for kayaks and canoes to be carried on; and Council Member Clutterbuck stated maybe that should be in the agreement, that only portage be permitted; and Mr. Kelly stated that there was a city easement and they would actually enter the bayou on the Harris County Flood Control tract; that the parking lot there held 120 spaces and not very heavily used so this was a convenient place; and Council Member Clutterbuck stated that she wanted to take the opportunity to mention to all birders of another birding location, the Willow Waterhole in District C off Post Oak. Council Members Johnson, Khan, Rodriguez and Green absent.

Upon questions by Council Member Holm, Mr. Kelly stated that the parking lot was in the sanctuary and there was an informal path there now; that they intended to keep it mowed and make it level in unlevel spots; that nothing was to be cut and it was a high canopy of forests; and the tract was a Harris County Flood Control tract, but it may be an easement on top of the sanctuary; and Ms. Ima Hogg was the one who placed the parking lot there; that he had not sat in a meeting with others; and Council Member Holm stated that she would be happy to facilitate a meeting, sometimes you received a better understanding; and Mr. Kelly stated that he would be happy to. Council Members Adams, Sullivan, Khan, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Katy Emde, 6033 Glen Clove, Houston, Texas 77007 (713-880-0872) appeared and stated that Ms. Ima Hogg loved Memorial Park and she did not mention the bird sanctuary specifically in the writings that follow, but as she read she would like Council to try and image what sort of treatment of the bird sanctuary she would have desired; that in 1960 Ms. Ima wrote to a City of Houston attorney, "I've been very concerned as to the future disposition of the acreage of this park because it was the history of most cities that little by little encroachments were made upon parklands to the end that very little was left of them; the present members of our family were quite aware of this and we are trying to take care of it."; and in 1964 Ms. Ima wrote to the president of the National Park Association, "Actually one really needs to know what are the legitimate uses of park grounds, especially in large woodland acreage, Houston city parks within the city limits are deplorably abused."; and lastly in 1975 Ms. Ima wrote to a Mr. Brown, "The members of our family have fought, bled and died to preserve the integrity of the park, it has been exceedingly difficult and at times embarrassing, but as long as I live I do not feel like running any risks for the preservation of every tree in the area."; was the city risking the bird sanctuary, was the sanctuary deplorably abused; that over the years city employees wrote: in 2000 the Parks Director, Oliver Spellman, wrote to homeowners, "The maintenance of a natural environment is critical to the success of a bird sanctuary, native grasses and vegetation enhance the bird habitat and limitations on access and reductions of disturbances and development are also important to the management of bird sanctuaries"; in 2001 Director Spellman wrote, "The encroachment of homeowners were unlawfully located upon sanctuary property"; in 2005 and 2006 City Attorney Katy Farley echoed Spellman's language to homeowners reiterating about the bird sanctuary, that the maintenance of a natural environment was critical and access should be limited and disturbances and development should be reduced; in 2005 the parks director, Joe Turner wrote, "Hogg Bird Sanctuary has a very unique place in the City of Houston's Parks system and is protected by deed as well as the wishes of the donor family and designated as a bird sanctuary by Ordinance."; and if this was what the city believed about the bird sanctuary why did it not enforce its own ideologies, regulations and laws; why had encroachment by homeowners been allowed for over 8 years and why for years had the city mowed a grassy area in the bird sanctuary and allow it to be used for overflow Bayou Bend parking; and why had an optional canoe put in and take out been approved to be

put in when it had potential to be destructive to habitat and the bayou bank. Council Members Adams, Sullivan, Khan, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White thanked Ms. Emde for her forceful advocacy of the sanctuary; and Ms. Emde stated that park use for a bird sanctuary should really be completely different than park use for a park. Council Members Adams, Sullivan, Khan, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm thanked Ms. Emde for her continued support and nurturing of the area around there so valuable and precious; that again she brought up the good point she was trying to get to the conclusion of, an interpretation of those covenants, because the last thing they wanted was to make an interpretation and then find out a year or so later they violated the covenant and then surprise the revert clause did take effect, it was a very consciousness, responsible and required on the part of the city to clarify, interpret and have consistent enforcement, consistent allowances and consistent interpretation of what the bird sanctuary could be used for and whether or not the sanctuary was in fact included in the same covenants as Memorial Park. Council Members Adams, Sullivan, Khan, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Upon questions by Council Member Lovell, Ms. Emde stated that in 1957 she thought it came up that Bayou Bend would be a museum and it was opened in 1966 and part of the deal worked out with Lazy Lane homeowners was that the entrance would not be on Lazy Lane so the only way to get there was through the bird sanctuary and she had not seen it, but understood Ms. Ima, herself, said it was okay for the parking lot to be there as it was the only way for visitors; that it was a bird sanctuary in 1958 and so that it would not go into the reversion clause, Ms. Ima approved it and she was still researching that. Council Members Adams, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Timothy Obrien, 1303 Ruthven, Houston, Texas 77019 (832-771-7263) appeared and stated that he had been before Council 15 to 25 times in the 6 years he lived in Freedmen's Town and this was the first time Mayor White was in the room; that he and his family lived in subsidized housing in Freedmen's Town and he saw much happen; that the TIRZ was taking his tax money and using it to buy land under the rental house where his friends lived, today he was speaking of three houses in the same block where the city was rehabbing Gregory into an African American Library and he did not know why it was necessary to tear down three historic houses right next to an African American Library just for a parking lot; that he knew one family there well and he cut lawns and she sold clothes and they had two son's excelling, there was no reason to push them out; that they did not like Black poor people and that was why they kept doing this and harassing him for being White in his neighborhood. Council Members Sullivan, Khan, Holm, Rodriguez and Green absent.

Ms. Patricia Glenn, 1206 Victor, Houston, Texas 77019 (832-814-2970) appeared and stated that her problem was with Council Member Rodriguez and she saw he was not here again; that he always tried to give her his card, but when she called she got nothing; that the city claimed they had no money and wanted to make money so why tear down three houses, it took money to tear down or move houses. Council Members Sullivan, Khan, Holm, Rodriguez and Green absent.

Ms. Tiffany Busby, 918 Peach Spring, Houston, Texas 77088 (713-540-1273) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Khan, Holm, Rodriguez and Green absent.

Ms. Edith White, 2413 Areba, Houston, Texas 77088 (713-682-0871) appeared and stated trust in the Lord and show know doubt and he would surly bring you out; that she was climbing

Jacob's ladder and going higher and higher, she was born in 1909 and was 98 years old; that the Lord took care of her. Council Members Sullivan, Khan, Holm, Rodriguez and Green absent.

Mr. Earl Howard, 2907 Wuthering Heights, Houston, Texas 77045 (713-434-0560) appeared and stated that he was present trying to get lots cut in Acres Homes, he was raised out there though he did not live there now and he would be proud to help keep it clean. Council Members Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Upon questions by Council Member Johnson, Mr. Howard stated that he would like the Acres Homes area cleaned, all of it needed cleaning. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Loretta Kiser-Jasper, 13007 Wilde Glen Lane, Houston, Texas 77072 (832-889-7702) appeared and stated that she was present on behalf of her son who was arrested January 9th for walking down the street; that the officer from the Sherriff's Department arrested him and previously stopped him in October and strip searched him and found nothing and when she went to complain the next day he stopped her son again and said, " I know you told your mother but I don't care who you tell."; that she did not have the officer's name when she called the supervisor to complain and it was not until January when he arrested him and then she got no call until 10:00 p.m. and went to the Sherriff's Department and that officer was rude to her and said he knew her son better than she did and he deserved to be in jail and he was an upstanding student on the cheer team; and his middle school teachers had sent letters to the court; that the court wanted to give him three years probation and she never had trouble with him; and when they asked for the video from the car they raised it to 18 months. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Ms. Jasper stated that it was a Sherrif who did this; and Mayor White stated that Ms. Vasquez could get her contact information for the Sherriff's Department. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he appreciated the fight in her and she should continue to fight for her son, many boys did not have a mother like her; and encouraged her to take this to the Sherriff's Department as there may be a number of young men he had done this to and without someone speaking out it would go unreported; and the few officers who did a bad job should be reported as they did not need to be out there. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Linda McLean, P. O. Box 36198, Houston, Texas 77236 (832-641-0519) appeared, presented information and stated that she was an accountant for Tempie Services and wanted again to inform Council that there was unclaimed money, \$89,000, and \$50,000 was allocated to the City of Houston, \$27,000 was allocated to Harris County and \$11,000 was to the Harris County Tax Assessor; that it was not in Austin as some items had been held 10 to 15 years; that it was their money and only needed to be claimed. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Charles Cupp, 1237 althea Drive, Houston, Texas 77018 had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared and stated that she was again present and happy to be here; that she was present for the YMCA and the money Barak allocated for the community they needed; that there was nothing there for the children and the "Y" was needed and hopefully Mayor White would work hard to get this. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that none of them would forget the desire for this "Y" because of her efforts. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Ollie Garry, 7915 Rand, Houston, Texas 77028 (713-674-0941) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Richard Garry, 7915 Rand, Houston, Texas 77028 (713-674-0941) appeared and stated that he was present to speak on the Code and violations to their neighborhood; that they had a company next door to them, a paint and body shop, and for some reason instead of paint being on the wall white smoke was coming out the stack and causing health problems; that his wife did not come because they started calling and people knew they were coming and strange people started driving around the house, etc., that he spoke with Robert Oaks yesterday about the Code violations as he told him last week they were out in violation and now he said they were up to par, but he was not informed the company he reported at 7909 Rand was shutdown for being in violation; that they were exposed to toxic chemicals and needed help; that they were operating down the street. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Upon questions by Council Member Johnson, Mr. Garry stated that the investigating officer served two citations, but he was exposed to chemicals; and Council Member Johnson stated that it had been referred to TCEQ for investigation; that because of his actions they found the company in violation and were successful in shutting them down until they were able to bring their operations up to standard; and he hoped the strange cars he saw was trying to insure things were right; that he did his part and now the city should do their part. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Theodore Johnson, 4010 Botany, Houston, Texas 77026 (713-259-4651) appeared, presented information and stated that for the global stimulus program he wanted to present a package; that his idea was others needed help like him and America could work on a stimulus foundation; that food could be put on tables and utilities cut on. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-407-5344) appeared and stated that he was President of the U. S. and national crime victim; that April was National Crime Victim Month and at this moment he was being assassinated and tortured publicly; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated April 7, 2009, www.mayorgalvan.com; that he wanted to remind all they were under the influence of another full moon; happy Easter to all; and this Sunday was Bunnies on the Bayou by the Wortham Center; that the bayou needed boats, canoes, etc., because he and many would go to enjoy the bayou, not everyone could afford canoes. Mayor

White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

At 5:15 p.m. City Council recessed until 9:00 a.m., Wednesday, April 8, 2009. Council Member Lawrence out of the city on city business. Council Member Noriega absent due to being ill. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, April 8, 2009, 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, James G. Rodriguez, Peter Brown, 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.

Note: Council Member, District H Position, vacant.

At 8:33 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:31 a.m. Mayor White called the meeting to order and stated that the first item was the Mayor's Report. Council Members Adams, Sullivan, Brown, Green and Jones absent.

MAYOR'S REPORT

Update on Public Safety Initiatives: Convenience Stores and Apartment Security

Mayor White stated that actions taken by this Council in support of police budgets, the management of the Police Department and it's substitution of civilians for so many classified officers so that they could be at a substantial increase in the force, plush improvements in policing, such as the Real Time Crime Center, that Council Member Noriega and others were such a strong supporter of and helped them implement the Apartment Security Ordinance that Council Member Lawrence and others helped sheppard through this body, the Convenience Store Task Force and it's recommendations, which Council Member Khan was a pusher and driver of, with the support and all of these initiatives and Members of City Council had made a huge difference probably worth another Mayor's Report and they would disseminate around the table the bar charts but all of that had contributed to the fact that they had the lowest crime rate, since they had been tracking statistics in his office, since 1990, and many years and thought that chart was now being circulated to people in 2008, and year to date they should have an announcement shortly after the first quarter by the Police Chief about how things were going this year, and they went very well, that today they had asked for a Mayor's Report from Chief Thaylor and Chief Trevino on the implementation of two initiatives that were undertaken by the Council that required ordinances and budget authority and both of these were done with a tremendous amount of support from HPD, and recognized Chief Thaylor and Chief Trevino for a presentation.

Executive Assistant Chief of Police Thaylor and Assistant Chief J.P. Trevino reviewed PowerPoint presentations titled "Multi-Family Apartment Security Ordinance Update" and "Convenience Store Unite Update", a copy of which is in the City Secretary's Office for review.

Mayor White thanked Chief Thaylor and Chief Trevino for their exciting reports, that they were very proud of these initiatives and stated that he had heard once or twice from other cities that people had gone to school on what they were doing, and Chief Trevino stated that was correct that the City of Dallas pretty much took theirs as a blueprint, their ordinance and their

task force report and pretty much emulated that ordinance and wrote the same requirements so the City of Dallas now had a Convenience Store Ordinance, that he also had numerous requests from other cities in the State of Texas and they had forwarded packages with all of the information and they were also implementing the same ordinance; and Mayor White stated that he wanted people around the table to know that because of the innovative law makers they had, and knew it was a topic for another Mayor's Report on convenience stores, most cities had now adopted the Grease Trap Ordinances like they had enacted, that SafeClear in El Paso and other places they were copying, that obviously every City had problems with people who were running through red lights and causing people to have to pause at red lights or take their lives in their own hands, that in so many ways when they pass laws, and he was not aware until the last couple of years, many people were following what they were doing and using what they did as a model.

Members of Council thanked Chief Thaylor and Chief Trevino for their presentation and for the tremendous amount of work that was done.

Upon questions by Council Members, Mayor White asked Chief Thaylor if they had good communication with Mr. Anders and the team that was doing building inspections, did they have good communication with Public Works, and Chief Thaylor stated that yes, that obviously they had Neighborhood Protection, Store Fronts and their DRT Officers, and they had always worked with Public Works, but having Doug in Public Works working with them had shored up and helped solidify that communication, that he had met with Doug two weeks ago and was supposed to come back to him talking about the very issue, about the scheduling of inspections of all apartment complexes; that as far as they not giving the Council Members and the storefronts the information about what they were doing, that their officers, the DRT offices, Neighborhood Protection or Doug and his group the Council Members would like an update, they would like to know a timeline, that they would work on making sure they did a better job in communicating with their offices.

Upon further questions by Council Members, Chief Thaylor stated that this report was talking about apartment complexes that had the worst crime issues in the City and they were trying to make sure they did what ever they could to prevent and help bring crime down in those specific areas, that beyond that they were doing things all over the City relative to enforcement efforts in apartment complexes because obviously roughly half of their population lived in apartment complexes, they had hot spot initiatives where they had crime problems that were flaring up and they were dealing with that, that beyond that they were absolutely right when they talked about crime prevention and trying to get after school programs or getting the youth into structured activities so they were not left unsupervised, that they were trying to expand their program which talked about the prevention of kids getting involved in gangs and those sort of things, that they were reaching out with Big Brothers Program and trying what they could from their side to reach out to the community and the youth and provide good role models but they needed the community also to step up and do what they could, that the churches and educational institutions do what they could to make sure these kids had activities when they were from a single parent home and did not have structured they might get into mischief more often, that the apartment complexes who wanted to be more proactive could contact the Multi Family Apartment Unit that they had in their offices at 713-308-3900, that he would tell them to that because of the registration process there was ongoing communication with the Multi Family Apartment Unit relative to what they were doing and some of the strategies that they could employ, that at each division their officers, DRT, Storefront and Community Services officers were dealing with apartment complexes and helping them to get stronger, that they also had the Blue Star Program, which meant in effect that they were recognized as they had gone up and beyond and made their properties as safe as possible implementing many of the strategies they were talking about, so multiple initiatives they could do and those communications were ongoing right now.

Upon further questions by Council Members, Chief Trevino stated that part of their outreach program they trained the DRT officers and they were currently going to the stores that were not on their list and had not registered and going in there and telling them the minimum requirements that they needed to register and they also educated the store on some of the other things that were requirements, that it was not an opt in type program, that it was required by the ordinance that they meet the requirements as stated, that they go in initially and try to communicate to them to get them to register and start complying but later this summer they were going to try to put a little more teeth behind it, that they initially asked them to comply and if they were having problems with their complying with the requirements then they always had the option of writing them citations, that from the Council Members recommendations a decal would actually be put on the glass in front of the store, that if they had registered and did not have the decal up they were going back and get that corrected; that the other thing was that they had a certificate of registration that they were required to post on the back of the register. Council Members Rodriguez, Green and Jones absent.

Upon additional questions by Council Members, Chief Thaylor stated that yes, they had on going efforts with other agencies, they were communicating on a regular basis and talked to constables on a regular basis and many times they were going to have information they shared, that if there was a spill over issue they would be sharing what their concerns were, whereas they did not go many times into their jurisdiction unless it was a task force of sorts, they had good communication for the most part across, that all the constable offices and with the Sheriff's Department had just gotten better with former Council Member Garcia going over there, that he spoke with him on a regular basis, so issues like that, even when they got issues that were brought to their attention by residents when it first came to light they would share that information with each other and try to work on it together. Council Members Lawrence, Johnson, Rodriguez, Green and Jones absent.

Upon further questions by Council Members, Chief Thaylor stated that as to SEPTED, recently they trained many more officers, in the range of 50 to 60 officers to do additional SEPTED surveys across the City at each of the stations so each division was more capable in assisting the Multi Family Apartment Unit in doing SEPTED, that they were very much promoting and trying to push out, to the apartment community, to request those, they were encouraging them to do it and they would go out and do those SEPTEDs that were requested; that on the issue of the decals at the stores, when they registered they were required by the ordinance to place the "no loitering" sign, so there might be a problem with a convenience store not being registered and they needed to look into it if they would share the address with him, but if there was drunk and disorderly conduct going on their officers could take action or were expected to take action; that they believed in being proactive and had been for a long time but one thing that the two ordinances allowed them to do was to put some teeth into forcing the businesses community and have some incentive for the business community to work in partnership with them; that where they believed in partnering with every portion of the community, in these two particular areas the ordinances had given them the venue to make sure that partnership was stronger and thought that had paid dividends on both cases. Council Members Johnson and Jones absent.

Upon further questions by Council Members, Chief Thaylor stated that as to the list of 30 apartment complexes now having 28 out of the list the ordinance the way it was set up went for a two year period, that the reason it was set up for two years was because some of the strategies were construction and they had to do an assessment and install lighting, fencing and other things and they did an assessment to see if they could be removed from the list, so understanding that when Chief Ottemeyer reviewed that they understood the process was going to be long so they only did the analysis for two year, that the 30 properties they targeted they had success with and now they were going to do another analysis of crime all over the City

where all the apartment complexes were thrown in and they would see if there was a new remediation list, that it would be nice if they did not have crime in any area that fell outside the normal range, but if it fell outside the normal range there would be a new list generated of remedial properties and they had been looking at doing an assessment but they could not do that until the full two year period had ended and it was coming up in a couple of months, and then they would come back to the Public Safety Committee and report on what the new list looked like or how extensive it was.

Upon further questions by Council Members, Chief Trevino stated that as to how many total convenience stores there were in the City of Houston, that was what in the registration process they were trying to put their hands on, that they had gotten various databases from the Health Department and HCAD and suspected that there could be anywhere from 1,500 to 2,000 convenience stores, that there were still ways from getting to that point but their efforts were to register every store, that they had their officers going to stores and encourage them and get them to register and then they would have that accurate count, that as of January 2010 they were required to register or be fined, that the industry had been well in partnering up with them and getting the word out to the stores, but there were the independent stores that were not part of an organization that they were trying to reach out to and get them to register; that the major chains, prior to their implementing and passing the ordinance, were already doing some of the crime prevention measures.

After further discussion by Council Members, Chief Thaylor stated that he would be surprised if they were not already aware of the crime issues at Binz and Live Oak and that area, but would make sure that their captain reached out to the management and have a conversation about what they were doing out there and what they could do to improve the situation out there, that as far as storefronts there was a process that they went through relative to the positioning of other storefronts, that it was about service to the community and not just one particular apartment complex or something like that. Council Member Noriega absent.

Upon further questions by Council Members, Chief Trevino stated that the issue came up at Council several weeks ago at Council regarding some stores that were actually showing some adult related DVD and materials so they moved pretty quickly on that and handled it, that what they had done as part of the registration and outreach they had gotten emails and address information on convenience stores and with the help of the Greater Houston Retailer Association, GHRA, and were getting out to all their membership and email blast and an information letter letting them know that State Law required that they have that out of any access to any minor, so it was being communicated and he displayed and passed out the decal that was to be displayed; and Chief Thaylor stated that as to the Section 8 Housing it was the same type of issue, they were apartment units and they dealt with them through the Apartment Ordinance but in addition to that even if people were not on the remedial list there were issues within different apartment communities that they were constantly dealing with and were in contact with the management of those entities.

Upon further questions by Council Members, Chief Trevino stated that he worked closely with Lieutenant Donald and Duke Atkins and oversaw and worked what was called the VET Initiative, that it was a video and entertainment teams that went out and targeted illegal eight liner establishments, they had been in discussion and were looking at getting the word out to convenience stores that if they had as much as one video eight liner in their stores, as far as the Eight Liner Ordinance was concerned they were considered a game room, so they were getting the word out and they understood and surprisingly a lot of convenience stores who seriously wanted to be just a business convenience store were getting those out of their stores, that those who were operating illegal eight liners they were going to come down hard on them. Council Members Adams and Sullivan absent.

Mayor White stated that they appreciated their efforts and all the efforts of their team and to please convey to those who worked with them the importance of this in the community and thanked Chief Trevino and Chief Thaylor. Council Members Adams and Sullivan absent.

At 10:30 a.m. Mayor White stated that they would move to the consent agenda. Council Members Adams and Sullivan absent.

CONSENT AGENDA NUMBERS 1 through 18

MISCELLANEOUS - NUMBER 1

1. REQUEST from Mayor for confirmation of the appointment of the following to the City of Houston **DEFERRED COMPENSATION ADVISORY COMMITTEE:**
Position One - **COUNCIL MEMBER WANDA ADAMS**, as the City Council designee
Position Seven - **MR. JIA WEN PETER NG**

- was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Adams and Sullivan absent. MOTION 2009-0191 ADOPTED.

Mayor White stated that their new nominee was present in the audience and asked him to stand and be recognized and thanked him for his service on the important board. Council Members Adams and Sullivan absent.

PURCHASING AND TABULATION OF BIDS - NUMBERS 2 through 4

2. ORDINANCE appropriating \$157,078.80 out of Equipment Acquisition Consolidated Fund to Purchase Automated External Defibrillators for Houston Parks & Recreation Department – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2009-0289 ADOPTED.
- 2a. **MEDTRONIC PHYSIO CONTROL CORPORATION** for Purchase of Automated External Defibrillators for Parks & Recreation Department – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2009-0192 ADOPTED.
3. **COMMAND & CONTROL ENVIRONMENTS** for Purchase of Dispatch Consoles/Workstations from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Houston Police Department - \$306,791.97 - General and Houston Emergency Center Funds – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2009-0193 ADOPTED.
4. **THE HON COMPANY** - \$375,575.32 and **JIMENEZ CONTRACT SERVICES** - \$155,384.56 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Houston Police Department - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2009-0194 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 17

13. ORDINANCE consenting to the addition of 133.87 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 163**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2009-0290 ADOPTED.
14. ORDINANCE approving and authorizing Interlocal Agreement between the City and **HARRIS COUNTY** for provision of Community Case Management Services targeted to Not-In-Care and newly diagnosed People Living with HIV/AIDS in the Houston EMA pursuant to the Ryan White HIV/AIDS Treatment Modernization Act of 2006 - \$256,500.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2009-0291 ADOPTED.
16. ORDINANCE approving and authorizing Joint Funding Agreement between the City of Houston and **THE UNITED STATES GEOLOGICAL SOCIETY** for Water Resource Investigation and Monitoring; providing a maximum contract amount - \$840,550.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2009-0292 ADOPTED.
17. ORDINANCE awarding contract to **BIWAY INTERNATIONAL TECHNOLOGY, INC dba BIWAY MEDIA** for Television Production Services for Municipal Channel; providing a maximum contract amount - 3 years with two one-year options - \$904,899.03 - Cable Television Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2009-0293 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

5. **GTSI, CORP.** for Hardware, Software, Maintenance and Installation Services through the City's Intergovernmental Agreement with the County of Fairfax, VA, for Computer Products and Services under Section 791.025 of the Government Code for Department of Public Works & Engineering - \$833,168.98 - Enterprise and Building Inspection Funds – was presented, moved by Council Member Khan, seconded by Council Member Green, and tagged by Council Member Jones. Council Member Sullivan absent.
- 5a. **HEWLETT-PACKARD COMPANY** for Hardware, Software, and Maintenance Support through the City's Master Agreement with the Texas Department of Information Resources for Department of Public Works & Engineering - \$119,188.04 - Enterprise and Building Inspection Funds – was presented, moved by Council Member Khan, seconded by Council Member Green, and tagged by Council Member Jones. Council Member Sullivan absent.
6. ORDINANCE appropriating \$756,884.00 out of Equipment Acquisition Consolidated Fund for Purchase of Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies for Various Departments – was presented, and tagged by Council Member Lawrence. Council Member Sullivan absent.
- 6a. **TOMMIE VAUGHN MOTORS, INC** - \$603,017.00, **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD, PHILPOTT TOYOTA** - \$395,110.00 and **LONE STAR CHEVROLET** - \$75,997.00 for Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies for Various Departments Equipment Acquisition Consolidated Fund and \$317,240.00 - Enterprise Fund – was presented, and tagged by Council Members Clutterbuck and Lawrence. Council Member Sullivan absent.

7. **CITY BUILD UTILITY SUPPLY (Bid No. 1)** for Traffic Safety Devices for Various Departments \$135,000.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2009-0195 ADOPTED.

RESOLUTIONS AND ORDINANCES

8. RESOLUTION designating **AUDUBON PLACE** as an Historic District - **DISTRICT D - ADAMS** – was presented. Council Member Sullivan absent.

After discussion by Council Member Brown a vote was called on Item No. 8. All voting aye. Nays none. Council Member Sullivan absent. RESOLUTION 2009-0008 ADOPTED.

9. RESOLUTION designating a certain property at 3605 Del Monte Drive within the City of Houston as a landmark and protected landmark - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Sullivan absent. RESOLUTION 2009-0009 ADOPTED.

10. ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to City Special Election to be held on May 9, 2009 and the possible subsequent Run-Off Election; providing a maximum contract amount - \$400,000.00 - General Fund - was presented.

Council Member Noriega stated that there were very few early voting locations, that she knew that the County determined it, but thought it was important to remind people first, that there was early voting for a special election, and second, that they could get the locations at HarrisVotes.org, but there were not many for this.

A vote was called on Item No. 10. All voting aye. Nays none. ORDINANCE 2009-0294 ADOPTED.

11. ORDINANCE appointing various Election Officials for the City of Houston Special Election to fill the vacancy in the Office of Council Member, District H for the unexpired term, such election to be held on May 9, 2009, and any required Runoff Election; prescribing the maximum number of election clerks for each voting precinct; containing findings and other provisions related to the subject; providing for severability; providing a repealer – was presented. All voting aye. Nays none. ORDINANCE 2009-0295 ADOPTED.
12. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (I) Montana Street, from IH-10 to Spencer Street (Parcel SY7-109B), (II) Excess, Fee-owned Herd Street from Montana Street to its terminus (Parcel SY7-109C), (III) Spencer Street from Bass Street to Montana Street (Parcel SY7-109A) and (IV) an Excess, Fee-owned Gully (Parcel SY7-109D), authorizing the sale of the fee-owned Herd Street and the Gully, and vacating and abandoning Montana Street and Spencer Street to White Oak Hill, LP, and Bass Court Village, LP, the abutting owners, as their interests appear between the two of them, in consideration of the conveyance to the City of (V) sufficient right of way to widen Bass Street to 60 feet (Parcel AY7-255) and (VI) a Drainage Easement (Parcel LY6-008), and the payment of \$5,200.00, and other consideration to the City; all six (6) parcels being out of the John Austin Survey, A-1, Houston, Harris County, Texas - **DISTRICT H** – was presented. All voting aye. Nays none. ORDINANCE 2009-0296 ADOPTED.

15. ORDINANCE appropriating \$9,664,360.00 from the Reimbursement of Equipment/Projects Fund; approving and authorizing contract between the City and **T.A.C. AMERICAS, INC** for Energy Conservation Measures, WBS D-000138-0001-1 - **DISTRICTS C - CLUTTERBUCK; E - SULLIVAN; G - HOLM and I - RODRIGUEZ** - was presented.

After discussion by Council Members Holm and Brown a vote was called on Item No. 15. All voting aye. Nays none. ORDINANCE 2009-0297 ADOPTED.

18. ORDINANCE appropriating \$815,814.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Engineering Services Contract between the City of Houston and **INFRASTRUCTURE ASSOCIATES, INC** for Engineering Services associated with Design of Neighborhood Sewer System Improvements - **DISTRICT H** - was presented. All voting aye. Nays none. ORDINANCE 2009-0298 ADOPTED.

MATTERS HELD - NUMBERS 19 through 21

19. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mario Escobedo, for sale of ±6,420 square feet of excess, fee-owned Fulton Street right-of-way, within Lots 10 and 11, Block 99, located in the Irvington Addition, out of the John Austin Survey, A-1, Parcel SY9-042 **DISTRICT H - (This was Item 7 on Agenda of April 1, 2009, TAGGED BY COUNCIL MEMBER NORIEGA)** - was presented.

Council Member Noriega moved to postpone Item No. 19 for two weeks, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2009-0196 ADOPTED.

20. ORDINANCE approving the third amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Five, City of Houston, Texas (Memorial-Heights Zone); authorizing the City Secretary to distribute such plans; determining the portion of tax increment the City will pay from the area annexed into the Zone - **DISTRICTS A - LAWRENCE; D - ADAMS; G - HOLM and DISTRICT H - (This was Item 20 on Agenda of April 1, 2009, TAGGED BY COUNCIL MEMBERS JONES, CLUTTERBUCK and HOLM)** - was presented.

After discussion by Council Members, Council Member Holm stated that there was a component in the item that said that the TIRZ would be supporting improvements to a cemetery, that was a piece of private property which was part of the plan but not part of the public dollars, that it was a private grant that would be used to improve it.

Mayor White stated that it was right that there was a lot of misinformation, that first this TIRZ had been around for a long time, well before this administration and had a purpose of the original TIRZ plan, which was embodied in amendments to the TIRZ plan, was to promote some of the development close to where people worked on the Memorial Corridor, for example last year, without comment, they sort of completed by putting in some public infrastructure, he thought a traffic signal, that would facilitate increased density development to the north of Memorial, there was a public investment of public infrastructure designed to accomplish the purpose of the TIRZ, whether or not any one here agreed that was the adopted purpose of the TIRZ, that it was property immediately contiguous to the old TIRZ, which was added to the TIRZ, that it was an infrastructure investment and was not based on the entire TIRZ increment but only the increment from the particular project, it was not an abatement, that he knew there was a need which they bargained for which they had looked at many different alternatives for free public parking adjacent to the Allen Parkway area where they were going to have

redevelopment, that they had been encouraging a YMCA or YWCA to the north and many other improvements along Allen Parkway, including the Police Memorial and the Skate Park, that people had a hard time parking, that they looked at the cost of providing various parking spaces along there, but the price of land had gotten so high that they could not figure out a way to get parking places within the TIRZ budget, that finally there were strict start dates so probably they were right it had more strict conditions for the reimbursement of utilities than any other agreement, whether it be development participation or TIRZ agreements that he knew of and it did not open the flood gates or open the door to the Just Say No Policy that they had established outside of TIRZ, that the only thing it had in common was that the Pavilions Project did have some public amenities that were part of it and those were where some of the dollars were being directed, the open sidewalks, the parking and the first floor and the other element of it was that they did not give people what they wanted instead they had sophisticated people model it and try to determine whether or not they would be able to retain that project without the incentives. Council Member Brown absent.

After further discussion and questions by Council Members, Mayor White stated that the TIRZ boundaries were expanded for a couple of reasons, the principle one was to include certain public areas such as Allen Parkway and some of the bayou watersheds, and then he did recall and did not even have the exact maps but there was a reason, not to make any particular commitment, but it was made at a meeting with many people involved in a basement conference room where they were concerned about the long term fate of the College Park Cemetery that was on Dallas, that he also there was also on the City property that included the park that was by Kirby and Shepherd that was immediately adjacent to the Center for the Retarded and those with Cerebral Palsy, they wanted to include that public area and it was a property that was in transition that was being scrapped, so there was some public support that had been given and declared a great success to multi family development to the north of it, all that area between Memorial and Washington, that it was created for the purpose of encouraging closer in development, closer to the employment centers where residential development was sometimes challenging because of the land costs, that he did not think there was a particular plan, not the developers but others within the real estate community had urged him to consider some kind of reimbursement and he said no, but he thought those were some of the reasons they expanded the boundaries of the TIRZ in many different directions; that what would happen if it did not pass, that he was not sure that he had looked through it all carefully but would say that it was one of the issues where they imposed what they considered to be barely limited onerous conditions, they had to make public parking available, which was first and foremost in his mind because he could not figure out how to get parking along Allen Parkway, that it would only be paid for by the increment paid for by that particular project and only part of that increment which was limited in time, the only TIRZ where they did that was in the Kingwood TIRZ, which was an old MUD, a portion of that had to be paid for affordable housing, these were all parts of the terms and conditions and when they were met he guessed it would make it a little harder to bargain in the future, that they had to figure out whether it would cause the development to not go forward; that was sort of troubled by a proliferation of TIRZ and any perception that there would be favoritism toward certain developers, that the people around the Council table had a high degree of ethics and social responsibility but it had occurred in local government, from time to time, in the United States of America that people had done favors for friends or close relatives, that they knew what he was talking about, that it may not be in a venal sense it just happened to be that they were the people who had access to those individuals or hired consultants, TIRZ consultants, that it was a troubling issue and he thought there needed to be the right balance with very strict criteria.

After further discussion by Council Members, a vote was called on Item No. 20. All voting aye. Nays none. MOTION 2009-0299 ADOPTED.

21. REVIEW on the record and make determination relative to the appeal from the decision of

the Automotive Review Board, filed by Mr. Gregory Rincon on behalf of Richard and Patricia Gonzales for application for Automotive Storage Lot License #90619 for **STAN'S WRECKER SERVICE, INC**, 3551 Alameda Genoa – **(This was Item 39 on Agenda of April 1, 2009, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented.

Council Member Adams moved to grant the appeal, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2009-0197 ADOPTED.

Note: To grant the appeal would overturn the decision of the Automotive Review Board.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Holm stated that Brittany Philips, who was in her office, was to be married in April, that Amy Yancy, of her office, was getting married in May and was moving to North Carolina where her husband to be, Chad, had been accepted into the Duke Program for an ENT residency, that they had some new people and introduced Laalu Yemitan, who would be working with some of the policies and agenda for their office, that long time City employee Sarah Culbreth would be working with them as they were going through the budget process. Council Members Clutterbuck, Sullivan, Rodriguez, Green and Jones absent.

Council Member Khan stated that on Monday he attended a wonderful event which was an effort spearheaded by Interfaith Ministries along with a lot of communities of faith, that as they all knew on June 12, 2009 the television signals would switch from analog to digital and these groups got together and helped almost 1,100 seniors put converter boxes so they would not have their televisions turn dark on June 12, 2009, that there were a lot of people who participated; that he wanted to touch base that last Tuesday a lot of members of the Asian Community Leadership came to City Hall and addressed the issue of having Asians in the senior and leadership positions in the Houston Police Department, that he thought it was important that their departments reflect the diversity they enjoyed so much in the City and every group should have the same opportunity, that to his understanding there were about 200 Asians in the police force and he thought there needed to be more officers, that one of the requests that he had made in the past was that there should be more resources diverted to the Asian media outlets to help recruit more Asians in the Houston Police Department, that there seemed to be a program for developing leadership skills so people had opportunities to naturally advance in their positions, that again he wanted to emphasize that he fully supported having qualified Asians serving in a leadership position, including Assistant Chief and all other leadership positions and hoped that the efforts made by the leadership of the Asian Community, including Gordon Quan and Rogene Calvert and other Asian leaders that they do pay respect to the views of the Asian Community and have a proper resolution to these issues. Council Members Clutterbuck, Sullivan, Rodriguez, Green and Jones absent.

Mayor White stated that Council Member Khan, Ms. Calvert and Mr. Quan strongly expressed views about the particular topic with logic and reasoning and the Chief had also met with community groups and he and the Chief conferred, that as he told them the Chief was considering and reconsidering this whole issue, that it was not their practice to do showboating and part of showboating as opposed to leadership was to discuss particular personnel issues by name in a public forum, that was disrespectful to employees and to the management and for others who had opinions within the department and all those were communicated to people well before the meeting, that there were a lot of people who liked to shout into microphones to see how loud it could be, but he wanted to thank Council Member Khan for his effective approach in bringing it to the administration's attention. Council Members Clutterbuck, Sullivan, Rodriguez, Green and Jones absent.

Council Member Brown stated that he wanted to compliment everyone who was involved

in their virgin urban gardens program, that they wanted to compliment those in the Mayor's office who were responsible for this and two non profit groups, Recipe for Success and Urban Harvest, that he learned recently at the Urban Harvest Gala that they were working on 126 urban gardens in the City of Houston, so it was a movement that was catching on; that they were making progress thanks to the Electrical Reliability Task Force, which was going to issue a report this month on a smart electrical grid for the City that when implemented should help to get their very high electrical rates down, that he thought a goal should be to get the monthly electrical bills down of every residence and business in the City, that Austin and San Antonio owned their own electric companies and provided to their commercial and residential customers and they had electrical rates, in many cases, half per kilowatt hour that the City of Houston had, that there was also House Bill 2701 in Austin, which he hoped they were supporting, which would allow cities to buy electricity wholesale and offer lower rates to their customers, that he would like to hear from the Mayor on that and hoped that could be part of public policy in Houston and electrical producers and distributors should be rewarded for selling less electricity and not more; that as to foreclosures in the tract subdivisions, that John Walsh recently made the comment that some of the subdivisions in the City were in a "death spiral downward" where home owned properties were being converted to rentals, that he thought that was an exaggeration but they did have a problem in low amenity, cookie cutter, tract subdivisions which did not retain their value as other developments with amenities, that he would like to hear from the City about the demise of Leland Woods, if they could get a report on that, that he knew there was an effort to reconstruct that, but it was something that he thought where they needed to have better standards. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that she wanted to congratulate the First Robotics Lone Star Regional Competition held at George R. Brown Convention Center on March 28 through March 29, 2009, that Lamar High School won the regional in this year's competition and were the only team to win three awards, the Judges Award, Website Award and Champion Award, that team was the only HISD School qualified to participate in the championship event which would be held in Atlanta, Georgia, April 16 through 18, 2009, to compete with over 380 teams from twenty different countries; that she noticed the email that Mayor White sent around concerning the help in removing the hotels and motels out of the community, that she wanted to congratulate the Legal Department and Mayor White's leadership for the El Rondo Motel, which was located in the Sunnyside area; that on Saturday, which was Keep Houston Beautiful Day, they had the opportunity to partner with the community to paint over graffiti and she wanted to thank her staff for doing a great job, that they went out to the Townwood, Cambridge Village, Windsor Village and Corinthian Point Communities, and she wanted to thank Sharon Moses, Solid Waste, as well as Teach for America for helping them go out into the community; that a PTO was inviting them, on April 9, 2009, to the University area Chick Fill-A on the corner of West Holcomb and Buffalo Speedway, that 10% of anything they purchased between 5:00 p.m. and 9:00 p.m. would benefit the Wharton School; that this month was Child Abuse Month and there was a conference held on Wednesday at the Children's Museum to increase awareness of child abuse; that she wanted to thank Dora Olivo, along with the Missouri Community for coming together to voice their concerns about a development; that she wanted to congratulate the National Honor Society of Jones High School for being inducted in the National Honor Society for a job well done. Council Members Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that on Saturday, April 11, 2009, the Mother's for Clean Air would hold a Earth Day 5K Run and Walk at Discovery Green and race day registration would begin at 6:45 a.m. and the 5K time was at 8:00 a.m., that the kids run would begin at 9:00 a.m.; that she received an email from Jeanette Rash who said they had just cleared their 60,000 SafeClear tow, that she wanted to congratulate them, that it just showed what a really much needed program as it was, that on a sadder note having to do with SafeClear, this weekend on

Highway 59 at Newcastle, a young woman, her Godchild's mother, had a flat tire and instead of using SafeClear chose to step out of her car and was killed, that she wanted to tell everybody to please use the program, that when they had to pull over with car trouble do not get out of their car, call 3-1-1 and give them directions where to come, they would find them, that it was very important especially on a freeway and at any time; that she wanted to congratulate her son, Robbie Lovell, who on Saturday night pitched a no hitter and also hit a homerun, that it was an incredible game, that she was so proud, that Craig Biggio's son played on Robbie's team and Craig was there for the game so she said to Robbie, what an incredible game for his hero to be standing there and watching him throw an incredible game, show great composure and really step up and be a leader on the field, so she wanted to congratulate him. Council Members Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that she wanted to say thank you to all the constituents that were taking time off from work and going to Austin to speak six months out of two years, that so many bills that they passed or not passed depended on constituents going and talking about neighborhood issues, that she wanted to say thank you to the five constituents from District A and Karen Dupont, that they were very important bills to District A and the whole City. Council Members Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Johnson stated that they all knew that North Forest School District had been in the media and some of the problems that existed in that community had plagued much of the development that had taken place or had tried to take place in that area, that they had talked about the development in the North Forest area for quite some time, that he had talked with the developers and the first thing they pointed out was that it was not a good school district so they needed to try and do all they could to fix the school district, that he believed at some point that he, Mayor White and the superintendent and talk about what the look of North Forest should be; that he wanted to let the community know the great things that North Forest was doing, that North Forest High School Marching Band had been invited to represent the State of Texas as part of the National Music Education Week in Washington, D.C. from June 18 through 21, 2009, that they would perform at the base of the Lincoln Memorial and would be part of the program celebrating Abraham Lincoln's 200th birthday, that he wanted to congratulate Ms. Natalie Del Campo, a senior and honor role student at HISD Barbara Jordan High School for Careers, which was in District B, that she had advanced to be a State finalist for the UIL in Theatrical Design Competition, that she created a great advertising campaign that helped put her as a State finalist; that Phyllis Wheatley High School had recently received a sizeable donation from the Houston Endowment that would help them improve their college preparedness program so they could insure more students were going to college; that the success of neighbor by neighbor in Pleasantville was a success and he wanted to thank them again for wrapping their arms around each other and supporting one another, that there were a lot of community people out that worked on one another's houses for senior citizens who needed it; that on April 17, 2009 there would be a movie premier at the City of Houston that he would be hosting, that it was called American Violence, and was about a young lady who was 24 years of age and was wrongfully accused of drugs and was sentenced to prison, that she fought diligently to free herself from prison because she knew she was not guilty and was exonerated and they did a movie about her, that he would be doing it in conjunction with the Black United Fund of Texas and COTTER, Life Drug Free, Black Women for a Changing Society and the Multi Cultural Film Festival; that on Friday April 10, 2009 there would be a Spring Blast, hosted by Sure Thing Inc. and DARE Plus, that they would have free food and Easter egg hunt and many activities and games, that it would be at Tidwell Park from 9:00 a.m. to 2:00 p.m., that there would be a baseball game that he would be in; that he wanted to wish Patrick Trahan a Happy Birthday. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that he wanted to recognize Journalism students from TSU who were present in the Council Chamber and thanked them for their interest and in Journalism as a career. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that she wanted to welcome the students from TSU; that she wanted to wish everyone a safe and happy Easter break. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:48 a.m. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary