

City Council Chamber, City Hall, Tuesday, July 21, 2009

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 21, 2009, Mayor White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Edward Gonzalez, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Marta Crinejo, Assistant Agenda Director; present. Council Member Jarvis Johnson out of the city on city business. Council Member Anne Clutterbuck absent.

At 2:00 p.m. Mayor White stated that Council Member Noriega would begin presentations; and Council Member Noriega stated that Food and Wine Magazine for July had named one of Houston's best chefs one of the best in the country; and invited Mr. Bryan Caswell from Reef to the podium along with others present for his presentation; and stated that Food and Wine Magazine recognized Mr. Caswell in their Best Chefs Issue and he drew upon his knowledge to provide a spectacular seafood experience; and because of his achievements and his addition to Houston's high profile restaurant scene presented him a Proclamation proclaiming today as "Bryan Caswell Day" in the City of Houston, Texas. Mr. Caswell stated that this was an honor, he was from Houston, loved Houston; and thanked all for the support. Council Members Rodriguez, Green and Jones absent.

Council Member Holm stated that Mr. Caswell and his partner Mr. Bill Floyd had the great Reef Restaurant and had brought much economic value with it. Council Members Rodriguez, Green and Jones absent.

Council Member Holm invited Mr. James Shield, executive director for Justice for Children to the podium and stated it was a pleasure today to present a Proclamation to an organization called Justice for Children; that they were founded by Randy Burton and the mission was to prevent reoccurrence of child abuse and neglect and they have fought for 22 years, they operated a child abuse hotline to help all over the country and gave pro bono legal protection to children; and in recognition of all their wonderful work presented a Proclamation proclaiming today as "Justice for Children Day" in Houston, Texas; and Council Member Holm asked all present who were with Justice for Children to stand to be recognized. Council Members Rodriguez, Green and Jones absent.

Council Member Khan invited Ms. Cindy Wu to the podium and stated that Houston was known for its beautiful people in terms of our character and being role models, to share an Asian Community secret you could really impress them with inner beauty and Ms. Cindy Wu, Miss China Town Houston 2008/2009 served as a goodwill ambassador for Houston in San Francisco, California during the new year and at the Miss China Town USA Pageant Miss Cindy Wu won the coveted title of Miss China Town USA for her outstanding beauty, personality, intelligence and talent and she would be recognized on July 31, 2009, and presented Ms. Wu a Proclamation proclaiming today as "Miss Cindy Wu Day" in Houston, Texas; and Mayor White thanked Ms. Wu for representing Houston so well. Ms. Wu stated that she was very honored to represent the City of Houston and she hoped to go on further and make Houston proud and on behalf of the Chinese Citizens Alliance she invited all to the pageant at the Crown Plaza Reliant Park, Saturday. Council Member Khan invited Ms. Wu's Mother to the podium to be recognized. Council Members Rodriguez and Jones absent.

At 2:13 p.m. Council Member Gonzalez read a scripture from Proverbs 3:5-6, led all in prayer and in the pledge of allegiance. Council Member Jones absent.

At 2:14 p.m. Mayor White requested the City Secretary call the roll. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent.

Council Members Khan and Lawrence moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent.

Council Member Brown stated that on a point of personal privilege he wanted to recognize a special guest, Ms. Stella Chow, who was the director of the Department of Neighborhoods in Seattle, Washington, and she was present giving speeches on how it worked there and tonight would discuss such at the United Way, 50 Waugh Drive, 6:45 p.m.; and thanked Ms. Chow for coming. Council Members Holm and Lovell absent.

Council Member Adams moved the rules be suspended for the purpose of hearing Mr. Brian Gannon after Ms. Lora Courtney, seconded by Council Member Khan. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Holm and Lovell absent. MOTION 2009-0525 ADOPTED

Mayor White stated the City Secretary should make an announcement on Council's procedures specified in the Rules of Council before continuing to the public speakers; and the City Secretary stated that 207 minutes were reserved for speakers to be heard and under the Rules of Council, codified in the Code of Ordinances, if the speaker's time requested was greater than 150 minutes the Mayor would announce and each speaker would have a total time of one minute and the question time for Council Members would be limited to a cumulative time of one minute for each speaker. Mayor White stated that rules were enacted to make sure there was sufficient time to have all speakers speak and he and the Mayor Pro Tem would try and enforce the rules. Council Members Sullivan, Holm and Lovell absent.

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

Ms. Jane Cahill, 2114 Lubbock, Houston, Texas 77007 (832-721-9080) appeared and stated that she was president of the Washington Avenue coalition Super Neighborhood and present in support of Agenda Item 7 which included residential parking application for the Old Sixth Ward; and thanked Lilliana Rambo and Melanie Curry and their staff for going beyond the call in helping work this out. Council Member Sullivan absent.

Mr. Seth Fankhauser, 2015 Kane, Houston, Texas 77007 (609-658-0878) had reserved time to speak but was not present when his name was called. Council Member Sullivan absent.

Ms. Janet Bashen, 1616 South Voss, Houston, Texas 77057 (713-780-8056) appeared, presented information and stated that she was present regarding the Fire Department issue and investigation; that her company was Bashen Corporation and she had done over 7,000 EEO investigations for major corporations and federal agencies and had a patent on web base EEO complaint management to support reporting and investigations and was present to offer her services to the City of Houston at no cost, the \$190,000 they were to appropriate, she felt they should not have to deal with the money issue or deal with whether the work had credibility. Council Member Sullivan absent.

Upon questions by Council Member Jones, Ms. Bashen stated that she had done over a dozen noose cases all over the country and before the Supreme Court; that the EEOC was a client and investigations were based on their expertise, they did not allow investigations to be guided, companies going in knew they could not tell them how to do the job; and she had turned

down being hired, Enron was one such organization. Council Members Sullivan, Holm, Brown and Lovell absent.

Council Member Noriega thanked Ms. Bashen for appearing and stated that she chaired Public Safety and they would be holding a hearing Monday, 3:00 p.m. in the Council Chamber and invited her to attend and would be allowed three minutes for presentation if so desired. Council Members Sullivan, Holm, Brown and Lovell absent.

Council Member Green stated that he was familiar with her company and would follow up with her. Council Members Sullivan, Holm, Brown and Lovell absent.

Ms. Lora Courtney, 17007 Rippling Mill Drive, Sugarland, Texas 77498 (832-532-7356) appeared and stated that she was in support of a city ordinance proposed by the Texas Abortion Recovery Alliance requiring Houston Abortion Clinics to provide informed consents to those women seeking abortion, they were not being told about the truth and harmful effects and the current State Right to Know Act was being broken. Council Members Sullivan, Holm, Khan, Brown, Lovell and Jones absent. (NO QUORUM PRESENT)

Mr. Brian Gannon, 1400 LaConcha, Houston, Texas 77054 (713-791-6303) appeared, presented information and stated that the gulf Coast Regional Blood Center was Houston's regional blood center which served hundreds of hospitals in the area and they required 1,000 units of volunteer blood donations every single day of the year; that he was asking the Mayor and Council to champion the upcoming nine blood drives with city departments between July 23 and August 11, 2009, to remind all of the importance as it would greatly help. Council Members Sullivan, Holm, Khan, Brown and Jones absent.

Council Member Adams thanked Mr. Gannon for being such a great partner; and upon questions, Mr. Gannon stated that the Council's personal leadership in recognizing the importance and take the lead in spreading the word was a lot and appreciated. Council Members Sullivan, Holm, Khan, Brown and Jones absent.

Ms. Miyoshi English, 503 West Road #44, Houston, Texas 77038 (281-591-6495) appeared and stated that she had been out of work since February 2009 and diligently searching for employment, unfortunately, not very prosperous in her search; that she had applied with the City of Houston over 58 times prior to becoming unemployed and 65 times since February, but when calling only received messages regarding the job searches; that it seemed there could be a job in itself for someone to go in and constantly update information and that was what she was requesting. Council Members Sullivan, Holm, Khan, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (281-995-5995) appeared and stated that he may sound like a broken record but he had gone to the pre bid meeting for burners and he and a large contractor agreed it was a shame the city was trying to be "Green" and yet the big sludge burners were not green and even after they dried it they still hauled it to the dump and paid landfill costs when it could be made into something useable; that every city making compost had no trouble getting rid of it; and again encouraged all to compare others. Council Members Sullivan, Holm, Khan, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that actually one of the issues that would be a part of the scope of work for McKenzie and Company, it was not approved as yet, but would be the whole waste process compared to other large cities; and thanked Mr. York for bringing the his issues of concern. Council Members Sullivan, Holm, Khan, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Norma Tanton, P. O. Box 186, Hardin, Texas 77561 (281-622-9471) appeared and stated that she was also present to support the proposed ordinance by the Texas Abortion Recovery Alliance; that she had an abortion with no counseling offered; and described her personal experience. Council Members Sullivan, Holm, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Mary Guerra, 4318 Ute, Pasadena, Texas 77504 (832-677-4748) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Holm, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Melissa Webb, 8102 Pella, Houston, Texas 77036 (713-776-0584) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that she fought her parents against having an abortion but gave up the fight; and described her personal experience. Council Members Sullivan, Holm, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor White thanked Ms. Webb for expressing her story and stated that if her statement was in writing she could leave it with Ms. Vasquez. Council Members Sullivan, Holm, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Rhonda Arias, 10515 Evesborough Drive, Houston, Texas 77099 (713-419-1214) appeared, presented information and stated that the packet she presented had everyone's story in it who came today; that the present state law to protect women's right to know about abortion risks were not adequate and they were being harmed; that they were asking for a city ordinance as opposed to state law as Houston was the largest abortion providing city in the State of Texas. Council Members Sullivan, Holm, Rodriguez, Brown, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Nona Ellington, 304 John Alber Road, Houston, Texas 77076 (832-215-1704) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance to regulate abortion clinics; that women had the right to know their physical and physiological health would be damaged; and described her personal experience. Council Members Sullivan, Holm, Rodriguez, Noriega and Jones absent.

Ms. Lauren Bieler, 7300 Brompton #5912, Houston, Texas 77025 (713-249-5201) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan, Holm, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Theresa Walker, 510 Tallent, Houston, Texas 77076 (281-451-5431) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance, women had the right to know all choices and consequences. Council Members Adams, Sullivan, Holm, Gonzalez, Rodriguez, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Cheryl Young-Archer, 12612 Huntingwick, Houston, Texas 77024 (713-467-4559) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance requiring Houston abortion clinics to provide informed consent to those seeking abortion; and described her personal experience. Council Members Adams, Sullivan, Holm, Gonzalez, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Beverly Roberts, 818 Silvergate Drive, Houston, Texas 77079 (832-443-8109) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that she appreciated Mayor White's comments at the national Day

of Prayer when he said, "When you see a need, you seek to meet it.", and she was challenging him to meet this need; and urged that they work with them. Council Members Adams, Sullivan, Holm, Gonzalez, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that Council Members and citizens could agree or disagree with comments of speakers, but rules were adopted and they were advised that they needed to be enforced; and he would ask the City Secretary to read those rules; and the City Secretary read from Chapter 2 of the City Code of Ordinances which stated no one in the Chamber should applaud, boo, clap or otherwise audibly express approval or disapproval of actions taken. Council Members Lawrence, Adams, Sullivan, Holm and Noriega absent.

Ms. Karlene Owston, 301 Wilcrest Drive #2906, Houston, Texas 77042 (281-705-6824) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance regarding providing for consent as she was concerned about women's mental health. Mayor White, Council Members Lawrence, Adams, Sullivan, Holm and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Ms. Owston stated that they wanted abortion clinics and providers to inform women of the consequences of abortion, more thorough presentation of the facts. Mayor White, Council Members Lawrence, Adams, Sullivan, Holm and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Veronica Cardenas, 1220 Everglade, Pasadena, Texas 77502 (832-528-8356) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that she was faced with the situation and blessed to have not followed through with it; that women had the right to know. Mayor White, Council Members Lawrence, Adams, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Shawna Kimbrough, 8955 Broadway #10115, Houston, Texas 77061 (832-677-6224) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that a fetal model was being shown to Council of which she found out her son looked like at 12 weeks; and described her personal experience. Mayor White, Council Members Lawrence, Adams, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Joanna Alejos, 223 Cody, Houston, Texas 77009 (713-692-7668) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Adams, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Jeannie Garrison, 223 Cody, Houston, Texas 77009 (713-692-7668) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Adams, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Francie Briggs, 223 Cody, Houston, Texas 77009 (713-692-7668) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that she had never been pregnant but was adopted, her parents did the right thing. Mayor White, Council Members Lawrence, Adams, Sullivan, Holm and Noriega absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Cynthia Adams, 223 Cody, Houston, Texas 77009 (713-692-7668) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery

Alliance; that she was 16 when advised to have an abortion; and described her personal experience. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Elizabeth Puente, 223 Cody, Houston, Texas 77009 (713-692-7668) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that she was advised her child would have Down Syndrome and counseled to have an abortion, but found later she was alright and now in the Vanguard Program. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Lorraine Medina, 223 Cody, Houston, Texas 77009 (713-692-7668) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance which would require Houston abortion clinics to provide informed consent to women seeking abortions; and described her personal experience. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Kim Luton, 223 Cody, Houston, Texas 77009 (713-692-7668) appeared and Ms. Medina read her statement as she was legally blind which stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance to require Houston abortion clinics to provide informed consent to women seeking abortion; and described her personal experience. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Cynthia Thomas, 206 N. Monroe, Kaufman, Texas 75142 (469-595-6947) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance for informed consent; and described her personal experience. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Danny Thomas, 206 N. Monroe, Kaufman, Texas 75142 (832-385-5828) was called and Mr. Daniel Thomas appeared and stated that his father was unable to attend and he would like to read his statement; and Council Member Khan moved to replace Mr. Danny Thomas with Mr. Daniel Thomas, seconded by Council Member Adams. No vote was recorded as no quorum was present. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Daniel Thomas read his father's statement in which he stated that he was supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that abortion clinics should be required to inform their patients of the risk of abortion. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Myra Myers, 2613 Normandy, Flower Mound, Texas 75028 (972-539-6770) appeared and stated that as a representative of Operation Outcry, the ministry of the Texas Justice Foundation, they stood in full support of the proposed ordinance by the Texas Abortion Recovery Alliance requiring informed consent. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Christine Casper, P. O. Box 301094, Houston, Texas 77230 (713-395-1330) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance and stated that she was the programs coordinator at the Houston Coalition for Life and a young lady,

Lyla Rose, was gaining national media attention because she was undercover going to many Planned Parenthoods around the nation posing as a minor and was revealing outstanding videos; that Planned Parenthood was violating state laws across the country. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Ms. Casper stated that they would like Council to show the same amount of concern in what they were discussing as they did for donating blood, caring about animals, etc., and Council Member Khan stated that the only reason he was present was because his Mother made the right choice. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Christine Melchor, 3815 Lemon Tree Lane, Houston, Texas 77088 (832-244-8724) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance and stated that every woman contemplating an abortion should be given information to enable her to make an informed decision; that the Woman's Right to Know Act did that and it was state law but now being properly enforced in the City of Houston. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Soraya Raghieb, 4611 Osage Drive, Baytown, Texas 77521 (713-864-7760) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance and stated that she was present to speak on an informed consent city ordinance; that women facing abortion were faced with a life and death situation and needed necessary facts; and described her personal experience. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Lupe Garza, 19118 Spring Meadows Lane, Richmond, Texas 77407 (832-978-1612) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance; that she did not like the largest abortion clinic being built in Houston. Mayor White, Council Members Lawrence, Sullivan, Holm, Rodriguez, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Janna Williams, P. O. Box 251, Votaw, Texas 77376 (936-274-4682) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance causing abortion clinics to tell women the risks. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Gaye Haehnel, 6814 Cansfield Court, Katy, Texas 77494 (281-395-8151) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance and stated that she was present addressing Council on behalf of abortion recovery; that she did not have an abortion but lost a grandchild through abortion and there was imaginable pain. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Lisa Craig, 1902 Blue Sage Drive, Katy, Texas 77494 (281-395-9204) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance and stated that she was present speaking on behalf of women harmed by the surgical procedure called abortion that was unregulated. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Suzanne Taylor, 21101 Kingsland Boulevard #214, Katy, Texas 77450 (765-413-8509) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance and stated that she was present to support informed consent; that she had an abortion; and described her personal experience. Council Members Lawrence, Sullivan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Jennifer Adams, 2222 Settlers Way, Sugarland, Texas 77478 (832-367-2270) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance and stated that she was present to support informed consent; and described her personal experience. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Ann Younger, 602 Lakeview Drive, Sugarland, Texas 77498 (281-850-1466) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance, presented information and stated that she was a certified counselor and served Ft. Bend County and the majority she counseled had procured abortions in the City of Houston. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Molly White, 2520 Shanklin Road, Belton, Texas 76513 (254-939-8408) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance, and stated she had given a presentation to Ms. Vasquez for Mayor White; that she would like to take time to answer Council Member Khan's questions previously regarding what they were asking; that they were asking Council to pass an ordinance which would cause abortion providers to screen women for risks and hold clinics liable. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Alyssandra Granado, 22022 Breezy Hill, Katy, Texas 77449 (281-647-0206) appeared and stated that she was present supporting the proposed ordinance by the Texas Abortion Recovery Alliance as women had the right to know they should not be coerced into having an abortion. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Tina Araujo, 2 Chamber Pine Place, the Woodlands, Texas 77382 (281-681-0391) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Herbert Rothschild, 849 Howard #C, Houston, Texas 77007 (713-861-2494) appeared and stated that he was with the Houston Peace and Justice Center and the next two speakers were with the Coalition of Clergy People and the Poor and he was present to speak on healthcare reform and on June 16th three leaders in healthcare for all Texas came before Council and spoke and thanks to Mayor White last Tuesday they sat with HR members to determine cost savings for the City of Houston and \$180 million each year would be saved and he was present to persuade them to overcome their reluctance to go on public record in support. Council Members Lawrence, Sullivan, Khan, Holm, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Pastor Edward Fana, 5055 Kickens road, Houston, Texas 77021 (713-256-5740) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sullivan, Khan, Holm, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Michael Espinoza, 10350 Lafferty Oaks, Houston, Texas 77015 (832-277-3903 had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sullivan, Khan, Holm, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

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 Members Lawrence, Sullivan, Khan, Holm, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Donald Burns, 2016 Main #2301, Houston, Texas 77002 (713-882-0307) appeared and stated that he had photos to view and was present to speak on the Central Bank Building and the old abandoned hotel building on Travis and St. Joseph; that graffiti was 10 stories in the air which meant people were entering the Central Bank Building and some of it had been on the building for eight years; that the property owner should have to remove it and not the City of Houston Graffiti Taskforce since it was so high up; and signs were on the building could also one day fall from the building. Council Members Lawrence, Sullivan, Holm, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Adams thanked Mr. Burns for being such a proactive constituent and stated it was the same building she brought to the Mayor's attention last year, asking what could be done; that there was much vagrancy going on there and she would like to see what the city could do with it. Council Members Lawrence, Sullivan, Khan, Holm and Noriega absent.

Upon questions by Mayor White, Mr. Burns stated that the building should be secured, people were going in and out of the Central Bank Building all the time and it was creating many problems including rodents; that it was not secure and breeding disease; and Mayor White stated to Ms. Vasquez what the status was on the project; and Ms. Vasquez stated that she had no status; and Mayor White stated that Council Member Adams was correct and insecure buildings did violate the dangerous buildings list and to say it nicely, did he really need to tell people, to give them deadlines and say he needed a report or could people take an initiative and do it without him saying, he just did not get it and between Neighborhood Protection and the PWE he would like a specific report; and to Ms Vasquez some questions were, and he was not interested in hearing other stuff until his questions were answered, which was who by name talked to the owner on what day, did they say it was from the Mayor and if there was a recurrent problem why had they not filed a civil lawsuit, was it because they did not know how to or did not want to, because you could proceed by citation or civil litigation and he did not know why someone would not file a petition and if someone could explain why it had not been done as there were lawyers in the City Legal Department, people in Public Works and in Neighborhood Protection and this was not "rocket science" so the question was who talked to the owner and if it was a corporation, someone was a head of the corporation; and second had there been a civil action prepared, what was the strategy or tactics and you needed perimeter security around such a building and on the building itself; and thanked Mr. Burns for coming and that he would like people back with an answer to him within one week and copying different Council Members. Council Members Lawrence, Sullivan, Khan, Holm, and Noriega absent.

Council Member Lovell stated that she would like the building boarded and secured, but also if they could do the graffiti abatement, it would present a clean pallet and taggers would be back, so if they could put up a camera they may have opportunity to find and arrest; and Mayor White stated okay; and called on Council Member Brown. Council Members Lawrence, Sullivan, Khan, Holm, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Brown thanked Mr. Burns for coming and stated that each time he drove by the Central Bank Building he got the hebegebies; that they talked about a program for large downtown high-rise buildings, trying to get a handle on them, and he would appreciate a copy of

the report. Council Members Lawrence, Sullivan, Khan, Holm, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he was not the City Attorney, but most commercial owners, if they were responsible, would take action as requested by the city; that secondly, and this was why he was talking to Neighborhood Protection and those in Public Works and Legal Department, all had telephones and on some of these it would have to be through a civil action and where there was multiple citations they needed to be consolidated before a judge; and that was what needed to be done. Council Members Lawrence, Sullivan, Khan, Holm, Noriega and Green absent. (NO QUORUM PRESENT)

The City Secretary stated that a speaker was called and outside the Chamber and was present at this time; that also Ms. Rene Dote stated she had called to reserve time on the women's issues and she was not on the list; and if it was okay she would call on those two speakers at this time. Council Members Lawrence, Sullivan, Khan, Holm and Noriega absent.

Ms. Tina Araujo, 2 Chamber Pine Place, the Woodlands, Texas 77382 (281-681-0391) appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance, and stated that today she was speaking as a private citizen and it was always important to be aware of surgical procedures you may undergo. Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Renee Doty appeared in favor of the proposed ordinance by the Texas Abortion Recovery Alliance, and stated that her mother had an abortion and was not informed she could be susceptible to problems in her later pregnancies and 11 years later she was born and contracted cerebral palsy. Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Stacy Fox, 3131 Hayes Road #213, Houston, Texas 77082 (832-347-3765) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Rob Sowell, 1836 Augusta #4, Houston, Texas 77057 (713-981-3242) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

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

Mr. Samuel Smith, 16803 Imperial Valley Drive #86, Houston, Texas 77060 (832-229-4495) appeared and stated that he would like to know what help the city could provide for individuals who had been to prison; that in his instance he spent the last 23 years in prison and could not find employment; that he did not want to have to resort to things which led him there and go back, but he had no resources; that the Parole Board was on him for his fees and he was given a warning, but with no work it was not possible. Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that the City of Houston had an affiliated program called Houston Works and they were charged with helping people find jobs and a program for his particular situation; that Mr. Larry Green was head of the program and she did not have the number, but Citizens Assistance or one of her staff members could assist him. Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

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

Col. Carl Jordan, 1320 W. Pierce, Houston, Texas 77019 (281-888-1105) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Adams, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Adele Bosquez, 2380 S. MacGregor Way #321, Houston, Texas 77021 (956-330-8361) appeared, presented information and stated that she was a student physical therapist and recently went around Houston looking at usability and specifically focused on city owned properties and the photos documented inconsistencies and assess ability with ramps and sidewalks blocked by obstacles, ramps to no where and uneven transitions, etc., that the Houston Chronicle reported \$489 million of the stimulus package would be infused into Houston for transportation projects; and she hoped the assess ability projects would be in those projects. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that she knew Ms. Bosquez had met with Mr. Anderson and had a meeting after this; that she was glad she had done the work she did and anyway they could help to make life better for people with disabilities they were happy to; and Ms. Bosquez stated that she would like to draw their attention to the intersection of Holcombe and Braeswood, the project was completed within the last couple of months and it was not usable, you had to go into the road to cross the street. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Ms. Bosquez for coming and stated that they received several complaints on wheelchair ramps and assessability throughout the City of Houston and Council Members had a big concern regarding mobility, where they placed light poles, stop signs, etc., and she appreciated her bringing this to their attention; and upon questions, Ms. Bosquez stated that she lived on South MacGregor Way and there were several light poles in sidewalks in the way of ramps and uneven sidewalks that a wheelchair could not even begin to navigate; and Council Member Adams stated that a member of her staff would contact her as she wanted to look at such places. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Ruben Powell, 7575 Bradmar, Houston, Texas 77088 (281-445-1378) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Loretta Kiser-Jasper, 13007 Wild Glen, Houston, Texas 77072 (832-889-7702) had reserved time to speak but was not present when her name was called. Mayor White, Council

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

Mr. Charles Mohamed, 5005 Meadow Place Drive, LaPorte, Texas 77571 (832-526-0819) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Terry Branch, 4101 San Jacinto, Houston, Texas 77004 (832-882-8836) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Jeff Spivey, 1559 Tarrberry, Houston, Texas 77088 (832-426-0255) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Dr. Anita Spivey, 1559 Tarrberry, Houston, Texas 77088 (832-426-0255) appeared and stated that those in Willow Run were asking that the city park there be turned into a YMCA; that it would benefit them and several surrounding communities. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Warren Fitzgerald, 6415 W. Montgomery, Houston, Texas 77091 (713-692-4688) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 6367 Cattails, Houston, Texas 77035 (no phone) appeared and stated that he was present to comment on the METR Q-card, they needed a new public hearing for it to reassess and reevaluate its value and to determine whether the rider was receiving value for their dollar; that he felt the Q-card was over inflated and that the METRO Board did not want to listen to anyone, now he paid \$25.00 and it lasted only six days. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Jesse Escalante, 3800 Sherwood Lane #206, Houston, Texas 77092 (713-410-0680) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Shaun Lowery, 6522 Wellington Meadow, Katy, Texas 77449 (713-585-6473) appeared and stated that he was a regional distributor for Just Energy, a provider of natural gas and electricity throughout the U. S. and Canada providing customers with peace of mind for up to a five year guaranty by locking in their energy rates; that they also offered "green energy" and more than 30% of their new customers did elect "green energy" supply for 70% of the commodity requirements, it was the fastest growing segment of their business and at this time they were looking to partner with the City of Houston in any "green" initiative program they may have. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Donna Brown, 7215 Hoffman, Houston, Texas 77028 (713-491-8120) had reserved time to speak but was not present when her name was called. Mayor White, Council Members

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

Mr. Trent Winters, 7955 W. Bellfort, Houston, Texas 77071 (713-729-1153) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Vanessa Holly-Stephens, 7725 Fitzhugh, Houston, Texas 77028 (713-635-3128) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Tonia Kirven, 10926 Maple Bough Lane, Houston, Texas 77067 (281-543-0422) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) appeared and stated that she was president of the Precinct 239 Neighborhood Club and would like to let Council know they were getting their lights at the Law Park parking lot and walking trail and they thanked Council very much; that they adopted a medium on south Wayside between Beldart and Vasser leading into the park and they planted 20 Oak Trees and they wanted to keep the median from being parked on; that a church on Beldart and South Wayside loved parking on the medium and they would like to know what could be done. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Sullivan stated that this was in his district and they were supportive of the group; that they were outstanding in participation and community affairs and interested in keeping the area clean and safe and anything they could do to help them he wanted to do. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that she was sure the Oaks loved the recent rain and on the parking issue, if she would get with Council Member Sullivan or when it was happening call HPD they would come out; and upon questions, Ms. Randle stated that they had not tried calling HPD, they hoped they could talk to them and they would listen, but they did it even more; and Vice Mayor Pro Tem Lovell stated they should call police and if they still did not listen the city had the right to tow them. Mayor White, Council Members Lawrence, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Joyce Low, 5782 Westover, Houston, Texas 77033 (713-738-2706) appeared and stated that this was her first time before Council and was present with a problem in the neighborhood; that they called and called and no one came to cut the yard and it had been over a year, 5779 Belmead; that she thought it could cause her home to burn up if some threw a cigarette there when the weather was so dry; that another house on the street burned down last October and it was gutted out and all laying on the curb, but the buck kept getting passed on who was to pick it up and now it had rats, etc., and it was ridiculous. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that she should give the addresses to Ms. Vasquez and she would get with Neighborhood Protection and send someone over. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

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

Mr. Frank Elias, 10223 Valencia, Houston, Texas 77013 (832-315 8613) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-407-5344) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared, presented two editions of the Banner newspaper and stated that they wanted their money put back in the pot. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that Mr. Dan Pederson with Parks and Recreation and Mr. Gary Drabek with Public Works was present and could speak with her at this time. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

At 3:52 p.m. City Council recessed until 9:00 a.m., Wednesday, July 22, 2009. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, July 22, 2009, with Mayor Bill White presiding and with Council Members Toni Lawrence, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Edward Gonzalez, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney; and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Jarvis Johnson out of the city on city business. Council Member Anne Clutterbuck absent.

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

At 9:43 Mayor White called the meeting to order. Council Members Brown, Lovell and Green absent.

Council Member Noriega moved to suspend the rules to consider Item No. 37 out of order, seconded by Council Member Adams. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Brown and Green absent. MOTION 2009-0526 ADOPTED.

37. ORDINANCE approving and authorizing Legal Services Agreements between the City of Houston and **LEMOND & LEMOND LLC** and **THOMPSON & HORTON LLP** for Legal

Services and Employment Policy Recommendations associated with equal employment opportunity practices of the Houston Fire Department; providing a maximum contract amount - \$190,000.00 - General Fund – was presented.

Council Member Noriega moved to postpone Item No. 37 for two weeks, seconded by Council Member Khan.

Mayor White stated that he understood Council Member Noriega would be conducting a committee hearing on this, and Council Member Noriega stated that on Monday at 3:00 p.m. they would be having a Public Safety hearing on the issues that were involved with this. Council Members Brown and Green absent.

After a lengthy discussion Council Member Sullivan moved to call the question on the motion to postpone Item No. 37. Council Members Rodriguez and Green absent. MOTION 2009-0527 DIED FOR LACK OF A SECOND.

After further discussion a vote was called on the motion to postpone Item No. 37 for two weeks. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Green absent. MOTION 2009-0528 ADOPTED.

At 10:28 a.m. Mayor White stated that they would turn to the consent agenda. Council Member Green absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 50

MISCELLANEOUS - NUMBERS 1 through 6

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOILER CODE REVIEW AND LICENSING BOARD**:

Position One - **MR. RODNEY H. LEWIS**, reappointment, for a term to expire 1/2/2011

Position Two - **MR. ROGER STEPHENS**, reappointment, for a term to expire 1/2/2010 and as Chair

Position Three - **MR. BILLY E. JACKSON**, reappointment, for a term to expire 1/2/2011

Position Four - **MR. JOSE DEVORA**, appointment, for a term to expire 1/2/2010

- was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Green absent. MOTION 2009-0529 ADOPTED.

6. RECOMMENDATION from Office of the City Controller for payment of \$1,235,458.49 to the **INTERNAL REVENUE SERVICE** for Arbitrage Rebate Liability on City of Houston Water & Sewer System Junior Lien Revenue and Refunding Bonds, Series 2004A-1 and Series 2004A-2 Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Green absent. MOTION 2009-0530 ADOPTED.

ACCEPT WORK - NUMBERS 10 through 14

10. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$191,968.24 and acceptance of work on contract with **ARROW SERVICES, INC** for Asbestos Abatement, Interior Demolition and Build Back at City of Houston Municipal Courts IT Renovation Project - 4.9% over the original contract amount - **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0531 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,370,626.74 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Program E2 - 9.55% under the original contract amount **DISTRICTS B - JOHNSON and I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0532 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$843,601.27 and acceptance of work on contract with **STANDARD CEMENT MATERIALS, INC** for Wastewater Collection System Rehabilitation and Renewal 0.07% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - KHAN; G - HOLM and I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0533 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,588,239.43 and acceptance of work on contract with **NORTH HOUSTON POLE LINE, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.96% over the original contract amount - **DISTRICTS A - LAWRENCE and B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0534 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$483,733.44 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for On-Call Water and Sewer Service Connections - 25.58% under the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0535 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 15 through 21

16. **COTTON COMMERCIAL USA, INC** for Payment for Emergency Purchase of Fire and Smoke Damage Remediation Services for Convention & Entertainment Facilities Department \$74,860.00 - Enterprise Fund - **DISTRICT I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0536 ADOPTED.

17. ORDINANCE appropriating \$100,000.00 out of Equipment Acquisition Consolidated Fund for the Purchase of Ten Power Stretchers for the Houston Fire Department - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0658 ADOPTED.
- 17a. **STRYKER, INC** for Purchase of Ten Power Stretchers for the Houston Fire Department - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0537 ADOPTED.
18. **SOUTHWEST SOLUTIONS GROUP, INC** for Mobile Storage Filing System from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$69,858.15 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0538 ADOPTED.
19. ORDINANCE appropriating \$540,532.08 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of the Sanitary Sewer Line located at Renwick and Gulfton for Public Works & Engineering Department - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0659 ADOPTED.
- 19a. **TROY CONSTRUCTION, L.L.C.** for Emergency Repair of 24" Sanitary Sewer Line at Renwick and Gulfton for Department of Public Works & Engineering - **DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0539 ADOPTED.
20. **MATECO TRUCK EQUIPMENT DIV. OF TRAILER WHEEL & FRAME CO.** for Equipment, Prentice Loader Replacement Parts and Repair Services for Solid Waste Management Department \$550,000.00 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0540 ADOPTED.
21. **LANSLOWNE-MOODY COMPANY, L.P.** for Equipment, Mower and Tractor Replacement Parts and Repair Services for Various Departments - \$765,244.00 - General, Enterprise and Fleet Management Funds - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. MOTION 2009-0541 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 22 through 50

22. RESOLUTION relating to the appointment of Directors to the Board of Directors of the **HOUSTON HOUSING FINANCE CORPORATION:**
 - Position Two - **MR. R. QUINN MEADS**, reappointment, for a term to expire 12/5/2009
 - Position Three - **MS. CAROLYN MATTHEWS**, reappointment, for a term to expire 12/5/2011
 - Position Four - **MS. LEESHAN BIRNEY**, reappointment, for a term to expire 12/5/2010

- Position Five - **MR. REDICK EDWARDS**, reappointment, and to serve as Chair, for a term to expire 12/5/2010
- Position Six - **MR. R. RICHARD KILDAY**, reappointment, for a term to expire 12/5/2011
- Position Seven - **MR. JOHN R. BRODIE**, reappointment, for a term to expire 12/5/2009
- Position Eight - **MR. JOHN A. GONZALES**, reappointment, for a term to expire 12/5/2010
- Position Nine - **MS. DANA KERVIN**, reappointment, for a term to expire 12/5/2011
- Position Ten - **MR. DANNY DAVID**, reappointment, for a term to expire 12/5/2009
- Position Eleven - **MR. FELIX FRAGA**, reappointment, for a term to expire 12/5/2010
- Position Twelve - **MR. ALBERT E. MAGILL III**, reappointment, for a term to expire 12/5/2011

- was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. RESOLUTION 2009-0019 ADOPTED.

23. ORDINANCE consenting to the addition of 14.44 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 500**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0660 ADOPTED.
24. ORDINANCE establishing the north and south sides of the 1800 block of Lexington Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0661 ADOPTED.
26. ORDINANCE to establish the name **HELIOS WAY** for an existing private street located between I-10 West to the north and Grisby to the south - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0662 ADOPTED.
31. ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE)**; approving the Fiscal Year 2010 Operating Budget and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0663 ADOPTED.
32. ORDINANCE relating to the Fiscal Affairs of the Memorial City Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS (MEMORIAL CITY ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone - **DISTRICTS A - LAWRENCE and G - HOLM** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0664 ADOPTED.
33. ORDINANCE relating to the fiscal affairs of the Saint George Place Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON,**

TEXAS (LAMAR TERRACE ZONE); approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0665 ADOPTED.

36. ORDINANCE appropriating \$6,897.00 out of Reimbursement Equipment/Projects Fund for Purchase of a Dry Ink Photographic Printer for the Arson Photo Lab of the Houston Fire Department - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0666 ADOPTED.
39. ORDINANCE approving and authorizing Grant agreement between the City of Houston and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Grant/19 Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's Representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0667 ADOPTED.
41. ORDINANCE appropriating \$59,376.72 out of Equipment Acquisition Consolidated Fund for Purchase of Voice and Network Equipment for Houston Police Department - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0668 ADOPTED.
42. ORDINANCE approving and authorizing Auctioneer Services Contract with **HUDSON & MARSHALL OF TEXAS, INC, A Texas Corporation**; authorizing the Mayor to execute, and the City Secretary to attest, Special Warranty Deeds conveying the properties to the highest bidders - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0669 ADOPTED.
43. ORDINANCE appropriating \$14,762.31 out of Public Library Consolidated Construction Fund and \$3,773.01 out of Public Health Consolidated Construction Fund for Furniture for the South Post Oak Multi Service Center and Vinson Branch Library - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0670 ADOPTED.
44. ORDINANCE appropriating \$70,573.00 out of Parks Consolidated Construction Fund for Purchase of CCTV and Access Control Security Equipment for Gragg Building and Wheeler Warehouse Building for Parks & Recreation Department Campus under existing contract with **BL TECHNOLOGY, INC - DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0671 ADOPTED.
46. ORDINANCE appropriating \$587,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **EXCALIBUR EXCAVATION, L.P.** for Royalton Lift Station Replacement; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT F -**

KHAN - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0672 ADOPTED.

47. ORDINANCE appropriating \$1,879,100.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **GONZALEZ CONSTRUCTION ENTERPRISE, INC** for Water Line Replacement in Clinton-West Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0673 ADOPTED.
48. ORDINANCE appropriating \$1,563,600.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Mangum Manor-South Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & System Consolidated Construction Fund - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0674 ADOPTED.
49. ORDINANCE appropriating \$948,916.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CARRERA CONSTRUCTION, INC** for Valve Replacement and Installation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0675 ADOPTED.
50. ORDINANCE granting to **ENTERGY TEXAS, INC** the right, privilege and franchise to use the public rights-of-way to use, license, or exploit the Company's facilities within the public rights-of-way to conduct an Electrical Lighting and Power Business in the City and for such other business purposes as the company may desire from time to time, specifically including, but not limited to, the granting of access to those facilities for the delivery of broadband through power lines or similar service within the City of Houston, Texas; containing a repealer; containing a severability clause - **FIRST READING** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. ORDINANCE 2009-0676 PASSED FIRST READING IN FULL.

Mayor White stated that the Houston Housing Finance Corporation had been doing some remarkable things and that at some point they might want to have a Mayor's Report on some of those remarkable things, that the number of homes prepared and the development being done by Avenue CDC, on a large track redevelopment for affordable housing, that some of these were just truly remarkable, that he was not sure that all of their citizens or Council Members were aware of this and they commended those who served on the board and they would have it as a Mayor's Report. Council Member Jones absent.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MISCELLANEOUS

2. REQUEST from Mayor for confirmation of the reappointment of **MR. JOSHUA ESPINEDO** to Position Nine of the **EAST DOWNTOWN MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for a term to expire 6/1/2011 - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0542 ADOPTED.

Council Member Noriega stated that she wanted to congratulate Mr. Joshua Espinedo. Council Member Jones absent.

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON COMMISSION ON DISABILITIES**:
- Position One - **MS. ELLEN J. GOUDEAU**, appointment, for a term to expire 7/26/2011
 - Position Three - **MS. ANA CALVO**, reappointment, for a term to expire 7/26/2011, and to serve as Chair
 - Position Five - **MS. JANE CUMMINS**, appointment, for a term to expire 7/26/2011
 - Position Seven - **DR. ELAINE Y. HENDRIX**, appointment, for a term to expire 7/26/2011
 - Position Eight - **MS. KELLY CURTIS REAGAN**, appointment, for a term to expire 7/26/2010
 - Position Nine - **MR. WILBUR C. "BUDDY" OSBORNE**, appointment, for a term to expire 7/26/2011
 - Position Eleven - **MS. MARIA G. DELEON**, reappointment, for a term to expire 7/26/2011
 - Alternate Position One - **MS. PEGGY R. (CHAVIS) GARRETT**, appointment, for a term to expire 7/26/2011
 - Alternate Position Three - **MR. ALAN RUSSELL**, appointment, for a term to expire 7/26/2011

- was presented, moved by Council Member Khan, seconded by Council Member Lovell. Council Member Jones absent.

Council Member Adams stated that she wanted to congratulate Ms. Jane Cummins. Council Member Jones absent.

A vote was called on Item No. 3. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0543 ADOPTED.

Mayor White and Council Members Lovell, Holm and Khan congratulated the new appointees to the Houston Commission on Disabilities, and Mayor White asked that they stand and be recognized. Council Members Adams, Noriega and Jones absent.

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON ZOO, INC BOARD OF DIRECTORS**:
- Position One - **MR. TONY SANCHEZ, III**, appointment, for a term to expire 6/30/2011

- Position Two - **MS. NANDITA BERRY**, reappointment, for a term to expire 6/30/2011
- Position Three - **MR. GLENN L LOWENSTEIN**, reappointment, for a term to expire 6/30/2012
- Position Four - **MR. STEPHEN M. KAUFMAN**, appointment, for a term to expire 6/30/2012
- Position Five - **MR. GEORGE R. WILLY**, reappointment, for a term to expire 6/30/2012
- Position Six - **MR. E. W. BILL WRIGHT, III**, reappointment, for a term to expire 6/30/2012

- was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Adams, Noriega and Jones absent. MOTION 2009-0544 ADOPTED.

Council Members Khan, Rodriguez and Lovell congratulated all of the new appointees to the Houston Zoo Inc. Board of Directors and thanked them for their service to the City of Houston. Council Members Adams, Noriega and Jones absent.

Mayor White stated that he thought it was also fit that some of their leaders on the board, particularly those who had actively contributed to a major capital campaign, they ought to have a Mayor's Report on that; that there would be changes around the Council table at the beginning of next year and one thing that his predecessor in that Council instituted was an ambitious program where they really asked the private sector and philanthropy in the community to take their outstanding zoo from one level to the next level, that he had been engaged with some fund raising in that effort but did not know where they were today but thought it was approximately \$40 million in commitments that would result in a very substantial transformation of what existed already, an outstanding Houston amenity, that these citizens could not do it without active help of elected officials and the Mayor, and asked Ms. Crinejo that they put it on the agenda so that they could get a briefing of what the enormous work that had been done. Council Members Noriega and Jones absent.

5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **MECHANICAL CODE REVIEW BOARD (Formerly known as the AIR CONDITIONING BOARD)**, for terms to expire January 2, 2011:

- Position Three - **MR. RICHARD W. BURR**, reappointment, and to serve as Chair
- Position Five - **MR. THOMAS R. HAZEL**, appointment
- Position Seven - **MS. PAMELA J. BEST**, reappointment

- was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Noriega and Jones absent. MOTION 2009-0545 ADOPTED.

7. RECOMMENDATION from Director General Services Department for the designation of a residential parking permit area in the Super Neighborhoods of University Place, Greater Third Ward, Greater Heights and Washington Coalition/Memorial Park - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and H - GONZALEZ** - was presented, moved by Council Member Khan, seconded by Council Member Green.

Council Member Gonzalez moved to amend Item No. 7 to add the 1900 Block of Decatur, that it had already been approved by the Parking Management but was not added to the list prior to the print, seconded by Council Member Khan. All voting aye. Nays none. Council

Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION CARRIED.

A vote was called on Item No. 7 as amended. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0546 ADOPTED AS AMENDED.

DAMAGES

8. RECOMMENDATION from City Attorney for settlement of lawsuit styled **JULIO VELASQUEZ** vs. The City of Houston; Cause No. 2007-33740, in the 333rd Judicial District Court, Harris County, Texas - \$120,000.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0547 ADOPTED.

ACCEPT WORK

9. RECOMMENDATION from Interim Director Houston Airport System for approval of final contract amount of \$4,796,554.00 and acceptance of work on contract with **VANDERLANDE INDUSTRIES, INC** for Terminal A Explosive Detection System In-Line Baggage Conveying Equipment at George Bush Intercontinental Airport/Houston (IAH), Project 612G - 4.9% over the original contract amount - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0548 ADOPTED.

PURCHASING AND TABULATION OF BIDS

15. ORDINANCE appropriating \$585,986.10 out of C & E Construction Fund to Furnish and Install Window Film at the George R. Brown Convention Center of the Convention & Entertainment Facilities Department - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. ORDINANCE 2009-0677 ADOPTED.
- 15a. **MID-ATLANTIC SERVICE & SUPPLY CORPORATION dba COMMERCIAL WINDOW SHIELD** to Furnish and Install Protective Window Film on the George R. Brown Convention Center for the Convention & Entertainment Facilities Department - \$558,082.00 and contingencies for a total amount not to exceed \$585,986.10 - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0549 ADOPTED.

Council Member Lawrence stated that she wanted to say thank you to the Convention Center and the process they went through to chose a film company, that they did have their windows checked out to be sure the insulation was going to last for at least another 10 years and went through a number of things that she worked with them on and asked her about certain things, that she did appreciate their checking into that and their concern that they were putting on, with their budget, the best thing on this window. Council Member Jones absent.

Council Member Brown stated that he never got an answer on the film, to protect against flying objects, was there not a heat reflective component to it to make the building more energy efficient, and Council Member Lawrence stated there was but the main thing was that the frames were built to take that type of pressure, that was the biggest problem, that yes they were energy efficient. Council Member Jones absent.

RESOLUTIONS AND ORDINANCES

25. ORDINANCE establishing the north side of the 400-500 block of Omar Avenue and the south side of the 500 block of Omar Avenue, within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. ORDINANCE 2009-0678 ADOPTED.
27. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **KNICKERBOCKER CORPORATION** for certain premises at William P. Hobby Airport **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. ORDINANCE 2009-0679 ADOPTED.
28. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract between the City of Houston and **CONCEPT ENGINEERS, INC** for Professional Engineering Services for the Houston Airport System, (Project No. 615J) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** - was presented, and tagged by Council Member Holm. Council Member Jones absent.
29. ORDINANCE appropriating \$250,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 2 to contract for Professional Security Program Consulting Services by and between the City of Houston and **PARSONS WATER & INFRASTRUCTURE, INC** for the Houston Airport System (Project No. 612) - **DISTRICTS B - JOHNSON and I - RODRIGUEZ** - was presented, and tagged by Council Members Holm and Green. Council Member Jones absent.
30. ORDINANCE appropriating \$2,000,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to construction contract between the City of Houston and **VANDERLANDE INDUSTRIES, INC** for the Houston Airport System (Project No. 612K) **DISTRICT B - JOHNSON** - was presented, and tagged by Council Members Holm, Green and Brown. Council Member Jones absent.
34. ORDINANCE relating to the fiscal affairs of the Fourth Ward Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Rodriguez and Jones absent. ORDINANCE 2009-0680 ADOPTED.
35. ORDINANCE amending Ordinance No. 2008-485 (passed by City Council on June 4, 2008) to increase the maximum contract amount; appropriating \$250,000.00 out of Contractor Responsibility Fund; approving and authorizing first amendment to agreement between the City of Houston and **HARRIS COUNTY HEALTHCARE ALLIANCE, INC, a Texas Non-profit Corporation, also known as HARRIS COUNTY HEALTHCARE**

ALLIANCE, for the provision of additional “Telehealth Nurse” Services for the Houston Fire Department - was presented. Council Member Jones absent.

Council Member Holm stated that at the agenda briefing she thought that Ms. Marks mentioned that some of the money would be used for taxicabs to take people back and forth and did not see anything in the RCA, that she would tag it and would like some information on that. Council Member Jones absent.

Council Member Gonzalez stated that he wanted to make sure that there was follow up after the initial scheduling of the appointments because he thought that was a critical piece, that they needed to make sure that the person did not go back to the old ways of trying to use ambulances or other ways of getting medical treatment, so they needed to make sure once they could identify medical home that they were still facilitating that, at least a few more times until that person could develop knowledge of the clinic or where he or she needed to attend. Council Member Jones absent.

Mayor White stated that there was a lot of discussion going on in this Country about ways to both improve access and reduce costs of utilization, that the work that had been done with Ms. Marks and the Fire Department and with the Harris County Healthcare Alliance was relatively small in scale but was the kind of truly out of the box thinking that if widely adopted would have both of those consequences, both improving care and lowering the cost; that it could be worth not a community hearing on this item necessarily but a committee hearing on the general topic because on this issue Houston was in the real lead, to often EMS services were used for medical transport, not to the right facility, not for the right degree of acuity but in the absence of an effective way for people who did not have primary healthcare could see a primary healthcare physician, the extensive expansion of community health clinics that had occurred during this administration combined with the work within the Fire Department to come up with a triage for those who did not really need emergency medical transport could provide a model that could be expanded throughout the City on EMS and in other cities, that he thought it was worth considering having a hearing so that they had that institutional knowledge. Council Member Jones absent.

38. ORDINANCE appropriating \$5,474,794.00 out of General Improvement Consolidated Construction Fund and \$500,000.00 out of Woodlands Regional Participation Fund; approving and authorizing first amendment to the Interlocal Agreement with the **HOUSTON PARKS BOARD LGC** (Approved by Ordinance No. 2009-257) for Professional Construction Phase Services and for Construction of Phase One Improvements to the Houston Amateur Sports Park Project to include construction of no more than eight fields and a portion of the access street - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. ORDINANCE 2009-0681 ADOPTED.

40. ORDINANCE approving and authorizing contract between the City of Houston and **CITY HALL FELLOWS, INC** for the Implementation of the City Hall Fellows Program with the City of Houston; providing a maximum contract amount - 1 Year with one year option - \$572,000.00 - General Fund – was presented. Council Member Jones absent.

After discussion by Council Members, Council Members Sullivan and Khan stated that they would tag Item No. 40. Council Members Brown and Jones absent.

45. ORDINANCE appropriating \$142,220.00 out of Parks Consolidated Construction Fund; awarding construction contract to **MGM CONSORTIUM, LLC d/b/a ARRIBA CONSTRUCTION LLC** for Guadalupe Plaza; setting a deadline for the bidder’s execution

of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed out of the Parks Consolidated Construction Fund and Federal Government Grant Fund - \$120,280.00 Grant Fund - **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Brown and Jones absent. ORDINANCE 2009-0682 ADOPTED.

MATTERS HELD - NUMBERS 51 through 54

51. MOTION by Council Member Khan/Seconded by Council Member Green to adopt recommendation from Director General Services Department (i) authorizing the sealed bid sale of Parcel SY9-080, known as the Heights Recycling Center, located at 3602 Center Street at Harvard, (ii) determining a public need for an alternative recycling center site, and (iii) appointing two independent appraisers and an alternate appraiser to determine the fair market value of Parcel SY9-080 - **DISTRICT H - GONZALEZ** – **(This was Item 55 on Agenda of June 24, 2009, POSTPONED BY MOTION #2009-464)** – was presented. Council Member Jones absent.

Council Member Gonzalez moved to refer Item No. 51 back to the administration, seconded by Council Member Holm. Council Members Brown and Jones absent.

Mayor White stated that there were no further speakers, and a vote was called on Council Member Gonzalez's motion to refer Item No. 51 back to the administration. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0550 ADOPTED.

52. ORDINANCE **AMENDING CHAPTER 9, OF THE CODE OF ORDINANCES** regarding parking rates at the airports - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – **(This was Item 12 on Agenda of July 8, 2009, TAGGED BY COUNCIL MEMBERS RODRIGUEZ, JONES, KHAN, JOHNSON and ADAMS)** – was presented. Council Member Jones absent.

Council Member Lovell stated that she passed out a motion to amend Item No. 52 as follows:

"I move to amend Item 52 by replacing current pages 4 and 5 of the ordinance with the attached new pages 4 and 5." Council Member Jones absent.

Note: **Section 2** of page 4 reads as follows. That effective January 1, 2010, Table 9-1 in Chapter 9 of the Code of Ordinances, Houston, Texas, is hereby amended in the row designated as Class 6, Off-Airport Parking Users, by changing the term "6% " to "7%." That, effective July 1, 2010, Table 9-1 in Chapter 9 of the Code of Ordinances, Houston, Texas, is hereby amended in the row designated as Class 6, Off-Airport Parking Users, by changing the term "7% " to "8%."

After discussion by Council Members a vote was called on Council Member Lovell's motion to amend Item No. 52. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. MOTION 2009-0551 ADOPTED.

A vote was called on Item No. 52 as amended. Council Member Sullivan voting no, balance voting aye. Council Member Johnson out of the city on city business. Council Member

Clutterbuck absent. Council Member Jones absent. ORDINANCE 2009-0683 ADOPTED.

53. ORDINANCE approving and authorizing Agreements to reimburse **ST. JOHN'S SCHOOL; ST. VINCENT DE PAUL CATHOLIC SCHOOL; SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; NORTH FOREST INDEPENDENT SCHOOL DISTRICT; ALIEF INDEPENDENT SCHOOL DISTRICT; ANNUNCIATION ORTHODOX SCHOOL; KATY INDEPENDENT SCHOOL DISTRICT; PASADENA INDEPENDENT SCHOOL DISTRICT; HOUSTON INDEPENDENT SCHOOL DISTRICT; ALDINE INDEPENDENT SCHOOL DISTRICT; AMIGOS POR VIDA-FRIENDS FOR LIFE SCHOOL; HUFFMAN INDEPENDENT SCHOOL DISTRICT; JOHN PAUL II CATHOLIC SCHOOL; RIVER OAKS BAPTIST SCHOOL; GALENA PARK INDEPENDENT SCHOOL DISTRICT and CLEAR CREEK INDEPENDENT SCHOOL DISTRICT** for payment of School Crossing Guards from the Child Safety Fund - 5 Years – **(This was Item 22 on Agenda of July 8, 2009, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented. Council Member Jones absent.

After discussion by Council Member Sullivan a vote was called on Item No. 53. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Member Jones absent. ORDINANCE 2009-0684 ADOPTED.

54. ORDINANCE relating to the fiscal affairs of the City Park Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority - **DISTRICTS A - LAWRENCE and B - JOHNSON – (This was Item 29 on Agenda of July 8, 2009, POSTPONED BY MOTION #2009-523)** - was presented. Council Member Jones absent.

After discussion Council Member Lawrence moved to refer Item No. 54 back to the administration, seconded by Council Member Khan. Council Members Noriega and Jones absent.

Mayor White asked if Council Member Lawrence had any emails of recommendations to copy him on it. Council Members Noriega and Jones absent.

A vote was called on the motion to refer Item No. 54 back to the administration. All voting aye. Nays none. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Noriega and Jones absent. MOTION 2009-0552 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Holm stated that she wanted to thank Ms. Brenda Kirkland in the Public Works Department who did an outstanding job; that for six years the City had failed to engage in the specific needs and the request from people to address their Bureau of Animal Regulation and Control, BARC, that she continued to be overwhelmed with emails and the news was picking it up and this was something that she thought in the next few months of this administration's end ought to be the highest priority, that it was going to be the highest priority in their office. Mayor White and Council Members Sullivan, Rodriguez and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Vice Mayor Pro Tem Lovell stated that HPCA (Harris County) now had a fee when they took an animal in where before they just accepted them and due to that people did not take those now so the City got the brunt of that, that she would implore Harris County, their facility had a sign when they walked in that said "we will not accept animals that are from the City of

Houston", whether they were picked up or brought in, that meant that everybody brought their animals to BARC, that there was no way or amount of money that they could keep up with the flow of animals if these two things now existed, that she thought all of them needed to at least ask Harris County, since people pay County taxes, that they accept the animals that were brought to their facility by choice of the citizens of Harris County and not brought over to the City's facility. Mayor White and Council Members Rodriguez, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Holm stated that she thought it was time for everybody who was interested in this, from every arena, to come to the table together and hash out where they were, and Vice Mayor Pro Tem Lovell stated that it was her understanding that this was high up on the administration's list and there were steps being taken. Mayor White and Council Members Rodriguez, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Adams stated that they were getting ready to gather on the steps of City Hall today and wanted to thank City employee Cassy Levi for coming up with the idea, that she was a victim of sexual harassment at the City of Houston and she wanted to say that she had full confidence in OIG, that because of their investigation the person was held accountable and terminated from the City of Houston for his acts, that she was asking any City employee to join them on the steps of City Hall, at 12:05 p.m., for respect of women in the workplace and to wear red to support them. Council Members Sullivan, Gonzalez, Rodriguez, Green and Jones absent.

Council Member Brown stated that he wanted to thank the Director of the Department of Neighborhoods, Stella Chow, City of Seattle, who was here for two and a half days and spoke with hundreds of people about how effective the Department of Neighborhoods was in Seattle, that the Mayor of Los Angeles had also adopted the program and they had a Department of Neighborhoods in Los Angeles and Neighborhood Councils as well; that regarding health care he urged everyone to listen tonight to President Obama's speech, his major address on health care at 7:00 p.m.; that he wanted to second what the Mayor said about the Houston Housing Finance Corporation, that they had a really good beginning of a program of neighborhood revitalization and building affordable accessible housing in their City, that the Project Houston HOPE Program was terrific, that LARA fit in very nicely and was pleased that the Housing Authority, HATCH, was now undertaking a HOPE 6 application for the Lower Fifth Ward, it could bring \$20 million or more from the Federal government plus other loans and grants to their City; that as to Item No. 7 he thought it was very interesting what was happening in their City, they were getting away from the one size fit all approach to their neighborhoods and business districts, that did not really work very well, so here they were designating special districts, not the whole City, but where there was a need for the special parking permit areas, that he thought it was a really good approach, although they had to be careful that all of this was coordinated and that they did not have a vulcanized fragmented City that was costly to service and manage. Council Members Sullivan, Khan, Gonzalez, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Noriega stated that the Public Safety and Homeland Security Committee was going to hold a special meeting on Monday, July 27, 2009 at 3:00 p.m. in the City Council Chamber to discuss the current issues within the Houston Fire Department; that County Commissioner Silvia Garcia had been chosen as the President of National Association of Latino Elected and Appointed Officials, NALEAO, that it gave them an opportunity to have someone in the national conversation about the future of Hispanic and Latino communities in the Country, that she was the first Texan to have the job and only the second woman, that she wanted to congratulate Commissioner Garcia. Council Members Sullivan, Khan, Gonzalez, Rodriguez, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that she wanted to thank the First Montrose Commerce Community for coming out last night, that they had been involved with the Urban Transit Corridor Ordinance and the process and also currently were going through the process of historic preservation, that they continued to fight diligently for their CIP projects for reconstructing the streets, sewers and sidewalks in the First Montrose Commerce Community and also HISD Board Trustee Paula Harris for supporting them with the issue concerning HSPVA; that there was an issue in their district with Central City, that it was one of those communities that sat right in the middle of the Texas Medical Center, behind the Old Nabisco building and how it was a parking lot and the administration building for TMC and they had requested speed humps, that she knew in the budget hearing there was a request to terminate speed humps and due to funding they canceled the program, but she thought that in some instances speed humps were needed and she thought they needed to look at the process when an application had been approved and if the community could afford to purchase their own speed humps she thought they should be allowed to do that if granted and she was asking Public Works, Mr. Marcotte, to really look at this issue concerning Central City because they had no other type of relief, that people were using Lockett and Vanetten as a cut through to get to Almeda, that it was a tiny area of streets and they were requesting some type of traffic calming devices, that it was stated that the Houston Fire Department denied their application but come to find out the Houston Fire Department never received the application to disqualify them, so they really needed to look at the processes, that she would love for them to reopen this and consider giving them approval so they could purchase their own, that it was a big issue around the Medical Center and they supported the speed humps as well because they had meetings with them; that she wanted to thank Vivian Harris and Elena Marks and the Hiram Clarke Community for coming together, that yesterday they had a meeting because there was a bio fuel plant that was trying to come into the Hiram Clarke Community, so they were trying to be proactive with the land, so she wanted to thank her for previous investigation on the bio fuel plant to protect the communities of Hiram Clarke; that the Respect Rally would take place on the steps of City Hall at 12:05 p.m. Council Members Sullivan, Khan, Gonzalez, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that Mr. Drabek was present and thought he had made a note of a particular request and did not know if they had the petition for the speed humps, and Council Member Adams stated that the petition was done and they sent a letter to Central City and said that they were disqualified at the recommendation of the Houston Fire Department, but the Houston Fire Department never looked at the application at all, that they thought they denied them based on the history of the old Nabisco, but Nabisco was no longer there, it was the Texas Medical Center, and Mayor White stated asked Mr. Drabek to get a report and if it was denied they needed to know that; and the next item was that he specifically discussed this issue, the Speed Hump Program, in the budget with Director Marcotte sometime before adoption of the budget and he thought he gave him some guidance; and finally they were always in the market, if it met the normal criteria, for people undertaking private investments, that the City for budgetary reasons could not afford. Council Members Khan, Gonzalez, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Sullivan stated that the discussion on speed bumps he brought up months ago to get it before a committee because he viewed it as a flawed process, not one size fits all, and thought these continued discussions underscored the problems that were still with the program, that one community in Kingwood, that had speed bumps on Garden Point, was collecting petitions, almost 300 names, of people who were opposed to the speed humps that were installed in the community in the neighborhood even though they followed the process sometime they were still making exponentially more people unhappy and there was no avenue for them to voice their concern and he thought it was unfair and unjust, that he thought there was room for improvement in the program, with all due respect to the committee that heard it, it was not very fair and was almost, he felt, like they had a predetermined outcome. Council

Members Lawrence, Khan, Gonzalez, Rodriguez, Brown, Noriega, Green and Jones absent.
(NO QUORUM PRESENT)

Mayor White stated that he thought Council Member Sullivan made an important point, that he had found that there were within various communities in neighborhoods, when attending various civic club meetings, that there was a vocal group in favor of speed humps and often there was a quieter group who were opposed, that he thought the issue of traffic calming on cut through, particularly where there was the potential for cut through traffic, was a very serious issue for which there both ought to be standards and criteria and there ought to be the processes that were neighborhood driven, that he thought the speed hump was going to be considered a pretty crude tool for traffic calming, that he invited some comment and would say to Public Works that his expectation of the Public Works Department was that they be more proactive in understanding where there was a potential for cut through traffic, that this was a very substantive issue and he encouraged Council Members to continue to learn and develop, and encouraged the Public Works Department, the expertise to look at what were the various tools that they could use for traffic calming the in the neighborhoods that were not as intrusive and not as crude as the speed humps. Council Members Lawrence, Khan, Gonzalez, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she wanted to say congratulations to her son Robby and his Kyle Champan League Team, who this past weekend won the 2009 Pony Section Tournament, and would compete this weekend in the region tournament in Bayou Vista, Louisiana, that they played some fine teams with fine talent from Hylands, Kingwood, League City and Deer Park and congratulations to them; that on Thursday she was honored to welcome athletes who would participate in the 2009 Summer National Seniors Games and the game organizers at the City Hall Rotunda, that congratulations to the athletes from Houston who would soon represent their City in the senior games to be held in the San Francisco area, August 1 through August 15, 2009, that the biannual games were the largest multi sports for seniors 50 years of age and older, that it was a kickoff in preparation for the next National Senior Games which would be hosted by Houston in 2011, that in addition to the 15,000 athletes who would come to Houston to compete the Summer National Senior Games also attracted 30,000 spectators who followed the athletes so they looked forward to their coming to the City in 2011, that they would generate over 60,000 hotel room nights and produce an economic impact of \$30 million; that they had some Houston Police officers who had recently been injured in the line of duty, Officer Lloyd Morrison II was injured when his patrol car was hit by two suspected drunk drivers on the Gulf Freeway on May 23, 2009 and it her understanding that he was recovering and they wished them their best, that they also had two other HPD officers who were injured in separate accidents while on duty, that Officer D. Gordon was injured in an accident on Interstate 45 feeder road when he swerved to miss another car, and Officer D. Pham who was involved in a collision on the Westpark Tollway; that she wanted to congratulate Commissioner Sylvia Garcia on her appointment as President of NALEAO, that she knew she would serve not only their City well but everybody in the United States, that they wished her their best. Council Members Lawrence, Khan, Gonzalez, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm stated that for six years traffic mitigation throughout neighborhoods had been the greatest concern that she had in her district and they had worked steadily in order to address a need, that she could not think of a street in the neighborhood that did not have that concern that was very legitimate, that there were people who liked them and who did not like them but it was not an issue of happiness, it was an issue of safety and the well being of the quality of life of their neighborhoods; that in her community there was an issue that still had not gone away, it was the administration's decision to close one street because they did not like speed humps, it was not an option so they partially closed the entrances on Rivercrest, that was not the appropriate way to do it, there was a system, that two things had happened significantly

that she really thought they needed to know and take into consideration, first of all the speed hump in the City of Houston now was a divided speed cushion, that was the adopted policy that allowed the fire trucks and automobiles to go through it, that Mr. Drabek had been the leader in helping them go through these processes and was aware of it; that additionally in the 2009 Budget there was an amendment that was adopted by the Council that said any neighborhood who qualified for the speed cushions and who would also like to pay for them themselves could do so without penalty of taking money away from the community or neighborhood who was not able to do this, so to Council Member Adams and Mayor White this was in place and it ought to facilitate one of the most critical concerns of every neighborhood in the City of Houston, and that was how do they mitigate for the safety of their children, the people who lived in the neighborhood, in order to encourage the accurate flow on thoroughfares and on freeways of their traffic and to keep it on there, that as crude as Mayor White might think it was, it was the only tool that the City had right now, and for any one of them to decide merited on whether someone wanted them or not was not a fair and legitimate was to address traffic for the greater good of their City. Council Members Lawrence, Adams, Khan, Gonzalez, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Sullivan stated that when he used the term speed bumps it could be meant to include any other type of obstruction in the road, speed bumps, speed cushions, split speed cushions, the whole bit, that mitigation was not always the goal because most of the people that had applied for speed bumps in Kingwood in the three neighborhoods where it was so contentious right now simply did not want traffic on their street, it had nothing to do with cut through traffic because there were no cut through streets in these neighborhoods, it was a master planned community designed that way so that the only people who were using the streets were the people that lived in that little section, and the people that were applying for the speed bumps, and they were probably listening and getting mad at him, just did not want cars on the street, that every car speeds and every car was going to kill their kids, that they go out and do traffic and speed counts and 3% of the cars were speeding and that meant that 97% were not speeding and they lived down the street, that he just wanted to say there were two sides to the story; that he wanted to thank Director Marcotte for attending a flood meeting with him last night, that because of the flooding they had the South Belt area he had put together a regional townhall meeting last night on flooding at San Jacinto College South, that he asked the South Belt Ellington Leader Newspaper to co-host it with him and asked the South Belt Ellington Chamber of Commerce to co-host it with him, that they had representatives and participants from the U.S. Corp of Engineers, Harris County Flood Control District, Judge Ed Emmett, Commissioners Silvia Garcia and El Franco Lee, Congressman Pete Olson, Senator Mike Jackson, and his staff, that they had over 110 residents sign in on the sheets and people walked around the sign in table, that it was a topic of high interest in the area and they were looking for answers and he wanted to try to bring everybody to the table to begin the dialog and they did that, that he thought they accomplished a lot and brought a lot of awareness to the flooding problems in the area and thought they were able to answer a lot of the questions, that he made a commitment to the crowd that they would come back in 90 days with a follow up meeting, that he thought it was going to take a month or two to get information out, collect it and go back, that they would like for Mayor White or his designee to be a part of it, that he thought it was important and was going to be well publicized, that it was good for all of them because if they could bring more attention to the matter then they could put more pressure to parties, other than the City of Houston, who needed to step up to the table and do some work and they were not doing it, they were talking about it and studying it and spending tens of millions of dollars on studies that had spanned 42 years, that Marie Flickenger had all of the information and it was all documented and all fact and their flooding problem was getting worse. Council Members Lawrence, Adams, Khan, Gonzalez, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that he could recall their conversation about just this very issue,

maybe 9 months to a year ago, and he could assure his constituents, and their common constituents, that he had gone through the drawings and looked at the way the flood goes and understood, as did Public Works, some of the things that were on the critical path, were outside of the property under their jurisdiction, that he really commended Council Member Sullivan on highlighting the exact sequence of the Public Works that needed to occur to relieve this particular neighborhood from flooding. Council Members Lawrence, Adams, Khan, Gonzalez, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Sullivan stated that they were able to explain to the crowd how they could use a SNAP item to fix a problem within their community and not make it into a CIP item and it be 7 to 10 years, that they really pushed a lot of information out, that Mr. Marcotte made sure that he audience understood that they had a far fewer number of orphan ditches and no one disputed that, that there was not a single instance in their two hour meeting where the Flood Control District said it was the City or the City saying it was the Flood Control District, that everyone accepted responsibility and was very straight forward and was one of the most productive meetings he had. Council Members Lawrence, Adams, Khan, Gonzalez, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:02 p.m. Council Member Johnson out of the city on city business. Council Member Clutterbuck absent. Council Members Lawrence, Clutterbuck, Adams, Sullivan, Holm, Rodriguez, Brown, Noriega, Green and Jones absent. (No Quorum Present)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary