

A Regular Meeting of the Houston City Council was held at 9:00 a.m., Tuesday, December 29, 2009, with Mayor Bill 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, Melissa Noriega and Ronald C. Green; Mr. Anthony Hall, Chief Administrative Office, Mayor's Office; Mr. Arturo Michel, City Attorney, Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Agenda Office, present. Council Members Anne Clutterbuck and Jolanda "Jo" Jones absent. Council Member Sue Lovell out of the city on personal business.

At 8:15 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:45 Mayor White called the meeting to order and called on Council Member Lawrence for the prayer and pledge of allegiance. Council Member Lawrence called on Police Chaplain Monty Montgomery for the prayer, Council Member Adams sang the "Lord's Prayer", and Council Member Lawrence led all in the pledge of allegiance. Council Member Green absent.

At 9:51 Mayor White requested the City Secretary to call the roll. Council Members Clutter and Jones absent. Council Member Lovell out of the city on personal business.

Council Members Khan and Green moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. MOTION ADOPTED.

HEARINGS - 9:00 A. M.

1. **PUBLIC HEARING** regarding amendment to the Project Plan and Reinvestment Zone Financing Plan for **TAX INCREMENT REINVESTMENT ZONE NUMBER TWO (MIDTOWN ZONE) DISTRICTS D - ADAMS and I – RODRIGUEZ** – was called.

The City Secretary stated that no one had reserved time to appear at the hearing and Mr. Tim Douglass would make remarks concerning the hearing.

Mr. Douglas, Finance Department, stated that he was joined by Ms. Debra McAbee, Legal Department, and Mr. Ralph DeLeon, Manager of the TIRZ and Ms. Salima Pirmohamed, Finance Department, that on November 30, 2009, the Board of Directors of the Midtown TIRZ approved an amendment to the TIRZ's Project and Financing Plan and forwarded them to the City, that the public hearing was a statutory required part of the City's review process, that each Council office had received a copy of the proposed third amended plan for the TIRZ and an official City statement had been distributed to them today, that in brief the administration requests that the City Council approve a planned amendment for the zone which supplemented the existing plans providing for the enlargement of the Midtown Zone by 8.177 acres to include nearby cultural facilities designating a cultural and tourism district within the zone and increasing the project plan expenditures by \$5 million, that the project plan was anticipated and the City Council approved FY10 Zone Budget, and that budget remained unchanged, that the cultural designation allowed the Midtown Zone to participate in the creation and sustainability of cultural facilities by utilizing tax increment funds for public infrastructure improvements, parking facilities and the establishment or promotion of public or private facilities that demonstrated a public benefit, specifically the Asia House, the Buffalo Soldiers Museum and the Houston Museum of African American Culture, that in closing the City staff had worked with the Midtown Zone on the proposed third amendment and at today's City Council meeting brought forth a recommendation for City Council to approve the plan and amendment.

Council Member Rodriguez stated that in the past he had supported these amendments,

the TIRZ expanding the zones for a worthy projects and these were certainly worthy projects, but he was concerned that there was something missing in the presentation of museums that Mr. Douglas rattled off, and Mr. Douglas stated that these museums were the ones that were currently in expansion modes and this was certainly not an exhaustive list of the cultural activities that could apply to the TIRZ for these kind of cultural and tourism grants, and Council Member Rodriguez stated that he would support the item today but would like to see a plan for a Latino Heritage Museum as well, and Mr. Douglas stated that they would work with the TIRZ on that project.

Council Member Khan moved to close the public hearing, seconded by Council Member Green. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. MOTION 2009-0925 ADOPTED.

At 9:56 Mayor White stated that they would move to the public session.

Council Member Lawrence moved the rules be suspended for the purpose of adding Mr. Jeff Ross to the top of the Non-Agenda Speakers List, seconded by Council Member Khan. All voting aye. Nays none. Council Member Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. MOTION 2009-0926 ADOPTED.

Mr. Hal Griffin, 38 N. Wilde Yaupon Circle, The Woodlands, Texas 77381 appeared and stated that he was district manager for the Yamaha Golf Cart Company and he was present to address the golf cart bid opened July 16th; that they were low bidder and all aspects of their product was researched and they qualified; that at the last Council Meeting it was implied they could not provide certain aspects of the bid and it was untrue, they had four locations within the Houston area and their being able to provide carts on short notice was put to the test over the past weekend when they delivered what was needed to two of the busiest golf courses. Council Members Adams and Brown absent.

Upon questions by Council Member Johnson, Mr. Griffin stated that he was the winning bidder and the bid had been questioned and tagged at the last meeting and he wanted to clear the facts.

Upon questions by Council Member Noriega, Mr. Griffin stated that it was a big bid and last weekend they contacted their authorized Yamaha Dealer once the city called him and they delivered some carts that evening to Sharpstown and Memorial courses and then delivered other carts the next morning. Council Member Johnson absent.

Council Member Adams stated that they said the golf cart specs were not the normal specs used, in one form it said the vehicle fell short of the bid specifications as well; and upon questions, Mr. Griffin stated that there were specifics, but that was a generalized statement and without specifics he could not address it, but Purchasing had gone through every aspect of their carts and determined they qualified. Council Member Johnson absent.

Mayor White thanked Mr. Griffin for coming and stated that the city procurement processes were governed by state law and there had been extensive reviews because of protest and that was why there were delays in bringing it on the Agenda, so they could go through item by item, it was typical to have protest and on occasion they would find things unfair but they tried to treat things seriously and on its merits. Council Member Johnson absent.

Mr. Derek Severns, 11219 N. Freeway, Houston, Texas 77037 (832-448-5340) appeared and stated that he was a co-owner of Golf Cars of Houston and he wanted to be present as he was not at the last meeting to show there truly was representation in the City of Houston supporting the Yamaha bid; that they had three stores in Harris County with two in the City of

Houston and employing over 50 employees; that they appreciated and understood the business well and would not want any delay in carts in turn costing taxpayers money for golf course revenue. Council Member Johnson absent.

Council Member Adams moved the rules be suspended for the purpose of hearing Mr. Kevin Collins Ms. Georgia Provost and Ms. Ana Cummings out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Council Member Johnson absent. Council Member Khan presiding. MOTION 2009-0927 ADOPTED.

Mr. Kevin Collins, 7250 Harrisburg Blvd., Houston, Texas 77011 (713-291-1261) appeared, presented information and stated that he was Father Collins, Pastor of Immaculate Conception Catholic Church in the East End and on the Executive Committee for the Metropolitan Organization and present to request Agenda Item 35 be passed, it would authorize the city to enter into a contract with Capital Investing and Development and Employment of Adults better known as Capital IDEA; that Capital IDEA was based in Austin and in 2010 would be launching Capital IDEA Houston here and they had a 10 year track record of success in providing what was needed for people who were low wage earners, to get education and support they needed to move into living wage employment; that usually the participants had earned minimum wages with no benefits and had to rely on government and their children lived with little hope for their own future, but they had more than 90% move from the life he described to a new life at the end of the program having a job which changed them from relying on government services to people providing revenue to the government. Council Members Adams and Holm absent.

Council Member Rodriguez stated that Father Collins should continue; and Father Collins stated that agencies had given them funds or in-kind services; and urged the City of Houston join them in supporting Capital IDEA; and Council Member Rodriguez stated that he supported the item and hopefully it would pass and he would like to look at it as a way to recruit new HPD officers as folks went through the program and received necessary college hours. Council Member Holm absent.

Council Member Khan thanked Father Collins for coming and stated that he wanted to thank all who were apart of the Metropolitan Organization TMO, he was there when the forum was conducted with those running for office and the item was brought up and he said he was in support and if there was opportunity to vote today he would be voting in support of it; that this was exactly what was needed, the best thing you could do for someone would be to find them a job instead of a handout. Council Members Holm and Brown absent.

Mayor White thanked Father Collins for coming and stated that on this issue, with many other things, he did due diligence and the record of placement in jobs was particularly impressive and he would say to others such as the community college system and others who would examine carefully what had been done to match students with employers in the way they had and to citizens these were not funds which could be used as basic public safety or infrastructure, the funds were received as a donation to the city which he solicited in order to provide a safety net for the community. Council Member Brown absent.

Ms. Georgia Provost, 3821 North MacGregor Way, Houston, Texas 77004 (713-527-9288) appeared and stated that she was a leader with TMO representing the historical Mother of Mercy Parish in the heart of Council Member Johnson's district and present to encourage all to vote for the TMO Capital IDEA contract; that they heard the same stories of being laid off, not finding work, hours being cut, etc., and people could be trained and upgrade their living conditions and add pride and dignity to them and make them productive citizens; and urged a yes vote on the item. Council Members Lawrence, Khan and Brown absent.

Council Member Johnson thanked Ms. Provost for coming and the work she did and stated that he thanked all TMO members as TMO always represented a voice of the people, at one point it was the strongest political machine the city had ever seen and he appreciated that they now were recognized as an organization which had its finger on the pulse of the people and were able to provide services needed; and the city would continue to find ways to provide dollars to TMO so they could continue this progress as the problem would not go away over night and jobs at the end of the day was what would put food on the table and keep people from crime. Council Members Lawrence, Sullivan, Khan, Brown and Green absent.

Council Member Adams thanked Ms. Provost for what she did and the service being provided and stated that she looked forward to meeting with TMO at the beginning of the year and to all the high school graduates on the lower income level able to receive the necessary education. Council Members Lawrence, Sullivan, Khan and Green absent.

Council Member Noriega stated that an article in the paper recently was about FEMA and Hurricane Ike money and Katrina services provided to folks without the wraparound services and case management this program provided and it made it clear they were not being the most effective without having all those parts; that with the case management TMO had it allowed people to move up and this was an opportunity. Council Members Lawrence, Sullivan, Rodriguez and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he would echo what others said about TMO and about what she had done to advance this city; that she and TMO were among the strongest voices on poverty in our midst; that it was rarely discussed and it needed more discussion and more action and he hoped he could be helpful in the coming years; and Ms. Provost stated that he had been helpful as a Council Member and they would not let him go now. Council Members Lawrence, Johnson, Adams, Sullivan, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Ana Cummings, 2929 Buffalo Speedway #803, Houston, Texas 77098 (713-629-1252) appeared and stated that she was a leader with TMO and on behalf of TMO leaders wanted to say they appreciated everyone's support on the contract between the City of Houston and Capital IDEA, once the contract was approved they looked forward to their partnership of Steven Williams, Director of the Health Department and Human Services; that TMO would have members on the Advisory Board to work with Capital IDEA ; that the contract represented an important part of the funding TMO secured for job training initiative, they had several funding partners and thought this needed to be done to help families become successfully trained and able to earn better wages; that Capital IDEA would conduct all wraparound services including childcare, transportation, etc., and they would be able to leverage funds and enable participants to concentrate on being successful in the program. Council Members Johnson, Sullivan and Rodriguez absent.

Council Member Gonzalez stated that he thanked Ms. Cummings and all TMO members for appearing, as his colleagues had expressed, for their hard work, etc., and he looked forward to them being able to leverage the funds and resources for a much needed service in the community; and he looked forward to working with them. Council Members Johnson, Sullivan and Rodriguez absent.

Mr. Jeff Ross, who was previously added to the Speakers List, appeared and stated that he was past president of the Houston Council of Engineering Companies and current chair of Government Affairs Committee and present to thank the Mayor and Council for their service to the city and express appreciation for their work and consideration of the issues involving public infrastructure, which was what their organization was basically dedicated to. Council Members

Johnson, Sullivan and Rodriguez absent.

Mayor White and Council Members Noriega and Khan thanked Mr. Ross for appearing and for his service on the Planning Commission; and their focus on infrastructure. Council Members Lawrence, Sullivan and Rodriguez absent.

Ms. Ann Stewart, 1015 Defender, Houston, Texas 77029 (713-673-4490) appeared and stated that she lived at her current address for 41 years and worked with the city and county as a community aid person and never experienced what was supposed to be protection in the manner of excessive abuse in this situation; that she had an ongoing problem with Neighborhood Protection employees; that she brought pictures to be viewed and compared with her home and neighborhood showing the supposed problem; that the incident was October 22nd when neighbors harassed, bullied and insulted her son and herself for two hours and they misused the authority of the law and violated city and state codes, rules, regulations and ethics and procedures and asked that her pictures be viewed and compared with others; that on one side of her fence she had plastic because the neighbor was a "peeping tom" and stalked, etc., and since she moved in there was a problem, they park in her driveway and according to city supervisors no 311 calls had been made; that in 2007 a problem started about a trailer and she moved it this year, but complaints continued and the inspector came and took pictures to see if she was in compliance; and something needed to be done. Council Members Lawrence, Sullivan and Rodriguez absent.

Council Member Noriega stated that she would ask Ms. Georgia Lewis from her office to visit with her on how to contact her District Council Member as that was a good place to start; and Ms. Stewart stated that she called the office and no one got back with her; and Council Member Noriega stated that was where they needed to begin. Council Members Adams, Sullivan and Rodriguez absent.

Ms. Nefertari Raven, 3100 Cleburne, Houston, Texas 77004 (713-313-1087) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan and Rodriguez absent.

Mr. Robert Wise, 1812 West Main, Houston, Texas 77098 (281-795-1133) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan and Rodriguez absent.

Ms. Ann Bennick, 1817 West Main, Houston, Texas 77098 (713-526-1150) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan and Rodriguez absent.

Mr. Barry Bennick, 1817 West Main, Houston, Texas 77098 (713-526-1150) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan and Rodriguez absent.

Mr. Willie Baker, 6523 Vera Jean Drive #523, Houston, Texas 77088 (281-272-0995) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan and Rodriguez absent.

Ms. Tina Araujo, 815 Live Oak, Houston, Texas 77003 (713-504-2042) appeared and stated that she was present to offer well wishes to Council Members who served including those leaving; a special thanks to Council Member Rodriguez for dedication to their district; Council Member Adams for her rendition of the prayer "Our Father"; wished Mayor White well; that she was representing the East Downtown Management District and they looked forward to Council continuing to support the development proposals for East Downtown and in particular the

Dynamo Stadium and she looked forward to working with all. Council Members Adams, Sullivan and Rodriguez absent.

Mayor White stated that this was a good break from vendors vs. vendors, etc.; and he appreciated her coming. Council Members Adams, Sullivan and Rodriguez absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (292-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan and Rodriguez absent.

Ms. Jeannette Spencer, 8155 Richmond Avenue #912, Houston, Texas 77063 (832-374-9829) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan and Rodriguez absent.

Sir Nemesis Truth, P. O. Box 2041, Houston, Texas 77252 (713-987-4851) appeared and stated that he was executive producer of the award winning Peoples Politics, a television program in the Houston area, and was present to thank the Mayor and Council for their tenure, leadership and accomplishments; and urged they continue with the principles of Peoples Politics which was delivery of truth to the people along with dialogue and debate; and would like a photo opportunity with Mayor White after the meeting if possible. Council Members Adams, Sullivan and Rodriguez absent.

Mayor White thanked Mr. Truth for appearing at the meeting; and Mr. Truth thanked Mayor White for the Proclamation presented them previously. Council Members Sullivan and Rodriguez absent.

Mr. Lai Ten Olantunbosun, 7102 Plaza Del Sol, Houston, Texas 77083 (281-935-0825) appeared and stated that he was present with a cry for help; that he had been a cab driver here since 1988 and last July he had his first reprimand; that when he went to renew his cab license at the airport he was denied because Mr. Graham said a customer in his cab said he was driving 75mph on the freeway and his license was suspended; that he did not understand it as he had no ticket, there was no collision and no confrontation with his customer and she paid him; that there was no way to contact her to make amends as the officer gave him a piece of paper with the address and phone number blacked out and now he had a one year suspension and could not feed his family, he could not work and needed his cab license restored. Council Members Sullivan, Holm and Rodriguez absent.

Upon questions by Council Member Johnson, Mr. Olantunbosun stated that his license was suspended by Mr. Graham at the Intercontinental Office of Taxicabs, the Administration Office, the lady in his cab one time said he drove on the freeway 75mph and she was uncomfortable, but there was no wreck, no ticket and no confrontation and she paid him and left town and called from Pennsylvania that she was uncomfortable in the cab three months before; and they gave him a piece of paper saying he violated a section; and Council Member Johnson stated that he would like a copy of what he had to get a better understanding; and upon further questions, Mr. Olantunbosun stated that he had never been reprimanded in 20 years; and Council Member Johnson stated that he would like to look at his information and maybe come to a conclusion on why the suspension for a year was put into place. Mayor White, Council Members Sullivan, Holm and Rodriguez absent. Council Member Khan presiding.

Council Member Gonzalez stated that he wanted to refer him to Mr. Newport who was a representative of ARA and present at this time; that he could assist him with the matter and walk him through the process. Mayor White, Council Members Sullivan, Holm and Rodriguez absent. Council Member Khan presiding.

Mr. Theodore Wayne Johnson, 720 East 39th, Houston, Texas 77022 (713-861-7943) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Sullivan, Holm and Rodriguez absent. Council Member Khan presiding.

Dr. Jack Christi, 12421 Memorial Drive, Houston, Texas 77024 (713-467-5367) appeared and stated that he wanted to add to the kudos of previous speakers for departing Council Members and Mayor; that the City of Houston was lucky to have had them; that he was present on an item in the Stubner Airline Park, Council was presented with a proposal of someday placing a YMCA on that property which was given to the area under the Whitmire Administration and if there was anyplace in Houston needing after school programs and programs for the elderly and handicapped it would be in the Acres Homes Stubner Airline area, it was a worthy project and a win/win situation and urged that it be continued and allow programs to cause good self esteem, jobs and bring about less crime. Mayor White, Council Members Sullivan and Rodriguez absent. Council Member Khan presiding.

Upon questions by Council Member Lawrence, Mr. Christi stated that it was near Veterans Memorial; and Council Member Lawrence stated that if he could get someone active there...; that they had raised \$9.2 million to buy property from HISD and make a park of it and others were now raising money; that with little effort they could get businesses and the state, etc., involved, it only took one to organize and it could be done. Mayor White and Council Member Rodriguez absent. Council Member Khan presiding.

Council Member Johnson stated that he thanked Mr. Christi for coming and the work he did; that he used to hold skating parties in the Fifth Ward and he did a good job in reaching out to help children; that his background was in after school programs and working with children in the Fifth Ward and Northeast Houston and he appreciated the notion to open such programs in Acres Homes, but it would take an infusion of energy from the Council body and the people and it was the priority of the people which determined where the money was spent; that every year as a Council Member he asked for extra dollars for such programs, unfortunately he did not think there was that push from the people and if money was not spent on children they were chasing their tails; that they needed dollars in prevention as opposed to intervention. Mayor White, Council Members Lawrence and Rodriguez absent. Council Member Khan presiding.

Mr. Isiaka Owolabi, 7447 Neal Ridge, Missouri City, Texas 77489 (832-880-0512) had reserved time to speak but was not present when his name was called. Council Members Lawrence and Rodriguez absent.

Mr. Ray Driscoll, 8814 Mobud, Houston, Texas 77036 (713-410-5831) appeared and stated that as a former Council Member he came to bring to Council's attention a potential breakdown and disregard for the position of elected city officials and all that entailed and was specifically speaking of the election of the Council Member for District F; that as a resident of the district for the past 33 years he was concerned at the apparent disregard of rules and regulations and ordinances on elections; that an article in the Houston Chronicle dated December 24th a reporter raised questions on election and tax laws with one question being residency requirement for a year prior to election; that there were questions of his time in the area, reporting forms, possibility of having homestead exemptions on two properties, etc. Council Member Lawrence absent.

Mayor White stated that his prior service on Council was appreciated and his appearing and speaking up as a citizen. Council Member Lawrence absent.

Council Member Noriega stated that Mr. Driscoll should continue; and Mr. Driscoll stated that the major purpose of this was it was 10 days prior to swearing in and he believed the Ethics Committee should validate the information of everyone wishing to run for public office and then

they would not run into these problems; that the honesty and credibility of this body needed to be kept intact and not have such questions needing to be raised; that if there was a way to stop the swearing in of one Council Member perhaps it should be done until taken care of. Council Member Lawrence absent.

Mr. J. W. Maseh, P. O. Box 742713, Houston, Texas 77274 (713-545-4777) appeared, presented information and stated that he was president of the Taxi Drivers Association and he was present with two issues; that right now they were under four different people, one being Ground Transportation, they were to see there were smooth operations of cab fares but a monster department was created in that they caused misery and made a bunch of money; that they had a deaf ear to drivers; secondly, the badge was created for security, but now it was a big division for themselves and caused cab drivers who were at the economic bottom level to be harassed daily; that his resolution was he wanted Council Members to review this and cancel the Ground Transportation, why should anyone make over \$60,000 just for walking around and why the badge, they all had FBI background checks before they could drive. Council Members Lawrence and Holm absent.

Council Member Khan stated that over the years he had opportunity to look into issues Mr. Maseh brought to this body and he thanked him for educating him; that he knew many cab drivers as personal friends and he could say they were outstanding citizens and most were highly educated and well respected and many were first generation immigrants who had been from outstanding families in their native countries and were making things better here providing an essential service and Houston was better because of it; that there were challenges and that was where such leaders and Mr. Maseh came in to keep Council Members informed with proper information; that he thanked him for what he provided and agreed with much he had said in the past and thanked him for his advice; and Mr. Maseh stated that the information he left was a credit card receipt, they were forced to take credit cards and it caused them to lose money daily. Council Members Lawrence and Holm absent.

Mayor White stated that he enjoyed speaking with him over the years. Council Members Lawrence and Holm absent.

Council Member Johnson stated that he knew Mr. Maseh over the last four years and he was a strong voice and always came with not accusations but real documentation to prove where there may have been injustice, etc., and he appreciated him being the advocate he was; that he was given information on the previous gentleman and he would look at it and find the validity and where there may be compromise; that he wanted to be sure he was not singled out or discriminated against in anyway; that jobs and opportunity for employment were important and he would get back with Mr. Maseh after he received information. Council Members Lawrence, Holm and Noriega absent.

Council Member Brown stated that Mr. Maseh did a great job representing independent cab drivers; and he should keep coming and teaching. Council Members Lawrence, Holm and Noriega absent.

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Holm and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (no phone number given) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Holm and Noriega absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682)

appeared and stated that she thanked Mayor White for a job well done, but was present again for the YMCA and other projects in their community such as the hike and bike trail, more police in the community, etc. Council Members Lawrence and Holm absent.

Council Member Noriega stated that this was the second conversation today regarding a YMCA and she thought it was helpful to be reminded there were all kinds of folks which came to speak, some who could raise funds and others who had no other avenue but the Council body; and thanked Ms. Taylor for standing up and asking for the "Y"; that it would be a challenge to figure out how to do it and she appreciated her confidence in them to do this and they would try and meet it. Council Members Lawrence and Holm absent.

Mr. Floyd Dewayne Brothwell, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence and Holm absent.

Mr. Justin Brennan, 3815 Scenic Valley Drive, Kingwood, Texas 77345 (281-229-9939) appeared and stated that he was present to thank the Mayor and Council for the opportunity he had in serving them the past six years and thanked Mr. Fred Beuler and Glen Childress who were in the Chambers today as it had been a pleasure to work with them; that he brought many objections to them in the last meeting over the golf car bid and letters were distributed outlining those objections again today; that regarding the pickup of the golf cars over the past Sunday was that their contract expired that Saturday and due to not being able to extend insurance they had to pick them up Sunday and that was the reason they took them off the property, but did again want to thank all for their business. Council Members Lawrence and Holm absent.

Mayor White thanked Mr. Brennan for appearing. Council Members Lawrence and Holm absent.

Coach Dan Hart, 71 Hilbury, Houston, Texas 77024 (713-781-2867) appeared, presented brochures to Council Members and stated that what he presented talked about transparency in open government and on the second page it showed his request for the public to be invited and go to Austin to talk about how money was raised, it needed to be done fairly and three important moves were done over the past session; that equality had to be present. Council Member Holm absent.

Council Member Khan thanked Coach Hart for appearing and for his advice over the years which helped him serve well; and stated that he should continue; and Coach Hart spoke of ratio studies, etc., and requested the Council body extend all power possible on the Comptroller to extend public comment sessions. Council Members Johnson and Holm absent.

Mr. Tony Morris, 2400 South Loop West #515, Houston, Texas 77054 (832-785-4855) appeared and stated that he was present to extend gratitude and undue attention to all details Mayor White had shown over the last six years and his journey to the Governor's house would be short and swift. Council Members Johnson and Holm absent.

At 11:15 a.m. Mayor White stated that they would move to the consent agenda.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 66

MISCELLANEOUS - NUMBER 2

2. RECOMMENDATION from Director General Services Department for approval of Pre-qualified Asbestos/Lead Abatement and Mold Remediation Contractors and rescind

Motion #04-0030 – was presented, moved by Council Member Green, seconded by Council Member Sullivan. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0928 ADOPTED.

DAMAGES - NUMBER 3

3. RECOMMENDATION from City Attorney for settlement of lawsuit styled **NATHAN MIZE** vs. The City of Houston, in the 113th Judicial District Court of Harris County, Texas; Cause No. 2007-24797 - \$75,000.00 - Property and Casualty Fund – was presented, moved by Council Member Green, seconded by Council Member Sullivan. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0929 ADOPTED.

ACCEPT WORK - NUMBERS 4 through 8

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$523,191.53 and acceptance of work on contract with **PLAYPOWER LT FARMINGTON, INC** for Playground and Site Furnishings for Houston HOPE Areas 7.42% under the original contract amount - **DISTRICTS B - JOHNSON; D - ADAMS and H - GONZALEZ** – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0930 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,035,829.83 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Sampson Sewer and Eastwood Subdivision Sewer Relocation 8.28% under the original contract amount - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0931 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,823,756.54 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Distribution System Rehabilitation and Renewal - 2.9% under the original contract amount – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0932 ADOPTED.

PROPERTY - NUMBERS 10 and 11

10. RECOMMENDATION from City Attorney to settle eminent domain proceeding styled City of Houston v. Four Seasons Self Storage at Pearland Parkway, L.P., et al., Cause No. 917,044; for acquisition of Parcels AY7-005 and AY7-005A; for the **MONROE PAVING IMPROVEMENTS PROJECT (Fuqua - Beltway 8) - DISTRICT E - SULLIVAN** – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0933 ADOPTED.

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Roberto R. Mata, Costello Inc, on behalf of Houston Independent School District, for abandonment and sale of a 10-foot-wide utility easement, from Arvilla Lane to Albemarle Lane, located in the MacGregor Place Subdivision, Section 1, out of the Luke Moore Survey, A-51, Parcel SY10-026 - **DISTRICT D - ADAMS** – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0934 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 19

12. **SAFETY SUPPLY, INC** for Protective Footwear for Fire Department - \$1,010,059.60 - General Fund – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0935 ADOPTED.
13. **MACAULAY CONTROLS** for Chemical Tank Site Glasses with Level Metering Transmitters for Department of Public Works & Engineering - \$193,440.00 - Enterprise Fund – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0936 ADOPTED.
14. **HERTZ EQUIPMENT RENTAL** for Rental of Two Crane Trucks through the Master Intergovernmental Cooperative Purchasing Agreement with the U. S. Communities for Department of Public Works & Engineering - \$399,355.00 - Enterprise Fund – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0937 ADOPTED.
15. ORDINANCE appropriating \$943,494.30 out of Water & Sewer System Consolidated Construction Fund for Purchase of Plugging Decommissioned Water Wells for the Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. ORDINANCE 2009-1367 ADOPTED.
- 15a. **ALSAY INCORPORATED** for Plugging Decommissioned Water Wells for Department of Public Works & Engineering - \$898,566.00 and contingencies for a total amount not to exceed \$943,494.30 - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; F - KHAN; G - HOLM and H - GONZALEZ** – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0938 ADOPTED.
16. ORDINANCE appropriating \$113,920.00 out of Equipment Acquisition Consolidated Fund for Purchase of Truck Body with Auger for the Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones

absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. ORDINANCE 2009-1368 ADOPTED.

- 16a. **GENERAL TRUCK BODY MFG. CO., d/b/a GENERAL TRUCK BODY** for Truck Body and Auger for Department of Public Works & Engineering – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0939 ADOPTED.
17. **SIEMENS WATER TECHNOLOGIES CORP.** for Chemical, Liquid Calcium Nitrate - \$1,847,300.00 and payment of \$236,980.78 for Emergency Purchase of 115,274 gallons of liquid calcium nitrate for Department of Public Works & Engineering - Enterprise Fund – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0940 ADOPTED.
18. **VULCAN CONSTRUCTION MATERIALS, LP** for Flexible Base Materials for Various Departments - \$1,310,968.75 - General, Enterprise, Stormwater and Grant Funds – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0941 ADOPTED.
19. **CONTRACT RESOURCE GROUP, LLC** - \$265,384.33, **J. TYLER SERVICES, INC** - \$150,162.21 and **JIMENEZ CONTRACT SERVICES** - \$135,169.47 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise, Grant and Special Revenue Funds – was presented, moved by Council Member Green, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Mayor White absent. Council Member Khan presiding. MOTION 2009-0942 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 20 through 66

20. RESOLUTION approving and authorizing the nomination and submission of fifteen projects for funding consideration in the 2009 Transportation Enhancement Program call for projects administered by the Texas Department of Transportation – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. RESOLUTION 2009-0038 ADOPTED.
22. RESOLUTION designating certain properties within the City of Houston as Historic Landmarks:
- | | | |
|------------------------------|---------------------|-------------------------------------|
| John Marie Etta Garrow House | 19 Courtlandt Place | <u>DISTRICT D - ADAMS</u> |
| Scientific Barbershop | 4610 Market Street | <u>DISTRICT H - GONZALEZ</u> |
- was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. RESOLUTION 2009-0039 ADOPTED.

31. ORDINANCE approving and authorizing agreement among the City of Houston, **FIFTH WARD COMMUNITY REDEVELOPMENT CORPORATION** and **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** to provide Second Lien Construction Loan of Federal "HOME" Funds in the amount of \$350,000.00 for eligible costs in connection with the construction of five (5) affordable homes - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1369 ADOPTED.
32. ORDINANCE appropriating \$100,000.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing contract between the City and **THE VILLAGE LEARNING CENTER, INC** to provide funding for the State-Mandated Renovation of a Type B Assisted Living Facility located at 2225 Stoney Glen Drive, Kingwood, Texas 77339 - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1370 ADOPTED.
33. ORDINANCE approving and authorizing ninth amendment to contract between the City of Houston, **THE ALIEF INDEPENDENT SCHOOL DISTRICT** and **SPARK**, to provide \$50,000.00 and continue the program for the development of neighborhood parks on public school grounds under the SPARK Program - Grant Fund - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1371 ADOPTED.
34. Omitted
36. ORDINANCE appropriating \$400,000.00 out of Equipment Acquisition Consolidated Fund; approving and authorizing contract between the City and **PHOENIX BUSINESS INC** for SAP Consulting Services for the Information Technology Department; providing a maximum contract amount - 5 years - \$7,900,000.00 - General and Equipment Acquisition Consolidated Funds – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1372 ADOPTED.
37. ORDINANCE appropriating \$508,000.00 out of C & E Civic Center Facility Revenue Fund; amending Ordinance No. 2004-1214 (Passed on December 1, 2004) to establish a maximum contract amount for Contract No. 56524 between the City of Houston and **COATS ROSE YALE RYMAN & LEE, P.C.** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1373 ADOPTED.
38. ORDINANCE amending Ordinance No. 2006-745 to increase the maximum contract amount for a Engagement Agreement between the City of Houston and **ANDREWS KURTH LLP** for Legal Services - \$150,000.00 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1374 ADOPTED.
39. ORDINANCE authorizing and approving Comprise and Settlement Agreement between the City of Houston and **ONSITE PROMOTIONS MANAGEMENT, LLC** and **PURTEE & ASSOCIATES, NV, LP** to settle a lawsuit - \$300,000.00 - Property & Casualty Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1375 ADOPTED.

40. ORDINANCE amending Ordinance No. 2009-741 (Passed by City Council August 12, 2009) to increase the maximum contract amount for the contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, P.C.** for Legal Services - \$600,000.00 - General Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1376 ADOPTED.
41. ORDINANCE appropriating \$400,000.00 out of Airport System Subordinate Lien 1998B - AMT Bonds Fund and approving and authorizing contract between the City of Houston and **PORTER & HEDGES, L.L.P.** for Legal Services relating to Cause No. 2005-35287; Southern Electrical Services, Inc, as assignee of the Morganti Group, Inc, and the Morganti Group, Inc v. City of Houston; in the 157th Judicial District Court of Harris County, Texas; establishing a maximum contract amount - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1377 ADOPTED.
42. Omitted
43. ORDINANCE deappropriating \$58,828.10 appropriated from Reimbursement of Equipment/ Projects Fund by Ordinance No. 2009-0269 in connection with Construction Management At-Risk Contract with **SPAWGLASS CONSTRUCTION CORPORATION** to construct the Midwest Police Station; appropriating \$58,828.10 out of Reimbursement of Equipment/Projects Fund and \$116,656.82 out of Police Consolidated Construction Fund for the purchase of equipment for the Midwest Police Station - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1378 ADOPTED.
44. Omitted
45. ORDINANCE appropriating \$822,039.06 out of Public Health Consolidated Construction Fund as an additional appropriation for the Roof Replacement at the Northside Health Center and the Tri Community Senior Center for the Department of Health & Human Services under an existing contract with **CHARTER ROOFING COMPANY, INC** (Approved by Ordinance 08-891) **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1379 ADOPTED.
46. ORDINANCE appropriating \$135,538.00 out of Parks Consolidated Construction Fund and awarding construction contract to **INLAND ENVIRONMENTS, LTD.** for Lead Based Paint Abatement, Rust Treatment and Paint at Lake Houston Park Pedestrian Bridge; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for project management, construction oversight and air monitoring and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1380 ADOPTED.
47. ORDINANCE appropriating \$4,728,000.00 out of Airports Improvement Fund and awarding Purchase Order to **THYSSENKRUPP AIRPORT SYSTEMS, INC** for Passenger Loading Bridges and Support Equipment for the Houston Airport System (Project No.

500P); providing for contingencies relating to the subject; providing a maximum purchase order amount - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1381 ADOPTED.

52. ORDINANCE appropriating \$12,305,974.00 out of Houston Airport System Consolidated 2004 AMT Construction Fund and \$204,026.00 out of Airports Improvement Fund as additional appropriation for the Design/ Build Agreement with **CLARK DESIGN/BUILD, LLC** for Phase II Designing and Construction of Roof Repairs, Moving Walkways and FIS Elevators in Terminal D at George Bush Intercontinental Airport/Houston (Approved by Ordinance No. 2008-0676; Project No. 500L); providing funding for engineering and testing services and contingencies relating to construction of facilities financed by such funds; providing funding for the Civic Art Program **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1382 ADOPTED.
54. ORDINANCE appropriating \$81,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Utility Betterment associated with the relocation of the facilities affected by the widening and reconstruction of IH-10 Frontage Roads from Washington Avenue to Taylor Street; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1383 ADOPTED.
55. ORDINANCE appropriating \$12,000.00 out of Drainage Improvement Commercial Paper Series F Fund; approving and authorizing Professional Construction Management and Inspection Services Agreement between the City of Houston and **ESPA CORPORATION** for Academy Street Storm Sewer Improvements, Segment 2 Project - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1384 ADOPTED.
56. ORDINANCE appropriating \$12,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Stormwater Management and Neighborhood Street Reconstruction Projects – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1385 ADOPTED.
57. ORDINANCE appropriating \$850,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, L.P.** for Neighborhood Street Reconstruction; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1386 ADOPTED.

58. ORDINANCE appropriating \$337,330.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TRANSYSTEMS CORPORATION** for Manchester and Japhet Paving Project; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1387 ADOPTED.
59. ORDINANCE appropriating \$1,313,354.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **VAN DEWIELE & VOGLER, INC** for Design of Fondren Road from Hillcroft to McHard Road; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT D – ADAMS** - had been pulled from the Agenda by the Administration, and was not considered.
60. ORDINANCE appropriating \$577,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ZARINKELK ENGINEERING SERVICES, INC** for the Safe Sidewalk Program; providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1388 ADOPTED.
61. ORDINANCE appropriating \$175,800.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC** for Safe Sidewalk Program; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; F - KHAN and G - HOLM** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1389 ADOPTED.
63. ORDINANCE appropriating \$220,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CENTURY ENGINEERING, INC** for Neighborhood Back Lot Wastewater Substitutes Service Program and On-Call Sanitary Sewer Extensions; providing funding for contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1390 ADOPTED.
64. ORDINANCE appropriating \$2,146,149.00 out of Metro Project Commercial Paper Series E Fund, \$791,244.00 out of Water & Sewer System Consolidated Construction Fund, and \$8,202,574.00 out of Street & Bridge Consolidated Construction Fund (which \$8,202,574.00 is to be reimbursed by TXDOT); awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD** for Brittmoore Road Reconstruction from I-10 to Hammerly; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Metro Project Commercial Paper Series E Fund, Water & Sewer System

Consolidated Construction Fund and Street & Bridge Consolidated Construction Fund **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1391 ADOPTED.

65. ORDINANCE appropriating \$3,547,556.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1392 ADOPTED.
66. ORDINANCE granting authority to **SPRINT COMMUNICATIONS COMPANY L.P., A Delaware Limited Partnership**, the right, privilege and franchise to use the public way of the City of Houston, Texas, for the purpose of laying, constructing, leasing, maintaining, repairing, replacing, modifying, removing, using, and operating therein, network facilities for providing authorized services; providing for related terms and conditions; containing a repealer; and making certain findings related to the foregoing subject - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1393 PASSED FIRST READING IN FULL.

Council Member Holm moved to suspend the rules to consider Item No. 68 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. MOTION 2009-0943 ADOPTED.

Council Member Sullivan stated that he wanted to take a moment of privilege to recognize someone, that Kim Brousatory, Village Learning Center, was in the audience today and he wanted to thank his colleagues, Mr. Richard Celli and Mr. Donald Sampley for Item No. 32. Council Member Noriega absent.

68. ORDINANCE awarding contract to **YAMAHA GOLF-CAR COMPANY** for Golf Cart Leasing Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$2,494,000.72 - General and Parks Special Revenue Funds – (**This was Item 42 on Agenda of December 16, 2009, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, NORIEGA and JONES**) – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCE 2009-1394 ADOPTED.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

ACCEPT WORK

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$3,217,347.00 and acceptance of work on contract with **APACHE SERVICES, INC** for Townwood Park - 9.42% over the original contract amount - **DISTRICT D - ADAMS**– was presented, moved by Council Member Khan, seconded by Council Member Green. Council Members Holm and Noriega absent.

After discussion by Council Member Adams a vote was called on Item No. 5. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Council Member Noriega absent. MOTION 2009-0944 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,491,460.64 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.41% over the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; F - KHAN; G - HOLM and H - GONZALEZ** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Council Member Noriega absent. MOTION 2009-0945 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,827,272.00 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Ground Storage Tanks at Southwest and Sims Bayou Pump Stations - 1.98% under the original contract amount - **DISTRICTS C - CLUTTERBUCK and D - ADAMS** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Council Member Noriega absent. MOTION 2009-0946 ADOPTED.

RESOLUTIONS AND ORDINANCES

21. RESOLUTION designating the Boulevard Oaks Area of the City of Houston as an Historic District **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Council Member Noriega absent. RESOLUTION 2009-0040 ADOPTED.
23. ORDINANCE approving the third amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone); authorizing the City Secretary to distribute such plans - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1395 ADOPTED.
24. ORDINANCE enlarging the boundaries of Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone) - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1396 ADOPTED.
25. ORDINANCE approving an Economic Development Program for Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone) - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1397 ADOPTED.

26. ORDINANCE approving and authorizing Resident Company, Ticket Surcharge and Backstage Operations Agreement for Jones Hall between the City of Houston, **THE FOUNDATION FOR JONES HALL, THE HOUSTON SYMPHONY SOCIETY, and THE SOCIETY FOR THE PERFORMING ARTS - DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1398 ADOPTED.
27. ORDINANCE approving and authorizing amendment to Loan Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION**, to add Houston Housing Finance Corporation (HHFC) as a Senior Lender providing additional construction financing to cover costs related to the rehabilitation of a 57 unit Single Room Occupancy Complex located at 1414 Congress, Houston, Texas; approving and authorizing a Subordination Agreement between the City and Houston Housing Finance Corporation **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1399 ADOPTED.
28. ORDINANCE approving first amendment to Grant Agreement between the City of Houston and **NHDC SUNFLOWER TERRACE, LLC** for the use of HOME Investment Partnerships Funds for Rehabilitation of the Sunflower Terrace Apartments (5050 Sunflower Street), an Affordable Housing Project - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1400 ADOPTED.
29. ORDINANCE approving and authorizing an amendment to contract between the City of Houston and the **TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS** funded under the Texas Neighborhood Stabilization Program (TXNSP@) to increase funding from \$2,700,000.00 to \$3,353,519.00 and to reflect minor changes in scope; authorizing the acceptance of such additional funds, if awarded; and authorizing the application of the TXNSP Funds to cover acquisition of one or more multi-family properties and to cover administrative costs – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1401 ADOPTED.
- 29a. ORDINANCE approving and authorizing agreement between the City of Houston and **HOPE FOR FAMILIES, INC** to provide a \$3,105,110.00 Loan of Texas Neighborhood Stabilization Program Funds from the Texas Department of Housing and Community Affairs for the acquisition, demolition and land banking of the Bayou Bend Court Apartments located at 5800 Bayou Bend Ct., Houston, Texas, which amount includes a limitation on additional funding in the amount of \$405,110.00 - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1402 ADOPTED.
30. ORDINANCE rescinding Ordinance 2008-0219 which authorized Second Lien Construction Financing Agreement among the City of Houston, Holmes Community Development Corporation and Capital One Community Development Corporation II; approving and authorizing Termination Agreement among the aforementioned parties; and approving and authorizing Second Lien Construction Financing Agreement among the City of Houston, **HOLMES COMMUNITY DEVELOPMENT CORPORATION** and **AMEGY BANK** to provide Second Lien Construction Loan of Federal “HOME” Funds in the amount of \$490,000.00 for eligible costs in connection with the construction of seven (7) affordable homes in the Sunnyside Houston HOPE Area - **DISTRICT D - ADAMS** – was presented.

All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1403 ADOPTED.

35. ORDINANCE approving and authorizing contract between City and **CAPITAL INVESTING IN DEVELOPMENT AND EMPLOYMENT OF ADULTS, INC** for support of services for adults and adolescents including outreach, assessment, counseling, case management, educational services and job placement; providing a maximum contract amount - \$300,000.00 - Health Special Revenue Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1404 ADOPTED.
48. ORDINANCE amending Ordinance No. 2006-1196 to increase the maximum contact amount for contract between the City of Houston and **RIGHT NOW TERMITE AND PEST CONTROL** for Pest Control Services for Various Departments - \$164,326.25 - General and Enterprise Funds – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1405 ADOPTED.
49. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing agreement for Professional Engineering Services between the City of Houston and **VOLTAIR CONSULTING ENGINEERS, LLC** for Miscellaneous Projects for the Houston Airport System (Project No. 615A) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I – RODRIGUEZ** – was presented.

Council Member Johnson stated that Item Numbers 48, 49, 50 and 51 were items in which he wanted to thank the Houston Airport Systems and the Mayor, that this was the result of much dialog about unbundling some of these contracts and finding opportunity for capacity, that he thought it was a start and certainly appreciated the work that was put into it, some of the thought that went into it and now the beginning of a new program that he thought would offer more opportunity for smaller companies to come in and do business at the Houston Airport System, that he had been getting calls from Mr. Eric Potts and had not been able to communicate with him but did understand what the program was about and he certainly wanted to thank him for wrapping his eyes around this, as well as Mr. Anthony Hall for being very instrumental in getting this type of program in place, that he wanted to thank the Mayor for the process of starting to unbundling some of these contracts so that they could get some local small minority businesses involved in the City of Houston Airport System.

Mayor White stated that he wanted to thank Council Member Johnson for his wise observations that started that process.

Council Member Sullivan stated that also on these items he wanted to thank Mr. John Silva, Houston Airport Systems, for coming and visiting him yesterday, that since Ellington was in his district and Ellington was potentially in each one of these items he wanted to make sure they were doing the right thing, that Houston Airport System certainly had their arms around this and were doing a good job for them, that he wanted to thank Mr. Eric Potts as well.

A vote was called on Item No. 49. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1406 ADOPTED.

50. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing agreement for Professional Engineering Services between the City of Houston and **UNITED ENGINEERS, INC** for Miscellaneous Civil Engineering Projects for the Houston Airport System (Project No. 615K) - **DISTRICTS B - JOHNSON; E -**

SULLIVAN and I - RODRIGUEZ All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1407 ADOPTED.

51. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing agreement for Professional Engineering Services between the City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC** for Miscellaneous Projects for the Houston Airport System (Project No. 615B) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1408 ADOPTED.
53. ORDINANCE creating a two year program to provide reimbursement for money spent on energy leakage tests for affordable new single family homes; providing funding for such program by appropriating \$846,000 from the TIRZ Affordable Housing Fund (2409) and transferring such amount to the Building Inspection Fund (2301) then appropriating \$846,000 from the fund balance of the Building Inspection Fund (2301) and transferring such amount to the Expenditure Account for the Building Inspection Fund (2301) All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1409 ADOPTED.
62. ORDINANCE appropriating \$924,565.96 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **HNTB CORPORATION** for Design Services for Fulton Street from Tidwell Road to Parker Road (Approved by Ordinance No. 2007-498); providing funding for contingencies relating to the construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT H - GONZALEZ** – was presented, and tagged by Council Member Gonzalez.

MATTERS HELD - NUMBERS 67 through 70

67. ORDINANCE amending the agreements authorized by 1) Ordinances 2006-196, 2006-1145 relating to health care and dental insurance benefits for City employees, retirees, deferred retirees, survivors and certain dependents, and 2) Ordinance 2009-1107 relating to various Medicare Health Plans for City retirees and their dependents; amending various plans and agreements regarding health care, dental insurance benefits and Medicare Health Plans for the respective aforementioned beneficiaries – **(This was Item 35 on Agenda of December 16, 2009, TAGGED BY COUNCIL MEMBERS LOVELL, HOLM and RODRIGUEZ)** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1410 ADOPTED.
69. ORDINANCE appropriating \$351,156.00 out of Public Health Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **JACKSON & RYAN ASSOCIATES, INC** for Bureau of Animal Regulation and Care (BARC) Facility Expansion/Renovation; providing funding for the Civic Art Program - **DISTRICT B - JOHNSON** – **(This was Item 46 on Agenda of December 16, 2009, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1411 ADOPTED.
70. ORDINANCE appropriating \$751,384.00 out of Public Health Consolidated Construction Fund; approving and authorizing Professional Architectural Services Contract between the City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC** for Ann Slemmons

Young Animal Center; providing funding for Civic Art Program - **DISTRICT I – RODRIGUEZ – (This was Item 51 on Agenda of December 16, 2009, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. ORDINANCD 2009-1412 ADOPTED.

Mayor White stated that Council Member Khan noted that this was the last vote for several of the Council Members, that at some point he might ask Ms. Stein and her office to do a rough estimate of those who served with him these years as to how many items they considered on the agenda because it presented an awful lot of work by an awful lot of people, including people not at this table, their City employees, who did such a great job of putting these agendas together and the mass amount of materials that it represented.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Noriega stated that she wanted to thank those folks who welcomed her a little bit earlier and allowed her to step in and fill an unexpired term, all of the leadership at the table who coached and shared information, that all of them who were going they were going to miss them terribly, that they were going to miss the Mayor, that she wanted to thank the Legal staff, all of the folks who kept time, the agenda office, that there were so many folks that made it all happen, that there were people who cleared the table and threw away the trash, that there were folks who worked up the agenda the week before, that there were so many ways that a great deal of people contributed and they were just very grateful for all of that, but mostly for her outgoing colleagues she wanted to say thank you to all of them for their friendship, service, time and for all the ways they had made the City of Houston better and she would like to thank her staff for all of the ways that they helped people work on issues and made her a success, thank you to all. Council Members Johnson, Rodriguez and Brown absent.

Council Member Adams stated that she wanted to thank her staff for a wonderful first term, Karen Haller, Shavonda Johnson, Matala Idi and Jeron Ravin, that she wanted to thank them for what they had done to make her first two years such a great success, that she wanted to thank Mayor White for the opportunity work with him and being able to promote the Mayor's office in the District D community and throughout, that she wanted to thank him for allowing her to promote the "Go Green" initiative, that because of that she was where she was today because of the knowledge and experience that she gained as being a civilian employee, that she wanted to continue to thank the constituents of District D for a wonderful two years and she looked forward to the next two years of service, that she wanted to thank former Council Member Edwards for being a great support in the District D community as well, that she wanted to thank the City Council for being such a great Council and for the women of Council for all of their support and Marty for doing the things that they do and they do it well and with excellence, that as they go in the coming New Year's eve many of them would get on their knees at midnight and pray and thank God for a wonderful year, that many of them would thank God for the healing of their bodies and many of them would thank God for making sure that all of their families were intact and many of them would ask God's blessing and favor as they go to their next endeavors, but most of all she would ask as they go on their knees this coming midnight that they ask God for his continued forgiveness, that one thing she wished that they would carry over come January 5, 2010, was to carry over unity for the City of Houston, that they bring back the networks of leadership that they needed to bring as leaders of the body because she did not think that they needed to go into a season with hard hearts and she thought that it would go for her, as well as for all of the Council Members because they were getting ready to welcome five new Council Members on board and a new Mayor, that they continue to work together as one, so anything that happened in 2009 she hoped that when they prayed at midnight that they would ask for a release of heart and that they continue to move forward and lead the City in a way that they needed to go because they needed their constituents to be proud of them and to

be leaders so she wanted to thank all of her colleagues, especially Council Member Noriega for everything that she continues to do because when they can sit next to a colleague and be able to share their faith in God and be able to pray she wanted to thank her for that and for never being ashamed of who she believed in and where her faith stood, so she wanted to thank all of them and that God continue to bless all of them to be the leaders that he called them to be and that their constituents would be proud when January 4, 2010 comes and they raise their right hand to be able to move to the next level, so to remember that forgiveness comes midnight, December 31, 2009, so when January 4, 2010 gets here they could celebrate and move on as a unit and a body of forgiveness and work for the best of their constituents. Council Members Johnson and Rodriguez absent.

Council Member Gonzalez stated that he wanted to extend a heartfelt thanks to Mayor White and the Council Members that were leaving, that he wanted to thank them for their service, that he was a citizen for much of the time that they served on Council and he admired their work and admired serving with them and the Mayor, that he wanted to thank the City employees, they set a record this current year with all of the donations that they contributed during a tough economy, that it proved once again that the City workers go above and beyond each and every day, that he wanted to thank them for their generous contributions to the Combined Municipal Campaign. Council Members Johnson and Rodriguez absent.

Council Member Sullivan stated that he wanted to recognize someone for an act of kindness this morning, that he goes to the old Parks office building on Sawyer to buy a breakfast sandwich in the mornings and goes to his office and eats it, that while he was driving over there he noticed a Parks pickup truck behind a lady on Memorial Drive changing a flat tire, that he went back around and stopped, that he scammed the guy who thought he was in trouble for pulling over in a City vehicle, that his name was Dan Cerda and he was helping a stranded elderly lady, that he took the time to stop what he was doing and change her tire, that he told him he was going to mention it to the Mayor and to Joe Turner; that he made his comments last week to the Mayor personally thanking him for his work and guidance that he had given him, that he did not want anybody to think he did not say anything about it, that he certainly appreciated the chance to work with him and looked forward to working with him in the future as well; that he spent Christmas week visiting a number of fire stations in his Council district and wanted to thank those crews for their hospitality and for letting him come into their home, that they shared their ideas and concerns with him, that the stations that he visited were split evenly between the north and south sector, Stations 102, 71, 103, 72, 101, 94 and 93, that obviously Chief Dupont spent a lot of time setting the visits up for him and he wanted to thank her as well; that his heart went out to Harris County Precinct 4 Constable Department, they lost one of their canine deputies on December 22, 2009, that the German Shepherd named "Blek" served with his partner, Deputy Ted Dolen, for over three years chasing down hundreds of suspects and always coming back to his partner but on December 22, 2009 he did not return to his handler that day. Council Members Johnson, Gonzalez and Rodriguez absent.

Council Member Lawrence stated that it had been enjoyable serving on this nonpartisan body with Mayor White and making decisions that she thought really benefitted the City of Houston, that what she thought made the Council run smooth was the staff of Arturo Michel, Marty and Anna Russell so to all of them and their staffs thank you very much, that to her staff she wanted to say thank you, that to the five new Council Members if they were not at the luncheon she had their fork, that the women of Council would continue to meet and some of them had been made lifetime members so they looked forward to still going to that, that the very best of luck. Council Member Rodriguez absent.

Council Member Holm stated that she wanted to thank the residents and citizens of District G for the opportunity to serve them for the last six years, that it had been a joy and a privilege, that she wanted to thank Chuck Holm and her family for their work, endurance and

commitment to the district and to her, that particularly to her team, Sarah Culbreath, Sally Alcron, Yvonne Clayton and Brittany Faulk, who had been so committed and so focused on what their vision was and that was true customer service and remembering that they were here for one reason and that was to make the life's better of the citizens of Houston; that to Mayor White and her colleagues, she loved it and wished them all well, whether they were coming or going, that to those who were staying and to Mayor Elect Parker and to all of the team and the directors and the people who had spent so much time at the City with no acknowledgement or credit, just a true spirit of commitment and love for a city and true devotion to service thank you for all that they do, that they had addressed a lot of challenges but they had also left some challenges ahead of them and that was part of it, that none of them came to Council to fix the City knowing that they would leave and leave a world that was completely settled, but they wanted to be, or at least she wanted to be a part of making a difference for the next 20, 50 or 100 years, so as they moved forward she hoped that everyone would remember this one sign, "the people are the City". Council Member Rodriguez absent.

Council Member Johnson stated that he wanted to say to all of the outgoing Council Members that it had been a pleasure, that he knew Council Member Holm had an uncanny knack to make herself cry but today he knew that they were sincere tears because he knew that it could become a bittersweet process for all of them, that for those who were outgoing could say that the microscope was not on them as much and they probably could rest and sleep a little bit more, they did not have to watch their every word or every step so to many of them he envied them because he had a lot of choice words that he had for a lot of choice people that he often time could not use, but he would say to the Mayor that it had been a pleasure to be on Council and a pleasure to work with them, that there had often been times that they had great dialog and been on the same page and wished Mayor White well on his next endeavor, that as he said the City of Houston was in good hands and Mayor White made the City better and he truly believed that could be the next step for the State of Texas, that they could make the State the greatest State in the greatest Country, that to his colleagues he would miss them, that he wanted to say to everybody, Merry Christmas, Happy New Year and Happy Kwanza, that they should remember that random acts of kindness was greatest gift that they probably could give anybody, just simply reach out and touch someone who probably did not think that you were going out to reach and touch them, that moving forward set a New Year's resolution and hopefully they could follow that New Year's resolution throughout the year and never forget how blessed they were to be in the positions that they were so that they could help others around them. Council Member Rodriguez.

Council Member Khan stated that after December 12, 2009 they had a lot of time and tried to find out what was important, that they tried to look at to what outgoing Council Members were doing and leaving behind, that this was a list they did after thorough research, that it was authentic and if it was not to please blame the Council Members whose name he mentions, that he would start with himself, that for Council Member Elect Al Hoang he was leaving with him the proper definition of residency, along with a compilation of residency definitions from across the Country and appropriate answers to frequently asked questions about residency, that was his gift to him; that Council Member Ron Green was leaving strict instructions not to bother him with any constituent calls, except if it was a CPA calling, that he was leaving three numbers, pagers and cell phones and his wife's number so that people could reach him right away, that he was also leaving a detailed schedule as to when he would be available for making Council presentations and promised that he would give at least 30 minutes notice before he changes that schedule on any given day; that as to Council Member Toni Lawrence they understand that she was leaving, based on average height and size of the person, the precise number of steps from Council offices to the restrooms, copy machines, vending machines and was leaving specific instructions to follow these very important criteria for people who worked on the Council floors; that as to Council Member Pam Holm they understood that she had left a detailed research study for the incoming Council and the Mayor of the great benefits which compliance

analysts perform for any organization; that as to Council Member Peter Brown was a smart man, he had taken some promises from the incoming Mayor that he would be the head of a task force and was looking for some outstanding citizens to serve on that task force, that he understood that he was in line to be considered for that task force where he would go around town and teach the young people how to marry right, that he also understood that there was a promise that the Mayor's kitchen would be reopened and croissants would be the only bread that would be served; that before he would go to Mayor Bill White there were a couple of Council Members, that he understood that Council Member Jones was out of town, that she was auditioning for the new reality show, on a major network, which would teach kids how to grow up to be more the most liked and popular member of any organization; that as to Mayor Bill White, he did not know what he was leaving but there were a few things, that they understood that he took a promise from Mayor Elect Annise Parker and even to the point that he said "I am not leaving until you give me this promise" that for the first 90 days, at the top of her agenda, she would get Council Member Addie Wiseman to autograph one picture he had with her, and also he was leaving with one unsolved mystery about City Hall, how can no administration service without Anthony Hall, that they understood that there was one thing that helped the Mayor throughout this six years for being so successful, and he was leaving all of that for Mayor Elect Annise Parker, a shelf full of books titled "Dress for Success", that was an outgoing gift to the Mayor Elect; that he left some of them out because they still had to call on them to get things done for their constituents; that there were a few thanks that they had to give starting with his colleagues, that he could not have dreamed of finding a better group of people to work with for the last six years, they had made him feel at home, at ease and helped him out, whether they were before him or came after him, each and every one of them he would thank them from the bottom of his heart; that growing up he never dreamed, that it was not even in his fantasy, that he would have the honor and privilege to be sitting in an elected office in one of the largest metropolitan area, that this had been a great Country for him, he remembered on January 9, 1976 when he moved to Houston as a student he never even imagined the privileges and benefits and opportunities that he got by being a part of this great Country and society, that he belonged to a community which was facing tremendous challenges, both from inside and from outside, and he would say to people when he went around town or around the Country and around the World that he challenged the Muslim Community to face those internal challenges head on and do not let people who were trying to hijack their beautiful religion and cultural and history, they had to fight them and not let others do their work, they had to do their own work, that the stories that they hear every day where young people, from privilege classes many times, go in the wrong direction and that was a challenge for them as a community, that he was sure that was one area where he wanted to be spending his time in the coming months to make sure that their community, especially the young generation, stays on the right course, that there were challenges coming in from outside, they were not the first ones as a community to face those challenges, just read the history of other communities who faced these challenges and in many times a lot worst situation than what they were facing, so do not ever get disappointed or disheartened, America was a beautiful Country and had a beautiful history and somehow things did work out in America, they had seen the history of other communities, whether it was the Jewish Community, the Black Community, the Hispanic Community or the Italian Community, everybody faced those challenges and somehow things worked out and they would work out for them also; that regarding work, it was a privilege to be serving and representing people, that people had made politics in some ways a negative thing but he could tell them from his experience and the experience that he had working with other colleagues, it was a noble thing if done for the right reason and the right way and keep in mind why they were here, they were here because some people wanted them to be sitting at the table representing them and they should never forget that, that he wanted to thank all of the City employees, they made them look good every day, that the staff of the Mayor's office, the Agenda office, that Ms. Stein had been a wonderful colleague for them, and Anna Russell, he did not know how they could clone her and have a few in every city and community; that he could not have done his job without having an outstanding team of people around with him, Ernest McGowen, Dawn Hurd, Bridgett Zebeck,

Emma Dalosva, Rabia Taslim and two other colleagues who were serving in the City, Ben Hernandez and Carina Moreno, that he wanted to thank each and every one of them, that he wanted to thank his family, he was blessed to have a wonderful wife and son and daughter-in-law, that he wanted to share with them that any day now he would be having a first grandson, which they were looking forward to; that the Mayor had been a wonderful friend to him and they had not known each other before they got to this office, that he never made him feel like an outsider and for him that was very important because a lot of people told him that even when he was there he would not get the same privilege and respect like others before him but the Mayor always made him feel at ease and also whenever he agreed with him it was never an act of charity; that he had said it before that Houston was very fortunate to have him as a Mayor and thought the State of Texas would be greatly benefitted by his services and the Country, that because he knew a little bit of what was going on around the world, because of his extensive travels, it was people like Mayor White who were needed in the leadership position all over the world, that they could all talk about bringing peace on earth but there were very few leaders he had met, and Mayor White was on top of the list, who had proven what leadership was all about and what good public service was all about, that he wanted to thank him for giving him the opportunity to be his friend and looked forward to his friendship over the years, and to all of his other colleagues, thank you very much; that as much as he did not talk about the journalist and television reporters and newspaper reporters, he thanked them, they provided one of the best services for the citizens and society and they were better of because of their work and outstanding service, that to everyone have a happy holiday, a wonderful new year and where ever they go in life may the Lord always have a special protection for them and special things for them in the future. Council Members Sullivan and Rodriguez absent.

Council Member Green stated that he wanted to thank all of the citizens of Houston for a great six years, that as a citywide Council Member it had been a great joy and pleasure going all over the City and really learning about the City, that serving on City Council had been a very interesting part of his life, as a native Houstonian to govern in the same City in which he grew up and went to school and was educated in was definitely a great highlight of his life and he had enjoyed working with each and every one of them for the last six years, that he was especially glad to continue his service to the City and was especially glad to bring his entire City Council staff with him to the Controller's office, that they had not had a lot of turnover in his office and that had been a good thing and was because he worked very well for the people who worked in the At-Large 4 office and he was excited that Chris, Shannon, John, Jessica and Alex were all coming across the street, that he had enjoyed learning from each and everyone of them on City Council, especially his colleagues who were all elected together, that it had been an interesting six years and never did he realize that he would run for City Council, but certainly would ever run for the Controller spot, that he was looking forward to the next big challenge, it was going to be a great time, that Mayor Elect Parker and he had extensive conversations about what job lies ahead of them and they were very excited to hit the ground running, that when they executed the bond yesterday that was when it actually set in that he had won, that he had to clean out his Council office, but to be able to move and still be able to work with all of the people who would be remaining, all of the great City employees, to all of the employees in the Controller's office he was excited about the opportunity to work with them and learn from them as they moved the City forward, it would be a great time in the Controller's office and he thought they could continue to expect great things from an already great group of individuals who serve the City and whom many of them, as Council Member Khan stated, got to take the credit for a lot of what they did, but it would be an interesting time as they had these challenges and as they really kicked into high gear, as they already had been, so they were excited about the Controller's office, to all of his colleagues please know that the Controller's door was always open for them and would certainly do whatever research they needed and have themselves available to them so that they could make wise decisions around the table, and once again he wanted to thank Council Members Holm and Khan for their desire to continue to serve the City, that he thought they all walked away from the table as professionals and they would see that the City of

Houston would be in great hands. Council Members Sullivan and Rodriguez absent.

Council Member Brown stated that this was his last Council meeting and he had always been a lover and student of cities and thought he knew how City government worked and was very curious about it and he could tell them that now he knew how City government worked, that he could say to the people of Houston that it worked very well, that they had a few little glitches here and there but he thought that his experience these last four years had taught him that this City government, with this leadership and with this Mayor and his colleagues really worked and one of the really great things about it was that they had set a new precedent for what he called the continuity of good government, that it used to be that Mayor's elections were a lot of controversy and conflict and then a new Mayor comes in and they had to start over or from scratch, but that was not happening this time and he thought they owed that to the Council and to the Mayor that what had been started would continue and would be improved and that was a great message and hoped that the people of Houston understood that and had a new confidence in government and their elected officials because they really needed that, that he was disappointed that so few people voted in the last election for a couple of reasons, but in part they had to get people excited about what they do at the table and what they were going to do for the future of the City and how they were going to advance their civilized society and he hoped that they started that and that it continues; that he had noticed on the campaign trail that everybody was talking about having a vision for the City, but then they would never say what the vision was, so he was going to give it a try, imagine a different City of Houston in 2025, that was fifteen years from now, the cosmopolitan center of a region that had grown from 5 million to 6.2 million people, all sorts of folks were moving back from the suburbs to the City and they were growing by 30,000 a year in the City, that the opportunity "Houston General Development Plan" adopted in 2011 had transformed the City into a model of sustainable growth, while other cities struggled with restrictive zoning regulations, their new smart development code had attracted unprecedented real estate development, well planned new neighborhoods, restored historic areas, dozens of walkable mixed use town centers linked by rail transit, just imagine, Metro's two new transit corridors were a huge success, as were the U.S. 290 and Clear Lake Galveston commuter lines and a fleet of smaller hybrid buses, raising transit ridership to 33% of the daily work trips, just imagine, that Houston had become a model in the Nation for lowering it's carbon footprint, by the way they had started that and it was good, with big reductions in toxic emissions, neighborhoods like Settegast and Sunnyside had become thriving mixed use communities with exemplary local schools which attracted families with younger children to their City, that there was even a new town center in Clear Lake which rivaled the one in Sugarland and the Woodlands, a reenergized HISD had increased the graduation rate to over 85% and the Houston Health Care Foundation, through a network of neighborhood health clinics, provided quality affordable health care to all, and by the way 2025 Bill White was still Governor of Texas, although he had rejected a draft to run for President, that at the same time their neighborhood park space had increased by 30%, flooding had been reduced by a citywide network of canals, detention areas, multi purpose linear parks and depressed freeways, that a million people, about 400,000 households actually lived or worked within or adjacent to Loop 610, many of them walking to work, bicycling or car pooling or taking the new Metro rail, and enjoying the thrill of living in an exciting and dynamic urban environment, that major energy companies had recently relocated their headquarters from Dubai to Houston, could they imagine that, and they had become a center of global green collar economy, that 50% of Houston's power came from renewable sources, and electrical rates, which was in part due to the new Governor, had dropped by 50%, that there was unprecedented migration back to the City that Houston had become over the past 15 years, a model for sustainable growth, high tech economic expansion, creativity and innovation, that he would end with this, folks just plan on it. Council Members Sullivan and Rodriguez.

Mayor White stated that he would thank the Council Members for a job well done, that he had learned along time in life that they judge a race by how it finishes and not how it started, to

often in public service they saw those people who thought that a press conference was an achievement or a new initiative was a milestone, that for those who had made the journey with him for the last six years he wanted to say a job well done, that they could be proud of what they had done, that it was tough in a way to rise from the chair in a few moments knowing appropriately that he would not take the seat again, that others at the table would have that same experience, that his thoughts at doing so were pretty simple, that he knew at his best that when they were at their best it was because of the work of others, many of whom had been recognized by name at the Council table, probably least of all Members of this governing body did he trumpet the achievement of those who worked for him, and there was a method in that madness, that in large part it was because all the 20,000 people who worked in the City, 20,000 plus, he wanted to give credit for what they did, that he listed the first people he had the most contact with every day within the City and they knew his management style so it was a list that was 20 or 30 people, including people in the room, that he would not say every person by name except that their friends and family, as well as part of the staff and City workforce, that his goal had been to make them proud to say that they worked for the Mayor's office or worked as a department head or that they worked for the City, that if he accomplished that goal of making them proud to say that they worked for the administration, whether it be as a firefighter or somebody within the Health Department or somebody who was a Chief Administrative Officer or Chief of Staff or the City Attorney, then he would have accomplished one of his goals and of course he could not say he was proud to be Mayor without the work that they had done and he did not attempt to take credit for all of what those people in the City had done, that he told a story of himself the other day, movies with happy endings he tented to tear up and so he did not look back all that much, or he had not really considered what it would mean to have the last Council meeting, that Marty had told him, with the help of Ms. Russell, that those who had served with him had some 14,973 items on the agenda that they had passed on, many of which he still wondered to this day why a governing body ought to be voting on some of these things, but the remarkable thing was that they took the business of governance seriously, that public service was a job, Americans were a working people and they honored those who worked and contributed to others, a person who emptied a trash basket or the recycling can had a job to do and should take pride in task as each of them did, they worked long and hard hours because they knew that what they did reflected on others who they served with within this community, but more than anything else when he rises and gavel the meeting adjourned what he thought was not a sense of loss but that he returned to a station which was the most important work or job in a democratic society, no it was not as a journalist, although he would say that was a critically important job and a tremendous public service because they would not be able to communicate with the 2.2 million plus people they represented effectively had it not been for the free and vital media in the community, no the most important job in any democratic republic was that of informed citizens, that he wanted to thank those people who hired him to work for them and particularly those citizens who kept informed and involved it the community who provided the real continuity in government that had term limitations, that to often he believed public officials got in the little bubble where they thought they were more important than the people they worked for as opposed to being the servants of the people they worked for, that those who would rotate out with term limits, who unlike Council Member Green or the City Controller, Annise Parker, whom they wished the best for, would return as more informed and active citizens and he tremendously respected when he saw former elected officials continuing to take a role and part in the community that they served, if all the examples in the history of the great republic he loved the idea of John Quincy Adams returning to the House of Representatives and participating in the debate, one of the first effective abolitionists in the House of Representatives because he understood that public service was not a hierarchy where the person at the top was the most important but each of them was playing a role in responsibility in that of informed citizen was the most important of all, that he wanted to thank each person in the room for the public service, that he would miss them dearly but to remember that they were part of a community, and finally, he started this administration with a speech on the night in which the citizens chose him to serve them and then he said it at the inauguration that his goal was to

build one community out of multiple communities, that when somebody talked about my community he wanted them to think first and foremost of the City in which they lived and not just for those who shared their background, to do that required a couple of things, as he said at that time, it required people who were willing to give of their time and their energy, not for profit but to help other people, some of that was in public service, but many of it was done by non profit organizations, by people who went to civic club meetings, super neighborhood meetings, by those who labored and feed the homeless, for those who worked and were mentors of students in schools, students who were not their own children, that he had encouraged citizens to participate in this way and they had seen the result of that as they dealt with two of the largest natural disasters in American history, that helped shape their identity as a City of opportunity, a City where neighbor helping neighbor was not some political cliché it was just a fact on the ground, that he would also ask people from the community to reach out to people from different backgrounds different from their own, to become friends and colleagues and build networks where networks did not exist, recognizing that in their community, a great City of opportunity, the flipside of being the fastest growing big City in the greatest Country in the world was that people had to work a little bit to get to know each other, to talk with each other and not about each other, they made great strides in that, he thought they could see it in the diversity of candidates that sought public office and positions, not only from single member districts but in At Large positions in the community, that he could name example after example, where people were judged not by some immutable characteristic or their faith, ethnicity or orientation but on what they contributed to the community and that way they really did represent a culmination of a struggle that had gone on for hundred of years within the Country, a fight for rights and respect in breaking down glass ceilings, which still continued to this day, and was what represented the best in America and he challenged them to point out another City, another locality in this great Country, which better exemplified the ideal which their forefathers first fought for, which people like Caesar Chavez and Martin Luther King and others fought for within the lifetimes of many of them than what was occurring right here in Houston, Texas, that he wanted to thank them for their public service. Council Members Sullivan and Rodriguez absent.

There being no further business before Council, the City Council adjourned at 12:14 p.m. Council Members Clutterbuck and Jones absent. Council Member Lovell out of the city on personal business. Council Members Sullivan and Rodriguez absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary