

City Council Chamber, City Hall, Tuesday, May 4, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 4, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Larry Schenk, Senior Assistant City Attorney, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director present.

At 1:53 p.m. Mayor Pro Tem Clutterbuck called the meeting to order and called on Council Member Jones who invited all present with the Cy-Fair High School Girls Basketball Team to the podium and stated that she believed when young people did positive things they should be recognized and they were the best this state had to offer; that it was not their first state win but their second championship; and presented them a Proclamation wishing them continued success and proclaiming today as "Cy-Fair High School Lady Bob Cats Day" in Houston, Texas. Coach Roubique thanked all for the recognition and support and stated that they accepted this on behalf of the entire school. Council Members Adams, Sullivan, Hoang, Rodriguez, Lovell and Bradford absent.

Council Members congratulated the team on their accomplishments and commitment, and wished them the best. Council Members Adams, Sullivan, Hoang, Rodriguez and Bradford absent.

Council Member Pennington invited those with his proclamation to the podium and stated that Mr. Jerry LeVias entered SMU in 1965 as the first African American to play football in the Southwest Conference and held a special place as a pioneer in college athletics; played professional football for the Oilers and Chargers and National Football League All Pro and runner up for Rookie of the Year; was a four time recipient of the NFL's Most Valuable Player of the Week Award; in numerous halls of fame and today he was being honored for that and also for being the community outreach director for the Boys and Girls Harbor in La Porte, Texas helping children at risk; and invited Mr. Rufus Cormier, a former teammate and friend of Mr. LeVias to speak. Mr. Cormier stated that he was extremely pleased to be a part of the recognition of the many contributions of his friend; that he had known him 40 years and discussed their years of football and all he did to help children; that his football career was legendary. Mr. Scott Dixon stated that Mr. LeVias came to speak to him about the Boys and Girls Harbor and built a program to keep families together and his work was incredible and that he deserved the recognition. Council Member Pennington presented Mr. LeVias a Proclamation; and Mayor Parker stated that she would not read the Proclamation as she could not add a lot to what had been said, but she asked the Lady Bobcats to stay and hear this as he was worthy of recognition in breaking the color barrier in college sports in Texas and for being an outstanding professional football player but the most important thing he had done was after sports, literally transforming the lives of hundreds of youth by his commitment to them and his commitment to making this a better place; and that was why she was proclaiming today as "Jerry LeVias Day" in Houston, Texas. Council Members Sullivan, Rodriguez, Costello and Lovell absent.

Mr. LeVias thanked all for the recognition and stated that his life basically was to the point of "you are too sick", "you are too Black", "you are too small", but god healed him from being sick and the more touch downs he ran the Whiter he became; and when a man stooped to help a child he was large and tall and he believed if positive discipline and positive direction were given to children they would reach a positive destination and he would encourage all to try and help a child and preserve a family because all knew the nation would be stronger if all families were together; that coming this morning he heard a song stating, "if you do what God says do,

be honest, faithful, kindhearted and true god has a blessing for you” and he thought this was one of his blessings. Council Members Sullivan, Rodriguez, Costello and Lovell absent.

Council Members thanked Mr. LeVias for being a mentor and leader and for all contributions made toward changing the lives of children. Council Members Costello and Lovell absent.

Council Member Gonzalez invited Judge Berta Mejia to the podium and stated that her career began in 1987 when she was appointed to serve as an Associate Municipal Judge in Houston and Governor Ann Richards praised her leadership and appointed her as Judge of the 315th Juvenile District Court in 1993; and under her leadership many positive changes had taken place at the Municipal Courts; and presented her a Proclamation. Mayor Parker thanked Judge Mejia for wanting to continue as Judge serving Houston citizens; and proclaimed today as “Judge Berta Alicia Mejia Day” in Houston, Texas. Council Members Costello, Lovell and Jones absent.

Judge Mejia thanked all for the recognition and stated that she was honored to be with the group of persons being honored today and it had been an honor and privilege to serve as Judge in the largest court in Texas; thanked her staff, judges and clerks who had worked with her for years and in particular Ms. Lillie Warden who had been with her since 1993 who was excellent and the two of them would assist Judge Hartle in continuing progress made in the Municipal Courts. Council Members Costello, Lovell and Jones absent.

Council Members thanked Judge Mejia for all she had done for the city and the Municipal Court System. Council Members Costello, Lovell and Jones absent.

At 2:39 p.m. Mayor Parker called on Council Member Noriega who invited Dr. Mike Fry with the Grace Presbyterian Church to lead all in prayer; and she led all in the pledge. Council Members Costello, Lovell and Jones absent.

Mayor Parker stated that on a point of personal privilege visitors were present from the Grampian Region in Scotland where Houston had a Sister City and asked they stand to be recognized. Mayor Parker stated that she appreciated their patience as presentations went a little long today and introduced Lord Provosts of Aberdeen, Mr. Peter Steven and two Council Members and two Aberdeen Council Members and welcomed them to City Hall. Lord Provosts stated that it was a pleasure for them to be present today and share the happy news in the Chamber; and they would be leaving to meet with the Greater Houston Partnership and see the happenings there; and thanked Mayor Parker for her welcome. Council Member Costello, absent.

At 2:47 p.m. Mayor Parker requested the City Secretary call the roll. Council Member Costello absent.

Council Members Lovell and Hoang moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Gonzalez and Costello absent. MOTION ADOPTED.

At 2:47 p.m. the City Secretary began calling the public speakers. Council Members Gonzalez and Costello absent.

Ms. Kathleen Ownby, 3928 Tennyson, Houston, Texas 77005 (713-666-2009) appeared and stated that their family was pleased a street would be named Eleanor Tinsley Way, to have a school, park and now a street named in all areas of Houston showed how much her Mother valued all of Houston; that she loved attending events and representing Houston and tackled

issues often before their time; that she had a collection of turtles and like a turtle you never get anywhere unless you stick your neck out and her mother called her group of volunteers and staff the Turtle Team and the mascot of Tinsley Elementary was the turtle and she was aware success of her office were a team effort and would want to thank Madeline Appel, Carolyn Lacy, Anna Siedo and Trish Harrington and all who started in her office and still worked for the City of Houston; that the street being named was near the University of Houston where her Father taught history over 35 years and always very supportive of her mother and they considered the location a tribute to him also; and thanked Council Members Rodriguez and Lovell as the street was in his district and Council Member Lovell held the same position as her mother. Council Members Gonzalez and Costello absent.

Council Members advised that it was always good to see Ms. Ownby and all tried to live up to Council Member Tinsley's examples; and were looking forward to the street being named in her honor. Council Members Sullivan, Gonzalez and Costello absent.

Ms. Teresa Hoang, 7100 Clarewood, Houston, Texas 77036 (281-772-1050) appeared and stated that she was present as General Counsel for the Vietnamese Community and present with Mr. Joe Phan, their president of the community center and Dr. Tran; and Council Member Lovell moved to suspend the rules for the purpose of allowing more than one person at the podium, seconded by Council Member Noriega. All voting aye. Nays none. Mayor Parker, Council Members Sullivan, Gonzalez and Costello absent. Mayor Pro Tem Clutterbuck presiding. MOTION 2010-0250` ADOPTED.

Ms. Hoang stated that Dr. Tran, vice president of the Vietnamese Community Center, was also present and she wanted to thank the City of Houston for the opportunity; that they had been granted a CDBG grant to renovate their facility and the process had taken almost a year and Council Member Lovell had started this and helped with the process; and thanked Council Member Jones for all her support and Council Member Hoang who had the center in his district; that she was confident, happy and excited that the center would look as it should. Mayor Parker, Council Members Sullivan, Gonzalez and Costello absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Hoang stated that the community center served much to the community; and upon questions, Ms. Hoang stated that the grant was for renovation; that they bought the center in 2008 and the renovation would allow better services; and after renovations they would be happy to have the Mayor and Council Members visit. Mayor Parker, Council Members Sullivan, Gonzalez and Costello absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Lovell thanked Ms. Hoang for discussing with her what could be done and many valuable services were provided there to the senior community; that this community was the second largest Vietnamese community in the United States and it was a pleasure getting to know them and a privilege to help with the center. Mayor Parker, Council Members Sullivan, Gonzalez and Costello absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Jones thanked Ms. Hoang and stated that they took the lead in getting funds through the Housing Department; that it was a great project which came through the Housing Committee and passed unanimously. Mayor Parker, Council Members Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Joe Phan, 10735 Kingspoint, Houston, Texas 77075 (281-704-8192) appeared and stated that it was his honor and privilege to represent the Vietnamese Community of Houston and Center in offering their most sincere and heartfelt gratitude in appreciation for the renovation grant given to their community; that their journey was much less difficult because of the generous support from the Mayor and Council Members and the renovation grant would

help in educational and social services to their community and may be the first step in revitalizing the Southtown Area; and expressed gratitude of everyone's support. Mayor Parker, Council Members Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Upon questions by Council Member Hoang, Mr. Phan stated that this was the first grant received from anyone and he had no words for it, he was so excited; that this was the first time in 35 years; that this was also the first such fund for any Vietnamese community in the United States and word and spread all over the world and all were very excited. Mayor Parker, Council Members Stardig, Johnson, Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent. Mayor Pro Tem Clutterbuck presiding. (NO QUORUM PRESENT)

Mr. Jim Murphy, 10375 Richmond Avenue, Houston, Texas 77042 (713-780-9434) appeared and stated that he was present to speak in support of Agenda Item 19, the CDBG funds going to the Vietnamese Community Center; that it was a very positive move for all in the City of Houston; that it was a great use of funds going into making this a better facility and the recipient was doing something positive; that they valued family, education, hard work and had respect for democracy and freedom; and urged a favorable vote. Mayor Parker, Council Members Johnson, Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Council Members acknowledged that Mr. Murphy used to be State Representative for that district and did support them; recognized his great works and thanked him for coming. Council Members Sullivan, Gonzalez, Rodriguez, Costello and Lovell absent.

Ms. Carol Sofinopoulos, 1519 Creekbend Drive, Houston, Texas 77096 (713-868-9844) appeared and stated that she and her husband were longtime residents of the Houston Heights and was present on two topics, the protest of the TBW Development at West 15th and Rutland and pleading for more stringent preservation ordinances; that they loved the green spaces, gardens, historic homes, etc., in their area, but with encroaching developments they were losing green spaces, trees, gardens and historic homes; that they had received petitions from Friends of Houston Historic District, 200 strong and growing, reflecting the same sentiment; and urged that the Mayor and Council join them in a resounding no to inappropriate structures that did not respect lot size or the historic nature of their community and a resounding yes to stricter preservation ordinances. Council Members Stardig, Sullivan, Hoang, Gonzalez, Rodriguez, Costello and Lovell absent.

Ms. Barbara Skerrett, 247 W. 16th, Houston, Texas 77008 (713-861-4333) appeared and stated that she too was against TBW's planned development to build four homes on two lots at 15th and Rutland in the Houston Heights; that the homes would crowd each other and leave little green space and encourage flooding; that she appreciated the Mayor's development of a commission and concern to develop stricter guidelines for all historic districts in Houston. Council Members Sullivan, Hoang, Gonzalez, Rodriguez, Costello and Lovell absent.

Upon questions by Council Member Jones, Ms. Skerrett stated that they were before the Planning Commission and the Historic Commission and Planning Commission told TBW no so they were waiting their 90 days which would be up May 12th and they could then apply for something to begin construction; and Council Member Jones stated that hopefully the city would get stricter ordinances on historic preservation and the planning of the city as inner city neighborhoods were under attack. Council Members Sullivan, Hoang, Gonzalez, Rodriguez, Costello and Lovell absent.

Ms. Brenya Heye, 609A Barringer, Webster, Texas 77098 (832-389-1537) appeared and stated that she resided in Webster, Texas and loved the United States of America and taught

her children the police and military protected them and made sure they had freedom and justice and it was hard to convince her 11 year old daughter of this when HPD had recently been used in their house of worship and her school to intimidate and scare the community; that starting the week of February 7th HPD and off duty security guards were on duty or being called to the school to help people changing locks and February 15th there was a supposed 911 call with a hostage incident in which HPD appropriately responded with guns, etc., and her daughter was in school at that time; that February 19th off duty HPD officers were hired and used as security inside the prayer area and were asked to remove one of the worshipers from prayer which was heartbreaking and disturbing because it was on video in front of children, then the week of February 24th again HPD was hired as off duty in police uniform with guns and handcuffs to attend a meeting with the Islamic Society of Greater Houston to discuss what had been going on and people asked HPD to leave the prayer area or not have guns there and children were present; that the series of events were disturbing. Council Members Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Lovell and Noriega absent.

Mayor Parker stated that they had discussed the first 911 incident previously and apparently there was internal things going on and caused members to call what may have been a false complaint and if there were more recent incidents she would like to know of it and would ask her to visit with Lieutenant Gallier who was present; that unless there was an absolute emergency situation, if officers were just coming in for communication they should respect a house of worship, but visit with the lieutenant and they would try and get to the bottom of it. Council Members Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Lovell and Noriega absent.

Ms. Leslie Searle, 7511 Wanda Lane, Houston, Texas 77074 (713-927-9444) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Lovell and Noriega absent.

Mr. Mike Smith, 10510 Holly Spring, Houston, Texas 77042 (832-884-5285) appeared and stated that he had been in the apartment business in and around Houston for the last one-third century and today was present to discuss sewer caps and displayed two sewer caps, one they like to use and one required by the City of Houston; that when apartments had a sewer backup their cap pushed up and it leaked out and any employee could walk by see it and call a plumber and after a little clean up paid the plumber \$150.00 and it was all back to normal, but with the city cap they had no idea they had a sewer backup because they could not see it, it was screwed in and tight and they find out after a resident came home, opened the door and saw everyone's poop and pee all over his apartment and that was bad and it caused an extremely irate resident, they called a plumber and after a little cleanup they paid the plumber \$150.00, but then they had to replace the carpet and sanitize the entire apartment and the resident had to throw every single thing on the floor away; that it cost them from \$1,000.00 to \$1,500.00 and after drying the apartment a couple of days the new carpet cost about \$2,000.00; and urged the city allow the caps they preferred to use. Council Members Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that the concern she heard from Public Works was the proposed cap allowed raw sewage to escape from the pipe; that if he had a method where he could be alerted without the raw sewage being spilled onto the ground they would be interested, but were not excited about allowing raw sewage on the ground; and Mr. Smith stated that he understood and agreed, but it was either on the ground or in someone's apartment; and Mayor Parker stated that they were interested in alternative methods and Mr. Roberto Medina with Public Works was present to speak with him. Council Members Sullivan, Pennington, Gonzalez, Rodriguez and Lovell absent.

Council Member Clutterbuck stated that Mr. Smith brought a smart, commonsense, low cost solution which would save the public money and she was extremely conscious of the fact

that the work the city did added cost to the taxpayer and all in the project and would encourage if the Texas Commission on Environmental Quality, the state organization which oversaw this kind of thing, allowed the caps then certainly the city interest, as valid as they were, should allow flexibility and opportunity for implementing such a solution; that it would help if they knew whether the \$150.00 cap was used in other municipalities. Council Members Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Lovell absent.

Council Member Bradford stated that having had the identical thing he described happen to his house he would rather have the situation outside any day rather than inside his home again and encouraged the Administration and asked the Mayor to please consider the pop up cap even if the homeowners in the neighborhood had to incur additional costs as outside was far better than inside and he would like a follow-up with Public Works to see why they had not heard about the particular devices; and Mr. Smith stated that they had been using them for decades, but they were against Code; and Council Member Bradford stated that codes were put on the books, but sometimes technology came about and things happened and you had to change the Code. Council Members Adams, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Lovell absent.

Council Member Johnson stated that he had been a part of Houston Innovative Initiative and Council Member Clutterbuck was also a part of this at Rice University and individuals brought ideas to help with innovation, to do more with less, but the city was so rigid in their thought and he would like to know how they could take initiatives such as this and have opportunity to look at commonsense approaches; that he understood not wanting to have sewage outside, but economically what would the impact be with it backing up into city buildings and homes; and Mayor Parker stated that she was happy to have Public Works give him state statutes and send it to a committee for discussion. Council Members Adams, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Lovell absent.

Council Member Jones stated that Council Member Johnson brought up the Rice Initiative and she wanted to brag that her son came in first place at that, he developed a water saving hand washing device for doctors and people in the Congo and she was very proud of him. Council Members Adams, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Lovell absent.

Mayor Parker stated that clearly Council was engaged and she would share information with them and if they wanted to take it to committee they would do so. Council Members Adams, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Lovell absent.

Ms. Joy Mackey Davis, 4402 Gaston, Houston, Texas 77093 (713-729-2951) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Lovell absent.

Ms. Estela Whittlesey, 5439 Del Monte, Houston, Texas 77056 (713-384-1224) appeared, presented information and stated that before coming today she received about eight calls from the city, but her purpose for coming was to get written permission from Council to okay garbage collectors to take debris from the trash can directly to the garbage truck without using the required compostable bags; that she was 71 years old and had limited income and paid more than \$10,000.00 in taxes, more than she made in social security and would like consideration as she got severe skin reactions when touching several types of plants and it was difficult to bag and not touch; that it was not right for the city to create a monopoly on bags and was better to promote diversity and competition amongst the bag companies so they may be inspired to create more efficient ones and why not use paper bags or no bags at all; that she would like compostable bags encouraged but not mandated; that the current required compostable bag contained 50% oil resin which remained in the landfill and it was 100% degradability with no

bags at all. Council Members Clutterbuck, Sullivan, Hoang, Gonzalez, Rodriguez and Costello absent.

Council Member Noriega stated that she had many comments on the bags and the question on whether to have them or not was policy decision, but the question on whether they should work or not was another and her neighbor filled the bag and shook it and the bottom came out; that the bags were not there yet and she would like this looked at because whatever the specs are, she did not know if there was a problem with them, but the bags did not hold up; that she was asked to bring up the idea of a bin for compost; and Mayor Parker stated that they were working on the bag issue and she agreed it was not working properly; that there was at least one brand that was getting an F and the renewable energy sustainable person started Monday and had been ...; that they were asking Mr. Hayes to retest all bags to make sure they were to the specs requested and see if they could come up with a tougher bag, but alternatives was to have another container and it was expensive; that the reason the recycling program was not citywide yet was because of the purchase of bins; that they could do another bin and line them up but it was extremely expensive and had its own issues, but it was being kicked around and she hoped to have discussion soon at the appropriate committee. Council Members Sullivan, Gonzalez and Rodriguez absent.

Council Member Adams stated that Mr. Gary Readore was present with Solid Waste Management and she and Director Hayes had been having conversation on the issue and it really worked, but constituents had to be educated on the bags, some residents would water their grass and put their bags out and by the time Solid Waste came the material would fall out; that she had opportunity to talk to Laura Spangin and they were going to sit and talk and Director Hayes stated once the program was started he would come before the Neighborhood Protection and Quality of Life Committee to discuss the issue; and Mayor Parker stated that the alternative was to put it in the trashcan until this was solved; and Council Member Adams stated that she was encouraging bags because if they were permitted to place it in garbage cans it would tear up the vehicles; and Mayor Parker stated that they would not fine people, it was not fair to citizens and that was the issue; and Mayor Parker stated to continue the conversation a motion was needed. Council Members Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Hoang moved to suspend the rules for the purpose of extending the time for questions of Ms. Estela Whittlesey, seconded by Council Member Jones. All voting aye. Nays none. Council Members Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent. MOTION 2010-0251 ADOPTED.

Upon questions by Council Member Adams, Mayor Parker stated that what they wanted was for yard waste to go into bags and sticks bundled, but she would not fine her or encourage her. Council Members Sullivan, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Jones stated that she wanted to tag onto what Council Member Noriega said as she received the same feedback; that she did hear the Mayor say she would not be fined, but they needed bags without special rules, you could not put it on a wet lawn, etc., they needed bags to work and she did not want additional financial burdens placed on seniors and she was thankful they would not be fining people yet; and Mayor Parker stated that they would not be picking up at curbside without the compostable bags and some bags were performing fine. Council Members Sullivan, Gonzalez, Rodriguez and Noriega absent.

Council Member Stardig stated that she used the bags and had success with them; that she had heard issues with some, maybe as mentioned the Director should look at choices and make sure there were quality choices and as indicated prices were going down; that this was a process and she would like it back in committee and identify which products they were having

issues with; and Mayor Parker stated that was why she said they were not stopping the program, but would figure out which bags had the problem; that Mr. Readore actually had bags with him which were tested and worked and would give them to Ms. Whittlesey and see if she had a better experience with them. Council Members Sullivan, Gonzalez, Rodriguez, Noriega and Jones absent.

Council Member Lovell stated that there was education needed with the bags, you could not fill them and place them on a hot sidewalk, etc., because they started to do their job, they were biodegradable and they were not made for twigs, but one brand was far better than the other; and Mayor Parker stated that they were examining the whole program. Council Members Adams, Sullivan, Gonzalez, Rodriguez, Noriega and Jones absent.

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

Mr. Charles Bartel, 3606 Sakowitz, Houston, Texas 77026 (713-670-7123) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan, Gonzalez, Rodriguez, Noriega and Jones absent.

Mr. Bruce Turner, 2230 Hampton, Houston, Texas 77088 (832-358-6542) appeared and stated that he was a retired employee and his concern was the insurance, a 49% increase, for most workers on a low salary that increase really did take out of the budget and he wondered if there would be another and why it was not done over a period of time so it would not hurt so much; that it took a big chunk from retirees on fixed incomes; that he was aware of the deficit but had they checked into other cutbacks besides placing it all on retirees under 65 which included him. Council Members Sullivan, Rodriguez, Noriega and Jones absent.

Mayor Parker stated that they were working on the budget but it was not her intention to change her decision on health insurance; and Mr. Turner stated that it was a big burden on retired employees; and Mayor Parker stated that there were a number of areas she was going to try and go to cost of service for service provided and they were shifting the burden of healthcare cost for retirees under 65 to those retirees under 65; that the City of Houston did pay 55% of the cost of the health insurance bill; and she would be happy to explore another insurance if someone wanted to visit with her about it. Council Members Sullivan, Rodriguez and Noriega absent.

Mr. David Green, 9307 Maxroy, Houston, Texas 77088 (281-445-5704) appeared and stated that he was again present; that about three weeks he came asking about the same insurance; that they opened the meeting with prayer and pledge and tried to be a model city, but was that a way to be a model city, to penalize people who did a good job and met requirements to retire; that to him it was not right to even present such; that Council Member Adams and others were compassionate and concerned about people's welfare, but when he called the Mayor's Office a few weeks ago one of her staff suggested he drop someone from his insurance and that was kind of stupid to be coming from the Mayor's Office; that Council also talked about using commonsense, why did they not sell abandoned property, why impose such a percentage on those who worked hard and retired; that when they ran for office they said they would look out for the welfare of the city and city employees and it did not seem like it. Council Members Adams, Sullivan, Rodriguez and Noriega absent.

Mr. William Beal, 5814 Overdale, Houston, Texas 77033 (713-738-3410) appeared and stated President Ronald Wilson Reagan; governor and president; Army, Navy, Air Force, Marines, National Guard; and continued expressing his personal opinions. Council Members Sullivan, Rodriguez and Noriega absent.

Mr. Kofi Taharka, 2428 Southmore, Houston, Texas 77004 (713-962-0284) appeared, presented information and stated that he would read the statement he presented, he was concerned with troubling incidents with the Houston Fire Department and the Houston Police Department; that Houston would never be a "world class" city deserving of international and national economic benefits as long as systematic injustices in both institutions were swept under the rug. Mr. Taharka continued reading his statement in which he referred to the sexist epitaphs spray painted at a Houston Fire Station and a recent alleged beating of an African-American teenager by HPD and the formulation of a Citizens Review Board until his time expired. Council Members Sullivan and Rodriguez absent.

Council Member Jones stated that there had been a lot of discussions in disadvantaged communities about this and a town hall meeting a couple of weeks ago; that she said this was an opportunity, with the latest allegation of the video tape with HPD; that a number of communities did not trust police and would not report what they saw and victims did not come because they did not believe anything would happen; that she asked for a record of how many Internal Affairs complaints were filed, but as horrible as this was, it was an opportunity for the city to show those disadvantaged communities they would handle things differently; that people were watching and she was hopeful this was an opportunity, but saddened they only got traction when someone was fortunate enough to have video and the second the video was released people tried to say you were not really seeing what you were seeing or there was an excuse for it, but you saw who people really were when they thought no one was watching and she was thankful there was a video in this case and at the Mayor's response and she was hopeful and watching as well; and Mr. Taharka stated that when the video got out it would go all over the world; and Council Member Jones stated that they had meetings of a Citizen Review with subpoena power but she did not think the Mayor was there yet, but she thought having an organization police itself was like having a fox watch a hen house . Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Adams thanked Mr. Taharka for his suggestion and the Chair for Public Safety and Homeland Security was taking extensive notes at this time on how she could best help; and Mayor Parker stated to continue the conversation a motion was needed. Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Clutterbuck moved to suspend the rules for the purpose of extending the time for questions of Mr. Kofi Taharka, seconded by Council Member Jones. All voting aye. Nays none. Council Members Sullivan, Hoang and Rodriguez absent. MOTION 2010-0252 ADOPTED.

Council Member Adams stated that publicly she wanted to say she commended Chief McClelland on his actions on this particular incident; that once he found out about this he immediately pulled the officers off duty and turned everything over to the District Attorney, one thing that surprised her was it took two weeks to have this brought forward and she found out it was because of the respect of the employees who turned over the tape, but everyone involved should be prosecuted to the extent because when you had a supervisor and other officers and nothing was even put in the report something happened; that officers were being investigated and she appreciated him coming and making sure they fell in line and followed the rules, but they were not on duty right now. Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Bradford stated that he would ask Mr. Taharka maintain his position of leadership in the community along with other leaders to see that they worked through the situation and kept peace in the community; that he would concur with him there was potential for an explosive response in the community when the tape was made available; that it was incumbent upon him and other leaders in the community to give the process opportunity to be

exhausted and let the investigation run its course and it was due time to have a serious discussion and a review of the process and involvement in the process such as who was involved, how were they involved and what was the process and he was fully prepared, ready and willing and did intend to join in with the discussion as trust needed to be brought to the community regarding the process of investigation for police officers and firefighters allegations of misconduct; that he believed most officers were good officers, but his position was well taken and it was time for the city to do more than what had been done in the past and he commended Chief McClelland. Council Members Sullivan, Hoang, Rodriguez and Lovell absent.

Council Member Clutterbuck moved to suspend the rules for the purpose of extending the time for questions of Mr. Kofi Taharka, seconded by Council Member Jones. All voting aye. Nays none. Council Members Sullivan, Hoang, Rodriguez and Lovell absent. MOTION 2010-0253 ADOPTED.

Council Member Johnson stated that he appreciated Mr. Taharka being watchful over such type of events and like him he was extremely fed up with a lot of behavior they continued to witness and believed in the City of Houston they had great public safety officers whether they be in the Fire Department or Police Department, but there were a couple of rogue individuals who gave them a bad name; that he appreciated the Mayor's leadership and thought they were at a point to step things up and the rogue individuals must start understanding there would be a severe consequence for their actions, unfortunately, the only reason they were being brought to justice was because there was a video, because there was strong evidence that showed they did use unnecessary force on an individual; that if he did something bad the justice should deal with him and not the officers be judge and jury at the same time and it was important to let the system work, but he believed they must become stronger in their positions because if they did not the individuals would realize they would only get a slap on the wrist and go about their day continuing the actions they always had; and at the end of the day it would be left up to this body to send a clear and strong message that the actions would not be tolerated. Council Members Adams, Sullivan, Rodriguez and Lovell absent.

Upon questions by Mr. Taharka, Mayor Parker stated that regarding the spray painting issues at HFD it was sustained, unknown suspect; that the Police Department investigated it and results went to the FBI; that an incident clearly happened, but they were unable to determine who perpetrated the incident; that Firefighter Draycot was back at work and working successfully for several weeks now and at the same station and was happy to be back there; that the only person who actually knew what happened was the one who did it. Council Members Adams, Sullivan, Rodriguez and Lovell absent.

Council Member Noriega stated that she agreed with Mr. Taharka and appreciated his letter; that the Vice Chairman of Public Safety, Ed Gonzalez, and she had been talking earlier about what they might do in terms of the community to give people opportunity to visit with them on suggestions and concerns they had; that this was not a new problem and she hated things which kept happening over and over again and they would give him a call and see what he thought might be a helpful intervention; that the actual incident was processing through the DA's office and that was where it should be; and Mayor Parker stated that time had expired and asked if they could move on at this time. Council Members Stardig, Adams, Sullivan, Rodriguez and Lovell absent.

Mr. Deric Muhammad, 7229 Bogges, Houston, Texas 77016 (713-539-1070) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Rodriguez and Lovell absent.

Ms. Myeshia Bruce, 20907 South Hood Circle, Houston, Texas 77073 (832-277-5501) had reserved time to speak but was not present when her name was called. Council Members Stardig, Adams, Sullivan, Rodriguez and Lovell absent.

Mr. Philip Seidenberg, 1000 San Marcos, Austin, Texas 78702 (512-539-8648) appeared and stated that he had been in Texas three years and proud to be a business owner here; that he owned a pedicab company in Austin and had been successful and he recently expanded into Houston and noticed a great deal of differences in the industry between the two cities; that he believed in Houston without regulations on their industry they invested in short-term thinking and it created hazards for passengers and today he was encouraging that they draft an ordinance for regulations; that Austin had a permitting process and inspection of the cabs and provided background checks for drivers and he felt it was a benefit to have "green transportation" and to have regulations for a safe and fair playing field for all companies. Council Members Stardig, Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that she did agree with him; that they let the pedicab industry grow on its own and they were moving it into the city's purview with stakeholders meetings and the presentation for first draft of an ordinance would be on Tuesday, May 18th at the Transportation and Infrastructure and Aviation Committee; that they would love to borrow best practices from other cities and bring their pedicab vendors in line with where they should be. Council Members Stardig, Adams, Sullivan, Rodriguez, Lovell and Noriega absent.

Upon questions by Council Member Jones, Mr. Seidenberg stated that he would like to lend his assistance in anyway to the City of Houston; that three things pedicabs should do they did not which was have signs to display their company and if someone was hurt, etc., there would be no accountability; that people in the industry talked about trailers and trikes and he was from a city where they were both allowed, but sometimes neither was built to standards strong enough and that was a safety issue and because there was no clear set of rules drivers may drive on sidewalks because certain areas were blocked off; that in Austin you had to pass a test to get a chauffeur permit and he believed this made a healthier industry and actually helped pedicab drivers make more money as they trusted them and here people did not have the same trust. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mayor Parker stated that insurance was big; that when she was on Council they did not regulate valet parkers at all and did not require them to have insurance or drivers licenses and now they did and this was something they needed to get their arms around and appreciated Mr. Seidenberg being willing to get involved. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mr. Jesse Shields, 2319 Russell, Houston, Texas 77026 (no phone) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Reverend Emit Square, 5630 Lakefield Drive, Houston, Texas 77033 (713-734-0116) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Ms. Michelle McCay, 523 Terrace, Houston, Texas 77007 (281-460-0782) appeared and stated that she lived in the Crestwood Community and she and her neighbors enjoyed running and biking, etc., in the community and on any given day you could see several on the street; that today she was concerned with the proposed plan for the Memorial Park trail along Crestwood Drive; that she did run in the existing park and knew it was overcrowded and something needed to be done, but did not understand why there would be a trail along Crestwood when there were 29 houses directly across the street from the trail; that the existing

trail at Memorial Park did not border any existing homes and she did not understand why Crestwood would be an option, parking there would be a major concern as many members of the community stated last week and even Council Member Gonzalez stated that he had a concern with the parking issue in the area and strongly urged Council Members to examine all options and consider what community members said. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Council Member Pennington stated that as the Council Member for District G where the park was located he was aware of the issues and had brought them up with the Conservancy at a formal meeting; that it was a complicated problem and it was possible people would park on Crestwood even if there was no trail and he believed he would meet with the director of the park soon and he would be happy to receive her suggestions. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mayor Parker stated that they would listen to all suggestions, but it was a public park and they wanted to maximize use of it. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Upon questions by Council Member Jones, Mayor Parker stated that this was not a Memorial Park conservancy decision by themselves, they had to submit a plan to the city and there were alternatives. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mr. Rick Zimmerman, 3222 Crestwood, Houston, Texas 77024 (713-252-9122) appeared and stated that he was present to speak on expansion of the Memorial Park trail, everyone loved Memorial Park and he would like to discuss the proposed plan as it stood which was misguided and would be unworkable; that he felt there could be serious consequences, looking at the Crestwood neighborhood on any given evening or weekend and there would be hundreds walking, riding bikes, etc., it was a vibrant area for outdoor activity; that Crestwood had no sidewalks through most of the neighborhood and everyone was in the streets and he felt there was good opportunity for injuries. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Upon questions by Council Member Pennington, Mr. Zimmerman stated that he did not know if there was a solution to parking overflow which would happen in their area, but there were many suggestions for moving the trail to another location; and Council Member Pennington stated that right now there was not proposal to build a jogging trail near Crestwood, he just received a memo to that effect. Council Members Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mayor Parker stated that alternatives were discussed at the Memorial Park Conservancy. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mr. Joe Ballard, 6302 Rocky Nook, Humble, Texas 77396 (281-850-0388) had reserved time to speak but was not present when his name was called. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mr. Trent Winters, 7967 W. Bellfort, Houston, Texas 77071 (713-493-4451) appeared and stated that many knew a teachers assistant used the "N" word on a young man and she subsequently was fired for it; that he did not feel a firing was something that should have happened, she should have been disciplined; that he was present because he was asking the Mayor and Council to use their influence to help get her job back; that he knew of a teacher who struck children eight, six and five years old and she was not fired so this did seem to be extreme

and he would be visiting HISD on the matter. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez and Noriega absent.

Ms. Barbarann Lacourse, 1600 Louisiana, Houston, Texas 77002 (832-880-2010) appeared and stated that she wanted to thank the Mayor for sending her a list of lawyers to get in touch with, but she left her number with all of them and received one response from the Houston Volunteer Lawyers Program and they said they could not help her, but how could HPD handcuff a girl in seizure and put her on her stomach and in jail for public intoxication; and she would return next week. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

Mayor Parker stated that Ms. LaCourse had been met with, Citizens Assistance had met with her, but she was welcome to come back. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

Ms. Patricia Martin, 5900 Selinsky Road #94, Houston, Texas 77048 (281-948-4184) had reserved time to speak but was not present when his name was called. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he needed more time and he had requested two letters be released regarding \$8million released by Bill White to the county and Gordon Quan approved his emergency protection;; and continued expressing his personal opinions until his time expired. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

Mr. David Gray, 6414 Standing Oaks, Houston, Texas 77050 (713-208-9314) had reserved time to speak but was not present when his name was called. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

Ms. Jacquelyn Doakes, 3637 Griggs Road, Houston, Texas 77021 (713-796-2263) appeared and stated that she wanted to say how pleased she was at the progress the Council was making, but there was some confusion, she came last week to speak with Mayor Parker who was not present and she did not take her allocated time and thought she could get her three minutes today, but found that was not the procedure and she would wait three more weeks as she had suggestions she thought important and could not present them in one minute. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682), appeared, presented information to Council Members and stated that again she was present and wanted to speak on the CDBG grant for the building needed for the park to be used for a YMCA; and she was also present on the hike and bike trail which had been on the books since 1997 and still not done; and was asking for Mayor Parker and her Council Member and all At Large Council Members to meet with them so they could get this taken care of. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

Upon questions by Council Member Jones, Ms. Taylor stated that she was talking about the hike and bike trail which was paid for and they were passing them over and giving it to the other side of White Oak Bayou; and Council Member Jones stated that if it was something her

office had not met with her on they would meet with her. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

Mr. Sammie Jones, no address (no phone) appeared and stated that today his subject was weapons of mass destruction, President Bush presented to Congress and the UN that Sadam had weapons of mass destruction and he wound up dead but no such weapons were found and he was present to say if they heard something he supposedly said because when he came to speak with a Council Lady he was put through a strenuous search and it made him feel as if he was on someone's wanted list and he did not think he should be treated that way; that if they did hear something he supposedly said he would like them to summon him to their office and let him know so he could answer to it. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

At 4:36 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, May 5, 2010. Council Members Johnson, Stardig, Adams, Sullivan, Rodriguez, Costello and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, May 5, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David M. Feldman, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo., Assistant Agenda Director, present.

At 8:26 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:08 Mayor Parker called the meeting to order and recognized Council Member Lovell for a motion. Council Member Clutterbuck absent.

Council Member Lovell moved to suspend the rules to consider Item Numbers 2 and 4, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Stardig and Noriega absent. MOTION 2010-0254 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of **MS. BARBARA E. HARTLE** as Presiding Judge and Director of the Municipal Courts Judicial Department – was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Stardig and Noriega absent. MOTION 2010-0255 ADOPTED.
  
4. REQUEST from Mayor for confirmation of the appointment or reappointment to the **PLANNING COMMISSION:**
  - Position One - **MR. CHRISTOPHER B. AMANDES**, appointment, for a term to expire 3/21/2011
  - Position Five - **MR. MARK A. KILKENNY**, reappointment, for a term to expire 3/31/2011
  - Position Seven - **MR. BLAKE TARTT, III**, appointment, for a term to expire 9/30/2011
  - Position Eight - **MR. KEIJI ASAKURA**, appointment, for a term to expire 9/30/2011
  - Position Twenty-one - **MR. MEDARDO "SONNY" E. GARZA**, reappointment, for a term to expire 9/30/2010

– was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Stardig and Noriega absent.

MOTION 2010-0256 ADOPTED.

Mayor Parker and Members of Council congratulated the Members of the Planning Commission and thanked them for their service to the City of Houston. Council Members Stardig and Noriega absent.

Mayor Parker stated that they had selected the new Presiding Judge of the Municipal Courts and administered the Oath of Office to Ms. Barbara E. Hartle as Presiding Judge and Director of the Municipal Courts Judicial Department. Council Members Stardig and Noriega absent.

Judge Hartle stated that she wanted to thank Mayor Parker and the Council Members for their trust and support in voting to affirm her as the next Presiding Judge and Director of the City of Houston's Municipal Courts Judicial Division, that it was a responsibility and a trust that she did not take lightly and would work very hard to uphold their trust, that she wanted to thank her partner, Valerie, who 15 years ago did not blink an eye when she said she was going to quit her position with the State and go to Law School, that without her support she knew that she would not be here today, that she brought her grandchildren, Dillion and Kiera, with her today because she wanted them to see what happens and to know that if they did go to school and work very hard that dreams do come true, that she had some dear friends here also, Jennie Hadden and Connie Manning, who also came to see her be sworn in 4 years ago and had been with her on this journey for a long time and she appreciated their friendship, that there were some friends and colleagues here that she would like to recognize, Judge John Chase, who had been a dear mentor and a friend and were sworn in together as judges a year ago, that he had given her a lot of sense of Houston and helped her to know the people that she needed to know, that she had a supervising attorney that she had worked for 7 years, Charlotte Booker, she was the one who gave her an idea of how to be a good manager and how to treat people and it was her model that she hoped to emulate as the Director of Municipal Courts; that she was grateful for the opportunity and humbled by their support and trust and she would thank them. Council Members Stardig and Noriega absent.

Mayor Parker stated that she knew that there were several other Municipal Court Judges in the room and asked that they stand, and Judge Hartle thanked them and stated that she appreciated all of them being here today. Council Members Stardig and Noriega absent.

Mayor Parker and Members of Council congratulated newly affirmed Judge Barbara E. Hartle and thanked her for her service to the City of Houston.

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

1. **PUBLIC HEARING** on a proposal for the City of Houston to annex certain territory in the vicinity of Aldine Westfield and Farrell Road, in Harris County, Texas – was called.

The City Secretary stated that no one had reserved time to appear at the hearing and that Ms. Margaret Wallace would make comments concerning the hearing.

Ms. Wallace stated that in front of the Council Members was a packet of information on the hearing and on the monitors would be a map showing the property where it was annexed within the City of Houston, that on May 22, 2009 the City of Houston received a petition from National Realty Group, Inc. requesting general purpose annexation of tracts of land totaling 37.8464 acres generally located immediately west of the City limits along Aldine Westfield Road in the northwest corner of Aldine Westfield and Ferrel Road, that there were no residents on the property and only commercial buildings would be constructed, the property was located entirely within Harris County, that currently the Harris County Appraisal District estimated the appraised

value of the undeveloped annexation tracts as \$803,565, that the value was expected to increase as the area continued to develop and the value of the improvements would be reflected in the HCAD records, that the projected ad valorem revenue at completion of the construction was approximately \$87,000 annually to the City of Houston, that the project was also expected to generate approximately \$168,000 in MUD Taxes and create 100 jobs on the site, that public safety services for the area were currently provided by Harris County Sheriffs Department and ESD No. 24, that upon annexation those services would be provided by the City in accordance with the service plan, that upon annexation the City of Houston would take over the portion of the land out of ESD No. 24 and as a result the City would be responsible for the pro rata share of the 37 acres debt to the ESD, that the approximate amount of that debt was \$1,000, that the petitioners had also requested annexation of this property into the Northwood MUD, that should Council approve the annexation an ordinance from Public Works and Engineering recommending the annexation of this area into Northwood MUD would immediately follow on that weeks agenda, that in anticipation of this annexation the petitioners had begun approximately \$13.5 million worth of improvements to the annexation area including, but not limited to, construction of a 99,000 square foot warehouse office building on approximately 25 acres of this site with an approximate land value of \$8.5 million, that the building was currently complete and leased to LKQ, an after market auto parts manufacturing distributor, that there was an additional 7.5 acres that would be developed in approximately the next 2 years, that it was anticipated that the 80,000 square feet of office buildings, consisting of 5 to 7 buildings, would be developed with an estimated \$5 million, that the annexation would benefit the City in the following ways, it would provide increased ad valorem taxes for the City, expansion of water and sewage drainage facilities in the area due to simultaneous annexation of this area into the Northwood MUD, that it had been determined by Public Works and Engineering that the annexation of this property into the Northwood MUD and into the City was in keeping with their plans for improved and expanded water, sewage and drainage infrastructure in this part of the City, that this annexation would pave the way for much needed new development in the northeast portion of the City and commercial sales tax revenue, although not estimated at this time, would be generated at the site after completion of construction, that following this public hearing a second public hearing on the proposed annexation was scheduled for May 12, 2010 and would be conducted in the Council Chamber, that the first reading of the Annexation Ordinance was tentatively scheduled for June 2, 2010 and the ordinance was tentatively scheduled to come before Council at the second hearing on July 7, 2010. Mayor Parker absent. Mayor Pro Tem Clutterbuck presiding.

Upon questions by Council Members, Ms. Wallace stated that yes this was an in City MUD, so it would not only be annexed into the City but annexed into the MUD; that the \$168,000 in taxes would be generated to the Northwood MUD, into which they would also be annexed, those would be the MUD taxes in addition to the City ad valorem taxes, that it was not in the service plan that they were looking at, that they received a revised memorandum from the Houston Fire Department approximately a month ago indicating that they had no objection to this property, that they could serve it adequately based on the fact that it was not going to be residential property and that it was currently being built to City of Houston life safety standards.

Council Member Johnson moved to close the public hearing, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2010-0257 ADOPTED.

Mayor Parker stated that they would move to the Monthly Financial and Operations Report, and recognized Council Member Adams.

Council Member Adams stated that she wanted to thank Cassie Levi in the Controller's Office, as well as Controller Ronald Green, for doing an outstanding job by reaching out to their youth and making sure that they had expertise and experience that they needed to promote great business in the City of Houston, that she would like to ask the students from The

International Business Academy of George Bush High School in Fort Bend County to stand and be recognized, that they had 66 students here today and the George Bush High School opened it's doors in 2001 and developed an environment of high academic standards and character while encouraging cultural diversity and excellence, that in 2009 it launched the International Business and Marketing Academy, that they would be getting a proclamation recognizing George Bush High School International Business and Marketing Academy Day. Council Members Lovell and Noriega absent.

Council Member Jones stated that she had the opportunity meet Monica Isles and to go to George Bush High School for Career Day, and she had requested for her to try to figure out a way for her to work with the students, since she was the Chair of the International Business Initiatives Committee, and she would try to figure something out because it was important that the world be bigger than Houston and that they be concerned about business; that she wanted to take a point of personal privilege and stated that Joe De Loach ran track at the University with her, won a gold medal in the 1988 Olympics in the 200 meters and his daughter Mikai was in the audience and she wanted to recognize her. Council Member Lovell absent.

Mayor Parker stated that it was great to have them here and they had gotten to experience several unusual things, they had appointed new Planning Commission Members, a new Chief Judge and they got to see someone administer the Oath of Office and they had a public hearing and they were going to hear in a few minutes about the financial status of the City, so welcome. Council Member Lovell absent.

Council Member Clutterbuck stated that in addition to Dillon and Kiera who were the grandchildren of Judge Hartle and the outstanding students from the International Business School of George Bush High School, they also had visitors from the Light House Baptist Academy, which was part of the Garth Road Baptist Church, located in Baytown, that this High School Speech Class was here to observe Council in action and especially to understand and listen to their persuasive speech skills, that Pastor Jim Lamb and Mr. Kent Wilson were here as well and asked that the students stand and be recognized, and Mayor Parker stated that it may not be a day for lofty speeches but they welcomed them nonetheless. Council Member Lovell absent.

**9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

At 9:36 a.m. Mayor Parker recognized Mr. Chris Brown, Chief Deputy Controller and Ms. Michel Mitchell, Director of Finance.

Mr. Brown and Ms. Mitchell, reviewed the Monthly Operations and Financial Report and Mr. Brown reviewed the Monthly Quarterly Investment Report, copies of which are on file in the City Secretary's Office for review. Council Members Lovell and Noriega absent.

Council Member Clutterbuck moved to accept the Monthly Operations and Financial Report, seconded by Council Member Costello. All voting aye. Nays none. Council Members Lovell and Noriega absent. MOTION 2010-0258 ADOPTED.

Council Member Clutterbuck moved to accept the Quarterly Investment Report, seconded by Council Member Costello. All voting aye. Nays none. Council Members Lovell and Noriega absent. MOTION 2010-0259 ADOPTED.

## **MAYOR'S REPORT**

Mayor Parker stated that she had a very brief Mayor's Report just to make sure that they were all armed with some key facts, and she would say that it was a brief Mayor's Report because she was not going to be speaking for very long or very in depth on this but she wanted to address the allegation of excessive force that had been in the media a good bit lately to clarify dates involved in that incident, that the actual incident occurred on March 23, 2010, the leadership of the Houston Police Department did not have awareness of this incident until they received a video tape on April 23, 2010, that it was stamped into the department when it was received, was passed through the department and actually to the Chief on that same day, the Chief viewed the video tape, made a copy of it, contacted the Harris County DA, Judge Pat Lykos, and delivered a copy of that DVD of the incident to District Attorney Lykos and an immediate criminal investigation was launched, that was a Friday, over the weekend the department made efforts to identify the officers who were visible on the video tape or DVD and by Monday the officers were positively identified and relieved of duty, that would have been on Monday, April 26, 2010, and all of that information was turned over to the District Attorney as well, that on April 29, 2010, the Chief notified Rick Powers, Special Agent in Charge of the local FBI Office, that there was an active criminal investigation going on, gave him the particulars of the investigation and he was advised that evidence had been turned over to the District Attorney Office, that until the DVD was received by the Police Department on April 23, 2010 no one involved in the incident had made any outcry, either the suspects arrested, and there were three suspects arrested on that date, nor had any of the officers involved in the incident made any substantive report, that there was not active FBI investigation going on, they were simply monitoring what they and the District Attorney were doing, the recording of the incident would not be released until the active criminal investigation was concluded and that was in the hands of Judge Lykos, they did not want to do anything that would compromise the integrity of the investigation, and if she could answer any questions about any of these dates or the order of events she would be happy to do so.

After a lengthy discussion by Council Members, Mayor Parker stated that they would move to the consent agenda, and recognized Council Member Rodriguez for a point of personal privilege.

Council Member Rodriguez stated that he wanted to welcome several student leaders from McReynolds Middle School and asked that they stand and be recognized, that they were Sixth, Seventh and Eight Grade leaders that were here to observe government in action and were joined by George Caldwell, Eighth Grade History Teacher and Ms. Bonnie Southerland, Sixth Grade World Cultural Teacher. Council Members Sullivan and Lovell absent.

## **CONSENT AGENDA NUMBERS 2 through 34**

### **MISCELLANEOUS** - NUMBERS 2 through 4

3. REQUEST from Mayor for confirmation of the appointment of **MS. BERTA ALICIA MEJIA** as Associate Judge of Municipal Courts Judicial Department – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan and Lovell absent. MOTION 2010-0260 ADOPTED.

### **ACCEPT WORK** - NUMBERS 6 through 12

6. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$510,720.35 and acceptance of work on contract with **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Hermann Park Lake Picnic Area Improvements - 5.0% over the original contract amount - **DISTRICT D - ADAMS** – was

presented, moved by Council Member Costello, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan and Hoang absent. MOTION 2010-0261 ADOPTED.

7. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$118,502.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.**, for Lead Based Paint Abatement, Rust Treatment and Paint at Lake Houston Park Pedestrian Bridge - 4.20% over the original contract amount – was presented, moved by Council Member Costello, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan and Hoang absent. MOTION 2010-0262 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,717,143.10 and acceptance of work on contract with **CSA CONSTRUCTION, INC** for Sims South Wastewater Treatment Plant Improvements - Package 2 3.43% under the original contract amount - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Costello, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan and Hoang absent. MOTION 2010-0263 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,009,127.54 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Water Line Replacement in Kelving Subdivision - 3.14% under the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Costello, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan and Hoang absent. MOTION 2010-0264 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,222,651.83 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Service Line Replacement - 1.5% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; E - SULLIVAN; F - HOANG and G - PENNINGTON** – was presented, moved by Council Member Costello, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan and Hoang absent. MOTION 2010-0265 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,684,483.97 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Water Line Replacement in Ellena Gardens-South Section Area 0.36% under the original contract amount - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Costello, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan and Hoang absent. MOTION 2010-0266 ADOPTED.

**PROPERTY** - NUMBER 13

13. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, reviewed and approved by the Joint Referral Committee, for abandonment and sale of a 14-foot-wide alley, from Lorraine Avenue north ±55.48 feet, and a 14-foot-wide alley, from Terry Street to McKee Street, in exchange for the conveyance to the City of a 5-foot-wide right-of-way for the widening of Lorraine Avenue and a 5-foot-wide right-of-way for the widening of Noble Street, all located within the Cascara Addition and/or the J. R. Little's Addition, and a right of entry for Houston Independent School District, Parcels

SY10-054A and B and AY10-225A and B **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2010-0267 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 15 through 17A

15. ORDINANCE appropriating \$75,138.00 out of Equipment Acquisition Consolidated Fund for Purchase of Self-Propelled Concrete Saws and a Trailer Mounted Arrow Sign Board for Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0335 ADOPTED.
- 15a. **CMC CONSTRUCTION SERVICES** for Self-Propelled Concrete Saws for Houston Airport System and Department of Public Works & Engineering - \$88,857.00 – was presented, moved by Council Member Costello, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2010-0268 ADOPTED.
16. **CHIEF SOLUTIONS** for Clean Out of Sanitary Sewer Lift Station Wet Wells for Department of Public Works & Engineering - \$498,000.00 - Enterprise Fund – was presented, moved by Council Member Costello, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2010-0269 ADOPTED.
17. ORDINANCE appropriating \$11,536.13 out of Solid Waste Consolidated Construction Fund for Change Order to complete the construction of a Loading Dock for the Solid Waste Management Department – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0336 ADOPTED.
- 17a. **AMEND MOTION #2010-65, 2/3/10**, for Change Order in an amount not to exceed \$20,000.00 to complete Construction of a Loading Dock from the State of Texas Procurement and Support Services Contract for Solid Waste Management Department, awarded to **TREMCO INCORPORATED** – was presented, moved by Council Member Costello, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2010-0270 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 20 through 34

20. ORDINANCE approving the issuance of bonds by the Greater Greenspoint Redevelopment Authority - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0337 ADOPTED.
22. ORDINANCE amending Ordinance Number 2009-1151 to increase the maximum contract amount for contract between **HARRIS COUNTY** and the City of Houston, the **CITY OF BELLAIRE** and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** (Contract No. 4600010110) relating to the Joint Runoff Election held on December 12, 2009 - \$77,528.84 - General Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0338 ADOPTED.
23. ORDINANCE changing the name of Sterling Center Lane to **ELEANOR TINSLEY WAY** **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0339 ADOPTED.
24. ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City of Houston and **NATASHA MARTINEZ, Individually and d/b/a MIDTOWN INSPECTION AND EMISSION; LINDA MARTINEZ, Individually and d/b/a MIDTOWN**

**BRAKES AND OIL LUBE; COMTRAM CONSULTING, INC f/k/a REFINO PROPERTIES, INC and MIDTOWN COURIER, INC a/k/a MIDTOWN COURIER SERVICE, INC;** to settle a lawsuit - \$67,500.00 Property and Casualty Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0340 ADOPTED.

25. ORDINANCE amending Ordinance No. 2006-223 (Passed March 1, 2006) to increase the maximum contract amount for contract between the City of Houston and **XEROX CORPORATION** for the Supply, Management and Support of Multifunction Devices that can print, copy, fax and scan for Various City Departments - \$2,298,944.45 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0341 ADOPTED.
26. ORDINANCE approving and authorizing contract between the City of Houston and **SCOTT TECHNOLOGIES, INC dba SCOTT HEALTH & SAFETY** for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$272,424.79 General Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0342 ADOPTED.
27. ORDINANCE amending Ordinance No. 2006-0989 to increase the maximum contract amount for contract between the City of Houston and **INTRADO COMMAND SYSTEMS, INC (Formerly known as IPC COMMAND SYSTEMS,3 INC)** for Service and Maintenance of the Houston Emergency Center’s Digital Radio Network - \$122,947.50 - Houston Emergency Center Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0343 ADOPTED.
28. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **CENTRAL CITY SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0344 ADOPTED.
29. ORDINANCE appropriating \$29,560.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract for Professional Architectural Services between the City of Houston and **OSBORN & VANE ARCHITECTS, INC** for Construction Administration Services relating to Hurricane Ike Repairs and Design and Renovation of Terminal A Restrooms at George Bush Intercontinental Airport/Houston, (Project No. 615M) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0345 ADOPTED.
31. ORDINANCE approving termination of Lease of the Northeast Water Purification Plant, an Untreated Water Supply Contract, and a Treated Water Contract between the City of Houston to the **HOUSTON AREA WATER CORPORATION - DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0346 ADOPTED.
33. ORDINANCE appropriating \$2,244,100.00 out of Metro Projects Construction Fund for Local Match of Funds to the agreement(s) between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of the East/West Brays Bayou Bike/Pedestrian Bridges (Approved by 95-1290) - **DISTRICTS C - CLUTTERBUCK and D - ADAMS** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0347 ADOPTED.

34. ORDINANCE appropriating \$68,454.00 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 Waterline Improvements and the abandonment of the forcemain on Congress Avenue from Smith Street to Louisiana Street; providing funding for contingencies relating to construction financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0348 ADOPTED.

## **CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

### **ACCEPT WORK**

5. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$6,618,132.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Renovation & Expansion of Fifth Ward Multi-Service Center - 24.99% over the original contract amount - **DISTRICT B – JOHNSON** – was presented, moved by Council Member Noriega, seconded by Council Member Lovell.

Council Member Jones stated that she was going to vote for this but was trying to figure out how they went over budget by \$1,323,600, that it seemed like a big number to her and could they have done something at the beginning so that they were not over budget by that much, and Mayor Parker stated that this was a situation where they probably should have torn the building down, that once they opened the walls up there was mold and asbestos and problems that could not have been discovered until after they begun to disassemble it, just multiple change orders.

After further discussion a vote was called on Item No. 5. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2010-0271 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,000,915.19 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Line Replacement in the Mary Bates North Area - 7.63% over the original contract amount - **DISTRICT F – HOANG** – was presented, moved by Council Member Noriega, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2010-0272 ADOPTED.

### **PROPERTY**

14. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, reviewed and approved by the Joint Referral Committee, for abandonment and sale of Glenheath Street from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 200-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat, and a right of entry for Houston Independent School District, Parcels SY10-055A through C and KY10-145 - **DISTRICT I – RODRIGUEZ** - was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell, and tagged by Council Member Rodriguez. Council Members Sullivan and Costello absent.

## **RESOLUTIONS AND ORDINANCES**

18. ORDINANCE approving and authorizing the City of Houston to submit the 2010 Consolidated Plan to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, including the following 2010 grant applications: 1) 36th Program Year Community Development Block Grant in the amount of \$32,769,402; 2) Home Investment Partnerships Grant in the amount of \$14,066,375; 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$7,793,944; and 4) Emergency Shelter Grants in the amount of \$1,329,099; and to accept the aforementioned grant funds, if awarded – was presented, and tagged by Council Member Jones. Council Members Sullivan and Hoang absent.
19. ORDINANCE approving and authorizing Grant Agreement between the City of Houston and the **VIETNAMESE COMMUNITY OF HOUSTON & VICINITIES, INC** to provide \$400,000.00 in Community Development Block Grant Funds for costs associated with renovation of a Community Center located at 7100 Clarewood Drive, Houston, Texas which serves low to moderate income individuals and families - **DISTRICT F – HOANG** – was presented. All voting aye. Nays none. Council Members Sullivan and Hoang absent. ORDINANCE 2010-0349 ADOPTED.
21. ORDINANCE approving and authorizing Frequency Reconfiguration Agreement between the City of Houston and **NEXTEL OF TEXAS, INC., a wholly owned indirect subsidiary of Sprint Nextel Corporation**, for the purpose of relocating City's 800MHZ Band Channels to replacement channels; accepting \$1,632,103.68 to be used for the Public Safety Radio System Project; providing for payment of the City's Attorneys' Fees – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0350 ADOPTED.
- 21a. ORDINANCE appropriating \$3,821,922.24 out of Miscellaneous Equipment & Capital Acquisition Fund; authorizing Reconfiguration Implementation Phase Agreement between the City of Houston and **MOTOROLA, INC** for Products and Services required for the Public Safety Radio System Project – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0351 ADOPTED.
30. ORDINANCE approving assignment to the City of Houston from the **HOUSTON AREA WATER CORPORATION** of contracts with **BERGER CONSTRUCTION COMPANY, BNIM ARCHITECTS, INC, CORE DESIGN STUDIO, LOCKE LORD BISSELL & LIDDELL, LLP, SOLAR BEES, INC, and TOMCO<sub>2</sub> EQUIPMENT COMPANY**; providing acknowledgement of assignment and waiver and release forms for those contractors listed above - **DISTRICT E – SULLIVAN** – was presented. Council Member Sullivan absent.

Council Member Costello stated that this was a northeast water purification plant that was on Lake Houston and this was originally a design build to operate by a private entity and now the City was taking it over, but the reason he wanted to discuss this was if they noticed on the action there were several items associated with Water Works Education Center, which was something that was extremely unique and rare, they were actually building out there a sort of museum and a description of how water treated for students to go out to and he thought for him not to know that meant there were a lot of other people who did not know some of the things that they were doing at some of their interesting facilities, that he just wanted to point out that this was a great program that they were doing out there at that regional plant and was nice to see that the City was taking it over. Council Members Sullivan and Hoang absent.

A vote was called on Item No. 30. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0352 ADOPTED.

32. ORDINANCE authorizing acceptance of Texas Commission on Environmental Quality Grant for Design and Construction of a Pilot Project to develop local data for Stormwater Quality Best Management Practices; declaring the City's eligibility for such grants; authorizing the Director of the Department of Public Works & Engineering to accept and expend the grant funds and to accept and expend all subsequent awards, if any, pertaining to the grant - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent. ORDINANCE 2010-0353 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 35

**MISCELLANEOUS**

35. **MOTION TO SET A DATE** not less than seven (7) days from May 5, 2010, to receive nominations for appointment to Position 12 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012 – was presented.

Council Member Noriega moved to set Wednesday, May 12, 2010, to receive nominations for appointments to Position 12 of the Houston Archaeological and Historical Commission Board of Directors, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan and Hoang absent. MOTION 2010-0273 ADOPTED.

**MATTERS HELD** - NUMBER 36

36. MOTION by Council Member Lovell/Seconded by Council Member Costello to adopt recommendation from Director General Services Department for approval of final contract amount of \$5,828,056.00 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for Midwest Police Station - District 18 - 0.99% under the guaranteed maximum price - **DISTRICT F - HOANG** – (**This was Item 6 on the Agenda of April 28, 2010, TAGGED BY COUNCIL MEMBER HOANG**) – was presented. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2010-0274 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Note: Council Member Clutterbuck previously advised the City Secretary that she had to leave at 11:00 a.m. because of City business. Council Members Clutterbuck and Sullivan absent.

Council Member Hoang announced the following: Teacher Appreciation Week; Asian Pacific Heritage Week, May was chosen due to important historical dates, May 7, 1843 the first Japanese immigrants arrived in the U.S., May 10, 1869 the Trans Continental Railroad was completed and many Chinese immigrants labored laying the tracks, that in May 1975 the first Vietnamese immigrant came and located themselves at the Holy Rosary Church on Travis and then established the Vietnamese Community in Houston; the Braeburn Glen Civic Association invited him; thanks to Council Member Bradford for attending the Alief International Management District for a networking breakfast; also he read about Mayor Parker in Time Magazine's as one of the 178 Most Influential Politicians in the whole world, and last year he made the People's Most Sexiest list and he displayed a copy of a magazine with his picture on it. Council Members Clutterbuck, Sullivan, Rodriguez and Noriega absent.

Council Member Stardig announced the following events; she attended an event for the Korean Chamber of Commerce; Saturday she rode a horse in the Cinco de Mayo Parade; she spoke at the award ceremony for the Tall Pine Hills Girl Scouts; Sunday she attended Houston's Polish Festival on the grounds of Our Lady of Czestochowa; she attended the Holocaust

Museum, Lyndon Baines Johnson Moral Courage Award Dinner honoring John Pendergrast for his work as co-founder of ENOUGH a project to end genocide and crimes against humanity; that District A would host a Crime Prevention Townhall meeting on Wednesday, May 19, 2010 at 7:00 p.m. at the Spring Branch VFW at 1560 Foley. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez, Noriega and Bradford absent.

Council Member Pennington announced the following events; the 2010 Summer Reading Program, sponsored by the Houston Public Library, registration will begin on June 1, 2010 and conclude on August 1, 2010; that May 7, 2010 would begin the observation of National Police Week, which was first proclaimed in 1962 by President Kennedy, that National Peace Officers Memorial Day was May 15, and the week in which the date follows was known as Police Week; that on May 12, 2010, Wednesday, at 10:00 a.m., Ministers Against Crime would hold a Day of Prayer News Conference at HPD Headquarters at 1200 Travis; Friday, May 14, 2010, all officers and citizens were encouraged to drive with their headlights on in remembrance of Peace Officers who had sacrificed their lives while protecting citizens; that he had attended a press conference hosted by Congressman Pete Olson regarding NASA funding; and attended the Briar Bayou Homeowners Association meeting on Tuesday night; that last night he and Beverly attended the Open Door Mission Banquet, which supported about a 200 person facility on Harrisburg, that it was a faith based charity; and wanted to thank the Mayor and his colleagues for welcoming Jerry LeVias yesterday. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Rodriguez, Noriega and Bradford absent.

Council Member Jones announced the following events; that she wanted to commend Mayor Parker for going to Council Member Johnson's Townhall meeting in Acres Home; that she was excited about the new direction of the Housing Department, that she and Mr. Noteware were trying to keep each other abreast of things; that her American Leadership Forum, Criminal Justice Class 1 had their commencement on Friday, April 30, 2010; that she was at the Cinco de Mayo Parade; thanks to the Mayor for going to the Houston Ministers Against Crime Rally at Tom Bass Park; that she went to the Unity Banquet and Awards Ceremony on Saturday; that she was at the Mayor's Literacy Leadership Award Breakfast honoring Mr. Rich; that spoke with NASA Administrator Bolden and he was working hard to try to make sure that they do not lose jobs; that there was a specially called Housing Committee meeting today at 3:00 p.m. in Council Chamber, that Council Member Johnson had questions on an agenda item and they wanted to make sure that they accommodated him so that he could get all of his questions answered. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez, Lovell, Noriega and Bradford absent.

Mayor Parker stated that she appreciated the Council Members who attended the Mayor's Literacy Awards yesterday and it was great to have former First Lady Barbara Bush there, that she was a huge champion of literacy and would come to any of those events in Houston where they do that, that it was always great to see her; that she did meet this morning with the Regional Director of HUD and he brought four people with him from Fort Worth, plus all of the local HUD officials, that they had a 7:30 a.m. meeting, that it was a new day and they were very interested in working with Houston and Mr. Noteware and Veronica Chapa-Jones were there and she thought it was all going to be very positive. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez, Lovell, Noriega and Bradford absent.

Council Member Jones stated that at their next regularly scheduled Housing Committee meeting HUD was going to come and all of the people who were over their respective divisions were going to explain the grants, that it was going to be a re-education and a new beginning. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez, Lovell, Noriega and Bradford absent.

Council Member Costello announced the following events; a Surface Transportation

Reauthorization Outreach Tour today at the George R. Brown Convention Center at 12:00 p.m., that at their last HGAC meeting of the TPC they were successful in getting a resolution approved to have the HGAC staff go out and inform all of their Legislators about the need for transportation funding, in particular the State Legislators; that on Item No. 32, a pilot project in Cottage Grove on low impact development, which was a green movement toward infrastructure, that he thought it was a unique program and would like to have Public Works come before the Flooding and Drainage Committee so he and Council Member Gonzalez could help inform the general public about some of the unique tools that they were using now for infrastructure improvements, that this particular program was just a two year pilot program to monitor the successfulness of the water quality features of LED Development; that on Item No. 30, which was relative to the City taking over the Northeast Water Purification Plant he just received a Citizens.net alert that tomorrow they were having the 2010 Water Festival, that they were going to have about 2,000 students at the Aquarium to talk about water, how it was designed and treated and to talk about career opportunities in water. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Lovell announced the following events: that at the TPC meeting they were able to vote and secure the \$6 million which would finish the White Oak Bayou Detention Project; that in the Chamber they had some posters and she was pleased, on Monday, to represent the City of Houston to present the awards to the winners of the annual Public Service Recognition Poster Contest, that the theme this year was "What would you want to do if you worked for the City of Houston" and it was overwhelming that they either wanted to be firefighters or Police officers, that she wanted to congratulate the parents and children; that Sunday was Mothers Day; that Thomas Daniel had been working for them for a couple of years and was going to be leaving them to move on with his career and she wanted to thank him for all of his work; that May 6 through 8, 2010 was Art Car Weekend and the Art Car Parade; that she would be representing the City at the Annual Adopt a Monument Ceremony at the Sam Houston Monument at the entrance to Hermann Park at the intersection of Montrose Boulevard and Main St.; that she was co-sponsoring an upcoming event hosted by State Representative Sylvester Turner, "The Consumer Rights Electricity Workshop", that the free event would be on Saturday, May 15, 2010 from 9:30 a.m. to 1:30 p.m. at the Communications Workers of America Hall at 1730 Jefferson. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Adams announced the following events: that on Thursday they would be having the Neighborhood Protection and Quality of Life Committee meeting starting at 9:30 a.m., she met with Chief McClelland briefly after the incident that happened and she wanted to comment Mayor Parker for the phone calls to the staff members about what was about to happen and some other incidents that occurred with HPD during that week; she rode Ebony on Saturday in the Cinco de Mayo Parade; participated in the Light House for the Blind tour this week; she waited tables last night with Commissioner Grady Prestige, Erin Anthony, FOX 26 News and Sheriff Adrian Garcia for a good cause, that it was a charity event for the Houston Area Resource Council for Texas Youth held at the Broken Spoke on Washington Ave.; Annual Police Officers Memorial Week; that the First Annual District D Community Leaders Reception would be at the Houston Zoo next Thursday, that they wanted to thank their sponsors; and wanted to thank Council Member Costello and Council Member Jones and her staff for attending the seven community townhall meetings. Council Members Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Gonzalez announced the following events: that he wanted to welcome Jesse Dickerson who would be joining the District H team serving as the Chief of Staff; that he had a great time at the Cinco de Mayo Parade; that the March for Respect and Dignity that afternoon was very successful; that the old Northline Mall had been transformed, that it was a

wonderful location providing a lot of jobs and retail in the District H area; that this evening from 6:00 p.m. to 9:00 p.m. the Bayou City Arts Festival Cinco de Mayo Celebration to honor nonprofit partners would be taking place at MECCA at 1900 Kane Street; that he wanted to invite everyone to sign up for the relay for life for the Greater Heights on May 14, 2010 from 6:00 p.m. to 6:00 a.m., that it would celebrate cancer survivors and those who passed away due to cancer, that his Dad had passed away from cancer; that he wanted to welcome all the international guests that were visiting the City; that the OTC had grown from a small endeavor to a very well attended one; that their thoughts and prayers went out to those impacted by some of the recent incidents such as the oil spill in the Gulf and also in Tennessee, that they sent their thoughts and prayers to them; with the recent bombing attempt in New York City and with Council Member Stardig's crime prevention meeting coming up, it was important for the community to be aware of their surroundings, that those were some very vigilant New Yorkers that obviously notified the police immediately and swift action was taken. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Adams further announced the following: Barbara Bush was the speaker for the Go Red for Women Campaign yesterday at the Hilton; that today Texas Together would be honoring former Council Member Ada Edwards for all of the work that she had provided to the City; that Captain Ricky Johnson, who was a victim of crime this week and was currently in the hospital, was still one of their own and they should please continue to keep Captain Johnson in their prayers; that yesterday they had a person come and talk about compostable bags, that she wanted to highlight a couple of points, at 50 cents each many customers could be overstuffing the bags; that reports from the field, Solid Waste Management Department personnel indicated that many residents were overstuffing the bags, that they service 94,000 residents a day, that when bags were overstuffed residents may then be tugging or pulling on the bags in an attempt to move them and this could place undue stress on the already overfilled bag which could cause it to tear, that twigs, sticks and thorns would cause the bags to break, that branches and twigs should be bundled and placed next to the bag and not in the bag, that this practice had always existed for yard trimming collections and still applied for the Compostable Bag Program, nothing had changed, that dragging the bag across rough surfaces would cause a breakage, that many heard yesterday that customers had options other than bagging their material, they could mulch, compost or in cases could have a professional do their yards, that they could take the material and dispose of it properly, preferably at the composting or mulching site as there were many around the City, that Solid Waste had spoken with the compostable bag vendors and they indicated that the bags could stay out on the ground or any rainy conditions up to twelve days with no adverse impact to the bags, they do not melt in the rain as some tended to believe, that to get the best performance from the bags they should be stored in a cool and dry place until they were ready to be used. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:22 a.m. Council Members Stardig, Johnson, Clutterbuck, Sullivan, Hoang, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary