

City Council Chamber, City Hall, Wednesday, January 3, 2007

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, January 3, 2007, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Claudia Vasquez, Director Citizens Assistance Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

Note: Council Member At Large Position 3 vacant.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:21 a.m. Mayor White called the meeting to order and called on Council Member Holm for the prayer and pledge of allegiance. Council Members Johnson, Wiseman, Holm, Lovell, Green and Berry absent.

Mayor White requested the City Secretary to call the roll. Council Members Wiseman, Green and Berry absent.

Council Members Khan and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION ADOPTED.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 61**

#### **MISCELLANEOUS** - NUMBERS 2 through 12

2. REQUEST from Mayor for confirmation of the reappointment of the following to the **GREATER HARRIS COUNTY 911 EMERGENCY NETWORK BOARD OF MANAGERS**:  
Position 1 - **MR. DONALD K. HOLLINGSWORTH**, for a term to expire  
September 30, 2007  
Position 2 - **MR. PAUL HOBBY**, for a term to expire September 30, 2008

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0001 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of the following to the **HOUSTON LIBRARY BOARD OF DIRECTORS**:  
Position Five - **MS. LISA MOUTON WALLACE**, for a term to expire  
March 1, 2008  
Position Thirteen - **MS. TINA ARIAS PETERMAN**, for an unexpired term  
ending March 1, 2007

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0002 ADOPTED.

4. REQUEST from Mayor for confirmation of the reappointment of the following to the **JOINT CITY/COUNTY COMMISSION ON CHILDREN**, for a term to expire December 31, 2008:

Position 1 - **MS. ANN P. KAUFMAN**  
Position 3 - **DR. BOBBIE ALLEN HENDERSON**  
Position 5 - **MS. LYDIA R. VALADEZ MCSTAY**  
Position 7 - **MR. J. VICTOR SAMUELS**  
Position 9 - **MS. SHARON MICHAEL OWENS**

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0003 ADOPTED.

5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to **REINVESTMENT ZONE NUMBER SEVENTEEN (MEMORIAL CITY), CITY OF HOUSTON, TEXAS BOARD OF DIRECTORS:**

Position 1 - **MR. CHARLES S. TURET, JR.**, reappointment, for a term to expire July 20, 2007 and to serve as Chair, for a term to commence January 1, 2007 and expire December 31, 2007  
Position 2 - **MR. KENNETH E. ARNOLD**, reappointment, for a term to expire July 20, 2008  
Position 3 - **MR. DAN M. MOODY, III**, appointment, for a term to expire July 20, 2007  
Position 5 - **MR. TERRY S. CHENG**, reappointment, for a term to expire July 20, 2007  
Position 6 - **MS. M. CAROLINA WEITZMAN**, appointment, for a term to expire July 20, 2008

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0004 ADOPTED.

6. REQUEST from Mayor for confirmation of the appointment of **MS. MICHELE BOWER ALVARADO** to Position Seven of the **ST. GEORGE PLACE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for an unexpired term ending December 31, 2007  
- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0005 ADOPTED.

7. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.437 per square feet for properties connecting to the 6-inch water line located along Home Street constructed by **HOMELAND DEVELOPMENT, LP. DISTRICT H - GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0006 ADOPTED.

8. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.780 per square feet for properties connecting to the 8-inch sanitary sewer line located along Home Street constructed by **HOMELAND DEVELOPMENT, LP. - DISTRICT H - GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0007 ADOPTED.

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2007 Operations and Maintenance Budget for the **SAN JACINTO RIVER AUTHORITY** \$1,158,457.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0008 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2007 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$3,129,380.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2007-0009 ADOPTED.

Mayor White stated that they were privileged to have two of the nominees to the Houston Library Board of Directors present, Ms. Lisa Mouton Wallace and Ms. Tina Arias Peterman and asked that they stand and be recognized and thanked them for agreeing to join the important board, that the Chairman of the Board, Mr. Franklin Jones, was also present in the audience. Council Members Wiseman and Green absent.

**DAMAGES** - NUMBER 15

15. RECOMMENDATION from City Attorney for settlement of lawsuit styled **GEORGE W. TOLSON** v. City of Houston and Mary Rebecca Osborne; in the 215th Judicial District Court of Harris County, Texas - \$35,000.00 - Property and Casualty Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0010 ADOPTED.

**ACCEPT WORK** - NUMBERS 16 and 17

16. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,081,975.74 and acceptance of work on contract with **THE GONZALEZ GROUP, LLC** for Reveille Park & Sagemont Park Pool Facilities, WBS No. F-504B15-0001-4 and F-504A15-0001-4 - 04.46% over the original contract amount - **DISTRICTS E - WISEMAN and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0011 ADOPTED.
17. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$477,340.00 payable to the **Surety, UNITED FIRE AND CASUALTY COMPANY**, on contract awarded to **F. W. WALTON, INC** and acceptance of work for Roof Replacement/Renovation at Four Facilities, WBS No. R-000268-0029-4 & L-000061-0001-4 03.99% under the original contract amount - **DISTRICTS C - CLUTTERBUCK; H - GARCIA and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0012 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 19 through 23

19. **AIRPORT LIGHTING CO. OF NY, INC** for Airfield Lighting for Houston Airport System \$180,000.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0013 ADOPTED.

20. **AMEND MOTION #2005-707, 7/27/05, TO INCREASE** spending authority from \$454,000.00 to \$567,500.00 for Automotive, Fire Truck Replacement Parts and Repair Services Contract for the Fire Department, awarded to **TEXAS FIRE RESCUE, INC d/b/a FIRE APPARATUS SPECIALISTS, INC** acquired via assignment by **DOOLEY TACKABERRY, INC** - \$113,500.00 General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0014 ADOPTED.
21. **PITNEY BOWES, INC** for Lease of One Digital Mailing System from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Health & Human Services Department - \$27,864.00 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0015 ADOPTED.
22. **ANALYTICAL COMPUTER SERVICES** for Audio/Visual Equipment through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for the Emergency Operations Center (EOC) at the Houston Emergency Center - \$116,211.56 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0016 ADOPTED.
23. **EAGLE-CORDELL CONCRETE PRODUCTS** for Cement, Bagged Portland for Various Departments - \$181,764.05 - General, Enterprise and Storm Water Utility Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Green absent. MOTION 2007-0017 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 25 through 60

25. RESOLUTION designating certain properties within the City of Houston as landmarks and protected landmarks - **DISTRICTS D - EDWARDS and G - HOLM**  
Hal and Iley Nunn Davis House - 1915 Bellmeade Street  
Joseph and Mary Stevenson House - 804 Harold Street  
- was presented. All voting aye. Nays none. Council Member Green absent. RESOLUTION 2007-0001 ADOPTED.
26. RESOLUTION designating certain properties within the City of Houston as historic landmarks **DISTRICT H - GARCIA**
  1. 1443 Allston
  2. 721 Arlington
  3. 939 Arlington
  4. 844 Columbia
  5. 1651 Columbia
  6. 1150 Cortlandt
  7. 1401 Cortlandt
  8. 1517 Cortlandt
  9. 510 Harvard
  10. 532 Harvard
  11. 1046 Harvard
  12. 1122 Harvard
  13. 1602 Harvard
  14. 639 Heights Blvd
  15. 828 Heights Blvd
  16. 1011 Heights Blvd
  17. 1102 Heights Blvd
  18. 1448 Heights Blvd
  19. 2201 Lawrence
  20. 835 Rutland
  21. 1236 Rutland
  22. 1237 Rutland
  23. 1537 Tulane
  24. 112 W. 4th St
  25. 122 E. 5th St
  26. 217 E. 5th St
  27. 402 E. 9th St
  28. 219 W. 11th St
  29. 402 E. 11th St
  30. 221 E. 12th St
  31. 301, 303 E. 15th St
  32. 315 W. 17th St
  33. 323 W. 17th St
  34. 718 W. 17th St

- was presented. All voting aye. Nays none. Council Member Green absent.  
RESOLUTION 2007-0002 ADOPTED.

28. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot wide water main easement (Parcel SY6-080) containing 0.0843 acre (3,670 square feet) of land, more or less, located in the E. B. Cogswell Survey, A-785; vacating and abandoning said tract of land to 7777 Katy Fwy, L.P., the abutting owner, in consideration of owner's payment of \$73,859.00 and other consideration to the City - **DISTRICT G - HOLM** - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0001 ADOPTED.
34. ORDINANCE establishing the north side of the 2300 block of Shakespeare Road within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0002 ADOPTED.
35. ORDINANCE amending City of Houston Ordinance No. 2007-1163 relating to rescheduling and postponement of City Council Meetings - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0003 ADOPTED.
36. ORDINANCE approving and authorizing the submittal of an application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL**, for the City's Epidemiology and Laboratory Capacity for Infectious Disease Surveillance (ELCIDS) Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's Representative in the application process, authorizing the Director of the Health and Human Services Department to accept the grant and the grant awards, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant; containing provisions relating to the subject; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0004 ADOPTED.
40. ORDINANCE appropriating \$155,000.00 out of CNG Vehicle Replace Fund for the Mayor's Office of Health & Environmental Policy – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Green absent.
42. ORDINANCE amending City of Houston Ordinance No. 2004-0685, passed on June 30, 2004, which approved and authorized the submission of the 2004 Consolidated Plan and the grant application for the 30th Community Development Block Grant ("CDBG") Program Year – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Green absent.
- 42a. ORDINANCE approving and authorizing second amendment to contract with **HOUSTON SMALL BUSINESS DEVELOPMENT, INC (Formerly known as the HOUSTON SMALL BUSINESS DEVELOPMENT CORPORATION)** to provide additional Community Development Block Grant ("CDBG") Funds in the amount of \$400,000.00 to Implement a Business Stabilization Program – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Green absent.
45. ORDINANCE appropriating \$250,000.00 out of Fund 2409 (TIRZ Affordable Housing Fund) for payment of Administrative Expenses of the Housing and Community

Development Department associated with the TIRZ Affordable Housing Program - had been pulled from the Agenda by the Administration, and was not considered. Council Member Green absent.

49. ORDINANCE approving and authorizing lease agreement between **RMC 2004 PORTFOLIO I, LP** as landlord, and the City of Houston, Texas, as tenant, for space at 1900 North Loop West, Houston, Texas for use by the Human Resources Department - \$165,082.20 - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0005 ADOPTED.
52. ORDINANCE appropriating \$2,431,373.44 out of Parks Consolidated Fund, awarding construction contract to **APACHE SERVICES, INC**, for Construction of Townwood Park; WBS F-504C12-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, civic art program, and contingencies relating to construction of facilities financed by the Parks Consolidated Fund - **DISTRICT D - EDWARDS** - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Green absent.
53. ORDINANCE approving and authorizing an Indemnity and Maintenance Agreement between the City of Houston and **THE GREATER GREENSPOINT MANAGEMENT DISTRICT** for right-of-way improvements - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0006 ADOPTED.
55. ORDINANCE appropriating \$250,000.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Materials Engineering Laboratory Contract between the City of Houston and **TERRACON CONSULTANTS FOR MATERIALS TESTING SERVICES**; WBS R-000019-0040-4, S000019-0033-4, M-000126-00E2-4 and N-000668-0010-4 - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0007 ADOPTED.
56. ORDINANCE appropriating \$43,359.50 out of Drainage Improvement C Paper Series F Fund and \$131,640.50 out of Street & Bridge Consolidated Fund and approving and authorizing Professional Materials Engineering Laboratory Contract between the City of Houston and **TOLUNAY-WONG ENGINEERS, INC** for Materials Testing Services; WBS M-000126-00E2-4 and N-000668-0010-4 - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0008 ADOPTED.
57. ORDINANCE finding and declaring public convenience and necessity for the acquisition of rights-of-way in connection with the public improvement project known as the Brittmoore Road Paving Project from Old Katy Road to Hammerly Boulevard; authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees for and in connection with the acquisition of 37 parcels of land, as they abut and are aligned adjacent to, Brittmoore Road between Old Katy Road and Hammerly Boulevard, situated within the Chris Williams Survey, A-834, and being more specifically located out of or a part of Lots 5, 20, 21, 26, 27, 28, 33, 34, 37, 39, 40, 42, 45, 46, 47, 49, 51, 53, 55, 59, 62, 63, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75 and 76 of Moore Acres

Subdivision Harris County Texas - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0009 ADOPTED.

58. ORDINANCE appropriating \$6,625,000.00 out of Street & Bridge Consolidated Fund to reimburse the General Fund for the Rehabilitation of Concrete Pavements (WBS No. N-000655-003-4 and N-000845-0001-4); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Fund - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0010 ADOPTED.
59. ORDINANCE appropriating \$1,988,700.00 out of Water & Sewer Consolidated Construction Fund; awarding contract to **COLLINS CONSTRUCTION, L.L.C.** for Water Line Replacement in Acres Homes, Independence Heights, Trinity Houston Gardens Areas, WBS No. S-000036-0008-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS B - JOHNSON and H - GARCIA** - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0011 ADOPTED.
60. ORDINANCE appropriating \$1,709,100.00 out of Water & Sewer Consolidated Construction Fund; awarding contract to **McKINNEY CONSTRUCTION, INC** for Water Line Replacement in Clinton Park, Settegast, Sunnyside Areas, WBS No. S-000036-0009-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS B - JOHNSON; D - EDWARDS and I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Green absent. ORDINANCE 2007-0012 ADOPTED.

At 9:31 a.m. Mayor White stated that they would proceed with the public session and requested the City Secretary to call the list of speakers.

Council Member Lawrence stated that they had a distinguished guest present, previous Council Member and former Mayor Pro Tem, Mr. Jew Don Boney. Council Members Green and Berry absent.

Mr. Boney stated that they were beginning the 2007 Class of the Texas Legislative Internship Program, the program was sponsored by Texas State Senator Rodney Ellis and they had nearly 40 college and university students from all over the State of Texas, some from out of the Country, who would be working in the Texas Legislature this year during the session earning academic credit, they were very proud of the program and it was one of the leading programs in the Country and they were some outstanding young people, that they were future Council Members and Mayor's. Council Members Green and Berry present.

Mayor White stated that they thanked them for being present. Council Members Green and Berry absent.

Ms. Virginia Valentine, 15823 Rosethorn Court, Cypress, Texas 77429 (713-880-4917) appeared and stated that she was present on behalf of the South Park Community, that as she was in the area visiting it grieved her heart of some of the things she saw, and a lot of it was not

of the City or the government it was a neglect on behalf of the people but she was present to see what they as a people could learn and help to do and put into action some of things, that she would like a South Park Community/Multipurpose Center, it would be for the elderly, the youth and the community, and they would like to open it with the assistance from City Hall, government agencies, etc. in the community, that all would benefit and the highlights would be establishing a high visibility location, including a small retail to eventually grow larger, offer volunteer opportunities, create a nice local community donation center, process donations for sale at budget friendly prices, implement a needs assessment program, provide hurricane relief information or any disaster program, sponsor Toys for Tots, clothing for job seekers, proper nutrition, eating centers for youth and the elderly, restoration programs for the South Park Community and call it "Get Involved", save the children, save the elderly, save the people and save the community, that she would also like to open a Virginia's home economic school and the school's goals would be to teach each student how to do basic life skills to survive in today's society, students who attended the school would benefit by becoming productive citizens who were able to communicate effectively in the workplace and every day living and would also be able to discover and utilize skills which they already possessed to make positive choices that would teach them life lessons, in the past 10 years home economic courses had been eliminated from the public school curriculum. Council Members Wiseman and Lovell absent.

Council Member Edwards stated that she wanted to thank Ms. Valentine for her concerns involving South Park, that South Park was in District D and had a very active community based organizations, Super Neighborhood 68, La Salette Civic Club and asked if Ms. Valentine was familiar with Mr. Preston Roe or Ms. Flossie Lewis, that there were several community groups there that were working hard and diligent addressing the very issues that Ms. Valentine was talking about, that they had very active regarding eminent domain around development and around cleanup of the area, regarding crime, that she would like to get Ms. Valentine in touch with them and go over her ideas and maybe they could work together. Council Members Alvarado and Lovell absent.

Council Member Lawrence stated that they appreciated Ms. Valentine coming to Council, that the CIP meeting would be a good time for her to put that forward. Council Members Alvarado, Lovell and Green absent.

Council Member Brown stated that Ms. Valentine made some really good points and they did need to have a kind of civic renewal in the communities all over the City and they needed the institutions that she talked about to help make it happen and the involvement of people that Council Member Edwards had talked about. Council Members Alvarado, Lovell and Green absent.

Council Member Edwards stated that there was going to be a very large YMCA built at Griggs and MLK in that area that would be addressing a lot of the needs that Ms. Valentine had been talking about. Council Members Lovell and Green absent.

Mr. Trent Winters, 7960 W. Bellfort, Houston, Texas 77071 (832-882-7761) had reserved time to speak but was not present when his name was called. Council Members Lovell and Green absent.

Ms. Jeanetta Mailey, No address, (281-468-2047) had reserved time to speak but was not present when her name was called. Council Members Lovell and Green absent.

Mr. Randhir Sahni, 5120 Woodway, Houston, Texas 77056 (713-850-6500) appeared and stated that he was an architect and planner as well as an investment advisor, that he was present to talk about planning in the great City of Houston, that he would make four points, first,

why they needed it, they all worked for corporations and they all had a financial plan, when they did the hurricane planning they responded a certain way and Mayor White went ahead and re-planned and they needed to think through how they plan the City, that planning was not zoning, common belief was that planning and zoning were the same thing, zoning was just a tool just like restrictive covenants were, it was not planning, that planning was not project planning like every agency did in the City, that planning was not resource planning like TXDOT or by the Harris County Flood Control District, it was a comprehensive approach as to how the natural resources should be utilized so the City could grow over time, that \$700 million were planned to be spent around the George Bush Intercontinental Airport in the next 10 years by different agencies and there was no coordination, that he was talking about planning where they coordinate the resources; what was the basis of planning, the basis of planning was resource management, it was land and accessibility, that METRO was going to shape the City for the next 50 years, there was no comprehensive thinking as to how different lines should come together and how land use and accessibility were coordinated, they were shaping the City and they needed to think about it, every day they planned their day and were going to plan their retirement, why should they not plan the great City, they did not have to zone it but they could plan it; how do they do it, they needed to plan for higher densities, if they looked at the history the density per square mile of human habitation had been growing up in the City, they had very few limitations like Chicago and other cities where they were land locked, they had to plan for a higher population, better understanding of the resources such as bayous, optimization of use of funds between public and private agencies and resources, that he suggests that planning was a process and implementation was the most important thing. Council Members Alvarado, Green and Berry absent.

Council Member Khan stated that Mr. Sahni had said that planning was not zoning and asked how do they address the concerns of the developers who did not want any interference from the City government to tell them how they could build and what they should build versus what was the best requirement and best use of land for the citizens of Houston, and Mr. Sahni stated that they address it by guiding, by incentives, they could provide what was in the general plan and could provide tax incentives, that there were many tools available. Council Members Garcia, Alvarado and Green absent.

Council Member Brown asked Mr. Sahni if he had been involved in the master planning for Houston's Airports and Mr. Sahni stated that was correct and Council Member Brown asked if he could explain to them why having the context of a comprehensive plan would be in the future and would have been helpful to his efforts with the Aviation Department to master plan the future of their airports, and Mr. Sahni stated that the airports were an economic generator and what they did not recognize the potential that the airports had in terms of air front development, like waterfront and like railroad stations in the 19<sup>th</sup> century, airports did the same thing today, that airports also influenced beyond the limits of the airport and FAA only funded what they did within the airport itself, so there was no relation between what happened inside and outside, and noise was one of the key factors that went for miles on either side and the City was going to have to spend millions if not billions of dollars buying back land as they grow to offer the best service in the Nation, as far as the airport was concerned, that they just finished a study for the City of San Antonio, it was a small airport, but they had major concerns as to how they were going to accommodate a growing number of flights because it influenced the outside. Council Members Holm, Alvarado and Lovell absent.

Council Member Edwards stated they had several people coming to Council and talking about the lack of planning that had gone on in the City, that they had been told quite a bit what they were not doing and asked if Mr. Sahni had a plan or a prototype of plan that he could present to the Mayor or Ms. Gafrick in the Planning Department or to somebody who could actually look at what he was talking about and see about implementation and asked if he had

set those appointments, and Mr. Sahni stated that he would be pleased to if Mayor White would allow him to come and see him, and Council Member Edwards stated that she thought that was probably the more efficient way because they were all aware of the inadequacies or the lacks or the failures that they had historically in the City and were always looking for ways to make it happen and if he could talk with the people who could help them get it started and implemented she thought it would be a big boom for the City. Council Members Holm, Alvarado and Lovell absent.

Mayor White stated that he appreciated Mr. Sahni being present and agreed with his comments about zoning creating bonanza for litigation, that Mr. Sahni made a statement that there was no planning on how the METRO lines would come together, and Mr. Sahni stated that yes he did, and Mayor White stated that his principle concern there with planning was that the \$28 million that was spent to do the planning, which he read, was that he did not want to spend another \$28 million on consulting fees and find out that what they thought they were going to get many people say they did not have, so if Mr. Sahni could provide some information to him about that topic so that he could investigate where the consulting fees went and why the plans that he read did not show the lines coming together, and the second issue, Mr. Sahni was absolutely right on the airport and thought this year they would be both seeking legislation and proposing some land use restrictions that would comply with the FAA regulation and thought it had been bad advice that they had gotten in the past that they could not do so. Council Members Alvarado and Lovell absent.

Mr. Sahni stated that someone in their office was evaluating and reviewing all of the plans for all the four lines, they had been privileged to get a small portion of the work, but it was only engineering, no thought had been given as to how activities and the stations came together, which were the biggest generators of traffic, that two months ago there was an article in the Wall Street Journal, Midtown, Houston was the exception to the rule, that Midtown had not attracted anything because the rail went through it, they had the stations but there was no activity, that he thought it was not engineering planning they were talking about, they were talking about soft planning, how did a human person move, that was what they were talking about, that had social and economic implications, and Mayor White asked if the planning money that they spent was wasted, and Mr. Sahni stated that he was not an expert to say if it was or not, and Mayor White stated that he was talking about the consultant fees for Midtown and that corridor and Mr. Sahni stated that he was not informed about that question. Council Members Johnson and Holm absent.

Council Member Lawrence stated that there was a committee at the City of Houston called Development, Regulations and Neighborhood Protection and she did not think they had ever been honored by Mr. Sahni's presence and if he would give them his email address they would put him on the list, the Planning Commission had divided itself up into various committees and they were coming forward with very specific things and instead of generalizing big terms they would like for Mr. Sahni to possibly weigh in with his opinion on very specific things and would be glad to let him know when they meet, and Mr. Sahni stated that it would be his privilege. Council Member Johnson absent.

The City Secretary stated that Ms. Mailey was trying to make her way to the podium and she miscalled the next speaker and would call Ms. Mailey at this time. Council Member Johnson absent.

Ms. Jeanetta Mailey, No address, (281-468-2047) appeared and stated that for the last month she had been living out of her car and was present today because she needed their help with employment and housing, that she was an educated women and had worked all of her life and was willing to work and was able to work, that she had difficulty finding employment for the

last year and a half and what she had found had not been stable, that she was present today because she did not want to go the remainder of the year in the situation that she was in now and did not know where else to go and who else to turn to so they were her last resort. Council Member Johnson absent.

Mayor White stated that he would like his colleague from Citizens Assistance to address her on the topic. Council Member Johnson absent.

Council Member Lovell stated that Ms. Estelle Stewart, her Chief of Staff, would speak with Ms. Mailey, there were different agencies who could help her with her problem and send her some where to find work and Ms. Stewart would talk with her and give her their names. Council Member Johnson absent.

Council Member Edwards stated that there were several groups that could possibly be of assistance to her and they would work with Council Member Lovell's office to get her to those agencies. Council Member Johnson absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he was present for several reasons, number one, to announce publicly that he had been a candidate again for Houston City Council At Large Position No. 3 since the position became open last year, that he had already spent time and money on the campaign, that he found Mayor White's comments about the position appalling, disgraceful and totally unacceptable to a native Houstonian, that he had family members, Torres, who had tried protecting democracy, freedom and the rights of Americans to vote, and asked Mayor White how many of his family members had died for the same reasons, that he simply did not believe Mayor White's comments that he was trying to save the citizens of Houston tax dollars, if he really was concerned about saving the City of Houston money he would fire employees like Jordy Tollet instead of allowing him to stay on at the City of Houston collecting a \$200,000 per year salary that the taxpayers had to pay, no wonder so many Houstonians believed that it was the most corrupt administration that the City of Houston had ever had, the more money they collected the more money they wasted, they had a lot of gall abolishing his art house at 1611 Holman in the Third Ward part of Midtown Houston and using his tax dollars to lobby the Texas Legislature to change the law to keep him and other candidates from running in the special election for City of Houston At Large Position No. 3 as the law now required, democracy had no price tag, he did not care how much the special election costs, that he thought they were just upset that the money spent on the special election could be better spent paying off his political cronies like the Houston Chronicle, too bad that Mayor White was not an honest politician like Gerald Ford, whom he had come to admire and respect.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that the Global Mafia was attacking him, that he was a crime victim; and continuing expressing his personal opinions until his time expired.

Ms. Justina Chen, 2626 Folage Green, Houston, Texas 77339 (281-358-6468) appeared and stated that this was her fourth time coming to the City Council seeking help, that she uncovered questionable payments to the Mayor's office through a gala dinner, they raised over \$150,000, almost \$60,000 went to Mayor White's political appointees, staff and friends, that because she raised questions she had been harassed, terrorized and poisoned, that she called the police seven times, seven police reports; and continued expressing her personal opinions until her time expired. Council Member Johnson absent.

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

At 10:02 a.m. Mayor White stated that they would return to the agenda.

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

**MISCELLANEOUS**

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF THE GREATER EAST END MANAGEMENT DISTRICT**, for a term to expire June 1, 2009:

Position 1 - **MR. FRANK M. K. LIU**, appointment  
Position 2 - **MR. REX MORAN**, reappointment  
Position 4 - **MS. NELLY QUIJANO**, appointment  
Position 5 - **MS. IRMA GALVAN**, reappointment  
Position 6 - **MS. CARMEN M. de ALDECOA-BAIZAN**, appointment  
Position 7 - **MR. ANDREW PEREZ**, reappointment

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0018 ADOPTED.

9. RECOMMENDATION from Director Department of Public Works & Engineering for payment of FY 2007 Annual Membership dues for the **AMERICAN WATER WORKS ASSOCIATION RESEARCH FOUNDATION** Subscription Program - \$236,154.62 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0019 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$80,398.51 to **LONE STAR GROUNDWATER CONSERVATION DISTRICT** for water user fees for calendar year 2007 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0020 ADOPTED.

13. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$137,187.41 to the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for 2007 Water System Fees - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0021 ADOPTED.

14. RECOMMENDATION from Director Department of Public Works & Engineering to approve refund for Water & Sewer Accounts for The Olive Garden #1074, 1010 Old Spanish Trail - \$39,992.08 Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0022 ADOPTED.

**PROPERTY**

18. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Rene Rodriguez of South Texas Surveying Associates, Inc., on behalf of Hartford Homes, Inc., (Hossein Nikooi, President) for abandonment and sale of a 10-foot-wide utility easement within Lots 1 and 2, Block 1, Lailah Trustee Townhomes Subdivision, a replat of the Camp Logan First Addition, Parcel SY7-038 **STAFF APPRAISERS - DISTRICT G - HOLM** – was presented, and tagged by Council Member Holm. Council Member Johnson absent.

### **RESOLUTIONS AND ORDINANCES**

24. RESOLUTION designating certain properties within the City of Houston as historic landmarks **DISTRICT G - HOLM**  
Katherine B. and Harry L. Mott House - 3325 Inwood Drive  
William L. Clayton Summer House - 3376 Inwood Drive  
John Hamman Jr. House - 3379 Inwood Drive

- was presented. Council Member Johnson absent.

Council Member Holm stated that she wanted to thank the citizens who had come forward and were moving forward to protect the historic landmarks that they set in place and those first steps that were so meaningful, that with the help of so many of her colleagues and the Mayor's office it had turned out to be a very powerful ordinance and steps they had taken, and Mayor White stated that he bet they would set a record on the various recognitions as historical designation and historical landmarks. Council Member Johnson absent.

A vote was called on Item No. 24. All voting aye. Nays none. RESOLUTION 2007-0003 ADOPTED.

27. ORDINANCE authorizing the Mayor to execute a revised Freight Rail District Ordinance to remove the thirty-day limit on execution by the parties; adopting the revised ordinance in lieu of Ordinance No. 2007-1154 - was presented, and tagged by Council Member Wiseman. Council Members Johnson and Berry absent.
29. ORDINANCE consenting to the addition of 100.55 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00013 ADOPTED.
30. ORDINANCE consenting to the addition of 78.59 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 216**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00014 ADOPTED.
31. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 483** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00015 ADOPTED.
32. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 484** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00016 ADOPTED.

33. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 485** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00017 ADOPTED.
37. ORDINANCE approving and authorizing grant application to the **DEPARTMENT OF STATE HEALTH SERVICES FOR THE CITY'S HIV/STD PREVENTION AND CONTROL PROGRAM** (HIV/STD-0156.1); declaring the City's eligibility for such grants; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00018 ADOPTED.
38. ORDINANCE amending Ordinance Number 2005-1352 to increase the maximum contract amount for contract between the City and **PEOPLE WITH AIDS COALITION HOUSTON, INC** (#C61601) for HIV/STD Services for the Houston Department of Health and Human Services - \$35,000.00 General Fund – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00019 ADOPTED.
39. ORDINANCE appropriating \$100,000.00 out of the CNG Vehicle Replace Fund for the Brownfield Redevelopment Program – was presented. Council Members Johnson and Berry absent.

Council Member Brown stated that he would like to know how they were doing on the investigation of the Municipal Settings Designation to deal with their Brownfield sites, and Mayor White asked if there was another ordinance that Council Member Brown thought would be helpful for them to consider, and Council Member Brown stated that he gave a copy of that ordinance to the Public Works Department and would be happy to share it with Mayor White, and Mayor White stated that he would ask Ms. Stein to follow up on the status of those working with Brownfields but was not aware or familiar with the fact that Council Member Brown had suggested to change certain ordinances and the Brownfield Office, he was sure, had that and wanted to thank Council Member Brown for being very specific about it. Council Members Johnson and Berry absent.

A vote was called on Item No. 39. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00020 ADOPTED.

41. ORDINANCE amending City of Houston Ordinance No. 2006-628, passed on June 14, 2006, which approved and authorized the submission of the 2006 Consolidated Plan and the grant application for the 32nd Year Community Development Block Grant ("CDBG"), among others – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00021 ADOPTED.
43. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** to provide up to \$189,137.00 in Community Development Block Grant ("CDBG") Funds, which sums includes a supplemental allocation in the amount of \$99,137.00 to assist in the Administration of the Stay In School Program - **DISTRICTS A - LAWRENCE and G - HOLM** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-00022 ADOPTED.
44. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC**, providing up to \$642,000.00 in Housing Opportunities For Persons with AIDS ("HOPWA") Funds for the Administration

and Operation of a "Tenant-Based Rental Assistance" Program with Supportive Services - **DISTRICT C – CLUTTERBUCK** – was presented, and tagged by Council Member Clutterbuck. Council Members Johnson and Berry absent.

46. ORDINANCE authorizing the City Attorney to file a motion to intervene and participate as he determines appropriate in a lawsuit relating to Clean Air Act issues affecting the Houston/Galveston/Brazoria 1-Hour Ozone Nonattainment Area – was presented. Council Members Johnson and Berry absent.

Council Member Edwards stated that she was in favor of the item and had some concerns as to how it would help citizens in an every day process because she was still getting citizens calling about certain areas where their air was very highly polluted and what were the issues and how would they be addressed, that she needed somebody to help her understand how it would affect every day citizens daily life and that it was not just a theoretical study but that it would be something that would be meaningful for the citizens of Houston. Council Members Johnson and Berry absent.

Mayor White stated that they could get that to her, that this particular one would simply give them a place at a table in some ongoing litigation, but he would make sure and Ms. Stein would make sure that Mr. Carl Pebble followed up with Council Member Edwards on it. Council Member Johnson Berry absent.

A vote was called on Item No. 46. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2007-0023 ADOPTED.

47. ORDINANCE appropriating \$1,507,000.00 out of Equipment Acquisition Fund; \$253,000.00 out of Airports Improvement Fund; and transferring \$440,000.00 out of Combined Public Utilities System Fund to the Non-Recurring Projects Fund and appropriating the same amount out of the Non-Recurring Projects Fund as an additional appropriation for contract with **SAP PUBLIC SERVICES, INC** for an Enterprise Resource Planning System; amending Ordinance No. 2005-405, which approved the SAP contract to increase the maximum contract amount – was presented, and tagged by Council Members Wiseman, Edwards, Holm, Khan and Clutterbuck. Council Member Johnson absent.

Council Member Khan stated that he had a couple of questions, that Item Numbers 47 and 48 were both related to the SAP project and he would appreciate it if somebody could visit with him because they were delaying the implementation of SAP and that was requiring additional testing and on Item No. 48 they were requiring another company to do the support work and it appeared to him that they had extensions of this thought out before and yet they were coming now to the Council asking for additional funding for the delay for testing and he did not know why it was taking so long to get the system rolling. Council Member Johnson absent.

48. ORDINANCE amending Ordinance No. 2006-118 to increase the maximum contract amount for the contract between the City of Houston and **PHOENIX BUSINESS CONSULTING** for Computer Consulting Services relating to the ERP Project – was presented, and tagged by Council Members Wiseman, Khan and Clutterbuck. Council Member Johnson absent.
50. ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC** for the Feasibility Study for a City of Houston Cogeneration Electricity Plant - \$300,000.00 - Central Service Revolving Fund - **DISTRICTS B - JOHNSON; D - EDWARDS; E -**

**WISEMAN and I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2007-0024 ADOPTED.

51. ORDINANCE appropriating \$350,000.00 out of Parks Consolidated Fund and approving and authorizing Professional Services Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** for Houston Parks Master Plan Update (WBS No. F-000519-0001-3); providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Fund – was presented, and tagged by Council Members Holm and Garcia. Council Member Johnson absent.
54. ORDINANCE appropriating \$5,000.00 out of Street & Bridge Consolidated Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **S&B INFRASTRUCTURE, LTD.** for Brick Streets in Freedmen’s Town Project; WBS N-001315-0001-4; (SB10378) - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2007-0025 ADOPTED.
61. ORDINANCE appropriating \$4,960,000.00 out of Drainage Improvements Commercial Paper Series F Fund as an additional appropriation and approving and authorizing second amendment to Professional Engineering Services Contract (approved by Ordinance No. 2003-1195) (WBS Nos. M-000220-0003-3; M-000209-0001-3; M-000255-0002-3; M-000263-0001-3; M-000273-0001-3; M-000280-0001-3; M-000283-0001-3) between the City of Houston and **TCB, INC** for services associated with the Storm Water Management Program (SWMP); providing funding for contingencies relating to the construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund – was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2007-0026 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 62

**MISCELLANEOUS**

62. **SET HEARING DATE** to amend **CHAPTER 42 OF THE CODE OF ORDINANCES**  
**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - 1 WEEK FROM DATE OF**  
**PASSAGE** – was presented. Council Member Johnson absent.

Council Member Khan moved to set the hearing date for January 10, 2007, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0023 ADOPTED.

**MATTERS HELD** - NUMBERS 63 through 66

63. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Chief of Police for allocation of funding to Contract for Assessment Center for the Rank of Police Sergeant, between the City of Houston and **BOOTH RESEARCH GROUP, INC** for Houston Police Department - \$103,600.00 - General Fund – **(This was Item 9 on Agenda of December 20, 2006, TAGGED BY COUNCIL MEMBERS LAWRENCE and EDWARDS)** – was presented. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0024 ADOPTED.
64. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Chief of Police for allocation of funding to Contract for Assessment Center for the Rank of Police Lieutenant, between the City of Houston and **JUSTEX**

**SYSTEMS, INC** for Houston Police Department - \$13,894.87 - General Fund – **(This was Item 10 on Agenda of December 20, 2006, TAGGED BY COUNCIL MEMBERS LAWRENCE and EDWARDS)** – was presented. All voting aye. Nays none. Council Member Johnson absent. MOTION 2007-0025 ADOPTED.

65. ORDINANCE appropriating \$150,000.00 out of Storm Sewer Consolidated Fund and approving and authorizing contract between the City of Houston and **BECK, REDDEN & SECREST, LLP**, for Professional Legal Services in connection with Southwestern Bell Telephone, LP, d/b/a AT&T Texas v. City of Houston (Civil Action No. 4:06-CV-03901 in the United States District Court for the Southern District of Texas, Houston Division) and related matters, providing a maximum contract amount – **(This was Item 43 on Agenda of December 20, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Johnson absent. ORDINANCE 2007-0027 ADOPTED.
66. ORDINANCE appropriating \$506,000.00 out of Street & Bridge Consolidated Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **COBB, FENDLEY & ASSOCIATES, INC** for Technical Assistance for Interagency Project Reviews; WBS N-000668-0011-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Fund - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; D - EDWARDS; G - HOLM; H - GARCIA and I – ALVARADO** – **(This was Item 54 on Agenda of December 20, 2006, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2007-0028 ADOPTED.

**Item received during meeting.**

40. ORDINANCE appropriating \$155,000.00 out of CNG Vehicle Replace Fund for the Mayor's Office of Health & Environmental Policy – was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2007-0029 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Clutterbuck stated that as the new legislative session takes place and as they go and start lobbying on behalf of the citizens of Houston urging their colleagues in the Legislature to change the laws to help them facilitate positive change in Houston she knew that first and foremost on the Mayor's agenda was trying to address some of the laws with regard to how they were able to hire new police officers in the City of Houston, something that they desperately needed and would urge their legislative representatives to think about Houston and make it easier for them to be able to hire qualified police officers, some simple changes would include changing the Civil Service Laws that applied specifically to Houston and not to some other municipalities that would allow them to go elsewhere to hire people and administer the Civil Service exam there rather than having set dates in Houston to have the Civil Service exam, as well as changing the law that required the officers in Houston to have 60 hours of college or honorable military discharge, if they could have 5 years prior police service in another municipality and a military setting would certainly enable them to hire more police officers since they were having difficulty filling their police classes with qualified applicants, that certainly there were a number of people who wanted to serve and were probably qualified by any other common sense standard and it would be nice to have their hands untied as they went forward and she would urge the Legislature to assist them in that. Council Members Johnson, Khan and Green absent.

Mayor White stated that would be at the top of their Legislative agenda, changes of Civil Service, it may be that they deal with it informally but it could be in a more formal mechanism that he thought they needed to figure out because there were views by different people that he respected on it and they did not want to compromise the professionalism and the incentives for educational attainment by the Police Department and they were looking very carefully at that proposal to make sure that they satisfied their objectives but did not compromise having the most professional Police Department in the United States and there were some issues there that he thought they needed to flush out during the month. Council Members Johnson, Khan and Green absent.

Council Member Lovell stated that she wanted to welcome her sister, Ms. Nancy Bails, who was visiting from California and was present in the audience. Council Members Johnson, Khan and Green absent.

Council Member Lovell stated that she was looking forward to an exciting Legislative session, that she wanted to pay compliments to their Legislative team who had been very diligent about communicating with them and getting their ideas about what was important in the upcoming Legislative session. Council Members Johnson, Khan and Green absent.

Council Member Edwards stated that she wanted to publicly thank everyone who had called her with prayers and thoughts of support for her mother in her illness and wanted to thank and appreciate them for that. Council Members Johnson, Clutterbuck, Khan and Green absent.

Council Member Edwards stated that she had questions regarding the status of the lawsuit that was put against the City of Houston regarding the MWBE and what could be done about employers and so forth, that she would like to know what the status was and would also like to know if they were at a point where they could actually do something with employers who did not consciously try to meet the goal set by the MWBE, that she had written a letter to Ms. Laws but would like to have an official ruling as to where they were, and Mr. Michel stated that he would provide more detail but the quick answer was that it had been settled and they had gotten the draft of the disparity study and under the settlement March 15, 2007 was to adopt new ordinances and he thought that would be the point where they could have a complete overview of the entire policy, that it was a priority of both Ms. Laws and his office and they would be providing more information to her, and Council Member Edwards asked that they give her a briefing on what the lawsuit meant and how did it affect their everyday awarding of contracts and how do they hold contractors accountable. Council Members Johnson, Clutterbuck, Khan and Green absent.

Council Member Edwards stated that on the clean air situation she was very concerned, the ordinance that that they passed today she was in favor of and thought that they needed to have as much presence at tables as possible where they were making laws and policies, especially regarding the City of Houston's clean air, the area in District D that she was concerned about were the landfills, there was a proliferation of landfills and a proliferation of concrete crushing yards in District D and the air had already been recognized as being not the best, if not one of the worst, and she was very concerned on how they moved it forward and hopefully they would have a very aggressive move on the clean air of the City and to give their citizens some relief, they get many phone calls from constituents around the City regarding air quality and she was not sure what to tell them, that she referred a lot of them to Mothers for Clean Air because they had a lot of grassroots type of remedies that people could look at regarding how to help keep their own air clean and what they could do, but she would encourage the Council to have a very aggressive area, that she had talked to Council Member Alvarado about possibly an ordinance that limited concentration of such institutions, that without

zoning they were going to have to do something to protect their citizens. Council Members Johnson, Clutterbuck, Khan and Green absent.

Council Member Edwards stated that she had passed out some information that was in the Houston Chronicle yesterday, that she had made several comments about U. S. Highway 69 and there was an article in the Houston Chronicle on the whole process of how the Country at large was dealing with the issue of land issues and what they were looking it, that she made a mistake and referred to NAFTA Chapter 12, it was NAFTA Chapter 11 and she had that information if someone would like to see what it speaks to, but it basically says that countries could challenge State laws and regulations as barriers to trade regarding issues of regulations on trucks and what types of fuels they used, her only question was how would it impact what they were trying to do in Texas, that she needed to know before she could vote on anything standing, what was the impact on Texas. Council Members Johnson, Clutterbuck, Khan and Green absent.

Council Member Edwards stated that with the execution of Saddam Hussein, she did not think that anybody had any doubt that he was probably one of the evil men of the century and of the world and probably execution was the proper punishment for what he had done not only to the people of IRAQ and Afghanistan and other places, but people of the world, but she had a problem when they looked at Rwanda, in a period of 40 days there were over a million people killed and over four million people displaced and no one had ever been brought to any type of trial or reconciliation or any kind of recourse, and in Dafar they had close to 450,000 people murdered and the United Nations had classified it as genocide and people in our government had classified what was going on in Dafar as genocide and she did not understand how there could be such a disparity when looking at people's lives, that she would like for the Council, this year, to look at the issue of Dafar, they had immigrants from the Sudan in the City right now as a result of what was happening in Dafar, that she knew the administration did not like to involve itself in other jurisdiction's legislative providences but she thought it was a providence that demands to at least make a statement on so if they could put a resolution together that dealt with their distain for what was going on in Dafar and call for the United Nations to act and for the government to act, that she was talking about it here because she worked with refugees from Africa every day. Council Members Johnson, Clutterbuck, Khan and Green absent.

Mayor White asked Mr. Michel to communicate with Mr. Carl Pebble, that he would not be adverse and thought it would be appropriate for them to have, if it was legal for them to do so under their humble status, permitting and regulations that addressed the particulate matter that could be admitted from the concrete crushing facilities, that the practical matter was that if they had a fairly tight standard on the particulates there would not be able to locate within the City limits and though he was for economic development within the City limits he was not sure they needed any more concrete crushing plants within the City limits, so if they could get feedback from stakeholders then somebody could make the case that they needed a new one in the City limits but it seemed to him like they ought to be able to prepare an ordinance on it and he would ask that they do so expeditiously. Council Members Johnson, Clutterbuck, Wiseman, Khan and Green absent.

Council Member Garcia stated that on Monday would be the Public Safety and Homeland Security Committee meeting at 10:00 a.m. in Council Chambers. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan and Green absent.

Council Member Garcia stated that the Texans won, two in a row, that they improved over last year's record and hoped that was an indication of what was yet to come; that at the stadium of the World Champion Dynamo, tomorrow the interleaga would be having to very significant matches of soccer, that playing would be the Monterrey Tigeres against Cruz Azul and then

tomorrow would be Chapas Morellia playing America Tecos and he would encourage all soccer fans to be there and enjoy the game. Council Members Lawrence, Johnson, Wiseman, Khan and Green absent.

Council Member Garcia stated that on Item No. 26, where they designated several historic landmarks, in the Heights there were several, that at 1102 Heights was actually the home of Houston Heights Mayor Milroy and at 639 Heights was the home of Houston Heights Mayor Isbel, who was amongst the first and was Mayor in 1899 and the Houston Heights was incorporated in 1891, that Mayor Milroy was the fourth Mayor of the Heights, and these were a few of the homes that were designated today, that the home at 831 Rutland was built by William Otto, a professional carpenter and he built the house in 1898, that he wanted to thank his colleagues for the support on the items. Council Members Lawrence, Johnson, Wiseman, Khan and Green absent.

Council Member Garcia stated that he wanted to thank Mayor White for his brief comments in follow up to what Council Member Clutterbuck talked about in terms of some of the Legislative items, that the Houston Police Department's professionalism was something that they had to protect, that he was one to say that they should hire and hire fast, get boots on the ground, but he also remembered in the early 1980's when they were hiring very fast and the standards they had today and were not necessarily in place and there was a bit of the shine that the City had today that was lost in that and he appreciated the Mayor's memo yesterday in regards to the challenges in staffing and how they were working to develop the Houston Police Department into one of the Country's greatest law enforcement organizations and they were going in the right direction, that he was anxious to get more relief for their neighbors and more relief for the guys in the patrol cars, but the professionalism was something that they should hold sacred. Council Members Lawrence, Johnson, Wiseman, Khan and Green absent.

Mayor White stated that they were all moving in the same direction and maybe at some point the Public Safety Committee could hold a meeting on recruitment which had improved and they had increased the budget, that there were a lot of people in college today who wanted to make a difference, that the salary, security and all end benefits of HPD were greater than most jobs that college graduates had and he wondered if they were communicating to people enough and effectively about that fact, there were not many jobs where people had that combination and were entry level, out of college, that he knew they had done better over the last five months, he was not being critical of anybody, that Council Member Garcia made a very good point. Council Members Lawrence, Johnson, Wiseman, Khan and Green absent.

Council Member Holm stated that Ms. Yvonne Clayton had been a long time staffer for the City of Houston, she worked in the Water Department and was on the Council floor, she tried the public sector for about a year and she had come home and was going to be doing constituent services so they were happy in District G. Council Members Lawrence, Johnson, Wiseman, Khan and Green absent.

Council Member Holm stated that she and Mr. Chuck Holm were celebrating 37 years of marriage today and had known each other for almost 50 years, that he was also a part of the team and was supportive and involved. Council Members Lawrence, Johnson, Wiseman, Khan and Green absent.

Council Member Alvarado stated that over the holidays Congressman Green suffered two losses in his family, that right before Christmas he lost his father, Mr. Garland Green and less than a week later his mother-in-law, Mrs. Mildred Albers, and asked for a moment of silence for Congressman Green and Helen and their family. Council Members Lawrence, Johnson, Wiseman, Khan and Green absent.

Council Member Berry stated that he wanted to congratulate Council Member Garcia and the Heights for a lot of new and wonderful properties added to the Historic Landmark Designation and there were probably so many more that qualified and hoped would be preserved and restored and continue to beautify that neighborhood and give it a sense of place; that one of the things they looked at was tax incentives to encourage restoration of historic properties, which he supported, but if he could get from someone what the process was, that it was not an urgent request but if Mayor White could ask them to get the process by which it was done and a case study where it was working. Council Members Lawrence, Johnson, Wiseman, Khan, Holm and Green absent.

Council Member Berry stated that he wanted to thank Sergeant Richard Wilson and Tactical Command Officer Burton who responded to a constituent concern of drug dealing in their neighborhood and dealt with it very aggressively and satisfactorily; that Gary Norman, Public Works, continued to help them with every request they had and he was very accommodating and quick to respond and Mr. Issah Dadoush, about who he could say the same thing every week. Council Members Lawrence, Johnson, Wiseman, Khan, Holm and Green absent.

Mayor White requested that Ms. Stein make sure they got the briefing on the process as well as some 30 to 50 historical tax credits, lower ad valorem taxes and other property taxes that had been incentives through the process and in the first three months of the new year one of the items on which the administration would be asking the City Council to act on would be an expansion of that tax credit program or tax abatement program for a defined category of structures that were among some of the most special historic structures in their community so that people instead of protesting the destruction of a structure could put their money where their mouth was and they could make sure they provide every public incentive that was available to do that. Council Members Lawrence, Johnson, Wiseman, Khan, Holm and Green absent.

Council Member Brown stated that he wanted to comment on some of the remarks made by his colleagues, that he would be enthusiastic about supporting some kind of a reasonable resolution on genocide and Darfur; that HGHC had a solid waste management plan and TCEQ had some very benign regulations but he thought it was really a call for the City of Houston to take bold and decisive action on landfills and rock crushing facilities as part of their regulation of nuisance ordinances and he supported it very strongly.

Council Member Brown stated that they had an Adopt a Park Program which he thought could be something all of them could support more aggressively and would like to see them adopt a library program, that he and his wife were going to formerly adopt the Johnson Library on Reed Road starting with book donations, which they had been doing for a year and then a contribution to the newly formed Houston Library Foundation and thought it was a great thing; that they were also going to sponsor a community garden, probably at the library in Trinity Gardens in conjunction with Urban Harvest, who would like to partner with the City on the community gardens program. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he had passed out his latest version of litter on a stick related to the 2200 block of Richmond where they had horribly unsightly, dangerous and giant concrete utility poles that were erected in front of a new higher density residential development, that all the utilities were in the rear and he thought the City needed to come to grips with it because it was a blight on the public realm and all of the neighbors were fed up and they could have a Utility Placement and Easement Ordinance that they had to work out with CenterPoint and other utility companies and developers so that the first priority for the location of those

monsters would be in the rear of lots, which was really the tradition of Houston, that Mr. Andy Eiken was working with him on it and they had come to the conclusion that if they had a 14 foot easement in the back of the lot that it could satisfy the needs for maintenance and repair and he thought it would be something that they all ought to look seriously at. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he had mentioned the issue of Wayside Village, which they discussed before, that back in March 2006 they had some discussion about the tract subdivision in District B and the developer agreed to give them a Memorandum of Understanding about changing his general plan into a master planned community with appropriate amenities and reserves for civic uses, it had been almost nine months and they had not heard one single word from the developer, and it was a developer that the City was subsidizing and he questioned if it was good faith on the part of the developer and thought it needed some attention; that on the good side this weekend he toured three projects of State Highway 288, one called Citi Park and one called Sky Ranch and they were decent projects, residential in nature, by national developers that had a beginning sense of neighborhoods and the developers had done it by their own accord, the third was by Gateway Homes and had similar qualities but was not quite as attractive as the first two, but only Citi Park had internal parks and open space, they had little and big parks and greenways and again the developer had done it voluntarily and he thought it was a good sign that they could move forward with some very reasonable regulations related to the quality of residential development. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 10:52 a.m. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Green and Berry 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