

City Council Chamber, City Hall, Wednesday, January 17, 2007

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, January 17, 2007, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, 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, Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Addie Wiseman absent on city business.

Note: Council Member At Large Position 3 vacant.

At 8:21 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:37 a.m. Mayor White called the meeting to order and called on Council Member Green for the prayer and pledge of allegiance. Council Members Johnson, Holm, Garcia, Brown and Berry absent.

Mayor White requested the City Secretary to call the roll. Council Member Wiseman absent on city business. Council Members Johnson, Garcia, Brown and Berry absent.

Council Members Khan and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Johnson, Garcia, Brown and Berry absent. MOTION ADOPTED.

Council Member Edwards moved to suspend the rules to hear the Mayor's Report before the public session, seconded by Council Member Alvarado. Council Member Wiseman absent on city business. Council Members Johnson, Garcia, Brown and Berry absent. MOTION 2007-0047 ADOPTED.

MAYOR'S REPORT - Status of Community Development Block Grant single-family home repair program

Mayor White stated that he wanted to cover some points and then would like for Mr. Mincberg and Mr. Hadnott to be available for questions on it, that he wanted to set the context of why he wanted to visit with them in public session on the status of the Home Repair Program, that context was that the City of Houston would be making some decisions or could be making some decisions in the near future that could affect a variety of activities of the City because of certain circumstances in the Home Repair Program, he was not making a proposal or announcing a plan, but he was telling them what some of the alternatives which were being considered, he did so in part because it gives them a factual context so if anybody had questions, opinions or views then he welcomed those views from those around the Council table in order that they make the right decisions for the public, that the Home Repair Program could do much good for people just struggling to get by, there were a lot of homes that would need to be repaired for people to live in dignity and independence within the City, the program for home repair done by the City and by non profits and by others were also critical for the revitalization of neighborhoods which affected far more people than simply the home that was being repaired, that there were numerous findings of lack of compliance with federal rules and regulations based on the administration of the program prior to the present administration, those dealt with a wide variety of topics ranging from some of the prices to compliance with City code at the time the home repairs were being made, but many related to some lack of formal processes and procedures and oversight of the home repairs that were being done, that changes had been

made, and not just recently, in the policies and management of the program to prevent those issues from arising in the present, none of them related to the program on the watch of Mr. Milton Wilson, for example, and it was to considerable credit and a number of his team as well as various officials at HUD that there were funds that had been made available to continue home repairs that they needed to do despite some of the numerous findings in light of the significant changes in both management and procedures, that he wanted to salute Mr. Wilson and Mr. Mincberg, the Acting Head of HCD, and trusting the responsibility for some future administration of the program Mr. Henry Hadnott, who was present at the Council table and had many years of experience with HUD and who understood the program was about the beneficiaries and their interest should be number one, that the City had a strong desire to continue to use funds that were available for home repair and community improvement from federal funds and General Funds in a way that was dictated by objective criteria of cost effectiveness, where they could get the most bang for the buck, and some of those objective criteria were things like whether the repair would last for a number of years, whether there was a concentrated area of home repairs, so that it had an effect of revitalization and incentive affordable housing close to those homes that had been repaired, that another objective criteria was trying to deal with those in the most neglected neighborhoods and most in need, that of course across either CDBG or the General Funds they wanted to allocate funds in some of their neighborhoods that had been most neglected where people were struggling to get by based on criteria that came up from the community, in some cases it was programs for seniors and in other cases in almost all neighborhoods it was public safety, it was critically important in order to revitalize the neighborhood, the Department of Housing and Urban Development so far had taken a different approach than the use of whatever funds the City may have using objective criteria, he was not saying that people were unreasonable necessarily but it had just been a different approach than the business like approach that they were advocating, so far they had said that of some 1,900 houses that may need to be repaired that all of them should be re-inspected and be repaired up to not only the building code at the time but something that would be some standards of habitability that HUD had that would apply today so that as a practical consequence if they were dealing with some \$8,000, \$9,000 or \$10,000 per home repair than HUDs position so far had been to spend \$17 million, \$18 million or \$19 million going back to those houses even though there were other houses that may be deserving of repair or rehabilitation or other services that affected that community, which both the community and the City would find that it would be more cost effective, that the City would characterize the approach as punitive and HUD would characterize the approach differently, former Director Wilson, John Walsh, Mr. Mincberg and many others had been working through the issue with HUD for some two and a half years, the goal was to make sure they both reformed the program and spend funds in the future in a way they thought would be in the best public interest to best assist the beneficiaries in that community, they had attempted to highlight to HUD that money did not come from nowhere and if they were to take General Funds out of the effective neighborhood that were dedicated to public safety, CIP projects or other places within the City that it would not necessarily be an improvement and moreover that any of these homes that had previously been repaired that were not in habitable condition or met the objective criteria would be at the front of the list in getting repaired, however, so far at least they had not come to resolution with HUD, just to summarize there would be an issue for some 1,900 houses, if they went back, on which \$18 million had been spent and they would spend another \$18 million from General Funds, but their alternatives were really twofold, either to persuade HUD at senior levels for a program that would allow them to use General Funds that would be put back into the program, going back and repairing those houses most needing repair or to reimburse HUD for some of the expenditures that they had made in the past and have those monies then available to them back within the CDBG Program or to comply with the preferences and requests so far by HUD and cannibalize other City services and projects in order to do all of these houses over again, that they needed to resolve the issue finally and they needed to resolve it in a way that respected the fact that ultimately whether they would agree or disagree if the City was in their

position that they were HUD dollars and that they needed to reach a final resolution with HUD even though there may be elements of it that they thought they would not craft in the same manner or they would face risks concerning continuing funding of HUD programs, so during the next couple of months he personally would be committed to working with Mr. Mincberg, Mr. Hadnott and others in trying to reach a final resolution, the reason that they mentioned it to them was that they needed to remember with humility and respect that they were not the only decision makers in the process, that ultimately they needed to reach some satisfaction with HUD otherwise there could be worse consequences going forward. Council Members Johnson, Garcia, Green and Berry absent.

Council Member Edwards asked the status of the challenges they were having with some of the vendors and subcontractors as to how it had been resolved, if they could get with her on that. Council Members Johnson, Garcia, Green and Berry absent.

Upon questions by Council Members, Mayor White stated that there needed to be a financing plan in place and that was what he was resolved to do, to come to some conclusions just as quickly as possible, that he would go to Washington next week and they would try to reach some resolution as quickly as they could, and Mr. Hadnott stated that their pace of work for going back to the houses that they had to go back and inspect and repair HCD was currently working with Building Services to set up a fast track system, they had identified 500 of those properties and hopefully they would start assigning those properties to a contractor for inspection next week, at the end of the inspection for the 500 properties they would have a much better idea of where they were and what they were going to see in inspecting the other 1,000 or 1,200, that HCD had already worked with Building Services and had selected a contractor and were in the process of meeting with the contractor to get started on assignment, he was going to make the first assignment to the contractor tomorrow and they would proceed from that point in terms of the go back properties, that on the properties they had new applications on they had Tier 1 and HCD had decided that Tier 1 was an emergency type repair and they accept those applications and process those applications immediately, generally within 72 hours they process those applications on the emergency repair, that Tier 2 was rehab or substantial rehab and Tier 3 was a complete reconstruction, they had approximately 1,800 applications on file to be processed, they had started reviewing those applications and had set up the first 300 for review, when those 300 were reviewed they would see how many people qualified and they would put those in process, at that point they would review the next 300 and so on until they complete all 1,800, they were actually working the applications on file but that was a slow process. Council Members Johnson, Holm, Lovell, Green and Berry absent.

Upon further questions by Council Members, Mayor White asked where do they stay when their home was being rehabbed or should that be an option and Mr. Mincberg stated that he and Mr. Hadnott had met with Council Member Garcia last week and he made that suggestion and they had agreed to try to figure out how they might be able to accomplish that for urgent and emergency situations so they had committed to investigate and also at the same time wanted to be very careful that they do not somehow create more problems by trying to fix a piece without fixing it all, that they were committed to looking into it and investigating. Council Members Johnson, Lovell and Green absent.

Upon further questions, Mr. Mincberg stated that they were talking about home repairs period, that it was not the Emergency Home Repair Program, that it was a continuation and an effort to work on the HUD findings with regard to CDBG home repairs, and Mayor White stated that they had an Emergency Home Repair Program and the HUD findings related to that, that they had also been talking about home repairs going forward where they had the Tier 1 emergency dealt on the schedule that Mr. Hadnott had described and had a Tier 2, which was the rehab where they were processing 300, and they had a Tier 3, which he was not to keen on

which was rebuilding a new home and he believed the findings themselves related to the administration of their Emergency Home Repair Program, and Council Member Edwards stated that she would like for them to share the list of contractors that they were looking at with the Housing Committee so that they were not looking at the same people they had some very serious problems with in the past. Council Members Johnson, Garcia, Lovell and Green absent.

Upon further questions by Council Members, Mr. Hadnott stated that the Emergency Repair under the CDBG Program was a situation where the gas company for example goes out and takes the gas meter because there was a gas leak in the house, that was an emergency repair and the type of repair that if a citizen calls in they take care of it immediately, in the case of a wind storm and a tree blows on the roof, that was an emergency repair, that was strictly the Tier 1 emergency type repair; that the Home Repair Program was the regular rehab type repair, that he would distinguish between the two different funding sources, on the CDBG Emergency Home Repair and the Tier 2 and Tier 3 they had to be a senior, 62 years of age and above or disabled, that the Housing Assistance Program, which provided down payment and closing costs assistance to homebuyers and that applied to any homebuyer that met certain qualifications and that was under the Home Funding Program and was a different funding and would apply to the properties that were assisted with down payment assistance between January 1, 2001 and November 2004 that HCD had the charge from HUD to go back and inspect those properties so those could apply to anyone who was serviced under that program. Council Members Johnson, Garcia, Lovell and Green absent.

Mayor White stated that he wanted to thank Mr. Mincberg and Mr. Hadnott for being present. Council Members Johnson, Garcia, Lovell and Green absent.

Council Member Holm stated that she wanted to welcome her sister-in-law, Jan Dunn, who was in the audience, that she and her husband Steve and Chuck's mom were visiting from Portland.

At 10:24 a.m. Mayor White stated that they would move to the public session. Council Members Johnson, Garcia, Lovell and Green absent.

The City Secretary began calling the public speakers. Council Members Johnson and Garcia absent.

Ms. Tammy Betancourt, 12018 Woodhollow Lane, Houston, Texas 77043 (713-266-5691) appeared and stated that she was present representing the Houston Building Owners and Managers Association and to speak on the news rack ordinance Council would be considering; that she wanted to applaud Council Member Holm and the Quality of Life Committee for their hard work, but they felt the proposed ordinance stopped just short of being consistent with the overall improvement and beautification plans for this city, more was needed on placement and size requirement of the racks and the fee schedule did not allow for adequate policing of the racks and it lacked provision for damage liability or insurance, when the heavy news racks were placed on the decorative stone plazas and they were damaged who would repair them. Council Members Johnson and Garcia absent.

Council Member Holm stated that this had been worked on for over a year and a lot was with Council Members Lawrence and Alvarado; that they hoped to move toward uniformity, but this regulated street right-of-way and not entrances to buildings, that was still private property; that the whole goal of the ordinance had been to set consistent criteria and standards which would allow for safe distribution but not to limit or prohibit distribution; that there were many participants such as the Houston Chronicle, Houston Press, African American News, Defender, El Dia, Rumbo, USA Today, Best Car Shoppers, the Downtown Management District, the

Sharpstown Management District, the Midtown Management District, Uptown Management District, METRO, BOMA and the City of Houston representatives from Public Works, Parking, Legal, Neighborhood Protection as well as Council offices. Council Members Johnson and Garcia absent.

Mayor White stated that when a governmental entity made rules or regulations which affected the ability to disseminate information or express views it was not quite as important at times on what they thought was a reasonable balance but there were courts and legal challenges and attorney fees and they needed to take those into account; and he thanked Ms. Betancourt for working with them; that the First Amendment was not a science and not all courts decided it the same way, but it was important to try and build a consensus. Council Members Johnson and Garcia absent.

Council Member Lawrence stated that in the last 10 days she had gotten three major entities of those names which needed to carry discussion a little further and she apologized, that was the only meeting she had missed, but thought plazas did need to be looked at; that cities like Chicago only allowed one sign and made \$2,000,000 off it and Houston could partner with METRO and still make money; that there were options she did not think had been looked at and she would be tagging it and propose amendments. Council Members Johnson, Edwards and Garcia absent.

Upon questions by Council Member Brown, Ms. Betancourt stated that when they saw the ordinance in August they recommended a multi housing rack for six to eight papers instead of numerous racks. Council Members Johnson and Garcia absent.

Council Member Holm moved that the rules be suspended for the purpose of adding Mr. Randy Schawe to the speakers list, seconded by Council Member Khan. All voting aye. Nays none. Council Member Johnson absent. MOTION 2006-0048 ADOPTED

Council Member Khan moved that Mr. Randy Schawe be allowed to speak at this time, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2006-0049 ADOPTED

Mr. Schawe, who was added to the speakers list, appeared and stated that he was the circulation director for USA Today and they felt this ordinance was going too far and would infringe upon their right to use their trademark signature rack; that they were behind beautification but they were asking them to trade their trademark, their color, and they were competing with the local paper here and they tried to differentiate themselves; that they would join forces and support beautification in Houston, but opposed the modular unit Council Member Lawrence suggested as it had not worked in other cities as presented, it worked in Chicago but a limited area and in San Antonio they would not even accept their fees last year as they had no clue what was going on in the downtown historic district and they spent much money trying to enforce the ordinance. Council Members Johnson, Alvarado and Green absent.

Upon questions by Council Member Berry, Mr. Schawe stated that for the ordinance to work it needed to accomplish the purpose it was set for such as beautification and cleanup of racks and disarray downtown and Chicago's program worked, but in San Antonio doors were open on machines and the ordinance was not enforced and it created clutter, unsightly machines; and Council Member Berry stated that he was sympathetic but it did look terrible and the city did receive complaints but they needed concrete suggestions on how to fix this and he appreciated his input. Council Members Johnson, Alvarado and Green absent.

Council Member Edwards stated that her questions were to the committee and the Administration but how would they enforce it and who enforced it and what was the enforcement; if someone called when was it dealt with; that they had a lot of enforcement issues regarding neighborhood protection, etc., and it took a long time with hearings and all so she would like it explained to her; that waiting weeks and holding hearings to her was bothersome; and Mayor White stated that Council Member Berry's question was one he and others had; that they would not be in the business of deciding which news information had integrity, they could not do that and it was not right or legal. Council Members Johnson, Alvarado and Green absent.

Ms. Rfuaw Diarra, 2905 Wichita #2, Houston, Texas 77004 (713-523-4911) appeared and stated that she wanted to thank Mayor White for all his support and outreach to those of the Gulf Coast, especially New Orleans, on January 20th at the George R. Brown Convention Center they were having their third chance at having a voice in the rebuilding of New Orleans and she was present to encourage the Mayor and Council to support them in their efforts to get people out. Council Members Johnson, Alvarado, Green and Berry absent.

Upon questions by Council Member Edwards, Ms. Diarra stated that it was from 10:00 a.m. to 4:00 p.m. and news release information would be passed out; that they could call 1-866-940-1095. Council Members Lawrence, Johnson and Green absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson and Green absent.

Dr. Ramesh Kapur, 3437 Ashton Park, Houston Texas 77082 (281-445-7998) appeared and stated that he was a part of a quiet community which made a humble contribution in the city and they did not believe in retaliation, etc., and yet they were most vulnerable; that he owned several properties and had many complaints of people breaking in, breaking air conditioners, appliances and taking wire; that the Houston Chronicle went yesterday and looked at one of the properties and he was asked had he made a report and he said no because it would be a part of statistics and nothing would be done; that December 31st he was with someone in Wal-Mart and had a Rolex watch he was going to sell to someone, it was a public place with hundreds of people so he had the guy come to Wal-Mart but when he showed it to him there was a security man next to him along with his son and daughter-in-law and he pushed him and ran out of the store with the \$15,000.00 watch; and he called 911 and nothing happened. Council Members Lawrence, Johnson, Lovell and Green absent.

Council Member Khan stated that you should not give up, not report incidents, because it was possible response time may not be as good as all would like but not reporting a crime meant it would get no attention at all and if all crimes were reported sooner or later attention had to be given; and upon questions, Dr. Kapur stated there were 5 cameras in the jewelry section and the man was there and all was recorded; that he gave the man's phone number to the police and tattoo identification, but the investigator said there were not enough leads; that Mayor White brought Chief Hurtt and he was hurting them, law and order had deteriorated right from Katy Whitmire, response time now was 2 hours and they needed protection and help; that people were being robbed and killed for a few dollars; and Council Member Khan stated that he requested the Police Chief to give him an update and what he understood was that police did show up about 2 plus hours and the Wal-Mart camera had a video of the perpetrator and Dr. Kapur and phone numbers and yet police were saying there was not enough leads. Council Members Lawrence, Johnson, Holm, Lovell and Green absent.

Mayor White stated that he would ask the HPD representative for some background on the file opened in this case; and upon questions, Dr. Kapur stated that he arranged the meeting

and the person was out free and looking for his next victim; and Mayor White stated that if he arranged it they should be able to work the lead even if the officer did not arrive in 4 minutes. Council Members Lawrence, Johnson, Holm and Lovell absent.

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

Ms. Linda Jeffers, 3002 Southmore #6, Houston, Texas 77004 (281-302-5581) appeared, presented information and stated that she was a former resident of New Orleans and a Newstonian here and present to thank Mayor White on behalf of America Speaks which would be holding their Community Congress II on Saturday at the George R. Brown Center and she was asking the Mayor and Council to emphasize and express to those from New Orleans in their districts to make themselves available that day, January 20th from 10:00 a.m. to 4:00 p.m. as it was the only time to have a voice in the rebuilding of New Orleans. Council Members Lawrence, Johnson, Alvarado and Lovell absent.

The City Secretary stated that an E-mail was received to add two speakers on the same subject, unfortunately not read until after the speakers list was distributed and they would be called after those listed. Council Members Lawrence, Johnson, Alvarado and Lovell absent.

Mr. Jonathan Smulian, 1231 Arlington, Houston, Texas 77008 (713—863-9047) appeared and stated that he was representing the Board of Directors of the Houston Heights Association of which he was a member and he was a co-chair of the Land Use Committee of the same board and today wanted to bring notice that the directors of the association were unanimously in opposition to the development of a site at the east end of Fifth Street in the Heights, construction of a seven story apartment building with 70 apartments and known as the Inner Loop View Point at the Heights; that their opposition was based on the fact that although they supported a wide range of uses and building types in the Heights and were cognizant of changes taking place, and welcomed positive change, they supported buildings compatible with the unique character of the Heights which they believed was an asset to Houston as a whole; that it was not just a question of historic buildings and single family homes but also new buildings built to be sympathetic and compatible to the character of the area and had to do with maintaining the original street patterns, the tree line streets and sidewalks which provided convenient access to all properties and the proposed development was contrary in scale and function to every characteristic he mentioned; that in terms of access the 70 plus apartments would encourage over 100 cars using one point of access onto a small tree lined single family street and that would be negative on movement, create congestion and destroy trees and affect safety of the residents and their children and they could not support that proposal. Council Members Lawrence, Johnson, Khan, Alvarado and Lovell absent.

Council Member Garcia stated that the issue Mr. Smulian mentioned he had visited with the Assistant Director of Public Works on and they were talking with Ms. Gafrick in the Planning Department; that he was not trying to be bad to the developer but he went out to look and it did not make much sense on what they were trying to accomplish; that they wanted to put 7 stories on piers over a detention area and he was concerned regarding the purpose the ravine provided at this point and Mr. Mosely was going to need an officer there every time he tried to leave his driveway so as not to get run over; and thanked Mr. Smulian for coming and supporting his neighbors. Council Members Lawrence, Johnson and Lovell absent.

Mayor White stated that they were keeping an eye on it and he greatly appreciated and understood what he said, particularly the traffic impact and they needed to make a criteria they could use across neighborhoods; that he thought the Heights was one of the greatest

neighborhoods in the city and should be preserved, but in his last three years he had yet come across a neighborhood that welcomed anything with higher density and they were trying to figure out where people could live and he asked people to look very carefully concerning traffic impacts and send the review to him and Council Member Garcia, it would have to be rules applicable with every high density development in a neighborhood. Council Members Johnson and Lovell absent.

Council Member Brown stated that he wanted to recognize him as a fellow architect and urban planner; that he did not know why anyone would buy land and want to put long columns on top of a ravine over a Harris County Flood Control ditch; that something must be fundamentally wrong with city regulations which would encourage a developer to buy such a piece of land and let him think he could develop it economically; and upon questions, Mr. Smulian stated that he thinks they thought they would get a 34 or 32 story tower on the site which would be very remunerative to the developer in the first place and secondly he thought there was a serious problem in the city with control mechanisms, particularly related to access management from streets into new densities appearing throughout Houston. Council Members Lawrence, Johnson and Lovell absent.

Mr. Taylor Moore, 610 E. 5th, Houston, Texas 77007 (713-868-9030) appeared and stated that he was an immediate neighbor to the Inner Loop Condos.com Development of which Mr. Smulian just spoke of at the proposed dead end of the bridge extension of his street; that the proposed site was for 77 condos linked from their small dead end street by a bridge over a drainage ravine to the site; that he would like to address the neighbors concerns for flooding, safety and property values, in 2003 the Teamsters Hall was demolished in order to build a four story Alexian Heights Apartments, prior to the construction his adjacent property had no problem with drainage and today there was no place for the water to go and even a small rain would leave him with three to six inches of sheet flooding which took three to four days to drain; that their street had no curb, no gutter and no drainage swells and nevertheless a new seven story almost twice as tall as the Alexian was planned; that an initial traffic study was planned for the unit of 62 units and now they were told to financially accommodate the additional infrastructure cost in order to not require a variance there would be as many as 77 units, 77 units where there were currently only six single family homes on one of the shortest streets in the Heights and 77 units on a 200 foot street would strongly impact traffic safety; that they were worried about property values and had a meeting with Inner Loop Condos.com who admitted this would negatively affect neighbors most close to the project; that if the 18 foot paving section was to accommodate the new 70 foot right-of-way to satisfy Section 42 with no variance they were frightened and they asked Inner Loop to consider building a smaller amount of units and they replied they were in the condo business and built condos; that at the last City Planning Commission Meeting before the applicant withdrew the Mayor spoke to the Commission and said neighborhood preservation was of his highest priority and Commissioner Crooker commented she thought the idea of shoehorning the building onto such an inappropriate site was ridiculous and he heard much of the same from Council Members Garcia and Brown when they walked the property and this was the last piece of undeveloped land from the historical John Austin Land Grant to the Allen Brothers and the perfect natural park setting adjoining Houston's new hike and bike trail and could be the crown jewel. Council Members Lawrence, Johnson and Lovell absent.

Council Member Garcia stated that this was a practical issue whether it be retention or natural habitat, it was how it sat and how it would function as a high density development property, it was a small piece of land and perplexing as to how it could function in practical terms; and Mr. Moore stated that he agreed and he made his money from development and this was an incorrect development for the property. Council Members Johnson and Lovell absent.

Council Member Brown stated that the railroad right-of-way would become a linear green corridor as a part of the future bike way program and he thought if in the parks master plan that linear greenway was shown and the little patch of urban wilderness was shown as an adjunct neighborhood park to the greenway they would have never bought the property; and Mayor White stated that sometimes when property appeared on city plans people bought it so they could sell it to the city as eminent domain and he had experienced that while Mayor so sometimes designating it caused it to be bought. Council Members Johnson, Holm, Lovell and Berry absent.

Mr. Michael Jungnickle, 535 Frazier, Houston, Texas 77007 (713-868-3810) appeared and stated that he lived about 5 or 6 houses from the proposed condo complex and he believed such a high rise at the end of his street was an ill-conceived project and it seemed to work to the detriment of the Heights as a whole; that it would also set a horrible precedent in terms of total lack of regard for preservation of the Heights character and felt it would do irreparable harm to its integrity as a historic neighborhood of bungalows dating back to the early 1900's and their property values would probably drop with their taxes going up; that a high density complex of 75 plus units would undoubtedly strain the neighborhoods aging infrastructure such as power, sewer and water lines to the point of needing a massive overhaul to just keep up and more concrete covered ground and blocked ravines would also make drainage and possible flooding of the neighborhood more of an issue; that the streets were barely adequate to pass one another and they had already been proven nearly impassable to fire engines and streets around the area would be turned into high volume driveways for heavy construction equipment and later for well over 100 cars going in and out of the complex daily and it would bring all known and many unexpected hazards and liabilities which came with large amounts of traffic in a small space right to their front doors; that their part of the neighborhood had its development in the early 1900's as a suburb of single family homes and did not need developing, it did need to be improved and maintained with preservation in mind and the development would rob them of one of the few remaining wooded areas left and he felt the city should acquire it. Council Members Johnson and Lovell absent.

Council Member Garcia stated that Mr. Jungnickle lived on the street which was a possible entry into the area; and upon questions, Mr. Jungnickle stated that he lived there prior to the Alexian being built, but felt they always had a problem with sheet flooding, the ditches were shallow; and Council Member Garcia stated then not obstructing any retention would be a plus for the neighborhood. Council Members Johnson, Lovell and Berry absent.

Upon questions by Mayor White, Mr. Jungnickle stated that if the proposed site was a park he felt people would get to it from the trails. Council Members Johnson, Lovell and Berry absent.

Ms. Cecelia Ottenwelker, appeared and stated that she was also a resident of Frazier Street which abutted the proposed property and was present speaking on behalf of the environment of that property; that her husband was a naturalist and was a participant in the Audubon yearly bird count and on that property there were at least four species of Herrings, 5 species of Hawks, seven species of Woodpeckers, many seed eaters and at least 15 species of butterflies, it was a very valuable area for the animals and human beings to enjoy; that people who lived near the property picked up trash themselves and reported any trespassing and they were the ones who had to deal with fire trucks not being able to make it down their street and they understood the MKT rail bed was about to become a hike and bike trail for the city and their community and felt this was negligence on the part of the city for not building it and if it did not go in it would compromise their neighborhood as well as what was promised to the city; and though the city would gain property taxes on that piece of development they would be sacrificing property values of hundreds of pieces property around the area so it did not seem to be a good

trade off; that they, the Historic Houston Heights, brought calendars for the Mayor and Council Members so they could see who they were, the historic buildings which built the area, not condos and they urged them to consider that and consider maintaining the historical integrity of their area. Council Members Johnson and Berry absent.

Council Member Lawrence stated that she thanked them for the calendars, it was very nice and they did appreciate it. Council Members Johnson and Berry absent.

Mr. Matthew Edniston, appeared and stated that he was not Mr. Edniston, but Chris Hutchinson a neighbor, speaking in lieu of him, and he would strongly encourage the Council to stop the development plan; that he was a relative new comer to Houston and a first time homeowner, he and his wife owned a home about 80 years old, it was crooked, less than 1,000 square feet, cold through the floor in the winter and hot through the ceiling in the summer and they loved it and felt blessed and fortunate to be there and live on such a wonderful street with wonderful neighbors and it broke his heart to think that after just settling into their home in August to be living on a street that would be a thoroughfare for construction equipment and materials not to mention noise and all else that came with such a project; that quiet moments on the porch and knowing all their neighbors may be something they were saying goodbye to; and it seemed such a development would have a huge detrimental impact on the very fragile ego system of the streets of their neighborhood in general and of the city and encouraged them to think long and hard on the systems in the neighborhood that were already aged and over taxed. Council Members Johnson and Berry absent.

Council Member Khan stated that he had a general question, as they encouraged developers to come and build in the city and made it easier for them to do so, at the same time they had beautiful and historic neighborhoods which they wanted to preserve and would they deal with this on a case by case basis or would they have a policy for all; that there was a valid need for preserving some of these areas and yet they needed to make sure people who wanted to develop did not run into bottlenecks all the time; and Mayor White stated that he would mention that there were different tools and the basics were traffic impact and access management, drainage impacts through the water way and in the adjacent community and there were places that for various reasons the city would buy for parks and there was a parks master plan and they did need criteria when acquiring green space such as cost per square foot and estimated utilization as they needed to help the most people; and unlike some cities they did shift some cost of the infrastructure development to the developer as he thought was appropriate, but they would probably never have a good mechanism to prevent bad judgment by people who invested in real estate. Council Member Johnson absent.

Council Member Garcia stated that he appreciate Mayor White giving this considerable thought and he wanted to mention that when the first tier of this project was reviewed by the Planning Commission there was a couple of issues he had, one was initially that the traffic impact study was based on what the original number of units was intended to be and now the density would be much higher and another traffic study should be considered and second, he heard a lot of complaints of sheet flow from the Alexian apartments and before Paul Nelson left the city they talked about this and he said the Alexian was built to Code and it was understood by doing so no additional adverse impacts would be created to the surrounding community but that was not the case and Paul had conceded since the engineering was good but it had caused an adverse impact with sheet flow that was there today and not there before construction of the Alexian, drainage went into the community instead of through the drainage avenue it was supposed to have had and he asked Andy to do a couple of independent studies to this particular study, their own drainage study and own traffic impact study, he did not feel comfortable leaving it to the person with the most interest.

Mr. Gary Mosley, 615 E. 5th, Houston, Texas 77007 (281-748-7538) appeared and stated that he owned the Onion Creek Coffee House and his residence adjoined the property of the proposed site; that he had a wife and two small daughters with one due in February; that the property adjoining him once was a trucking union and now the Alexian apartments; that his concern was the safety of his family as they were proposing to erect a bridge inches from his property line, the bridge was proposed to be 20 feet above the elevation his children and others played, he was concerned one of the trucks going in and out may fall on his children and another concern was backing out of his driveway, the blind spots, with so many cars it would be a Texan game everyday; that Inner Loop was proposing to take many trees in the ravine and he thought it would cause erosion and flooding and another concern would be people living under the bridge and debris, as it was he and his neighbors constantly removed debris from the ravine so the water could flow easily; and there was a reason 5th Street was a dead end and he would encourage all Council Members to visit the site and they would see how unsafe it was; and ironically he asked Inner Loop if they would feel safe if their kids played in his yard and was told no.

Council Member Berry stated that he had a wonderful coffee shop in the Heights and he would say this city was very developer friendly and it was the reason the city's economy had boomed, but he was sympathetic to his concerns, particularly because he saw the site plan and what it could potentially do to the neighborhood; and upon questions, Mr. Mosley stated that the way the land was made-up his backyard was where the bridge was proposed and they were talking of inches where his kids played; and Council Member Berry stated that he would challenge his group, or maybe his Council Member already had the answer, but if they did see concerns where logistics said it was not safe and should not be done, they had to have a good, legal, consistent reason and he would challenge them to give that reason as they could not decide what was the highest and best use of the property. Council Member Lovell absent.

Council Member Edwards stated that the project had been before the Planning Commission for almost two years and there were many challenges and contentions made initially and her understanding from the Commission was they were bound by the law to make their decision and she had a problem with it and wondered if the citizens were still fighting a rubberstamp of this was what had to be done regardless; and Mayor White stated that all developments had to meet certain drainage criteria and they had to be more aggressive on having standards of traffic management as tools; that some people raised the issue of preservation of green space but that required condemnation or consensual transfers and cancelling other CIP projects or raising private funds, but they were looking seriously because of legitimate concerns about preserving the neighborhood as they would others, but in the final analysis Council Member Berry was right, it could not be that they say someone could not build if the neighborhood objected because there would be no more apartments built; and Council Member Edwards stated that personally she did not hear the neighborhood saying that, she heard them making valid reasons, but her understanding was the Commission was bound by statute as to what they were doing and her concerns were that statutes were supposed to facilitate government and not impede government and the people were the government and she felt the Planning Commission had to be either an advisory group...; that if they just needed someone to rubberstamp this as being this was law and this was not law a clerk could do it; and Mayor White stated that he saw where she was going and there were two sides and he was glad she brought up Chapter nine as he needed input on it, first there had to be criteria and not just whether you did or did not like the project and second was he personally thought they needed to take another big step in what they did when something was in place where water traveled into a bayou artery system and was not the semi fiction of onsite detention; that he had been reading articles Council Member Brown had been sending him and some made good sense and he would encourage taking the bull by the horns and do so in a way every developer and every community knew the rules in advance; and Council Member Edwards stated that she

would still like to have the questions answered as to purchase price and all that. Mayor White and Council Member Lovell absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated that Mr. Mosley's personal interest in this was it was his home they would have to figure how to get him in and out of because of the way the access to the proposed development would be placed there would be safety issues and another issue was the city just spent a good amount of money in fencing off the Pierce elevated because of the homeless issue; that the Heights was one of the areas challenged with the homeless and how they tried to find a safe haven where ever they could and a bridge was a natural place to congregate and that may be another by product of not thinking through the issue. Mayor White and Council Member Lovell absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown stated that he and his neighbors exemplified an extraordinary passion for defending their neighborhood and they needed more neighborhoods people were passionate about defending and he was with them all the way; and he would assure Council Member Edwards that the bottom of the ravine was in the 100 year flood plain and based on the current ordinance it did not prevent them from placing columns to that ravine; and there was a platting process where a developer such as this could designate this as an unrestricted reserve and the plat could be approved without showing any drainage or traffic impacts and that was a severe problem in Houston because once the plat was approved he would say they could not deny him the right to develop so it was important they stayed vigilant and make sure that development did not get a plat approved in the way it was submitted. Mayor White and Council Members Johnson and Lovell absent. Acting Mayor Pro Tem Berry presiding.

The City Secretary stated that Ms. Jewell Maida contacted the office earlier in the morning saying she had not been able to contact anyone to get on the list and if there was no objection she would call her at this time. Mayor White and Council Members Johnson and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Ms. Jewell Maida appeared and stated that she was present in connection with BARC, a city pound, and it was not being run the way that it should and since the animals could not come speak for themselves she was here for them; that she received her information from the volunteers there and understood the water bowls were empty unless they gave them water and sometimes went without food; that they went with no vet care and she understood the city paid for a vet to be on site or available, he did go out sometimes but it was totally inadequate because animals were injured and there was no one to take care of them; that more money should be allocated to the city pound, even San Antonio had \$4.00 in change per animal paid by taxpayers and El Paso also allotted more to animals than the City of Houston; and she would like to know what to do to get Council to help those animals. Mayor White and Council Members Johnson, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Acting Mayor Pro Tem Berry stated that a number of BARC representatives had come before Council and since Mr. Kent Robinson had taken over everyone had nice things to say about him and yet BARC still had problems; that he had several conversations with him and it seemed he was responsive, but that did not mean anything other than he liked his attitude; that it was frustrating to hear he was doing a good job and yet problems continued to be seen at BARC, but they would be looking hard at this during this budget session; that he had heard of flushing animals down the toilet and that had nothing to do with money it was just bad policy, but as they went forward with the budget she did have their ear. Mayor White and Council Members Johnson, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Council Member Lawrence stated that they had heard from people and this was a big concern of hers also; that she paid a surprise visit at BARC and asked for a tour and was very

impressed with what she saw, there was a vet, the place was clean and the dishes had water and animals were being exercised, maybe she hit a good day but she would continue to do this and suggested she call Mr. Kent for a tour; that they wanted this resolved and wanted volunteers to feel progress was being made; and if they brought pictures they should be dated. Mayor White and Council Members Johnson, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Council Member Green moved to continue the Council session through the noon break until all business was taken care of, seconded by Council Member Khan. All voting aye. Nays none. Mayor White and Council Members Johnson, Garcia, Brown and Lovell absent. Acting Mayor Pro Tem Berry presiding. MOTION 2007-0050 Adopted.

Council Member Clutterbuck stated that this was an issue she spoke on a number of times and most recently with the Mayor and under the direction of Mr. Robertson she felt they were making great strides and they moved from an attitude of just housing animals until they could be euthanized; that she was going to speak on the subject and had a copy of the budget from BARC and it was important to point out that steps were being taken and there were specific line items for drugs and medical and surgical supplies and veterinary supplies which included food and she was saying this to let those concerned know that Council was listening and the increase was up over last year and it was great suggestions to look at cities doing well and she also felt Mr. Robertson and others would like their suggestions; and as Council Member Lawrence stated as they brought photographs to Council it was essential they be dated and timed. Mayor White and Council Members Johnson, Garcia and Lovell absent. Acting Mayor Pro Tem Berry presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he wanted his emergency protection which was provided by Council Member Quan; and continued expressing his personal opinions until his time expired. Mayor White and Council Members Johnson, Garcia and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Ms. Mary Pruitt, homeless, had reserved time to speak but was not present when her name was called. Mayor White and Council Members Johnson, Garcia and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Ms. Justina Chen, 2626 Folage Green, Houston, Texas 77339 (281-358-6468) appeared and stated that this was the fifth time she had come to Council and she uncovered questionable payments to the Mayor's Office and City Hall operatives; that an officer told her to change her name and hide in a small town; and continued expressing her personal opinions until her time expired. Council Members Johnson, Garcia and Lovell 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, Garcia and Lovell absent.

At 12:06 p.m. Mayor White stated that they would move to the consent agenda. Council Members Johnson, Garcia and Lovell absent.

CONSENT AGENDA NUMBERS 1 through 51

ACCEPT WORK - NUMBERS 1 and 4

1. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,949,219.81 and acceptance of work on contract with **FROST CONSTRUCTORS, INC** for Val Jahnke Fire Training Academy Burn Building & Drill Tower Renovation, WBS C-000068-0004-4 - 04.91% over the original contract amount - **DISTRICT E – WISEMAN** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Johnson, Garcia and Lovell absent. MOTION 2007-0051 ADOPTED.

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$735,595.09 and acceptance of work on contract with **SHUMAKER-HARVEY EQUIPMENT CO., dba SHE-CO., INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS #R-000266-00C4-4 - 01.39% over the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Johnson, Garcia and Lovell absent. MOTION 2007-0052 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 16

6. **MICRO SYSTEM ENTERPRISES, INC** for Cisco Systems Network Hardware 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 Houston Airport System - \$210,988.13 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0053 ADOPTED.

7. **CUSTOM AIR PRODUCTS & SERVICES, INC** to Furnish and Install an HVAC System at Fire Station No. 60 for Building Services Department - \$43,937.12 and contingencies for a total amount not to exceed \$46,133.97 - In-house Renovation Revolving Fund - **DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0054 ADOPTED.

8. ORDINANCE appropriating \$74,200.00 out of General Improvement Consolidated Fund for Mold Abatement and Build-back Services for Building Services Department - **DISTRICT D - EDWARDS** – was presented. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. ORDINANCE 2007-0058 ADOPTED.

- 8a. **HAZARD ASSESSMENT LEADERS, INC** for Mold Abatement and Build-back Services for Building Services Department - \$74,200.00 - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0055 ADOPTED.

9. **KNAPP CHEVROLET, INC** for EMS Squad Vehicles, Ambulances, and Cabs and Chassis through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Fire Department - \$981,975.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0056 ADOPTED.

11. **BISON PROFAB** for Vehicle Console Systems for Police Department - \$51,206.75 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0057 ADOPTED.
12. **AERO AVIONICS, INC** for Airborne Thermal Imaging System and Related Equipment for Police Department - \$470,101.32 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0058 ADOPTED.
13. **VOHNE LICH KENNELS, INC** for Narcotic Detector Canines from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$49,372.53 – Asset Forfeiture Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0059 ADOPTED.
14. **EQUIPMENT SERVICES, INC dba TECHNICAL AUTOMOTIVE GROUP** for Front-End Alignment Machine with Turntables and Rollback Kit from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$25,563.82 - Equipment Acquisition Consolidated Construction Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0060 ADOPTED.
15. **HOUSTON FREIGHTLINER, INC** - \$1,383,266.00 and **MCNEILUS TRUCK AND MANUFACTURING COMPANY** - \$897,520.00 for Cabs & Chassis and Refuse Collection Bodies through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Solid Waste Management Department - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0061 ADOPTED.
16. **FLEET SAFETY EQUIPMENT, INC** for Automotive, Whelen Light Bars Parts and Repair Services for Various Departments - \$3,449,900.00 - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Lovell absent. MOTION 2007-0062 ADOPTED.

ORDINANCES - NUMBERS 20 through 51

20. ORDINANCE consenting to the addition of 88.56 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 418**, for inclusion in its district – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0059 ADOPTED.

21. ORDINANCE consenting to the creation of **LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 2** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0060 ADOPTED.
22. ORDINANCE consenting to the creation of **LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 3** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0061 ADOPTED.
23. ORDINANCE establishing the north side of the 2400-2500 block of Wichita Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0062 ADOPTED.
28. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON READ COMMISSION** for Professional Literacy Services; providing a maximum contract amount 3 Years with two one-year options \$2,000,000.00 - General Fund – 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 Garcia absent.
29. ORDINANCE approving and authorizing interlocal agreement between the City and the **TEXAS DEPARTMENT OF PUBLIC SAFETY** for reimbursement of overtime expenses, travel expenses and operating expenses relating to Project “Operation Wrangler” - \$3,000,000.00 - Grant Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0063 ADOPTED.
30. ORDINANCE appropriating \$294,192.50 out of Water & Sewer Consolidated Construction Fund and \$285,000.00 out of Affordable Housing Uptown 2002B Fund; approving and authorizing Developer Participation Contract between the City of Houston and **LP WOODLAND LAKES ESTATES, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Four of the Woodland Lakes Estates Subdivision (WBS Nos. S-000800-00L2-4, R-000800-00L2-4 & M-000800-00L2 4) - **DISTRICT E – WISEMAN** – 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 Garcia absent.
35. ORDINANCE awarding contract to **FIRST SUPPORT SERVICES, INC** for Fleet/Vehicle and Equipment Maintenance Services for Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$17,315,978.50 - Enterprise Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0064 ADOPTED.
36. ORDINANCE appropriating \$350,000.00 out of Airports Improvement Fund as an additional appropriation for contract between the City and **ARCTEC ASSOCIATES, INC** for Professional Architectural/Engineering Services in connection with various Job Order Contract Work Orders (WBS No. 000138-0009-3-01) (approved by Ordinance Nos. 2004-1085 and 2006-0258) **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0065 ADOPTED.
39. ORDINANCE appropriating \$5,000.00 out of Metro Project Commercial Paper Series E Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **COBB FENDLEY &**

ASSOCIATES, INC for Cook Road Paving Improvements from Bissonnet Road to Bellaire Boulevard. (WBS No. N-000639-0001-4) - **DISTRICT F – KHAN** – 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 Garcia absent.

40. ORDINANCE appropriating \$350,000.00 out of Street & Bridge Consolidated Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **GUNDA CORPORATION, INC** for Design of City-wide On-Call Transportation Engineering Services (WBS No. N-000662-0026-3); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0066 ADOPTED.
42. ORDINANCE appropriating \$1,660,321.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ISANI CONSULTANTS, L.P.** for Design of Water Line Replacement in Easthaven and Park Place Area, Sunnyside I Area and Link Valley Area, (WBS Nos. S-000035-00W2-3, S-000035-00W3-3, S-000035-00W4-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund **DISTRICTS C - CLUTTERBUCK; D - EDWARDS and I - ALVARADO** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0067 ADOPTED.
43. ORDINANCE appropriating \$275,000.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SANDER ENGINEERING CORPORATION** for Design of On-Call Water Line and Sanitary Sewer Extensions throughout the City, (WBS No. S-000700-00Q6-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0068 ADOPTED.
44. ORDINANCE awarding contract to **SHUMAKER-HARVEY EQUIPMENT CO., INC dba SHE-CO, INC** for Storm Sewer Television Inspection (Work Order Contract), WBS No. M-000301-0002-4 (SM5052-02) - \$442,715.00 - Storm Water Utility Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0069 ADOPTED.
45. ORDINANCE appropriating \$2,173,000.00 out of General Improvements Consolidated Fund and awarding construction contract to **MERIDIAN COMMERCIAL, L.P.** for the Repair and Build-out of Denver Harbor Multi-Service Center-Phase II (WBS No. D-000077-0003-4); 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 General Improvements Consolidated Fund - \$200,000.00 - CDBG Fund - **DISTRICT I - ALVARADO** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0070 ADOPTED.
46. ORDINANCE awarding construction contract to **CARRERA CONSTRUCTION, INC** for Library Facilities Modification (WBS No. E-000161-0001-4); 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 contingencies relating to construction of facilities financed by Community Development Block Grant Funds - \$1,000,000.00 - CDBG Fund - **DISTRICTS B - JOHNSON; D - EDWARDS; H - GARCIA and I - ALVARADO** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0071 ADOPTED.

47. ORDINANCE appropriating \$2,431,373.44 out of Parks Consolidated Fund, and \$659,607.27 out of Parks Special 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 and Parks Special Fund - \$149,115.00 EDI Grant Fund - **DISTRICT D - EDWARDS** – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0072 ADOPTED.
48. ORDINANCE appropriating \$1,106,772.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **SHUMAKER-HARVEY EQUIPMENT CO., INC dba SHE-CO, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS #R-000266-00F8-4; 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0073 ADOPTED.
49. ORDINANCE appropriating \$4,084,027.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS #R-000266-00F9-4; 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0074 ADOPTED.
50. ORDINANCE appropriating \$1,849,104.43 out of Water & Sewer Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, LP** for Sewer Line Relocation and Replacement, WBS No. R-000266-00U2-4; 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0075 ADOPTED.
51. ORDINANCE appropriating \$1,701,260.77 out of Water & Sewer Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, LP** for

Waterline Relocation and Replacement, WBS No. S-000035-00V2-4; 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund – was presented. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0076 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,002,338.29 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for On-Call Drainage System Repair (Work Order Contract), WBS No. M-000243-0001-4 - 02.12% over the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO** – was presented, and tagged by Council Members Johnson and Green. Council Member Garcia absent.

Council Member Edwards stated that the issue on this contractor once again brought up the point of what was the status of the lawsuit that was filed, that she would like to officially ask for a hearing in the MWBE Committee, that she had talked with Ms. Laws but she thought it was something they needed to know how the contractors could be handled instead of just talking to them, it did not seem to be doing any good, if there was a reason why, if the resources were not available to them to meet such a quota then they needed to know that to see how that worked but she was not clear where they were status wise on the legal issue and what could they do about it as City Council Members, and Mayor White stated that they would do that. Council Member Garcia absent.

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,376,331.05 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Scott Street Paving from South Acres to E. Orem, WBS N-000618-0001-4 - 05.45% under the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia absent. MOTION 2007-0063 ADOPTED.

PROPERTY

5. ORDINANCE appropriating \$39,202.00 out of Fire Consolidated Fund Number 4500 to pay the amount of the Award of Special Commissioners and all costs of Court in connection with the eminent domain proceeding styled City of Houston v. Thuong Tri Tran, et al., for Parcel Number HY5-001, for the Fire Station No. 35 Expansion Project - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia absent. ORDINANCE 2007-0077 ADOPTED.
- 5a. RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and not file any objections to the award in connection with eminent domain proceeding styled City of Houston v. Thuong Tri

Tran, et al., Cause No. 871,121, for acquisition of Parcel HY5-001; for the **FIRE STATION NO. 35 EXPANSION PROJECT - DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia absent. MOTION 2007-0064 ADOPTED.

PURCHASING AND TABULATION OF BIDS

10. **INX, INC** for Maintenance and Support Agreement for Cisco Network 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 Information Technology Department - \$1,100,000.00 - Central Service Revolving Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia absent. MOTION 2007-0065 ADOPTED.

ORDINANCES

17. **ORDINANCE AMENDING CHAPTERS 22 AND 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to placement and maintenance of newsracks on public rights-of-way; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability – was presented, and tagged by Council Members Lawrence, Johnson, Edwards, Khan, Alvarado and Brown. Council Member Garcia absent.

Council Member Holm requested that her colleagues release their tags on Item No. 17 in order for her to make a motion to postpone Item No. 17 for two weeks, call another committee meeting on Monday at 10:00 a.m. and really work through it and figure out the best way to approach it in a positive and proactive manner so that they really do accomplish what she knew was their shared goal of building consistent criteria and standards that allow for publication and also provided for a objective and reliable enforcement procedures. Council Member Garcia absent.

After further discussion, Council Members Lawrence, Johnson, Edwards, Khan, Alvarado and Brown released their tags on Item No. 17. Council Member Garcia absent.

Council Member Holm moved to postpone Item No. 17 for two weeks, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. MOTION 2007-0066 ADOPTED.

18. **ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Reserves, Compensating Open Space, and Open Space Amenities Plans; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0078 ADOPTED.

Council Member Edwards stated that she supported the ordinance but wanted to ask or encourage their moving it outside the Loop, especially in those areas that had lots, if they did not try to do something it might be problematic for them, that they needed to move it outside the Loop as quickly as possible. Council Members Garcia and Berry absent.

Mayor White stated that it was consistent with things he had said publicly but not put in one of his emails clearly perhaps, he would like the Planning Department, in consultation with Council Members and other stakeholders, the Chair of the Planning Commission, to come up with a couple of alternative maps which did have contours reflecting the developed area within some density some place outside 610 that may be appropriate, somebody needed to take a first draft and it was probably to broad a brush to say everything inside the Beltway, but they needed something outside the 610 and the characteristics that were within 610, that was higher density platted for residential and mixed use developments and commercial, he thought one could go through some kind of mapping exercise, and maybe a couple of different alternatives based on the development so that Council Members were looking at different alternatives in the Planning Commission, different alternatives of what it would mean to step outside the Loop, he was asking the Planning Commission to do that and if they needed expertise, hire them. Council Members Garcia and Berry absent.

Council Member Lawrence stated that she thought that was what her colleague was saying and they had talked about it and thought they were taking the 60% and 75% and if they did two townhouses on a block face that was considered a subdivision, it was considered replatting and there was a lot of deed restrictions out there that did not have in them no replatting, so therefore they were like neighborhoods that did not have deed restrictions, so they wanted to look at that, those block faces that already had subdivisions, those block faces that did not have subdivisions in them and then outside the Loop those that did not have subdivisions in them of block face so Planning was looking at all those options and should be coming back with some information. Council Members Garcia and Berry absent.

Mayor White stated that the keyword there might be something they cue off on platted as a residential subdivision, they could do that and map it, with computer technology they might be able to see pre blank, what did it look like platted as a residential subdivision and make the determinations of what did it mean to be a unrestricted reserve within a residential subdivision should there be any criteria, what did it mean to take something that was platted as a lot and make it unrestrictive should there be criteria applied to that, and all the other issues that were addressed in Chapter 42. Council Members Garcia and Berry absent.

Council Member Holm stated that she wanted to thank Council Members Edwards and particularly Council Member Lawrence who had been working so hard on the issue because it was so vital for them to be proactive as they moved outside the Loop and not continue to be reactive, that for her clarification and for citizens to know that the item they just voted on, the amendment to Chapter 42, was not relating to the 60% and 75%, and Mayor White stated that was right. Council Members Garcia and Berry absent.

19. ORDINANCE approving and authorizing distribution of the Preliminary Official Statement related to the City of Houston, Texas Taxable Pension Obligation Bonds, Series 2007A; approving or declaring other matters incidental to the issuance and sale of such bonds; making various findings and provisions related thereto; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0079 ADOPTED.
24. ORDINANCE ordering and giving notice of a Special Election to be held on May 12, 2007, for the purpose of filling a vacancy in the Office of Council Member, At-Large Position 3 on the Houston City Council – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0080 ADOPTED.

25. ORDINANCE approving and authorizing agreement between the City of Houston and each of the following seven (7) Community Housing Development Organizations ("CHDOS") to provide each CHDO \$50,000.00 in Federal "HOME" Investment Partnership Funds for Operating Expenses associated with building the CHDOS' capacity to develop Affordable Housing: (1) **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION**; (2) **GREATER HOUSTON DEVELOPMENT, INC**; (3) **ACRES HOMES COMMUNITY DEVELOPMENT CORPORATION**; (4) **HOLMES COMMUNITY DEVELOPMENT CORPORATION**; (5) **MACSC AND HOUSING, INC**; (6) **TEJANO CENTER FOR COMMUNITY CONCERNS, INC**; and (7) **VN TEAMWORK, INC DISTRICTS D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0081 ADOPTED.
26. 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 – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0082 ADOPTED.
- 26a. ORDINANCE approving and authorizing second amendment to contract with **HOUSTON 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 – was presented. Council Members Garcia and Berry absent.

Council Member Brown stated that on Item No. 26 it was a choice between After School Programs for kids and small business development, unfortunately that was a choice that was very difficult to make, he wished there was some way they could keep the money in the school program and still support the small businesses. Council Members Garcia and Berry absent.

Mayor White stated that so they were clear it was a vocabulary that they needed to be used to and work with, there were future CDBG plans which had amounts which would continue to be dedicated to the After School Programs and was related in part to the number of qualified programs that applied and were credited under these things so in a sense what they did with some of the reprogramming was they were not saying necessarily one thing was more important than another but that some things were good to go today as opposed to others and it had occurred from time to time on that particular issue because he agreed with Council Member Brown and those were questions he asked but they did have unexpended funds within these programs and had crisis in other areas, Lyons Avenue would be a good example that they were trying to address with this item. Council Members Garcia and Berry absent.

A vote was called on Item No. 26a. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0083 ADOPTED.

27. ORDINANCE amending Ordinance Number 2005-0105 to increase the maximum contract amount; approving and authorizing renewal term to contract between the City and **AKIN GUMP STRAUSS HAUER & FELD LLP** for Representation before the United States Congress and Federal Agencies - \$276,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0084 ADOPTED.

31. ORDINANCE appropriating \$261,347.95 out of Water & Sewer Consolidated Construction Fund and \$276,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **LP WOODLAND LAKES ESTATES, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Five of the Woodland Lakes Estates Subdivision (WBS Nos. S-000800-00L3-4, R-000800-00L3-4 & M-000800-00L3-4) - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0085 ADOPTED.
32. ORDINANCE appropriating \$355,536.02 out of Water & Sewer Consolidated Construction Fund and \$243,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **DIAMOND RESIDENTIAL, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Villas at Brentwood Subdivision (WBS Nos. S-000800-00L4-4, R-000800-00L4-4 & M-000800-00L4-4) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0086 ADOPTED.
33. ORDINANCE appropriating \$198,123.37 out of Water & Sewer Consolidated Construction Fund and \$174,000.00 out of Affordable Housing Midtown Series 2001 Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Almeda Crossing Subdivision (WBS Nos. S-000800-00L5-4, R-000800-00L5-4 & M-000800-00L5-4) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0087 ADOPTED.
34. ORDINANCE appropriating \$519,684.52 out of Water & Sewer Consolidated Construction Fund and \$477,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **HALL PARK, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for the Hall Park Subdivision (WBS Nos. S-000800-00M1-4, R-000800-00M1-4, M-000800-00M1-4) - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0088 ADOPTED.
37. ORDINANCE approving and authorizing contract between the City and **RCC CONSULTANTS, INC** for Project Management and Engineering associated with the Interoperability Initiative \$338,823.31 - Grant Funds – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0089 ADOPTED.
38. ORDINANCE approving and authorizing contract between the City of Houston and **GARTNER, INC** for Professional Services in connection with the update of a Strategic Information Plan for the Department of Public Works and Engineering; providing a maximum contract amount \$472,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0090 ADOPTED.
41. ORDINANCE appropriating \$1,050,300.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services

Contract between the City of Houston and **CLAUNCH & MILLER, INC** for Design of Neighborhood Sewer System Improvements WBS No. R-002011-0054-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund **DISTRICTS B - JOHNSON; E - WISEMAN; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. ORDINANCE 2007-0091 ADOPTED.

NON CONSENT AGENDA - NUMBER 52

MISCELLANEOUS

52. MOTION to set a date not less than seven (7) days from January 17, 2007, to receive nominations for Positions One, Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one-year terms to expire December 31, 2007 – was presented. Council Members Garcia and Berry absent.

Council Member Khan moved to set January 24 to receive nominations for Positions One, Two and Two Alternate At-Large Positions of the Houston-Galveston Area Council Board of Directors, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia and Berry absent. MOTION 2007-0067 ADOPTED.

MATTERS HELD - NUMBERS 53 through 57

53. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Kleberg Street (Parcel No. SY3-046A), Fayette Street (Parcel No. SY3-046B), and Val Verde Street (Parcel No. SY3-046C), all as dedicated by Lamar Terrace Subdivision according to the plat thereof filed at Volume 32, Page 68, Harris County Map Records, between McCulloch Circle and Yorktown Street, as well as four utility easements, with attendant aerial easements, out of the following blocks of said Lamar Terrace Subdivision: 12,675 square feet out of Block 17 (Parcel No. SY3-046D), 8,296 square feet out of Block 16 (Parcel No. SY3-046E), 8,172 square feet out of Block 15 (Parcel No. SY3-046F), and 8,816 square feet out of Block 14 (Parcel No. SY3-046G); vacating and abandoning said streets to Houston Independent School District (“HISD”) in consideration of the payment by HISD to the City of \$4,434,276.00 (to be paid out of HISD’s Tax Increment participation in tax increment Reinvestment Zone Number One (the “St. George Place Zone”) as revenues become available); vacating and abandoning said easements to HISD in consideration of the conveyance by HISD to the City of three utility easements containing 2,359 square feet (Parcel No. VY4-001A), 1,200 square feet (Parcel No. VY4-001B), and 1,200 square feet (Parcel No. VY4-001C), also located within said Lamar Terrace Subdivision, and the payment by HISD to the City of \$311,250 (to be paid partially in cash and partially by deduction in the balance of HISD’s credit account established pursuant to an interlocal agreement between the City and HISD); and other good and valuable consideration **DISTRICT C – CLUTTERBUCK – (This was Item 62 on Agenda of December 20, 2006, POSTPONED BY MOTION #2006-1180)** - was presented. Council Members Garcia and Berry absent.

Council Member Clutterbuck moved to refer Item No. 53 back to the administration, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Garcia absent. MOTION 2007-0068 ADOPTED.

54. RESOLUTION evidencing the annual review of the Investment Policy for the City of Houston – **(This was Item 13 on Agenda of January 10, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Garcia absent.

Council Member Edwards stated that she wanted to thank City Controller Annise Parker and her staff for giving her a very in depth of what investment policy was and how it operates and who does what and who was in charge and she thanked her for the information. Council Member Garcia absent.

A vote was called on Item No. 54. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Garcia absent. RESOLUTION 2007-0004 ADOPTED.

55. ORDINANCE appropriating \$5,000,000.00 out of Airports Improvement Fund and approving and authorizing a Carrier Incentive Program for the Houston Airport System - **DISTRICTS B - JOHNSON; E - WISEMAN; I - ALVARADO** – **(This was Item 21 on Agenda of January 10, 2007, TAGGED BY COUNCIL MEMBER JOHNSON)** - was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0092 ADOPTED.
56. ORDINANCE appropriating \$5,789,699.00 out of Houston Airport System Consolidated 2000 AMT Construction Fund, approving and authorizing contract between the City of Houston and **HONEYWELL INTERNATIONAL, INC** for Closed-Circuit Television Modifications and Upgrades at George Bush Intercontinental Airport/Houston; WBS A-000372-0004-4-01, Project 612Z; providing funding for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON** – **(This was Item 22 on Agenda of January 10, 2007, TAGGED BY COUNCIL MEMBER JOHNSON)** - was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Garcia absent. ORDINANCE 2007-0093 ADOPTED.
57. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY5-042, located in the 1200 block of Allen Street, owned by Southern Pacific Transportation Company, Linda Baburek, Real Estate Property Manager, for the **HOUSTON HERITAGE CORRIDOR BAYOU TRAILS EAST HIKE AND BIKE PROJECT**, N-000420-0002-2-01-01 - **DISTRICT H - GARCIA** – **(This was Item 39 on Agenda of January 10, 2007, POSTPONED BY MOTION #2007-45)** – was presented. Council Member Garcia absent.

Council Member Brown moved to postpone Item No. 57 for two weeks, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Garcia absent. MOTION 2007-0069 ADOPTED.

Mayor White stated that he wanted to thank every person present, that they did a lot of business, they had more grants made to Community Development organizations, with a good track record of meeting high standards, today than they had in probably 10 years, and it was because of the homework that people had done in the committees, it was incredible for those watching this public session and who do not tune in to every committee hearing how much great work that the Council Members did at the committees. Council Member Garcia absent.

Mayor White stated that they had many every day heroes that worked for the City and they recognized some of them only to frequently, firefighters, two police officers in his tenure that made the ultimate sacrifice, that they thought about people making sacrifices sometimes as only those who carried guns or ran into fires but that was not true, Mr. Jerry Hines Jr., 25 years old,

worked for the City since November 2006 in Right-of-Way Maintenance, was a good Samaritan, a person who went out of his way to help a stranger in need and when he did he was hit by a car and has left a wife, Kim, and a one month old baby, that he would like for them to keep Mr. Hines in their prayers and thoughts but also say as they were so proud of those City employees who worked for the public who in the course of their job risked everything GOD has given them in their life that they needed to be there to support the members of this family just as they were Jocelyn and others who were the families of those who were in the public safety profession, and asked for a moment of silence for Mr. Hines, a great Public Works employee, that he would ask the Agenda Director and his Chief's of Staff to keep him notified of any memorial service or funeral so they could recognize Mr. Hines and show solidarity with this great family. Council Member Garcia absent.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Alvarado stated that there would be a Legislative briefing that the Texas Municipal League would be hosting on Monday, February 12, 2007, if they were interested to let her office know and they would give them more details, that it was important because they would get a breakdown of all the bills filed that impact cities and each Legislative session they see more and more bills that had been filed.

Council Member Alvarado stated that they lost a lady that was very prominent in the Hispanic Community, Judge Rosemary Moreno passed away January 2, 2007, that she was the first Hispanic female judge for the City of Houston in 1974, she was an active member of LULAC in Council 643 and was voted State Woman of the Year in the 1980's, that she wanted to send condolences to her family; that she also wanted to send condolences to Mr. Anthony Hall and to his family. Council Members Garcia and Green absent.

Council Member Johnson stated that he wanted to thank the Fire Department for all of the support that they had been able to give to his office through the ordeal of the unfortunate accident of the young boy who was killed at the apartment complex, Mr. Roland Chavez had been very supportive in giving information that he had needed, Captain Dupont had also been very supportive in giving information, that it was also very helpful in closing a chapter in the unfortunate situation, that he also wanted to thank all of the citizens and his colleagues who had been very supportive of the family during their time of need, there were a lot of calls sending condolences and letting the family know that they were not alone in this situation and this ordeal, that he wanted to thank Brother Derrick Muhammed for being there for the family and supporting them in all that they had needed, but it still left questions open as to why situations like this could have every happened, that he was very interested in talking with the apartment association to discuss matters on how do they remedy the problem, that he knew they had done a great job through Council Member Lawrence's office and through the committee to regulate crime that takes place at these apartments, but he thought that from a standpoint that they needed to start looking at more maintenance checks would certainly be very helpful to make sure and insure the safety of the residents, especially those residents that were living in very low income areas, they typically did not have the luxury of just packing up and moving to another apartment complex, so he thought it was their responsibility of doing a better job of that, that he was certainly looking forward to meeting with the apartment owners and the apartment association to discuss further these matters on how they looked at protecting their citizens. Council Members Khan, Garcia and Alvarado absent.

Council Member Johnson stated that he would be having a CIP meeting on Thursday, January 25, 2007 from 7:00 p.m. to 9:00 p.m. at Kashmere Multi Service Center at 4802 Lockwood and the following week on Wednesday, January 31, 2007 from 7:00 p.m. to 9:00 p.m. at Shadydale Elementary at 5905 Tidwell, that he encouraged all of his residents to come out,

they had already been having preliminary meetings with the super neighborhood councils to keep them informed and make sure they get a great turnout. Council Members Khan, Garcia and Alvarado absent.

Council Member Lovell stated that she also would like to extend condolences to Mr. Hall on the loss of his mother, that she understood she was 90 years old and had a pretty incredible life and gave a lot to the City. Council Members Khan, Garcia and Alvarado absent.

Council Member Lovell stated that she wanted to congratulate Council Member Edwards and her team for, what she understood, putting on an incredible event and a new kind of event for the City, the silent march and then the rally for Martin Luther King, it was certainly in the spirit of Martin Luther King and she hoped they would continue to make it a yearly event because it really did respect the efforts of Martin Luther King and was an event that needed to continue to go on in the City. Council Members Khan, Garcia and Alvarado absent.

Council Member Lovell stated that she wanted to say thank you and goodbye to Mr. Travis Shy, who worked on her staff, who is going to put all of his efforts into his school work and graduating from college and would be working in the evenings, that he was a great asset to their staff, and good luck to him and thank you for everything he did for their office. Council Members Khan, Garcia and Alvarado absent.

Council Member Lovell stated that she wanted to thank the City workers, the responders and the citizens of the City that worked through the night and early morning in this artic freeze to make sure the City continued to operate, she really appreciated their efforts, that she wanted to thank them for what they did to make sure the City continued to operate. Council Members Khan, Garcia and Alvarado absent.

Council Member Edwards stated that she wanted to thank the Planning Committee, about 50 people representing organizations across the City and Harris County for the planning efforts for the march and rally and Susan Christian and her awesome group, and the dream girls of the District D office and the whole community and she wanted to thank the Council Members who showed up. Council Members Garcia and Alvarado absent.

Council Member Edwards stated that Ms. Robin Troop, the granddaughter of Reverend Lawson and the daughter of Roxanne Lawson, who worked in the Housing Department, was one of the five national finalists to perhaps sing with Justin Timberlake on the Grammy Awards, that she was the only representative from the State of Texas and attended Yates High School and USC and now had a strong chance of winning the competition, that she wanted to encourage everyone to go to the website yahoo.music.com and it would take them into the Grammy's, Justin Timberlake, and it was like the All Star vote and vote for their young Houstonian. Council Members Garcia and Alvarado absent.

Council Member Edwards stated that the Heritage Society had an exiting exhibit where they were showing the vintage posters from the early years of Black Cinema, that it was a great event. Council Members Garcia and Alvarado absent.

Council Member Edwards stated that she had some serious concerns regarding the Police Department, that she thought 99.8% of their police officers were outstanding men and women who served the City in a very volatile position, that she knew there was a lot of talk about townhall meetings and her office had not been invited to them but she wanted to say she was not against townhall meetings, that she had attended at least 20 townhall meetings on this type of issue since 1979 and they always came out with the same type of response and they still had the same things, that she had some direct issues that she would like to have looked at in a

different way, they included the use of tasers, that according to her understanding of the statistics they had just as many shootings as they had before tasers were implemented and they were still have the same amount of shootings so she guessed it was not eliminating shootings if they were looking at that statistic, the use of overtime, not only the dollars they spent in overtime but her question was if someone was already working overtime for the Police Department were they still working outside jobs, she could not get that answer, if they were already working 80 hours overtime on their regular job and if they were working at Wal-Mart or wherever their police officers worked was that in addition to overtime, that she could not find any way of tracking that information, that she had talked to police officers who were not at a desk and they were telling her that patrol was qualitatively different than when they first started or even five years ago, that the attitudes and responses from the citizenry was quite different than it was before, that with that if they had one person in a police car how do they handle that, was it one of the reasons they were having all of the shootings, she did not know and she would like to have somebody help them find that out, that she personally believed that the FBI and the Department of Justice could be a part of it but she did not think they were the solution, that she would like to suggest that they look at the issue just as the same way they looked at the DNA issue, that they have an outside independent look, whatever that takes because they were going to spend money anyway and hopefully they would spend it in a way that was productive, that she would like to have the answers to these questions, that when they had five different policing agencies in the City, not even going out to the County, with HPD, METRO, the ISDs, the University Police and the Constables, those were all police officers who passed the same test and she did not know why they could not have a different relationship so that their taxpayers could get the maximum use for the dollars they were spending for public safety, that she thought it was disingenuous of them to say they had a police shortage when they had all of those police officers in the area, that she would like for someone to tell her why they could not in some type of way bring those agencies together and delegate authority or responsibility, that they maximize the use of their taxpayer dollars for public safety, that she was not trying to throw gasoline on a fire, she was trying to find a solution to help put the fire out and the citizens that she had talked to in District D understood clearly that police officers were human beings and they knew that mistakes were going to be made, the issue was how do they deal and account and mitigate those mistakes, a criminal was a criminal whether they were wearing baggy jeans or a police uniform and they needed to separate those people who did not want to follow the policies and procedures of a great institution in the City and she did not know how they do that on a policy basis but she thought they needed to look to see where they needed to go and how they needed to get there through an independent investigation. Council Members Clutterbuck, Garcia, Alvarado and Green absent.

Council Member Lawrence stated that she wanted to invite all of District A constituents to their CIP meeting on February 1, 2007 at Springwoods High School at 7:00 p.m., that she wanted to thank all of the various departments that were going to be present and their input into making it a citywide process of ranking CIP projects. Council Members Clutterbuck, Garcia, Alvarado and Green absent.

Council Member Lawrence stated that the Apartment Security Ordinance would go into effect on March 8, 2007 so they were looking forward to that day. Council Members Clutterbuck, Garcia, Alvarado and Green absent.

Council Member Holm stated that she wanted to thank her colleagues for their input and participation of the Newsrack Ordinance and wanted to remind them that on Monday morning at 10:00 a.m. in the Council Chamber they would have the meeting. Council Members Clutterbuck, Garcia, Alvarado and Green absent.

Council Member Holm stated that she wanted to thank Ms. Ann Travis for the coordination of their Legislative Agenda and Council Member Alvarado for her support with TML, that it was really a great even and they were well received. Council Members Garcia, Alvarado and Berry absent.

Council Member Holm stated that on Sunday was the Houston Chevron Marathon as well as the Aramco Half Marathon and she was aware that Mr. Jack Lipincott in Housing ran his 30th marathon as did Doug Earl and Chris Brown, the son of Council Member Brown and Council Member Green's Chief of Staff, and Ms. Nancy Brewer of her office and Ms. Lilliana Rambo and Mr. Michael Moore, that she wanted to congratulate Nancy who ran the marathon and had finished chemo and radiation less than a year ago and had done a great job and they were really proud of her; that Ms. Susan Christian does a phenomenal job in their Special Events and the planning, that they were going to meet on Friday and she was hoping they would take it as an opportunity because while their participants in the marathon were so important the marathon itself was so important, that it was a growing and signature marathon for the City, that she was hoping they could address some of their traffic and street closure issues a little bit differently so that all of their citizens really embrace what comes forward with the marathon and a part of it as opposed to frustrating them. Council Members Garcia, Alvarado and Berry absent.

Council Member Khan stated that he wanted to express his condolences to Mr. Hines family and also to Mr. Hall for losing his mother. Council Members Garcia, Alvarado and Berry absent. Council Members Lawrence, Holm, Garcia, Alvarado and Berry absent.

Council Member Khan stated that they had their CIP meeting scheduled for Monday, January 22, 2007 and he urged all of the constituents of District F to be there and welcomed all of the department heads who had agreed to be there and requested all of this colleagues to see if they could stop by and listen to the needs of the constituents of District F. Council Members Lawrence, Holm, Garcia, Alvarado and Berry absent.

Council Member Khan stated that as they go through developing their SNAP plans this year one of the things came about that the constituents, especially the super neighborhood councils, worked very hard in developing their SNAP, the Super Neighborhood Action Plan, and they always expressed concerns as to what happens to their SNAP plans, do they ever see the City consideration because if it did then it made it worthwhile for them to spend that time, if not they were always questioning as to why the community should spend hundreds of man hours preparing something if it was not going to be taken seriously, so the various groups would be making presentations of their SNAP plans at their CIP session on January 22, 2007. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Khan stated that a couple of things that were already coming out from the constituents and he knew that Mayor White was very concerned about the flooding issues in the City of Houston they had talked many times and it was the Mayor's idea that they really needed to look at a very comprehensive manner as to how they were going to deal with flooding in Houston, that they needed to come up with a comprehensive citywide plan to deal with the issue of flooding. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Khan stated that another issue that Mayor White was well aware of and had taken an interest, he had seen the email that he had sent about the Turtlewood Community Association, it was a development where the developers build it and sold the 47 single homes but called them condominiums but they had only one water meter to supply water to all the 47 single family homes and the TCEQ required separate meters but now the developer was gone and had turned it over to the homeowners association and now all of the homeowners were in limbo because they were not fulfilling the requirements as required by the TCEQ and they

wanted the City to come in but the City could not do anything because of the way the waterline was placed it was not feasible for the City to breakup the water bills, it was an issue which had gone on for a long time and he knew that in his email the Mayor had talked about as to how they could avoid those kind of things in the future, of course they needed to address the issue of Turtlewood Community Association but they also needed to look at how they could hold developers to fulfill all of the requirements when they applied for permits from the City of Houston to build some development and not leave the residents with this kind of problems, that he hoped they would look into that. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Khan stated that he wanted to thank Council Member Edwards for starting something new when she organized the silent march last Saturday, that he hoped in years to come they would continue to see it grow and become the main event for the commemoration of Martin Luther King Day in the City of Houston. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Green stated that he wanted to remind everyone that the Budget and Fiscal Affairs Committee meeting would take place on January 30, 2007 at 10:00 a.m. in the Council Chamber. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Green stated that the National Forum for Black Public Administrators, Houston Chapter, were hosting their Symposium and Gala 2007 on January 18 and 19, 2007, and the Houston Chapter invites them to participate in celebrating 20 years of excellence and stability and leadership and service by attending the 2007 Symposium on Thursday and Friday, January 18 and 19 at the Hilton Americas, the goal of the Symposium was to offer a series of workshops, seminars and networking opportunities to help participants expand, update and refine their professional skills thereby enhancing their ability to meet the challenges in their organizations now and in the future, for more information they could visit www.NFBPAHOUSTON.org, that he was a member of that organization and many of their fine City employees were members and held leadership positions nationally in the organization and Mr. Hall was on the National Board of Directors of the NFBPA as well. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Khan stated that yesterday was he first meeting of the Mayor's Task Force for Convenience Stores and Small Businesses, that they had not seen such a diverse and comprehensive and really very top notch group of people coming together to solve some of the problems they were facing, it was a great meeting and Council Member Lawrence spent a lot of time and the ideas that she presented were very well received, that everybody in the room was convinced that it was the right thing to do and the right way to address it also, that the commitment shown by all the participants was mind boggling and they had such a high profile group and so many experts from various areas that he thought the task force would show some definite improvement in the crime in that particular area. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Brown stated that he wanted to wish Mr. Mike Marcotte, Director, Public Works, a Happy Birthday. Council Members Holm, Garcia, Alvarado and Berry absent.

Council Member Brown stated that they had a very interesting session listening to what he would call neighborhood voices and he wanted to share a rhyme with his colleagues, "listen my colleagues and you shall hear the plaintive cry of the neighborhood volunteer, no more overcrowding they would say, pushing us out was just not fair play, so go somewhere else where the land is bare and for goodness sake stay out of our hair", that it was a different way to make a point, the poorly scaled intrusions on stable neighborhoods and mediocre quality tract

subdivisions on precious vacant land were actually encouraged by the City of Houston through weak regulations and actual subsidies in some cases to the developers and he thought they could do and should do a lot better and it was really their charge to protect the health, safety and welfare of the community out there and that was the powering authority they had; that last week he met with the principles of David Weekly Homes and because of that discussion and other similar discussions with developers he was convinced that they could encourage the better quality developers to invest in their City rather than in the outlying suburbs or in other cities, the issue in Houston as they heard today was minimal development regulations which encourage less than the quality that they should expect, these were subdivisions lacking in the basic elements of a sustainable authentic neighborhood, they were lacking in terms of efficient circulation, the efficient delivery of municipal services and stabilizing the neighborhood tax base, higher standards coupled with greater predictability and some start infrastructure strategies, with the same financial resources that they used in MUDs, in city MUDs and DPCs would make their greenfields and brownfields magnets for a different level of investment in terms of building livable neighborhoods and attractive mixed use centers, decent standards would not scare developers and investors away, he thought quite the contrary was true, if the new Houston they were building was going to be an A+ city they must opt for quality at every turn, with every road they build, with every sewer pipe they lay, with every house they construct they must raise and not diminish the quality of their community and the promise of their future therefore in this spirit he proposes that they establish a traditional neighborhood development standard that would apply to all in city MUDs, DPCs, special districts and any situation where tax exempt financing was involved, if they were going to pay the piper they should start calling the tune in a much stronger way, it would be a simple move which would have long lasting benefits in terms of the quality and character of their urban life, "so listen anew my colleagues and you shall hear the rumble of quality and character striving to appear". Council Members Holm, Garcia, Alvarado, Green and Berry absent.

Council Member Clutterbuck stated that she wanted to thank Council Member Edwards for organizing and inviting her to participate in the silent march, she thought it was such a beautiful tribute to Dr. Martin Luther King, Jr. and his message of peace and was a nice alternative to some of the other chaos that they happen to experience in the City. Council Members Holm, Garcia, Alvarado, Green and Berry absent.

Council Member Clutterbuck stated that the District C Capitol Improvement Plan meeting would be held on Monday, January 29, 2007 from 7:00 p.m. to 9:00 p.m. in the auditorium of the Jewish Community Center, located at 5601 South Braeswood, that she wanted to thank the good people at the Jewish Community Center for opening up their facility to them which was in the middle of District C and she urged citizens in District C if they had particular projects she would urge them to fill out a neighborhood street reconstruction petition and bring it with them to the CIP meeting on January 29, 2007. Council Members Holm, Garcia, Alvarado, Green and Berry absent.

Council Member Clutterbuck stated that they had a number of everyday heroes, they had a stinky situation in the Southgate area this past week that affected residents in the 2200 block of University and Shakespeare, one of the older neighborhoods in the City that had an old sewer and unfortunately some blockages, overflowing and standing water underneath some of the older houses that were up on pier and beam and she wanted to thank in particular a number of people who just jumped right on the problem, Ms. Barbara Hait of her office who stayed late on Thursday night of last week on behalf of these particular citizens and worked the project all day trying to figure out and coordinating schedules of how to get people there, that they could not have done it without her and then the good people who actually showed up and did the work the stoppage team members, Timmy Washington, Joseph Nunez, Jose Munoz, Dean Newts, Cedric Wilson, Jacob Cavazos, Rodney Wilson and Davis Godline, all the people who showed

on to work on the stoppage, and then the repair team, Jimmy Smith, Joe Little and Derrick Ferrel and the repair team management staff, Felix Powell, Michele Falose and Michael Johnson, that it came to their attention from the citizens that happened to live and had the backup in their yards, Judge Judiese, Debra McAbee and Bryron Moris, Dr. New, who lived on Shakespeare and Jill and Patrick who let the people into their backyards, that she went by again on Sunday and yesterday as well and the good people from Public Works were still out there yesterday taking care of another backup and she really appreciated that on a day like yesterday with the sleeting rain that they were there drilling out the line again and on behalf of the neighbors she wanted to thank each of those people. Council Members Holm, Garcia, Alvarado, Green and Berry absent.

Council Member Clutterbuck stated that she wanted to thank the people at Tacos-A-Go-Go and The Best Donut Company who provided breakfast for the Council Members and their staff this morning. Council Members Holm, Garcia, Alvarado, Green and Berry absent.

Mayor White stated that two or three times they had referenced to the CIP meetings during the pop-off and Council Member Lawrence and Mr. Marcotte and Steve Tinnerman, anything they could do to move them along and then have something that they make recommendation of what they do with the money that they set aside to fund SNAP projects when they broke up the old 405 Fund and that was one of the persons that they dedicated so the money was there and they had to be aware that they were nonrecurring funds and had to see how it worked, they had to have some criteria, but they had funds for SNAP projects that were now set aside in the budget and these would be things that may not be long life capitol improvements that cost \$2 million those do not go into SNAP plans, nor could they have every neighborhood deciding where every stop sign was otherwise there would be no flow of traffic through their neighborhoods but on things like at corner intersections the curbs were down, that there were some types of street improvements that were not a major street reconstruction that may fall into those categories, there may be some landscaping in public right-of-ways that may be appropriate, he was just talking about some of the recurring issues, and sidewalk issues, where they did want to come up with some criteria that applied to super neighborhoods that met existing governance criteria and perhaps a budget and some procedures, they were not going to pay for a professional staff for super neighborhoods, that they should help them on that so they could get out some instructions on what Council Members could say or not say and what they could expect so they could have super neighborhoods that had some SNAPs that not only the Public Works Department responded to but they had a source of funding so everybody knows how it got paid for. Council Members Edwards, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that she wanted to compliment Planning, the individuals in Planning who were going to the neighborhoods were expressing the dollars being there, expressing what they needed for a CIP and what they needed for a SNAP and the differences so Planning had taken that upon themselves to really let the super neighborhoods know about that, and Mayor White stated that he wanted them to help him think that they keep it pushing along and they were not there a year and he thought it was about \$ 2 million and they still did not have that money that was in the bank because they did not have some kind of formal criteria process, and Council Member Lawrence stated that her conversation with Mr. Tinnermon was that it was all gone if they did just part of the SNAP so they were prioritizing them according to how much they had asked for in the past, the super neighborhoods and the worth of that project to the area. Council embers Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 1:20 p.m. Council Member Wiseman absent on city business. Council Members Edwards, Holm, Garcia, Alvarado, 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

Anna Russell, City Secretary