

City Council Chamber, City Hall, Wednesday, May 30, 2007

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, May 30, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Jo Wigington, Senior Assistant City Attorney, Division Chief, Legal Department; Ms. Deborah Dillard, Citizens Assistance; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

Note: Council Member At-Large Position 3 vacant.

At 8:30 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:21 a.m. Mayor White called the meeting to order and called on Council Member Clutterbuck for the prayer and pledge, and Council Member Clutterbuck invited Reverend Albert Brown, Seniors Chaplain at Oak Tree Manor and also Assistant Pastor at Greater New Elijah Missionary Baptist Church to lead them in prayer; and Council Member Clutterbuck led all in the pledge. Council Members Wiseman, Lovell, Green and Berry absent.

At 9:23 a.m. Mayor White requested the City Secretary to call the roll. Council Members Wiseman, Lovell, Green and Berry absent.

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

Council Member Khan moved to suspend the rules to consider Item Numbers 1 and 1a out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Lovell, Green and Berry absent. MOTION 2007-0498 ADOPTED.

1. **ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Houston Garden Center – was presented. All voting aye. Nays none. Council Members Wiseman, Lovell, Green and Berry absent. ORDINANCE 2007-0603 ADOPTED.

1a. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **GARDEN CENTER ADVISORY BOARD**, for terms expiring on June 30, 2009.

Position One	-	MS. STELENA HOOPER EVANS , reappointment
Position Two	-	MS. OLIVIA F. MARSHALL , appointment
Position Three	-	MS. JANE F. KWAN , appointment
Position Four	-	MS. ELMA BARRERA , appointment
Position Five	-	MS. CHERIE H. FLORES , appointment
Position Six	-	MS. JANELLE OTSUKI DANIEL , appointment
Position Seven	-	MS. MARGARETTE JONES , appointment
Position Eight	-	MS. SUSAN BOOTH KEETON , reappointment
Position Nine	-	MR. JOHN S. STEELE , appointment
Position Ten	-	MS. LAURA R. JARAMILLO , appointment
Position Eleven	-	MR. MARVIN M. YAROTSKY , reappointment
Position Twelve	-	MR. BART W. BRECHTER , appointment
Position Thirteen	-	MS. MEDA DALTON WOGAN , appointment
Position Fourteen	-	MS. BRIDGET L. JOHNSON , appointment

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Members Wiseman, Lovell, Green and Berry absent.

Council Members Garcia, Holm and Edwards thanked the newly appointed and reappointed members of the Garden Center Advisory Board for their service to the City. Council Members Wiseman, Lovell, Green and Berry absent.

A vote was called on Item No. 1a. All voting aye. Nays none. Council Members Wiseman, Lovell, Green and Berry absent. MOTION 2007-0499 ADOPTED.

Mayor White asked the newly appointed and reappointed members of the Garden Center Advisory Board to stand and be recognized. Council Members Wiseman, Lovell, Green and Berry absent.

MAYOR'S REPORT

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented. Council Members Lovell and Berry absent.

At 9:28 Mayor White recognized Ms. Annise Parker, City Controller and Ms. Judy Gray Johnson, Director of Finance and Administration for the Monthly Financial Report. Council Members Lovell and Berry absent.

Ms. Parker stated that it was the Monthly Financial Report for the period ending April 30, 2007; that they were winding down the year so there were not a lot of surprises, but the good news did continue; in the General Fund they in the Controller's office were projecting an increase of \$50 million over the budgeted year end Fund Balance; it was about \$15 million higher than last month, the changes were a net result of the \$13 million increase in projected revenue and a decrease of nearly \$2 million in expenditures; the bulk of the increase was \$8.8 million received from FEMA for reimbursement of costs associated with Katrina and Rita; it was put into the General Fund rather than into the 98S Fund so it was reflected there; that there was also \$2.9 million more in Telephone Franchise fees due to higher than anticipated year to date receipts; the Telephone Franchise fees had been dropping fairly precipitously over the last few years so that was just an unexpected bump and then continued to receive more interest income on their high cash balances; that on the expenditure side there was \$3.6 million transferred from General Government to various departments to cover technology spending; and another \$2.8 million for a variety of true ups; that they would have a Katrina and Rita hand out in front of them; and that concluded her report. Council Members Lovell and Berry absent.

Mayor White stated that he wanted to thank the City Controller; that if anybody doubted how hard the City Controller and her staff worked he wanted to thank them for this past weekend, that on the items that they were dealing with, some long over due, on the CHODOS, they could never have gotten it done without some hard work over weekend hours by City Controller staff. Council Members Lovell and Berry absent.

Ms. Johnson stated that as the Controller stated that revenue estimates were a little bit higher than last month; they had increased their estimated Property Tax collections by \$500,000; that Sales Tax, the last check that they received was up 4.5% compared to the same time the previous year, it was not the double digit increases that they had been seeing but was still solid growth and brought their estimate up by \$1.1 million; that they would not know the final Sales Tax totals for 2007 until the

second week of August 2007, due to the fact that retailers had to file their tax returns with the State Comptroller and they did not know what those numbers would be until that was done; the expenditures changes were mostly those that they discussed when they talked about the General Appropriation, all of those budget transfers were done in May 2007 but had been reflected in the April 2007 report so as a matter of clarity they could see where they stood against the revised budget; the projected Ending Fund Balance was about \$5 million higher than what they estimated when they proposed the 2008 Budget two weeks ago, that certainly was good news, they liked to have a budget that ended up on the conservative side so they would expect to have at least the amount of money that they had estimated when they put the budget forward, and that concluded her report. Council Members Lovell and Berry absent.

Council Member Wiseman stated that she was concerned that they were in another budget cycle and had begun the budget workshops and they did not have an audited Annual Report for FY06, the only thing she had been able to obtain was a draft report from October 2006, what was the delay and were they not violating State Law at this point.

Ms. Parker stated that they met the formal requirements of State Law by filing the draft report in October; that they could not be any more concerned than she over the fact that they did not have an audited financial report as of yet, the Mayor offered her the opportunity two weeks ago of meeting with the department directors and did not know if there had ever been a Controller than went to the Mayor's Senior Staff meeting to plead with them to finish up the final numbers, that as she had said previously they had systemic problems with the component units, the fact that their fiscal year coincided with the City's, the City could not do their annual report until they did their's; they had problems with the TIRZs, which were among the component units and there were a couple of departments that were literally unable to provide them with timely data; that at this point all of the data was in the hands of their auditors, Deloitte & Touche, there was nothing else pending from the Controllers Office, they were waiting for them to issue the final report and expected to have it in the mail Thursday night; that she was also concerned that next year's report may be delayed because next year's Annual Report would be the first under the new SAP System and there were still growing pains from the implementation of that system; and Council Member Wiseman asked which department's had caused the delay and why, and Ms. Parker stated that a department that was always difficult was Housing and Community Development, they had a new director and she had met with the new director and he was very committed to making sure they got data timely, and one of the problems in that department was the amount of grant dollars and they had problems citywide in dealing with grants; that this year Public Works had difficulty but again she was quite confident that Public Works was on top of it as they moved forward. Council Members Edwards, Holm and Lovell absent.

Council Member Wiseman stated that she would appreciate anything in writing, from the Mayor, that they could provide in detail with respect to which departments had caused the delay and why. Council Members Edwards, Holm and Lovell absent.

Mayor White stated that he had emphasized his concern about it and would say that many of the issues had to do with the accruals as of June 30, and then the SAP transition, that there had also been quite a number of repetitive requests for the same information that had been provided by their auditors and the City Controller and the Director of F&A were going to be dealing with the auditors on that. Council Members Edwards and Lovell absent.

Council Member Clutterbuck stated that it was essential that they comply with State Law and wondered if they could change the closing date or do something to help facilitate compliance with State Law, and Ms. Parker stated that she would point out that State Law had been changed and it was actually due on December 31st and they were timely on December 31st for the last couple of years and this year they hoped it was an anomaly and thought that what the Mayor was doing with

the tax increment reinvestment zones, requiring them to do the monthly and quarterly reports, would go a long way to resolving some of that. Council Members Wiseman, Lovell and Berry absent.

Council Member Green moved to accept the Monthly Financial and Operations Report, seconded by Council Member Khan. All voting aye. Nays none. Council Members Lovell and Berry absent. MOTION 2007-0500 ADOPTED.

At 9:40 a.m. the City Secretary began calling the public speakers. Council Members Lawrence, Johnson, Lovell, Green and Berry absent.

Mr. Stephen Cravens, 1920 W. Gray #436, Houston, Texas 77019 (713-385-7579) appeared and stated that he was cofounder and president of Young Professionals and Energy, a newly formed organization aimed to remediate the generation gap in the energy industry, they held a marquee event and chose Mayor White to be speaker and since the event their organization had grown to seven chapters worldwide and could not be thriving anymore and he felt it could not have happened without the speech by Mayor White and today was present offering a token from them and presented Mayor White with a framed presentation. Council Members Lawrence, Johnson, Lovell, Green and Berry absent.

Ms. Stennie Meadours, P. O. Box 1087, Baycliff, Texas 77518 (281-339-1526) appeared, presented information and stated that she was current president of the Houston Audubon Society and present to discuss one of Houston's best kept secrets, the birds of Houston, that the Houston Audubon had about 4,000 members and owned approximately 3,000 acres of bird, wildlife sanctuaries including the internationally known Boliver Flats and High Island and also Sims Bayou and Edith L. Moore in Houston; that they conducted bird surveys, did advocacy funding and educated over 20,000 Houston area children with a live bird exhibit; that Houston had an incredible habitat with 500 species of birds and 23 watersheds and that was because Houston was right in the middle of the migratory pathway with literally billions of birds going through Houston every year; and the Houston Audubon Society would like to work with the City of Houston and the Mayor and were working with Houston Parks and Recreation to raise awareness of birds in the Houston area. Council Members Johnson, Lovell, Green and Berry absent.

Council Member Brown stated that they were on the right track and should keep up the pressure because if they allowed the bird habitat to be destroyed as they were in many cases there would be no birds; that they wanted to work with them and in his opinion conservation and protection of the bayous waters and their tributaries were essential to preserving the habitat; and Ms. Meadours stated that in their handout was a photograph of one of those particular spots, a tributary to White Oak Bayou, about four acres scheduled for development and an Osprey catching a very large fish in the concreted bayou; that an area resident had seen 56 species of birds in that small four acres; and such needed to be protected to increase the quality of life for all and to make Houston a more attractive place. Council Members Johnson, Lovell, Green and Berry absent.

Ms. Joy Leverett, 1600 Louisiana #802, Houston, Texas 77002 (713-373-9860) had reserved time to speak but was not present when her name was called. Council Members Johnson, Lovell, Green and Berry absent.

Mr. Derrick Ford, 7255 Sims Drive, Houston, Texas 77061 (713-645-2358) had reserved time to speak but was not present when his name was called. Council Members Johnson, Lovell, Green and Berry absent.

Mr. Gregory Foster, 8301 North Willow Place Drive #2516, Houston, Texas 77070 (713-829-4947) had reserved time to speak but was not present when his name was called. Council Members Johnson, Lovell, Green and Berry absent.

Ms. Sandra Woodard, 10424 Randolph, Houston, Texas 77075 (713-991-3049) had reserved time to speak but was not present when her name was called. Council Members Johnson, Lovell, Green and Berry absent.

Mr. Ishman Hunter, 5602 Bel Arbor, Houston, Texas 77033 (832-373-5663) had reserved time to speak but was not present when his name was called. Council Members Johnson, Lovell, Green and Berry absent.

Pastor Brian Allen, 7427 MLK Blvd., Houston, Texas 77033 (713-645-5683) appeared and stated that he was present regarding a situation in the South Park area on Martin Luther King, people were hanging out on Sundays blocking the flow of traffic, using drugs, etc., that he spoke with Council Member Edwards as they had a problem with people loitering on church property smoking, urinating, drugs and people in the community felt they were being held hostage; and if Council could do anything it would be greatly appreciated. Council Members Johnson and Lovell absent.

Council Member Edwards stated that Pastor Allen was strong and passionate in the community and there were serious problems on MLK and she thanked the police who had gone out as they had done a pretty good job, the issue she thought could be basically solved by looking at how people get in and out, one Sunday there were close to 8,000 people in a community block; that when they were asked to leave from front yards people were threatened and cussed out; that young people were driven out of some parks and Astroworld was closed and the city had two challenges, one to stop the madness and two to find an alternative, something children can say yes to; that they would like the area to be looked at as a zero tolerance area and the madness stopped. Council Members Lovell and Berry absent.

Council Member Brown stated that society was plagued with violence and antisocial behavior and police could arrest but then they were back on the streets; and upon questions Pastor Allen stated that much started at home, it was a morality issue, but the immediate was the situation needed to stop and he did not have a clear cut plan, but the same plan used for Memorial, River Oaks, etc., which was it would not be tolerated there was the message needed for their community also. Council Members Khan, Lovell and Berry absent.

Council Member Johnson stated that he too was in that situation with people having total disregard for personal property, youth organizations, etc., he had run a youth organization and they had a big problem with prostitution around it and children could not even go out to play and they got so tired of it they started holding meetings on the outside of the building because no one wanted to do their dirt with eyes watching and he did not want them to take law into their own hands but would suggest the community patrol themselves as well as police and would say maybe they should hold services, etc., outside to let them know they were mindful and watchful; and Pastor Allen stated that he respected his opinion but did not think that was the answer to the problem, he could come out and go out on the streets and have church and see where it got him; that he came to Council because the community paid taxes and it was their responsibility to help when they needed it and something needed to be done; that he appreciated the police activity when they came out but it did not get the results needed as it had not stopped and it needed to stop; that such things did not happen in front of their houses or they would do what was needed and that was what he was doing today trying to get something to happen. Council Members Garcia, Brown and Lovell absent.

Council Member Edwards stated that the community had developed a taskforce and were trying to intervene; that last weekend nine people were arrested and 57 citations were issued; that the Health Department also went out because people were just set up selling barbecue, etc., the community wanted this stopped and they wanted zero tolerance with the behavior and it was possible to be done and then they also wanted a place for the younger people to go. Council Members Garcia, Brown and Lovell absent.

The City Secretary stated that Mr. Ishman Hunter was now present and would be the next speaker. Council Members Garcia, Brown and Lovell absent.

Mr. Ishman Hunter, 5602 Bel Arbor, Houston, Texas 77033 (832-373-5663) was recalled and appeared and stated that he had pictures to present to Mayor White and Council Member Edwards; that he was a concerned citizen from the same neighborhood as the previous speaker, South Park, that they had a lot of problems and some could be worked from the inside, but there was a lot of trash, looting and people coming through but today he was really present to talk about his street and if they could get help it could start a spark that could move to the next street and then the next; that sidewalks were crumbling and they had a lot of elderly citizens and it was a major problem; that there were programs but none would help them, ordinances said it was the homeowners responsibility to repair sidewalks but most homeowners could not fix damage that had been there for years and he hoped Council would have suggestions to move that along and to help get a police storefront. Council Members Holm, Garcia and Lovell absent.

Council Member Edwards stated that Mr. Hunter and his entire family were very active in the community and she would like to have an opportunity to help him work through the programs; that many were renters living in homes and she was not sure how they assisted people who rented but still paid taxes because they could not effectuate any change of their conditions because they did not own that property; that she was told in Mayor Lanier's Administration they did something to waive the homeowners being responsible; and asked that he contact her office. Council Members Holm and Lovell absent.

Mr. Haim Rozin, 6218 Rollingbrook, Houston, Texas 77096 (713-779-6209) appeared, presented information and stated that his company provides transportation services to the physically challenged population in Houston and attempted to give the highest level of care possible, but he was concerned that the St. Luke's Medical Towers was not fulfilling their responsibility to their patients with parking accessibility and the City of Houston needed to investigate to determine if there was enough van assessable parking spaces to meet requirements of federal law. Council Members Edwards, Wiseman, Lovell, Green and Berry absent.

Council Member Clutterbuck stated that Mr. Rozin provided a desperately needed service in Houston by transporting disabled people to hospitals and her office had been working with him and those in the parking division and disabilities office and unfortunately since this was private property the city had no authority over the issue; that she believed the city had given him the name and address of those at the federal level who did enforce ADA laws on private properties and the hospital said they were in compliance; that she wished there was more the city could do for him but there was not; and Mr. Rozin stated that citizens such as he were very frustrated and this was in the state and private or not private they were doing what ever they wanted; and Council Member Clutterbuck stated that they had to be in compliance with federal ADA law and they would be happy to again contact the federal law which did look into this but if they again confirmed what St. Luke's said which was they were in compliance then there was nothing else they could do. Council Members Wiseman, Alvarado, Lovell, Green and Berry absent.

Mr. Vernice Seriale, 149 Winkler, Houston, Texas 77087 (281-450-7649) appeared and stated that his concern was copper theft and residential homes were going to be next; that they had Chapter 7 in the City Code which put requirements on scrap metal dealers to get identification, etc., and police to review the information, but something needed to still be done, the ordinance had no teeth and something needed to be added and today he was asking that something be done to put a stop to the theft. Council Members Clutterbuck, Edwards, Wiseman, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that his sentiment was shared and they were told by federal authorities and he knew it was not enough by many standards but more than any other urban area including the arrest of 52 people in one week with a lot of undercover resources what would he suggest; that they had laws and used vice and undercover and listened to what those who dealt with this organized crime had done and took their guidance for tools to enforce; and Mr. Seriale stated that they should require only scrap metal dealers be able to sell copper as well as construction and air conditioning companies and plumbers as they were the ones who dealt with copper, why should anyone else have copper; and also police received information but did they actually review the data to see who was selling, if they just took the information but did not review it to see if information matched up and the reason it was being sold then it was just written words; and Mayor White stated that his points were well noted. Council Members Alvarado, Lovell and Berry absent.

Council Member Edwards stated that it cost about \$4,000 to replace an air conditioner when it was torn up for about \$20.00 of copper; and upon questions, Mr. Seriale stated that he would have to go out and research to find replacement cost; and Council Member Edwards stated that if they went the route of saying only certain people could sell it then would they do the same for other stolen material from homes, maybe it could work and she would like to speak with him, but her thing was when they passed an ordinance how they enforced it, maybe they should go after the person buying it; and Mr. Seriale stated that currently the ordinance said dealers buying it were responsible for maintaining information and he would think they should go through them to validate information was accurate. Council Members Lovell and Berry absent.

Council Member Garcia stated that they had done a considerable amount of work on this issue and tried to make sure they were broad in scope but narrow as possible to make sure it was an ordinance to be complied with and that it could have some measurable degree of change; that all points he touched on were excellent and he would be having follow-up meetings and would invite him to be a part of it. Council Members Lawrence, Wiseman, Alvarado, Lovell and Berry absent.

Mayor White stated that an HPD representative was present and he would like a report; that they contemplated there would be an audit, particularly in the early stages to reconcile what they saw on the computer screen and what was physically inventoried at the dealer and they found they could identify some and cut some theft, but he dealt with a good point and he wanted a better report, he did not want it classified, but maybe someone with audit experience; and upon questions, Mr. Seriale stated that he was a pastor of a church and they were victims of copper theft; that they had three air conditioners and they were all gutted. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm and Berry absent.

Mr. Don Cook, 7954 Glen Heath, Houston, Texas 77061 (713-705-5594) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Edwards, Wiseman and Holm absent.

Mr. Ira McBride, 3255 Elgin, Houston, Texas 77004 (832-633-9008) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Edwards, Wiseman and Holm absent. Acting Mayor Pro Tem Berry presiding.

Mr. Otis Rushing, 1622 Eldorado Blvd., Houston, Texas 77062 (713-355-0834) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Edwards, Wiseman and Holm absent. Acting Mayor Pro Tem Berry presiding.

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

Mr. Wes Tipton, 4314 Fagan, Houston, Texas 77007 (281-932-8951) appeared and stated that he was again present to bring attention to blight in the neighborhood created by utility companies paying no regard to what was best; that since he was last present a representative from Council Member Garcia's office and from the utility company visited with him on the street to discuss necessity of poles; that they were told they had to be there because poles in the alley could not be upgraded for new development, but it was hard to believe because other new townhomes on his street had been connected to the alley and the newest development next to him demanded access to the alley and now the power company was planning to upgrade the poles in the alley and there was a plan to connect two neighborhoods together on his street to make the poles seem more necessary for the future and they were strongly opposed to the plan and requested notification of such plans to place poles in any areas where they were not already. Mayor White, Council Members Lawrence, Edwards, Wiseman and Holm absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown stated that they did suffer from litter on a stick all over the city and the utility companies were not very happy either, there were no standards to where the poles should go and it was usually figured out at the last minute; that he was working with Center Point to come up with standards which would apply all over the city and there were many poles needed to be placed under ground, driving through River Oaks you don't see a single pole and then crossing Westheimer it was a nightmare and the city needed to support the standards; and Mr. Tipton stated that the builder next to him who wanted power from the alley was being charged extra, he had ugly poles in front of his development and was willing to contribute and he, himself, was willing to contribute and so were others on his street to correct his street; that they were not trying to fix the whole city but wanted a solution to the problem on their street and were requesting the city to appoint someone to help find the solution. Council Members Lawrence, Edwards, Wiseman and Holm absent.

Council Member Garcia stated that Center Point was a partner with the city on this and they wanted a resolution, but they needed support on other fronts, rules and standards were not there right now, but they wanted to accomplish the same though there were no immediate answers as the city had cut off alleyways; that he was glad to have Council Member Berry's support but there was no quick fix; and Mr. Tipton stated that if they could appoint a committee he would be glad to volunteer his time; and Council Member Garcia stated that this was an issue being vetted through the Planning Commission and if there was a place for his support they would get him in; and Mr. Tipton stated that he had also requested a meeting with Mayor White on the issue; and Mayor White stated that he had taken notes here and listed to his colleagues, he was aware of the issue and they were trying to solve problems or find why they

could not and he would work with Council Member Garcia and maybe Mr. David Webb. Council Members Lawrence and Wiseman absent.

Mr. Brandt Mannchen, 5431 Carew, Houston, Texas 77096 (713-664-5962) appeared, presented information and stated that he wanted to talk on the city pension and municipal employees; that in many respects municipal employees were thought of differently than fire and police and maybe as they provided public safety and health but municipal employees provided public safety and protection of public health also, if there was a dangerous dog, air pollution, water pollution, etc., you turned to municipal employees and people needed to have a reason to believe that working as a public servant was important, it meant something and could provide satisfaction and security and by insuring the pension was as generous as possible City Council sent a message to municipal employees that they cared about them; that they had already reduced the city pension and if they did it again it seemed they would be sending the wrong message and his underlying message was not to undermine the foundation of the City of Houston which was municipal employees because otherwise the city would not operate properly. Council Members Lawrence and Wiseman absent.

President Joseph Charles, P. O. Box 524373, 77052-4373 (832-453-6376) appeared and stated that he was again present regarding his crime victim case; that he was the official U. S. President of the U. S.; and continued expressing his personal opinions until his time expired. Council Members Wiseman and Garcia absent.

Ms. Sue Kinney, 17435 Imperial Valley, Houston, Texas 77060 (281-405-8394) appeared and stated that she again was talking about her money; and someone helped her with citizenship papers; and she wanted to know what Mayor White could do as she needed her money and help. Council Members Wiseman and Garcia absent.

At 10:44 Mayor White stated that they would return to the agenda. Council Members Wiseman and Garcia absent.

Council Member Edwards moved to suspend the rules to consider Item Numbers 39 through 45 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Wiseman and Garcia absent. MOTION 2007-0501 ADOPTED.

39. ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **TEJANO CENTER FOR COMMUNITY CONCERNS** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Wiseman and Garcia absent. ORDINANCE 2007-0604 ADOPTED.
40. ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Wiseman and Garcia absent. ORDINANCE 2007-0605 ADOPTED.
41. ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction

loan of Federal "HOME" Funds in the amount of \$420,000.00 for eligible costs in connection with the construction of six (6) affordable homes - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Wiseman and Garcia absent. ORDINANCE 2007-0606 ADOPTED.

42. ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **RE-WARD THIRD WARD** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented, and tagged by Council Member Lovell. Council Member Garcia absent.
43. ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **ACRES HOMES COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Wiseman and Garcia absent. ORDINANCE 2007-0607 ADOPTED.
44. ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **MACSC AND HOUSING, INC** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$210,000.00 for eligible costs in connection with the construction of three (3) affordable homes - **DISTRICT D – EDWARDS** – was presented.

Council Member Brown stated that he had the floor plans and elevations for Item Numbers 39 through 44 and graded each one of the plans based on his understanding of what really worked for affordable housing and what did not work so well and the grades ran from A+ to C- and he felt that they all ought to be B+ or better and did not know how to get there but they ought to have some standards for the kind of housing that made a neighborhood safe and amenable and which incurred neighbors to interact. Council Member Wiseman absent.

Council Member Edwards stated that she appreciated having the access to Council Member Brown's knowledge and so forth and would suggest that with Council Member Brown being on the Housing Committee that he take that position and help develop a standard for the City, that for all the CDCs that were involved in this it was a learning curve for the whole City so she thought that everything they did was in good will of the mission of helping to rebuild and revitalize their communities and was sure that Council Member Brown's background would be helpful to them and would encourage Council Member Brown to put up a draft plan for the committee and take the lead on it. Council Member Wiseman absent.

Mayor White stated that they appreciate that input advice at the committee level or within the administration but they had CHODO Funds that had been set aside since Fiscal Year 2003 and 15% of CDBG was being deployed now; that they had interviewed each but two and had looked at all but two of the CDCs and had dealt with them at some length, but they would appreciate the input that they had. Council Member Wiseman absent.

Council Member Lovell stated that her concerns were more on process than standards, her understanding was that the money they were giving was not to buy the lots they were going to build on, they had to get their own funding to buy the lots and this money was being held until some of them could buy the lots but there was not a time limit set that they were going to hold the money up to allow them, that it was like a line of equity but there was no time line to say

they had to buy their lots in a six month time or they were going to release the money and have somebody else use it to build homes, and Mayor White stated that he would look at her concern and knew what it related to, that this week they would do that. Council Member Wiseman absent.

A vote was called on Item No. 44. All voting aye. Nays none. Council Member Wiseman absent. ORDINANCE 2007-0608 ADOPTED.

45. ORDINANCE approving and authorizing an agreement between the City of Houston, **UNITY BANK** and **HOLMES COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Wiseman absent. ORDINANCE 2007-0609 ADOPTED.

CONSENT AGENDA NUMBERS 1 through 59

ACCEPT WORK - NUMBERS 3 and 6

3. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$18,045,339.36 and acceptance of work on contract with **SOVEREIGN BUILDERS GROUP, LTD. dba CONSTRUCTION LTD.**, for Central Plant Equipment Chilled/Hot Water Loop at George Bush Intercontinental Airport/Houston, Project 424A, WBS A-00091-0006-4-02, A-000131-0008-4-02 and A-000391-0004-4-01 - 3.65% over the original contract amount - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0502 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,798,520.91 and acceptance of work on contract with **KENMOR ELECTRIC COMPANY, LP** for Traffic Signal Construction Contract-North Zone, GFS N-0650-09-3 - 0.35% over the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; G - HOLM and H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0503 ADOPTED.

PROPERTY - NUMBERS 11 and 12

11. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY5-003, located at 8906 Seeker Street, owned by Joyce Newsome, for the **FRESH WATER SUPPLY DISTRICT #23 BUFFER ZONE PROJECT**, CIP R-000265-0027-2-01 **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0504 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY5-004, located at 8407 Kellett Street, owned by The Heirs at Law and Devisees of Huey P. Spikes, deceased and Mary M. Spikes, for the **FRESH WATER SUPPLY DISTRICT #23 BUFFER ZONE PROJECT**, CIP R-000265-0027-2-01 - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0505 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 22

13. **TRI-ANIM HEALTH SERVICES, INC** for Laryngeal Tracheal Device Kits for Fire Department \$320,952.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0506 ADOPTED.
14. **STAGE LIGHT, INC** for Lighting, Theatrical Replacement Parts and Repair Services for Convention & Entertainment Facilities Department - \$422,500.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0507 ADOPTED.
16. **NEOPOST, INC** for Lease of Mail Processing Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Municipal Courts-Administration Department - \$42,502.98 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0508 ADOPTED.
22. **TEXAS UNDERGROUND, INC** for Cues, Closed Circuit TV Equipment for Department of Public Works & Engineering - \$263,985.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0509 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 25 through 58

25. RESOLUTION of the City Council prescribing the date, time, and location of a public hearing on the City Budgets for the time period July 1, 2007 through June 30, 2008; authorizing notice of such public hearing and making other provisions related to the subject - **HEARING DATE - TUESDAY - 1:30 P.M. - JUNE 12, 2007** - was presented. All voting aye. Nays none. RESOLUTION 2007-0027 ADOPTED.
30. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the Morin Place (also known as Morin Street) Street right-of-way, from its eastern terminus west 75 feet, more or less, being located within North Side Buffalo Bayou, an Unrecorded Subdivision in Houston, Harris County, Texas; vacating and abandoning said tract of land to the City of Houston, fee owner, Parcel IT6-006 - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2007-0610 ADOPTED.
31. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement, containing 3,544 square feet of land, more or less, Parcel SY6-075, located in Restricted Reserve "A", Primeway Federal Credit Union, John Austin Two League Survey, A-1, Houston, Harris County, Texas; vacating and abandoning said sanitary sewer easement to Washington Pointe, L.P., the owner, in consideration of owner's dedication of a 15-foot-wide sanitary sewer easement located within the same Restricted Reserve "A", and owner's payment of \$2,970.00 other consideration to the City - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2007-0611 ADOPTED.
32. ORDINANCE approving and authorizing special warranty deed conveying to William Craig Schmidt a parcel of land containing 5,002 square feet, more or less, the former Campbell Woods Water Plant Site, Michael Cronican Survey, A-219, Harris County, Texas (located at 9480 Neuens Road); and in consideration of William Craig Schmidt's payment of

- \$23,555.00 and other consideration to the City - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. ORDINANCE 2007-0612 ADOPTED.
33. ORDINANCE approving and authorizing special warranty deed conveying to Squadra Realty, Ltd., a parcel of land containing 12,278 square feet, more or less, the residue of Lots 1, 2, 3, 4 and 8, Block 126, Central Park Addition, S.M. Williams Survey, A-87, Harris County, Texas (Excess Navigation Boulevard right-of-way located at 6400 Navigation Boulevard); and in consideration of Squadra Realty, Ltd.'s payment of \$18,001.00, and other consideration to the City - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2007-0613 ADOPTED.
34. ORDINANCE consenting to the addition of 124.454 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 460**; for inclusion in its district - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. ORDINANCE 2007-0614 ADOPTED.
35. ORDINANCE consenting to the addition of 167.0856 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 460**; for inclusion in its district - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. ORDINANCE 2007-0615 ADOPTED.
51. ORDINANCE appropriating \$286,000.00 out of Fire Consolidated Construction Fund; awarding construction contract to **COLUMBIA ENVIRONMENTAL SERVICES, INC** for Removal of Underground Storage Tanks at Various Fire Stations, WBS C-000170-0010-4; 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 project management and construction oversight services and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund **DISTRICTS A - LAWRENCE; D - EDWARDS; E - WISEMAN; F - KHAN and I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2007-0616 ADOPTED.
54. ORDINANCE awarding contract to **EFFECTIVE ENVIRONMENTAL, INC** for Mobilization, Collection, Characterization and Packaging of Household Hazardous Waste for the Solid Waste Management Department - was presented. All voting aye. Nays none. ORDINANCE 2007-0617 ADOPTED.
55. ORDINANCE approving and authorizing first amendment contract between the City of Houston and **LIBERTY TIRE RECYCLING, LLC** (originally awarded to **SILVER CREEK MATERIALS, INC**) (#C53573) for Scrap Tire Disposal Services for Various Departments - was presented. All voting aye. Nays none. ORDINANCE 2007-0618 ADOPTED.
56. ORDINANCE appropriating \$5,000.00 out of Metro Project Commercial Paper Series E Fund and approving and authorizing Construction Management and Inspection Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for the Construction of Long Point Road - Wirt Road Intersection and approaches project, WBS N-000674-0001-4 **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. ORDINANCE 2007-0619 ADOPTED.
57. ORDINANCE appropriating \$102,000.00 out of Fire Consolidated Construction Fund and \$65,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing first amendment to Professional Architectural Services Contract (approved by Ord, No. 04-0112) between the City of Houston and **NATEX CORPORATION**

ARCHITECTS for Work Order Contract for Various City Departments, WBS C-000142-0002-3 and D-000105-0002-3; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund and the General Improvements Consolidated Construction Fund **DISTRICTS D - EDWARDS and H - GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2007-0620 ADOPTED.

58. ORDINANCE de-appropriating \$173,728.06 out of Water & Sewer System Consolidated Construction Fund from Contract No. 4600007040 (as passed by Ordinance No. 2006-1050); appropriating \$73,918.31 out of Metro Project Commercial Paper Series E Fund and \$86,650.30 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction of Segment 2 of Park Row Road from SH 6 to Eldridge Parkway, WBS N-000723-0002-4, S-000521-0029-4 and R-000521-0029-4, under an interlocal agreement with the **HARRIS COUNTY TOLL ROAD AUTHORITY (HCTRA)** (approved by Ordinance No. 2006-1050) **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. ORDINANCE 2007-0621 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

2. ORDINANCE appropriating \$50,410.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Construction of Awty School Lane Paving: Post Oak to Drainage Ditch, WBS N-000755-0001-4, and approving and authorizing first amendment to Construction Contract with **ACM CONTRACTORS, INC** (approved by Ordinance No. 2006-649) - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. ORDINANCE 2007-0622 ADOPTED.
- 2a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 1 in the amount of \$88,885.74 on contract with **ACM CONTRACTORS, INC** for Construction of Awty School Lane Paving: Post Oak to Drainage Ditch, WBS N-000755-0001-4 **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0510 ADOPTED.

ACCEPT WORK

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,429,031.86 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Sylvester Turner Park fka West Little York Park, WBS F-504B02-0002-4 - 21.20% over the original contract amount - **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Berry stated that he wanted an answer as to why it went 21% over, that the answer that he had in his file was to get a \$100,000 matching grant reimbursement; that he thought it was going to be a great park and was excited about it but wanted to make sure if there was a contractor that was not behaving properly they would know it, he did not have a problem spending it on the park and moved to postpone Item No. 4 until the end of the agenda, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0511 ADOPTED.

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,329,370.02 and acceptance of work on contract with **TOTAL SITE, INC** for Neighborhood Street Reconstruction Project NSR 452; WBS N-000384-0001-4 - 6.05% under the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0512 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of contract amount of \$1,398,359.40 and acceptance of work on contract with **TROJAN INDUSTRIAL COATINGS, INC** for Rehabilitation of Three Elevated Storage Tanks, WBS S-000600-0030-4 - 8.78% under the original contract amount - **DISTRICTS A - LAWRENCE and B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Garcia.

PROPERTY

8. 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. Edmond & Valerie Thomas, et al., Cause No. 870,735, for acquisition of Parcels AY5-050 and AY5-046; for the **FUQUA ROAD GRADE SEPARATION at Mykawa Project**; WBS N-00530B-0002-2 - **DISTRICT E - WISEMAN** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0513 ADOPTED.

Council Member Berry stated that when he first came to Council they talked about grade separations and he was seeing more and more of those projects; with all the train collisions that they had in that community he hoped Public Works would continue with those because it was a good traffic tool for them.

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ronnie D. Harris of Brown & Gay Engineers, Inc., on behalf of ASN Multifamily Limited Partnership [SCA-North Carolina (1) LLC, a Delaware limited partnership {Archstone-Smith Operating Trust, a Maryland real estate investment trust, (Peter Grimm, Vice President), sole member}, General Partner], for abandonment and sale of three fire hydrant easements and a 10-foot-wide water line easement in exchange for the conveyance to the City of a fire hydrant easement, all located within Memorial Heights, Section One Replat, out of the John Austin Survey, A-1, Parcels SY7-082A through D and KY7-248 - **APPRAISERS - DISTRICT H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0514 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ronnie D. Harris of Brown & Gay Engineers, Inc., on behalf of Apartments at Post Oak Hills, Ltd., [Apartments at Post Oak Hills GP, Inc. (Jennette Hunnicutt, President), General Partner], for abandonment and sale of a variable width utility easement, a variable width water line easement, a water meter easement and two fire hydrant easements, all located within the 807 S. Post Oak Lane Apts plat, out of the William White Survey, A-836, Parcels SY7-090A through E - **APPRAISERS - DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0515 ADOPTED.

PURCHASING AND TABULATION OF BIDS

15. RECOMMENDATION from Director of Housing & Community Development Department that Council determine that the low bidder, **BROWN MECHANICAL SERVICES, INC** is indebted to the City of Houston for tax delinquency and authorize award to the second low bidder, **B AND C CONSTRUCTION, INC** to perform corrective actions related to construction at 225 N. Carolina Street - \$34,390.00 - TIRZ Affordable Housing Fund - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0516 ADOPTED.
17. **ALL AMERICA SALES CORPORATION** for Road Spike Systems for Police Department \$39,400.00 - General Fund – was presented, and tagged by Council Member Holm.
18. **TEXAN EQUIPMENT AND TRAILER SALES d/b/a TEXAN TRAILER SALES** for Horse Trailers for Police Department - \$44,750.00 - Police Special Services Fund – was presented, and tagged by Council Member Holm.

Council Member Clutterbuck stated that she wanted to add her tag to Item No. 18 as well and would like to get some information back from the Police Department; that she understood they had 35 horses and currently five 8 horse trailers, two 4 horse trailers, two 3 horse trailers and one 2 horse trailer and wanted to know why they needed that many trailers, and Mayor White stated that they would get an answer to that.

19. ORDINANCE appropriating \$713,128.20 out of Limited Use Roadway Fund for Purchase of Traffic Signal Parts for Public Works & Engineering Department, WBS N-000650-24-5 – was presented.

Council Member Berry stated that he liked what Public Works was doing; one of the Mayor's initiatives when he first came into office was synchronizing the traffic lights, which actually did change the traffic patterns quite a bit; that there were some things in the item that were national trends that Public Works was on pace with and one of those was countdown pedestrian lamps, and if anyone had ever tried to cross the road on their bicycle at Memorial Park those were very important and that was one of those trends in the traffic journals that they were talking about a lot so he was glad to see they were doing more of that; that they had an intern in their office about three years ago do a study on LED Lamps, incandescent lights, which these included, and it saved 85% on the energy costs so that was what these were.

A vote was called on Item No. 19. All voting aye. Nays none. ORDINANCE 2007-0623 ADOPTED.

- 19a. **TRASTAR, INC** for Traffic Signal Parts for the Department of Public Works & Engineering \$703,573.20 - Limited Use Roadway Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0517 ADOPTED.
20. **TEXAS HIGHWAY PRODUCTS, LTD. (Bid Nos. 4 and 6), TRAFFIC PARTS, INC (Bid No. 4)** and **LEOTEK ELECTRONICS USA CORP. (Bid No. 24)** for Traffic Signal Control Hardware for Department of Public Works & Engineering - \$1,221,628.00 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$1,201,628.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0518 ADOPTED.

21. **MARIO CALDERON d/b/a TEXANS AUTO CENTER** for Vehicle Glider Kit for Department of Public Works & Engineering - \$71,900.00 - Storm Water Fund – was presented, and tagged by Council Member Alvarado.
23. **BOAT RIGHT MARINE, INC** for Boats, Motors and Trailers for Various Departments - \$97,898.00 Police Special Services and Enterprise Funds – was presented, and tagged by Council Member Holm.
24. **BAILEY’S HOUSE OF GUNS, INC** - \$25,866.89, **PRECISION DELTA CORP.** - \$68,519.00 and **GT DISTRIBUTORS, INC** - \$1,397,339.46 for Ammunition and Accessories for Various Departments - General Fund – was presented, and tagged by Council Member Holm.

Council Member Garcia stated that he had a question on Item No. 24 and was curious to understand why it was listed as a various department contract and assumed that it should be HPD that only needed ammunition.

Mayor White stated that also Aviation and Arson, and that Item No. 24 had been tagged by Council Member Holm.

RESOLUTIONS AND ORDINANCES

26. **ORDINANCE AMENDING SECTION 40-27 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Street Functions – was presented.

Council Member Holm stated that she would tag Item No. 26 and would like to have some answers; they allowed anybody to have a special function but they must get through Public Works approval for their traffic plan and for their security plan each one had to be individually approved by the Chief of Police, that it seemed to her as policy makers they should establish what those traffic plans were and that they should establish what the security plan was rather than have she did not know how many FTEs having to review hundreds of plans and going forward that would be her question on that particular one, and also on the Street Function there was a provision that had to do with allowing signs advertising the event and she wanted to make sure it complied with the Sign Code and that the signs get permitted.

Council Member Wiseman stated that she would also tag Item No. 26.

Council Member Garcia stated that he respected Council Member Holm’s concern and attention to detail but in vetting the issue through Ms. Christian and what the impact would be it sounded like something he would want to support but when he asked what the ramifications of it could be it just began to resonate to him that Little Leagues in his district would not be able to do their opening day parades, that church events would not be able to do their bike runs and things of that nature, that it would wipe out a tremendous amount of civic events that sometimes was the only thing that neighborhood had to rally around so he would hate to squash that; and secondly in looking to what cost saving measures the Office of Special Events had undertaken under Ms. Christian’s leadership a lot of her policy recommendations they had supported and had already worked to save them a tremendous amount of dollars so he would say that he respected his colleague but was concerned that it would be an item that would have tremendous unintended consequences.

Council Member Edwards stated that she was not clear why the law enforcement officer should be paid directly by the applicant, would that also give them the opportunity to secure

their own security if they said they would have to pay for HPD, in her opinion they had already paid for HPD through their tax base, that she disagreed with her colleague and thought that a function of the City was promoting civic pride and especially the size of the City of Houston she thought it was important that they keep communities engaged so they would not wind up looking like a lot of the older cities in the Country that were vulcanized by communities.

Council Member Alvarado stated that they had vetted the issue for quite some time and would hope they could pass it without any amendments, they started addressing the issue when they reduced the number of free intersections from 25 to 15 and had seen the cooperation of everybody, that she thought they were on the right track and would hope they could pass it next week.

Council Member Brown stated that the City needed to promote civic engagement, particularly in public places, wherever they could, and much more so because they were a very diverse City and had different groups that needed to interact with other groups and the proper place for that to happen was in the public realm.

Council Member Berry stated that he had to answer a philosophical question, was it the responsibility of the City to promote events like this and that was something they all had to decide for themselves, but he came to the conclusion that it was because there was a sense of civic capital and a sense of community and great cities had a sense of community; that he had asked for a parade summary, and would ask Ms. Christian to provide it to all his colleagues, because he wanted to know were the people putting on parades in the business of making money but it was Near Town Little League, Kingwood High School, Westside High School, Madison, Worthing, Kashmere Homecoming and Veterans Day Parade and Vince Young UT Celebration, that if they thought of ways in which they congregated as a communicated they always provided police protection for those things, it was part of what they did, that he agreed with the sentiment behind Council Member Holm's concerns but would say that part of being the great City that they were all part of was that they came together to celebrate and parades were good for that and thought it would end up being good for the community.

Mayor White stated that Item No. 26 had been tagged.

26a. **ORDINANCE AMENDING ARTICLE IX OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parades – was presented.

Council Member Holm offered the following motion to amend Item No. 26:

"I move to amend Item 26A as follows:

In Section 45-232 of the proposed Ordinance, amend Subsection (f) to read as follows:

- "(f) If a parade permit applicant is required to use city security and traffic control services along a parade route, the applicant must agree to either:
- (1) Pay to the city the total salary cost(s) of providing the designated number of law enforcement officers, required supervisory personnel, and civilian traffic controllers, in which instance the applicant shall furnish a deposit sufficient to cover the cost of the same prior to the event; or
 - (2) Furnish the police chief the proposed number of law enforcement officers certified under the law of this state who will provide security control services during the proposed event; Such law enforcement officers shall be paid directly by the applicant. However, no law enforcement officer who is

regularly employed by the city may be utilized under this item (2) unless the officer executes an understanding of third party compensation provided by the city for working at the event. The understanding of third party compensation shall be in a form approved by the city attorney."

The motion to amend Item No. 26 was tagged by Council Members Wiseman, Khan, Green, Brown, Johnson and Holm; and Council Member Holm stated that she would also tag the main item (26a)

After discussion by Council Members, Council Member Lovell stated that she wanted to ask a question on the issue of security and asked when they had a parade the officers that provided the security were they on their regular duty on regular pay, or were they off duty and were they paying them time and a half to provide the security, and Mayor White stated that he knew it was overtime, and Council Member Lovell asked if officers could call in sick and not come get regular pay but then sign up and be hired to do the off duty work and be paid time and a half, and Mayor White stated that on the second question he wanted somebody from HPD to answer, that they should not but he had heard of abuses, that he did expect the Captains to manage the people who worked for them and to know who worked for them, that it was a legitimate issue.

Mayor White stated that Item No. 26a and the motion to amend had been tagged.

27. **ORDINANCE AMENDING SECTION 44-5 and adding SECTION 44-29 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the exemption of certain historic sites from ad valorem taxation; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause – was presented, and tagged by Council Member Wiseman. Council Members Edwards, Khan and Garcia absent.
28. **ORDINANCE** establishing City of Houston Election Precincts and designating polling places for the City of Houston Runoff Election to be held on June 16, 2007, for the purpose of filling a vacancy in the office of Council Member, At-Large Position 3 on the Houston City Council; containing findings and other provisions related to the subject; providing for severability – was presented. All voting aye. Nays none. Council Member Khan absent. **ORDINANCE 2007-0624 ADOPTED.**

Council Member Johnson asked how were some of the polling places being determined, that he knew they combined a lot of precincts recently and did not know if that was the reason for such a low turnout, and Mayor White stated that the Harris County Clerk's Office and Ms. Wallace in the Planning Department was also somewhat knowledgeable and involved in that process, and Council Member Johnson stated that he would like to find out some of the criteria for how they were going to combine some of the polling places, and Mayor White stated that Ms. Stein would follow up and they also had some written criteria that Ms. Anna Russell would get for him and would ask Ms. Wallace to follow up with Council Member Johnson. Council Members Khan and Holm absent.

29. **ORDINANCE** appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the June 16, 2007 City of Houston Runoff Election to fill a vacancy in the office of Council Member, At-Large Position 3 on the Houston City Council; prescribing the maximum number of Election Clerks for each voting precinct; containing findings and other provisions related to the

subject; providing for severability – was presented. All voting aye. Nays none. Council Members Khan and Holm absent. ORDINANCE 2007-0625 ADOPTED.

36. ORDINANCE renaming a duplicate street named Fuqua Street to Fuqua Gardens View Road between South Post Oak and West Fuqua Street - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Khan and Holm absent. ORDINANCE 2007-0626 ADOPTED.
37. ORDINANCE renaming a duplicate street named Tidwell Road to Tidwell Fountains Lane between North Wayside Drive and the main continuation of Tidwell Road - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Khan and Holm absent. ORDINANCE 2007-0627 ADOPTED.
38. ORDINANCE approving and authorizing contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC**, providing up to \$2,190,135.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds for the Operation of Multiple Community Residences, administration of a Short-Term Rent, Mortgage and Utility Assistance Program, a tenant based Rental Assistance Program, a Housing Information and Resource Identification Program, and for supportive services – was presented, and tagged by Council Member Wiseman. Council Members Khan and Holm absent.

Council Member Edwards stated that the Housing Department was conducting, in conjunction with HUD, and audit of the HOPWA Funding Program and it should be completed soon; that because of all the numerous calls and emails they got regarding one of the foundations there was an audit called for to make sure the compliance was in place and she was not sure if it was completed. Council Members Khan and Holm absent.

46. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAM** for solving Cold Case Murder Investigations through the use of DNA Analysis and Police Investigations; declaring the City’s eligibility for such grant; authorizing the Mayor to act as the City’s representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Khan absent. ORDINANCE 2007-0628 ADOPTED.
47. ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan’s Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of eight (8) parcels of land situated in the Jas. Alston Survey A-100 and the E. R. Campbell Survey A-1632, in Harris County, Texas and being more specifically located out of property described in deeds recorded in Volume 2761, Page 507, Volume 2712, Page 347, Volume 1380 Page 710 and/or recorded under File Nos. F960713, J256926, P778385, S315223 in the Official Public Records of Harris County, Texas and out of the existing right-of-way of W. Sam Houston Parkway Beltway 8 - **DISTRICTS C - CLUTTERBUCK and F - KHAN** – was presented. All voting aye. Nays none. Council Member Khan absent. ORDINANCE 2007-0629 ADOPTED.

48. ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan's Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of 12 parcels of land situated in the L. Cotton Survey A-1012, in Harris County, Texas and being more specifically located out of property described in deeds recorded in Volume 1246, Page 140, Volume 188, Page 142, and/or recorded under File Nos. V344553, E291492, D381050, S235632, V794484 and R666959 in the Official Public Records of Harris County, Texas - **DISTRICTS C - CLUTTERBUCK and F - KHAN** – was presented. All voting aye. Nays none. Council Member Khan absent. ORDINANCE 2007-0630 ADOPTED.
49. ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan's Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of 10 parcels of land situated in the Leo Roark Survey A-651 and Leo Roark Survey A-652, in Harris County, Texas and being more specifically located out of property described in deeds recorded under File Nos. C828741, R784190, N787588, L308864, X439767, C837637, J834758, C433178 and Volume 3525, Page 277 in the Official Public Records of Harris County, Texas - **DISTRICTS C - CLUTTERBUCK and F - KHAN** – was presented. All voting aye. Nays none. Council Member Khan absent. ORDINANCE 2007-0631 ADOPTED.
50. ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan's Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of nine (9) parcels of land situated in the H.T. & B.R.R. Co. Survey A-397, in Harris County, Texas and being more specifically located out of property described in Volume 3552, Page 484, Volume 5205, Page 419, Volume 7039 Page 317, and/or recorded under File Nos. T938990, W970504, D173862, V084483, in the Official Public Records of Harris County, Texas - **DISTRICTS C - CLUTTERBUCK and F - KHAN** – was presented. All voting aye. Nays none. Council Member Khan absent. ORDINANCE 2007-0632 ADOPTED.
52. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Vehicle Car Wash Services for the Houston Police Department - 3 Years with two one-year options - \$1,250,000.00 General Fund – was presented, and tagged by Council Member Wiseman. Council Member Khan absent.

After discussion by Council Members, Council Member Holm stated that she would also tag Item No. 52 and asked who paid to wash all of the other City department vehicles and did they have a contract; and also the vehicles that went home maybe some people could wash

their own cars, and Council Member Clutterbuck stated that she would add her tag to the item. Council Member Khan absent.

Mayor White stated that Item No. 52 had been tagged. Council Members Khan and Berry absent.

53. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Trailer Repair Services for the Houston Police Department - 3 Years with two one-year options - \$412,445.00 - General Fund – was presented, and tagged by Council Members Holm and Wiseman. Council Members Johnson, Khan and Berry absent.

Council Member Holm stated that there were six items on the agenda today that had to do with HPD funding and they tagged all of them and she would like an explanation of each one of those expenditures. Council Members Johnson, Khan and Berry absent.

59. ORDINANCE granting to **MOUSER CONTAINER SERVICE, INC, a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** – was presented. All voting aye. Nays none. Council Members Johnson, Khan and Berry absent. ORDINANCE 2007-0633 PASSED FIRST READING IN FULL.

MATTERS HELD - NUMBERS 60 through 64

60. RECOMMENDATION for supplemental allocation of the following funds for Professional Civic Art and Conservation Administration Services Contract for the Houston Arts Alliance:
\$183,000.00 - Fire Consolidated Construction Fund
\$467,500.00 - W&S System Consolidated Construction Fund
\$369,000.00 - Police Consolidated Construction Fund
\$161,250.00 - Public Library Consolidated Construction Fund
\$187,800.00 - Parks Consolidated Construction Fund
\$140,000.00 - Public Health Consolidated Construction Fund
DISTRICTS B - JOHNSON; D - EDWARDS; G - HOLM; H - GARCIA and I – ALVARADO – (This was Item 3 on Agenda of May 16, 2007, TAGGED BY COUNCIL MEMBER WISEMAN) – was presented, moved by Council Member Alvarado, seconded by Council Member Green. Council Member Wiseman voting no, balance voting aye. Council Members Khan and Berry absent. MOTION 2007-0519 ADOPTED.
61. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **SIEMENS ENERGY AND AUTOMATION** for NextPhase Traffic Signal Timing Operations Software, WBS N-000650-0032-5 - \$300,000.00 - Limited Use Roadway Fund – (**This was Item 12 on Agenda of May 16, 2007, TAGGED BY COUNCIL MEMBER WISEMAN**) - was presented. All voting aye. Nays none. Council Members Khan and Berry absent. MOTION 2007-0520 ADOPTED.
62. ORDINANCE appropriating \$1,327,533.36 out of Water & Sewer System Consolidated Construction Fund for Security Fence Upgrade at the East Water Purification Plant for the Public Works & Engineering Department, WBS S-000056-0048-4 – (**These was Item 13 on Agenda of May 16, 2007, TAGGED BY COUNCIL MEMBER WISEMAN**) – was

presented. All voting aye. Nays none. Council Members Khan and Berry absent.
ORDINANCE 2007-0634 ADOPTED.

- 62a. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **FOSTER FENCE, LTD.** for Security Fence Upgrade at the East Water Purification Plant for Department of Public Works & Engineering - \$1,264,317.49 and contingencies for a total amount not to exceed \$1,327,533.36 Enterprise Fund – **(These was Item 13a on Agenda of May 16, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. Council Members Khan and Berry absent. MOTION 2007-0521 ADOPTED.
63. ORDINANCE approving and authorizing an amendment to the Administrative Guidelines of the City's Home Repair Program in the Houston Hope areas of City of Houston – **(These was Item 21 on Agenda of May 16, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Member Wiseman voting no, balance voting aye. Council Members Khan and Berry absent. ORDINANCE 2007-0635 ADOPTED.
- 63a. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HOUSTON HOUSING FINANCE CORPORATION** for implementation and administration of the Houston Hope Home Repair Program, as set forth in the first amended and restated Administrative Guidelines for the Houston Hope Home Repair Program – **(These was Item 21a on Agenda of May 16, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Member Wiseman voting no, balance voting aye. Council Members Khan and Berry absent. ORDINANCE 2007-0636 ADOPTED.
64. ORDINANCE amending Ordinance No. 2000-882 to increase the authority of the City's Purchasing Agent to issue purchase orders under contract between the City of Houston and **AT&T, INC (formerly SOUTHWESTERN BELL TELEPHONE)** for Local telephone and data services citywide - \$13,000,000.00 - Central Service Revolving Fund – **(This was Item 25 on Agenda of May 16, 2007, TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM, CLUTTERBUCK, KHAN and BROWN)** – was presented. Council Members Khan and Berry absent.

Council Member Holm stated that she had tagged the item and had worked over the last two weeks trying to get explanations and frankly the more meetings and explanations she had the more confused she was as to how they got to where they were to be able to need to extend funding on a contract and was still not positive exactly what they were paying for and could not figure out why they just wanted to sustain it. Council Members Khan and Berry absent.

Council Member Wiseman stated that she had tagged the item because she felt it was important given that they were being asked to approve \$13 million for expenses incurred on the contract extension, for \$13 million they would have to have some sort of basis for the support and she wanted to thank Mr. Richard Lewis for providing a very thorough memorandum in which he gave very accurate and sufficient history on the contract and explained where they were now and why they were being asked to approve it, it certainly gave her the information that she needed to be able to support the item. Council Members Khan and Berry absent.

A vote was called on Item No. 64. Council Member Holm voting no, balance voting aye. Council Member Khan absent. ORDINANCE 2007-0637 ADOPTED.

Item postpone to the end of the agenda.

Council Member Berry stated that he had gotten his questions answered and was quite comfortable with Item No. 4 and was in fact even better for residents of that community and would like to thank Representative Turner who went out and found some other funds for that park. Council Member Khan absent.

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,429,031.86 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Sylvester Turner Park fka West Little York Park, WBS F-504B02-0002-4 - 21.20% over the original contract amount - **DISTRICT A - LAWRENCE** – was again before Council, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Khan absent. MOTION 2007-0522 ADOPTED.

Council Member Green moved to suspend the rules to remain in session beyond the scheduled noon recess to complete the agenda, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Khan absent. MOTION 2007-0523 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Garcia stated that Monday was Memorial Day and they had a wonderful celebration planned for the Veterans but unfortunately Mother Nature had other plans and it was rained out, but the spirit of the Veterans was not rained out and he wanted to say that although they did not have the opportunity to have the celebration itself the City of Houston commended all of their Veterans; that on Mothers Day they had a celebration that his church held and it made him take pause and acknowledge that these were very different times in that they had mothers who were currently serving in the front lines and had given a tremendous sacrifice on behalf of their children; that they had Veterans of all backgrounds; that he wanted to recognize Ms. Susan Christian and her staff for them working to make the event possible, they were out there and got soaking wet. Council Members Johnson, Clutterbuck, Wiseman, Khan, Brown and Lovell absent.

Council Member Garcia stated that tomorrow they would be having a Floodway Townhall meeting at the Sheetmetal Workers Union at 900 West 34th at 6:30 p.m. Council Members Clutterbuck, Wiseman, Khan, Brown and Lovell absent.

Council Member Garcia stated that he knew that at the Fiscal Affairs meeting yesterday the CDBG Budget was recommended but he had some concerns that he would forward to Mayor White and copy the Chairman of Fiscal Affairs. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Brown, Lovell and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that Hurricane Season starts on June 1, 2007, and wanted to encourage folks to take time to prepare their family emergency plan and wanted to invite folks on June 9, 2007 to the George R. Brown Convention Center for a Hurricane Preparedness Workshop and everyone was invited to attend, that it would start at 10:00 a.m. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that on the Street Function and the Parade Ordinance it was the greater picture that she was really focused on at this point and in her district crime, traffic and mobility were still the biggest issues and had been since she came into office; that the crime issue particularly was really rising again, that their Captain at Westside was absolutely accountable and responsible and did a great job but he could only do with the resources he was

provided, so she was trying to figure out that balance and she was going to be inviting Mayor White and the Police Chief to come again because she as the Council Member did not have the answers, why the crime was rising and they were not getting the responses, that she sent out an email to many constituents responding to the many questions they were getting again and with the summer coming on and in the midst of the budget and all the questions she needed some help and support in giving some answers. Council Members Johnson, Wiseman, Khan, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he made a specific statement concerning an observation that Council Member Lovell made of people who would be calling in on sick time or taking a vacation day and then showing back up on overtime, that he had not done an audit but the lore was that there had been occasions where that had occurred and he wanted to emphasize the fact that it was not the purpose of sick time or vacation time. Council Members Johnson, Wiseman, Khan, Lovell and Berry absent.

Council Member Green stated that today they would continue with the budget hearings and would start at 3:00 p.m. with the Human Resources Department and Solid Waste at 3:30 p.m. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Lovell and Berry absent. (NO QUORUM PRESENT)

Council Member Green stated that next month for the July Fiscal Affairs Committee meeting they would need to get City Council approval to hear the MOFAR after the July 4, 2007 deadline, that it should be on next week's agenda, if the Mayor allowed, to move the July Fiscal Affairs to Tuesday, July 10, 2007, to hear the MOFAR in the Council meeting. Council Members Johnson, Wiseman, Khan, Garcia, Lovell and Berry absent.

Council Member Brown stated that he participated in two planning workshops, the first was the City of Houston Planning Department sponsored Transit Corridors Workshop where the consultants and those who were involved as stakeholders presented their findings for five of the six rail transit corridors that would be under construction shortly as part of the Metro Rail Solutions, that it was one of the best urban design and planning studies that he had seen in a long time and as a result of that there would be some specific ordinance recommendations, standards and incentives for encouraging the kind of high density, mixed use, pedestrian friendly development that should be occurring at their major transit stations along the light rail corridors; that the other, which he was absolutely ecstatic about, was his participation in the Texas High-Speed Rail Corporation Dinner and Workshop that was held last week, and Council Member Brown passed out a handout that showed the regions in the Country where high speed public rail systems were happening. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that they had until July 2, 2007 to make the City of Houston input to the Houston Galveston Area Regional Transportation Plan 2035; that a couple of sessions ago it was suggested that he put together some recommendations in terms of policies and specific programs that the City would send to HGAC to be incorporated into the plan and he did that and sent it to their representatives, Council Members Holm and Lovell, Mayor White and Dr. Carol Lewis, Planning Commission, that there were five policies and seven specific programs, that had to do with Metro Rail, noise standards, regional parks and open space, flood control, emergency evacuation, grade separations and freight rail planning; that he sent it to them on May 3, 2007; that he was pleased to see that in the new budget, the 2008 Budget, that they had in the Planning Department funds for a Comprehensive Transportation Plan, at least the beginning of it and in the Public Works budget a Comprehensive Storm Water Management Plan, that those two things coupled with what he had just mentioned could really get them moving as far as defining the kind of City they wanted to be in the next 15 years. Council

Members Johnson, Wiseman, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she wanted to thank the Houston Fire Department and to Karen Dupont in particular for helping to arrange her participation in the Fire Ops 101 Training along with Tim Douglas, her Chief of Staff, and staff from Council Members Lovell, Alvarado and Khan offices, they had a fabulous time repelling off of buildings; that it was good preparation for delivering the commencement address to the graduating cadets of the Houston Fire Department that night, that she wanted to thank Assistant Chief Steve Sparks, Captain Tony Reid and Engineer Operator Brian Kimberly who were the academy instructors. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that when their neighborhoods go through neighborhood street reconstruction petitions asking for their streets to be reconstructed that was the only way that neighborhood streets ended up getting reconstructed and the residents had to petition the City to be able to do it and in the petition they had to sign that they would be responsible for paying for the reconstruction, it was a form that they had used for many years but was a policy that they had never enforced and if they had never enforced an assessment of the individuals for the reconstruction of their streets using their tax payer dollars since 1992 perhaps they should change the form and eliminate that provision. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that regarding assessing a \$30 fee to citizens who had not been paying their water bill and had ignored payment requests submitted by the Water Department and finally they were getting their water turned off, many of these people were of lesser means; that she had heard an article about a similar situation that was happening in Israel with their electric company and the poor people who were unable to pay and got their electricity turned off, it was a similar situation to the water situation, and they eliminated the problem almost altogether by establishing prepaid service where they would buy, for example, water credits, they offered prepaid service at kiosks where people were commonly around, whether at a grocery store, that she threw this out at budget time when they were thinking about creative ideas to do things differently and think about solving issues that the community grabbed with in a different way and possibly offering prepaid water service for example. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she had heard a similar story on NPR where in Africa they were using that type of prepaid for water service and thought it was something they could look into. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she had an issue that she would like for somebody to address, that in looking at one of the budget analysis that a department had given them for the budget hearings she ran across an item where they had allocated \$300,000; at first the group had used \$144,000 so she called the group and said it did not fit with what she thought was going on in the department and they said it was misleading because they used more than what they were allotted but it was not being reported properly because of the SAP conversion, so she did not know if that was going to be redundant in a lot of analysis that was being presented by departments, that she was not ready to talk with that department until she got a real good feeling that the budget they were submitting was correct, so if they could help her she would appreciate it. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that the Task Force meeting regarding the South Park MLK issues would be this evening at 6:30 p.m. at the Palm Center, that they knew the problem and the community was trying to come with some solutions that would include as many parts as usual; that on June 12, 2007, Tuesday, at 10:00 a.m. they would have FEMA representatives in the Council Chamber and their discussion would be on the mapping process so that their citizens could get more insight as to what was happening with the maps, that the meeting would be only on the mapping process, they would have a subsequent meeting regarding any modifications or changes that the City would look at, they had to do a lot of negotiating to get FEMA representatives to come to Houston to talk about it so she would encourage her colleagues if they were not going to be at the meeting to submit their questions in writing so they could make sure that everyone had an opportunity and to make sure their constituents who had issues with the flooding mapping process to come forward, that they would talk about the mapping process only and not the City's ordinance. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that Council Member Brown had set new heights with a three page handout for his popoff; that she appreciated Council Member Clutterbuck's comments about the Fire Academy and that particular training. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that this past week had been exciting with Senator Whitmire stepping forward and with the Governor's signature they would be able to hopefully have a matching grant or pay off the 11th Street Park, which was very big with the Inner Loop communities with high density going on and hopefully the park would be paid off. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that she wanted to compliment the Solid Waste Department, they had some ditch drainage problems and carpet was flooded in homes with the heavy rains and not the day that their garbage was supposed to be picked up but they made special trips out there and removed the carpet from the streets and the neighborhood really appreciated it; that Public Works also had a main line break on a holiday, March 28, 2007, and they were out there and made the repair and a number of communities in that particular area were very thankful, that a lot of departments were really stepping forward and making a difference to the communities. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:26 p.m. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, 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