

City Council Chamber, City Hall, Tuesday, December 4, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 4, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Anne Clutterbuck, Addie Wiseman, M. J. Khan, P. E., Pam Holm Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present. Council Member Jarvis Johnson absent on city business. Council Member Ada Edwards absent due to being ill.

At 2:01 p.m. Mayor White called the meeting to order and stated that Council Member Holm would begin presentations. Council Members Wiseman, Alvarado, Lovell and Berry absent.

Council Member Holm invited Council Members Clutterbuck and Khan to the podium to help with her presentation and stated that so much happened to improve the perspective and address the issues of the Westside and on this particular day they had a special recognition supported by her colleagues and the community for Captain Richart Gertstner who expressed and showed such leadership he framed and changed much of what went on; and invited Captain Gertstner to the podium. Council Member Holm stated that Westside Command Station Captain Richart Gertstner had developed programs encouraging officer efficiency and accountability and with his resourceful development and management of HPD resources he continued to produce extraordinary results; and presented him a Proclamation proclaiming December 4, 2007 as "Captain Richart Gertstner Day" in the City of Houston. Council Members Wiseman, Alvarado, Lovell and Berry absent.

Council Member Brown invited Mr. John Kirksey and Mr. Brian Malarkey to the podium and stated that today they were talking about a giant step in turning the City of Houston "green"; that they had turned in a booklet Carbon Copy which represented the Kirksey Challenge; that turning Houston "green" was an effort of many partners, public and private, and this was one citizen who had really stepped up and taken an extraordinary initiative to accelerate the process of turning Houston "green"; that he had signed up for the challenge and the book was what everyone could do to reduce their carbon footprint and conserve energy and there was a sign up sheet included for the challenge; and introduced Mr. John Kirksey who stated that there were three components to a company, what they produced was architecture and they wanted to mainstream green building concepts into all their projects and second it was how their company operated as a culture and then how their employees operated; and introduced Mr. Malarkey who stated they picked five of the most impact able and doable things an employer and individual could do for their book and the key word was "doable" and if 20% of all individuals and businesses did this in Texas they could take nearly 10,000,000 cars off the road and wind back the carbon clock by about seven years; that the most impactful thing was to purchase renewable energy and he was proud the City of Houston purchased 30% of their energy from renewable sources and the rest of the challenges had to do with saving energy and driving less; and he challenged all to take this on. Council Members Wiseman, Alvarado and Berry absent.

Mayor White stated that they were really leaders and Mr. Kirksey had pointed out to him five years ago the importance of trees and greenspace in design; and upon questions, Mr. Kirksey stated that they were proud their building was the first LEED certified building in the state of Texas, which was a building certified after it was already constructed, Saturday was their 21st year of planting trees for clients and now had planted about 7,600 trees; that air quality and greenhouse gases were a serious issue and they really needed to focus on climate change, etc. and this was a soft sale on that and baby steps in addressing it. Council Member Brown stated that to sign up for the challenge you could go to [Kirkseygreen.com](http://Kirkseygreen.com) and he would

like Ms. Russell, the City Secretary, to do a chore for him and give him the names and addresses of all Council Members who did not sign up. Mayor White presented Mr. Kirksey a Proclamation recognizing all his firm had done and proclaimed December 4, 2007, as "Kirksey Carbon Copy Day" in Houston, Texas. Council Members Clutterbuck, Wiseman and Berry absent.

At 2:18 p. m. Council Member Green invited Rev. Terrance Grant Malone of St. John's Missionary Baptist Church to lead all in prayer and Council Member Green led in the pledge. Council Members Clutterbuck, Wiseman and Berry absent.

At 2:20 p.m. the City Secretary called the roll. Council Member Johnson absent on city business. Council Member Edwards absent due to being ill. Council Members Clutterbuck, Wiseman and Berry absent.

Council Members Khan and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Johnson absent on city business. Council Member Edwards absent due to being ill. Council Members Clutterbuck, Wiseman and Berry absent. MOTION ADOPTED.

At 2:21 p.m. the City Secretary began calling the public speakers. Council Members Clutterbuck, Wiseman, Lovell and Berry absent.

Mr. Clark Martinson, 7625 Betty Jane Lane, Houston, Texas 77055 (281-759-3800) appeared, presented information and stated that he was general manager of Energy Corridor Management District and present to thank Council Members for Item 51, the indemnity and maintenance agreement between the Harris County Improvement District No. 4 and the City of Houston and thank all who helped to get the partnership; that they would be constructing sidewalks along Eldridge and installing signs in that corridor and he looked forward to coming back with support on establishing a scenic designation for I-10 prohibiting billboards. Council Members Clutterbuck, Wiseman, Garcia, Lovell and Berry absent.

Ms. Sharon Lauder, 373 1/2 W. 19th, Houston, Texas 77008 (713-206-0953) appeared and stated that she was publisher of the Houston and Heights Tribune and against the newsrack ordinance which unfairly targeted small publications; that it required all newsracks to be metal with strict criteria prohibited by small publications and as of December 3rd there were 48 publications notified and 24 had not turned in their list of newsrack locations and of the 24 who had turned in their required lists about 80% would have to purchase new metal boxes by January 1st to remain downtown and an ordinance which targeted the narrow segment of the media was constitutionally invalid and there were many reasons to repeal the ordinance and the cement base required was a safety hazard. Council Members Clutterbuck, Wiseman, Garcia, Lovell and Berry absent.

Mayor White stated that he would like Ms. Lauder to hand in her statement so copies may be made and distributed; and that it was no ones thought to be discriminating against any publications, but instead do as some other cities and have standards placed in public right-of-way; and her statement would be read carefully; and Ms. Lauder stated that Council Member Lawrence stated last time she was present she would get a meeting for her with Council Member Holm and herself and then Council Member Holm stated that they would not meet and referred her to the Legal Department and she did not think that good when she was trying to speak of the detriment. Council Members Lawrence, Clutterbuck, Wiseman, Alvarado, Lovell and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that she appreciated Ms. Lauder coming and the Mayor clarified that they were trying to be responsible; that she was the facilitator of the committee process in bringing the ordinance forward, but once passed the intention was to better facilitate her needs which would be directly through Legal and that was why she was referred there; and Mayor White stated that he wanted to communicate to the City Attorney involved in the issues that it was not the city's intent that someone would not be able to discriminate publications and some of the best services were done by alternative publications within the city, they covered matters not covered and it would be helpful for the city attorney to go through some of her points and then what was being considered; and he was asking the representative of the City Attorney's Office to facilitate that. Council Members Clutterbuck and Berry absent. (NO QUORUM PRESENT)

Mr. Ted Weisgal, 5527 Hummingbird, Houston, Texas 77096 (281-546-6793) appeared and stated that he was with Leisure Learning Unlimited and present to echo Ms. Lauder's remarks; that in 1989 it was declared Leisure Learning Unlimited Day and now they too were being faced with the possibility of being denied opportunity to have their display racks on downtown streets; that it was a struggle to keep their publication alive and this was another impediment; and he was informed he was at a meeting which was on developing this and that was incorrect as he was never even informed of such meetings and he would ask Council to resend their decision and have the open meetings they presumably had. Council Members Garcia, Green and Berry absent.

Ms. Sabrina Singh, 213 Hollander Court, League City, Texas 77573 (281-483-2773) had reserved time to speak but was not present when her name was called. Council Members Garcia, Green and Berry absent.

Mr. Johnny Robinson, 8450 Bigwood, Houston, Texas 77078 (713-631-1757) appeared and stated that he was present about two months ago regarding District B's problems and he spoke with his Council Member and was told other areas had the problems too, but he was concerned about his area Trinity and Triangle Gardens not getting proper attention with public service; that ditches still ran over in the rain and he called Neighborhood Protection and nothing happened as the houses, cars, etc., were still the same; that last time present the Mayor asked him to e-mail him five things he would do if he were Mayor for the area and he did but never got a response; that they also needed a storefront, there were not enough police. Council Members Garcia, Green and Berry absent.

Upon questions by Mayor White, Mr. Robinson stated that Solid Waste and Public Works rode the streets with lights flashing like they were doing something, but they did not stop and investigate the ditches, he only saw them ride and he never saw Neighborhood Protection people at all; and Mayor White stated that one of the Trinity Gardens drainage projects he accelerated and he reviewed the list of police patrol enhancements given to him by Council Member Johnson, they acted on those concerns expressed by the Council Member. Council Members Garcia, Green and Berry absent.

Ms. Fran Peterson, 2715 Wesleyan, Houston, Texas 77027 (713-439-1184) appeared and stated that they were grateful for what Council Member Clutterbuck had done and today they wanted to draw attention of all Council Members to their problem, she was representing the Willowick Place Community Association and they were a subdivision of 38 patio homes with 10 town homes and told their inner loop neighborhood would no longer receive garbage collection as it had for 30 years and did so with no safety problems, they were told they proposed a safety hazard and what was proposed was a serious safety hazard and that was to take garbage cans from the collection in back of their homes and take them to the front, the extraordinary busy street of Wesleyan in the bike lane and next to a METRO stop and for their neighbors to their

back they would actually have to haul cans through their homes and out their front doors to get them to the streets in front of their homes and about 70% of them were elderly or disabled; that they presented concerns to the Sanitation Director who told them to take their concerns to a higher power and that was where they were now asking to please keep collection at the back of their homes. Council Members Wiseman, Garcia, Green and Berry absent.

Council Member Clutterbuck thanked all for coming and stated that this was the southeast corner of Wesleyan and Westheimer and there were safety and mobility concerns to place cans on Wesleyan; that she felt changes Council authorized were important and helped all to understand the tremendous cost of solid waste services, but instances such as this were why they wrote into the ordinance a bit of discretion on the part of the director and she would urge all to use common sense and where safe, effective and quality service had been for over 30 years without incident she would urge the director to use his discretion and continue offering such a vital service. Council Members Wiseman, Garcia, Green and Berry absent.

Council Member Brown stated that he thought there was a real safety question on Wesleyan and agreed trash trucks picking up 48 bins would be a severe constraint and safety hazard and supported Council Member Clutterbuck; there needed to be reasonable flexibility though they could not show favoritism in neighborhoods and the same consideration should be given if in other areas there were the same; and Mayor White stated that he spotted two of the issues and he would ask for feedback from Solid Waste and Mr. Fontaine; that the issue was the city was illegally picking up trash on private streets a number of years and they could continue that but...; and Ms. Peterson stated that their back street was not private they were deeded to the city for safe collection; and upon questions by Mayor White, Mr. Hayes stated that they were not private streets, but did not meet the alley specifications, the turning radius was too narrow and overhead clearance was not 13 feet and 6 inches; and Ms. Peterson stated that the overhead was 13 feet and was maintained, there was more than a 13 foot clearance and they had pictures showing garbage trucks having plenty of room to make their turns and they had been making turns for 30 years with absolute safety; and Mayor White stated that he was glad she corrected his wrong impression and if the street was public the issue was simply based on standards set, he wanted to collect trash the fastest way and they would get a report back. Council Members Wiseman, Garcia, Alvarado, Green and Berry absent.

Council Member Holm stated that this was an opportunity and she wanted to complement Director Hayes and Ms. Annette Goldberg in his office for trying to address these issues, in District G they had more than any other, public service being suspended because of a well intended ordinance, there were unforeseen consequences really detrimental and cost taxpayers frustration, expense and now having to find other alternatives and such a service should be offered to all. Council Members Wiseman, Alvarado, Lovell and Green absent.

Mayor White stated that they had to stop picking up on private streets and the law had to be clarified, but she raised a separate issue and he would get a report. Council Members Wiseman, Alvarado, Lovell and Green absent.

Council Member Lawrence stated that they were now addressing alleys, it was in committee and they may be able to get this out for Agenda this year; and Mayor White stated that he would get a report and stated to Council Member Holm in particular what he would like to do was there were issues on the public streets too and he wanted to segregate those and get a report. Council Members Wiseman, Alvarado, Lovell and Green absent.

Council Member Brown stated that there were many streets without a 35 foot turning radius and if service was to be denied to them then it needed to be denied in many others; that his had a zero turning radius it was a dead end alley and other cities in such cases bought

smaller trucks and he was not proposing taking money from police for trucks...; and Mayor White stated that that was one issue Director Hayes and others, there were other sizes of vehicles and what would be the cost, etc.; and Mr. Hayes stated that he thought the differentiation was between street collection and alley collection and a city engineer did go out and they did want to provide service wherever they could, but it only took one incident of wrong doing and the city faced liability; and someone would have to be willing to let the city purchase property to make the alleys the appropriate radius; and Ms. Peterson there were over 30 years with no problem; and Mayor White stated that both parties were well intentioned and both parties stating the same thing over did not constitute a conversation and he would get a report and they would take this case by case. Council Members Lawrence, Wiseman, Alvarado, Lovell, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Donald O. Scott, 8507 South Meadow Drive, Houston, Texas 77071 (713-270-1893) appeared and stated that he was vice president of the West Airport Homeowners Association and they were having a problem with waste, the pilot program they were starting, the way it was set up was they would have pickup three times a year and it was separated now but in November some was not picked up, it was still there; that he could see one month waste and the next month trees, but with a four month gap there would be a problem; that the trash from November would be there until January and he was asking that this be picked up now. Council Members Lawrence, Wiseman, Alvarado, Lovell, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that this was two separate issues, the issue of providing heavy trash pickup every month or a quarterly program and then the issue of application of the pilot program; that Mr. Scott and her office had spoken of concerns with the implementation of the pilot program and it was important there be lots of notice, but once all got there magnets and understood when their trash would be picked up behavior would confirm and if trash was put out when it should not be they would be ticketed; and Mr. Scott stated that the magnets employees put out were in the street, they were in the back of a pickup throwing them at people's houses like newspapers and he went to the houses placing it on the doors. Council Members Holm, Alvarado, Lovell, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that Council Member Clutterbuck's comments were helpful and he thought Director Hayes; that in his discussion with him he understood there would be a period of time of transition because people did not change on a dime; that there were many great employees, two issues were identified, one of communication and two was how to take care of the transition and he was sure Director Hayes would make the right judgment and he would ask Director Hayes to get with him on both issues; that there were different ways to communicate in a city of this size and one was door to door and sometimes he thought if Solid Waste employees were doing a good job at what they were doing then maybe someone else should do the magnets when you tried to do two things for economy sometimes you missed both; and Mr. Hayes stated that Mr. Scott made contact with the office and his statement was true and they identified the two doing it and the manager dealt with them as it was not the appropriate method and then they went back out and corrected it. Council Members Lawrence, Holm, Alvarado, Lovell, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Joe Amanta, 518 Hohldale, Houston, Texas 77091 (713-252-4242) appeared and stated that he was president of the Shepherd Oaks Civic Association which backed up to the HEC Center and they felt they were denied a final opportunity of due process in coming to Council before the final vote on the tower last week; that they contacted Council Member Garcia and asked they be notified when it would be on the agenda and did not receive a response until last Tuesday afternoon; that last week a neighbor discussed no where could they find in the

country that type of tower in a neighborhood, the equipment to be located on it were located on top of tall buildings and on air force bases and not in residential communities and no where could they get peace of mind and know their families would not be repeated to microwave and electromagnetic radiation and the FONSI (Finding of no Significant Impact) report whitewashed much of the information and did not address health concerns. Council Members Lawrence, Clutterbuck, Khan, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor White stated that it may politically incorrect to say but he thought the tower would have been built awhile ago if not for the constant and thorough questioning by Council Member Garcia and they sent it back two or three times checking on other alternatives. Council Members Lawrence, Clutterbuck, Holm, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia thanked Mr. Amanta for coming and stated that Mayor White touched on the due diligence done on this project and with careful attention to safety for him and all Houstonians, all in the Houston, Harris County region and that was a tremendous burden to take on, and thanks to him and his neighbors where they started was not where they finished and he understood their frustration, but now there would be a 300 foot and not a 500 foot tower and their neighborhood provided the model for others; and Mr. Amanta stated that reducing the tower by 200 feet actually put the transmitters a whole lot closer to their homes and the microwave energy and electromagnetic frequency and radiation was much closer and if it had to be at the HEC it may not be a bad idea to raise the tower back. Council Members Clutterbuck, Wiseman, Holm, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Elizabeth Cutter, 525 Hohldale, Houston, Texas 77091 (832-636-4791) appeared and stated that she was also a resident in the Shepherd Oaks Civic Association and Mr. Amanta made her point, however, she was curious as to why the vote was pushed so suddenly with no neighborhood representatives having the opportunity to come in and voice concerns; that the tower was now going to be 300 feet and transmitters would be lower and they were told previously the tower had to be 500 feet because they needed to hit the 25 mile radius and when the height now reduced were they saying they would get the same coverage and it would seem with it that much lower the transmitter power would have to be higher and because of that she was asking their decision be rescinded to push it back and allow the neighborhood to speak; that she was also requesting documentation showing the alternatives they went through and the environmental assessment at the 300 foot level. Council Members Clutterbuck, Holm, Green and Berry absent.

Council Member Garcia stated that regarding the 500 feet they were concerned with the fall zone and why was 500 feet necessary, why could it not be shorter so they worked with it and several adjustments were made; that regarding alternatives he continuously challenged consultants and staff to make sure this tower was done in a holistic approach and not a stand alone project, to make sure they were thinking through what may be a case in the future and bringing the tower down was an approach they could take because of future plans which could be leveraged to allow for neighborhood concerns; and Ms. Cutter stated that they were told this was to be a stand alone tower and was he now saying there would be towers in other neighborhoods because now in the entire nation this was a singular instance with no backup documentation of what it would do to those in the neighborhood; and Council Member Garcia stated that there was much discussion in getting to the 300 foot tower; that Phoenix had something and this tower and equipment was not unique and there were discussions on alternatives not considered because the tower was being budgeted with grant dollars and not general fund dollars and if they wanted to do this in another location the money was not budgeted for the alternatives; and Ms. Cutter stated that she would like to be provided a list of

any other towers in residential neighborhoods; that they requested information before but nothing was ever provided. Council Members Holm, Alvarado, Green and Berry absent.

Mayor White stated that he and their neighbors had conversations for a while and if people had new information then they would look at it, but he would say to Council Member Garcia, Ms. Stein and Mr. Stroemski in a prior life he dealt with an issue on the effect of power lines on health and it was a difficult issue and there were widespread concerns with high voltage power lines on public health; that they spent a fortune of taxpayer money on this and some issues were how to prove the negative, but someone should pull articles concerning whether or not sources such as electro magnetic radiation on certain radio frequencies were proven to cause cancer; that personally he had not examined the literature but doing things from the federal government, federal requirements were unbelievable for grant funding and maybe someone should contact the federal authorities and do some things to pull the technical articles there, but he would say they had a hard time proving the negative; and Ms. Cutter stated that she understood it was a catch 22, it was a here and now and they did not know effects 20 years down the road, but for someone like her who bought a home thinking they would raise a family there was no tower; and Mayor White stated that also people voted to appropriate money for a HEC Center and system based on documents before he got here which showed towers; and Ms. Cutter stated there was no clear communication and she wanted every piece of documentation; and Mayor White stated to those watching this he would like them to get some of the technical papers concerning whether there had been bunches of cancer caused in the United States by proximity to radio transmission towers. Council Members Clutterbuck, Holm, Alvarado, Green and Berry absent.

Upon questions by Council Member Noriega, Ms. Cutter stated that she lived in Shepherd Oaks between I-45 and 610 with St. Pius High School across the street and the HEC Center backed up to the neighborhood; and Council Member Noriega stated that Council Member Garcia's committee talked about this and she had a briefing and got the idea there was a concern with the fall line and when she talked about the transmission she did not get information that it was a concern; and Ms. Cutter stated that they presented information a year and a half ago and for those Council Members who may not have been privy to that they would be more than happy to bring it again and share, the ordinance was written to where the city was exempting themselves from their own ordinance so they could build this tower, it went against city ordinance; and Council Member Noriega stated that she was interested in the information. Council Members Clutterbuck, Holm, Alvarado, Green and Berry absent.

Council Member Garcia stated that he just checked with the office of Homeland Security and a new analysis was done, one for a 500 foot tower and one for a 300 foot tower, an environmental assessment, and they could not have moved forward without meeting the stringent criteria they were asked for and it was moved from where it was originally planned and it was now not 500 feet it was 300 feet and an environmental study was done for that; and Ms. Cutter stated that she understood it was moved back from the Donovan side to the Hohldale side and it would be 150 feet or so from her neighbors; and Council Member Garcia asked Director Cutler who stated that they would have to get the information; and Council Member Garcia stated they would get the information for her. Council Members Clutterbuck, Holm, Alvarado, Green and Berry absent.

Ms. Jackie Mayhorn, 5409 Vanzandt, Houston, Texas 77016 (713-918-2262) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Holm, Alvarado, Green and Berry absent.

Mr. Paul Magaziner, 3773 Richmond, Houston, Texas 77046 (713-626-4045) appeared, presented information to be presented to Council Members and stated that today by state law

Houston Council had no power or authority over METRO's \$800,000,000 budget and their group comprising property and business owners and concerned citizens whose real estate and neighborhoods were being coveted by others; that METRO was practicing development oriented transit and not transit oriented development and they would not let METRO, Wall Street or City Hall insiders steal their homes, businesses or properties and Council Members would finally have power over METRO and be able to deny consent for them to use any city right-of-way along the corridors; that one property owner said why should he continue to contribute money to the neighborhood association for beautification when the yards would be gone and she was correct; that their group would work to changing state law in 2009 and give the power of selecting the majority of the Houston METRO Board to the entire Council, a transportation system could not be built in 4 to 6 years and it must be transparent in nature without rigged meetings and results and must be taxpayer represented; that they would work to further change state law from 1% sales tax contribution to 3/4 of 1% as of the year 2014, that was when METRO's current obligation to the existing general mobility funds ended and another part of state legislative reform work would be to strengthen property owner's rights against the power of eminent domain; that in 2003 voters were told the federal government would finance 50% of cost of all alignments and now they were denied any and all FDA approvals on the north and southeast alignments and the Mayor and Council now needed to insist that METRO stop all spending on Harrisburg and Uptown alignments and the FEIS had not been completed on the university alignment and there was no record of decision on the university alignment and there should be no consideration of city consent on the university line; that Houston wanted high-speed commuter rail, not a 15 to 18 mph 50 ton LRT vehicle on city streets and did not want to lose park like esplanades or current median cuts on Richmond, N. Main, Harrisburg, Wheeler, Alabama, MLK or especially on Post Oak Blvd.; and he thought he found the Mayor some more money. Council Members Holm, Alvarado, Noriega, Green and Berry absent.

Council Member Clutterbuck stated that she looked forward to reading his handout and to Mayor White that she appreciated his commitment to have a committee as a whole to discuss the issues of the water main under Richmond and she hoped they would also have an update on FTA rulings and what the affect would be and she hoped to have that meeting separate from a discussion or vote on the consent agreement because those items should be negotiated in the consent agreement; and Mayor White stated that he too thought there should be two separate hearings. Council Members Holm, Alvarado, Noriega, Green and Berry absent.

Mrs. Dee Simon, 5210 Cortelyou Lane, Houston, Texas 77021 (713-644-2957) appeared, presented information and stated that she was speaking for those who could not speak for themselves, the bodies Council refused to acknowledge, see or hear, as METRO and the City of Houston were not doing what the citizens voted on in the 2003 referendum and they now wanted a new study and vote taken; that the rail would go right past Peck Elementary and they were not against METRO but against it on MLK, in other cities the train brought blight not increase and prosperity and if it came through the park it would put children and the families in danger and if it came across OST as proposed it would first encounter removal of a gas station with UST's (underground storage tanks) cited by the City of Houston in previous years and another where it proposed to turn onto Griggs; that in reading the DEIS and the FEIS she found two executive orders she believed METRO was in violation of, Executive Orders 12898 and 13045; that also the Medical Center had damage caused by rail and their homes were not up to the strength of those buildings. Council Members Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Ralph Simon, 5210 Cortelyou Lane, Houston, Texas 77021 (713-644-2957) appeared and stated that Mayor White had ignored every invitation to attend community outreach in the McGregor Place Civic Club Meeting held to discuss light rail on MLK and now it appeared he cared less about minorities, but they were combining effort and growing; that they lost their

home in a fire and loved the community enough to rebuild, the Fire Department said they did not realize homes such as his were in the area, but now that it was known and the city knew they were 10 minutes from the Astrodome, Medical Center, Museum District, etc., they wanted to do a land grab, however, they should support them instead of fight them for building up the area; and asked that they leave MLK alone and go back to what was voted in 2003. Council Members Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Lizette Cobb, 2144 Wheeler, Houston, Texas 77004 (713-527-9387) appeared and stated that she lived in Washington Terrace and like many was also concerned with METRO regarding the current proposal to use Wheeler in the Light Rail Alignment Plan and it was her understanding METRO disregarded the will of the voters and the ballot language in the voted referendum; that the proposed rail alignment impact had the potential of ripping up their community and creating stress related health and pollution problems and gentrification issues; that they believed the city should protect everyone and their environments and no community should have to become a sacrifice zone. Council Members Holm, Alvarado, Noriega, Green and Berry absent.

Mrs. Louis C. Ray, 2817 Wheeler, Houston, Texas 77004 (713-526-2129) appeared and stated that she was not against light rail or growth and development of this city, however, she was against rail on Wheeler; that many of them had lived there 30 or 50 plus years and they were unhappy about representatives meeting privately and authorizing rail down their street, it did not even support a bus line, and in the 2003 ballot they did not vote for rail on Wheeler and rail would endanger their health and homes and limit their mobility and she did not think this was about rail and instead it was about money and gentrification, about taking their home and land and building high-rises for the rich and it was resented. Council Members Clutterbuck, Holm, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Cheryl Armitige, 2706 Barbee, Houston, Texas 77004 (713-524-6499) appeared and stated that she purchased her home in 1992 and was president of Washington Terrace Civic Association, a historically significant neighborhood founded in 1924; that Blacks moved in when Whites no longer wanted it and now the city and METRO wanted it back and there had been public and closed meetings with METRO and the public meetings were the ones they attended and the closed meetings were with those people who did not live in Washington Terrace and in all meetings they attended METRO was told they did not want rail on Wheeler and it made no sense and their representatives had not been accountable to them for so long, they had not listened to them and did not care, but they would not become a Fourth Ward with the city changing the neighborhood and forcing them out and leaders in their community were not elected officials but those who spoke for them. Council Members Clutterbuck, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. James Chastant, 2414 Wheeler, Houston, Texas 77004 (713-556-3611) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Mario Umazor, 1622 North Main, Houston, Texas 77009 (713-227-6721) appeared and stated that he was speaking on behalf of those against light rail in the North Corridor; that he wanted to express the following issues, according to the ballot in 2003 it mentioned getting light rail on North Hardy, Westpark, etc. and it never mentioned North Main, Fulton or Richmond and never mentioned a transit station just northeast of Downtown, however, it did mention in Section 14 a contract between METRO and the voters stating if the proposition was approved the agreement would be binding and constitute a contract with the voters and could not be repealed, altered or rescinded without approval of the voters at a subsequent election and they

voted for a train to run through North Hardy and Westpark, however the routes were changed and METRO switched from light rail to BRT which was Bus Rapid Transit without consulting voters and that constituted an alteration to the contract and now changed again back to light rail and it was confusing; that he felt METRO and City of Houston officials wanted to build something but did not know how to do it and even worse it was as if they wanted to do something regardless of what the constituents had to say; that he had worked against the project at least 18 months and many in the neighborhood were against the project and Council Member Garcia knew this and they had tried to confront Mayor White but he was avoiding them. Council Members Holm, Garcia, Alvarado, Green and Berry absent.

Mr. P. C. Gonzalez, 5535 Harrisburg, Houston, Texas 77011 (713-921-3571) appeared and stated that he was spokesperson for the Harrisburg Eastern Corridor and they got rid of the BRT, Bus Rapid Transit system, and now they were facing the LRT by METRO on Harrisburg and much money would be spent, but they still had no information on transparency of the Environmental Impact Statement and the alignment on the street, they were saying it was the Mayor's fault; that he felt Harrisburg would be destroyed and many years ago belonged to Howard Hughes and its sacrifice for a greater Houston was not worth it and 153 businesses would disappear. Council Members Holm, Alvarado, Green and Berry absent.

Ms. Teresa O'Donnell, 4513 Tonawanda, Houston, Texas 77035 (713-502-6317) appeared and stated that she was concerned with the proliferation of electronic digital display signs in Houston and thought there were no regulations, she now knew there were but on the most part they were not being followed, they were bright lights with changing graphics to grab attention and they were getting larger; that they were now being installed in residential neighborhoods and in school zones taking drivers attention away from the road and her recommendations would be to place a moratorium on all new electronic sign permits until they could get a handle on it, determine if the problem of noncompliance was with training, inadequate personnel to monitor, lack of understanding or willful noncompliance, immediately send a citation with a copy of regulations to all noncompliant and if a second citation have a hefty fine, review regulations and make changes if needed. Council Members Holm, Alvarado, Green and Berry absent.

Council Member Clutterbuck stated that she knew her office and the Mayor's Office had received a number of complaints and she thanked Ms. O'Donnell for suggestions and perhaps taking people up on implementing rules may help and it seemed they passed ordinances and if there were no people to enforce then it was not worth the paper written on; that Council Member Holm chaired the committee looking into this and she would make sure she was on the stakeholders committee to give input. Council Members Holm, Alvarado, Green and Berry absent.

Mayor White stated that Ms. O'Donnell should keep her eye on the newspaper in the next few weeks; that she made a good point and he could think of a number of meetings where people spoke on that topic and when people made a good point they should be able to move quickly on it and they may take actions quickly. Council Members Holm, Alvarado, Green and Berry absent.

Council Member Noriega stated that she had meetings with Scenic Houston about the matter and there was a like minded group of citizens who would like to include her. Council Members Wiseman, Holm, Alvarado, Green and Berry absent.

Ms. Emma Adams, 4840 Jarmese #36, Houston, Texas 77033 (713-731-1989) appeared and stated that she was in emergency need, she was behind in her rent; that she got a list of helpful organizations but none were able to help her and her heart went out to Katrina people,

but people could come from everywhere and get help and she was a Houstonian and in need and could not get assistance from anywhere and this was her last resort. Council Members Wiseman, Holm, Alvarado, Green and Berry absent.

Upon questions by Mayor White, Ms. Adams stated that she changed jobs and they kept two weeks and then she got behind with the added daily late charges, etc., and now she was about two months behind and had to go to court in the morning; that she spoke with her manager who said if she could get "X" amount of dollars by in the morning she would work with her and she would be able to maintain but a situation arose not in her control; and Mayor White stated to Ms. Vasquez and others that this would be a test and he would ask various city professionals to take note, but there were programs with criteria, they had tests on whether people qualified and one of which the city funded in their CDBG budget through a grant through Sheltering Arms and there was criteria which he personally did not know what they were, but if it took any city employee longer than one hour to find out they knew there was a management problem with the city and it was not him so the Citizens Assistance Director or head of Housing and Community Development should know what they were doing and he wanted them to know what they were doing so they could respond to such things and he wanted Claudia to learn this and Mr. Celli and others in his office he wanted to do this as well so they could say whether she qualified or not; and to Claudia he did not know what the criteria was and maybe they had run out of money but he did not think so, but good service was prompt service and second, from time to time there was availability going through the process where people were purged from the HHA roles because they made too much money and there was various criteria for assistance and this he would use as a little test case to see how they could do and he would like her to help and find out the circumstances; that if she could not afford to keep her apartment on her current income he was not sure the city would cover that though they did placements, but they would find out; and as he said to people around the table from time to time they appropriated about \$600,000 a year but there was emergency criteria and if a nonprofit organization took too long to process then they would give the money to a different organization next year, so Ms. Vasquez would follow-up with her; and then he wanted Ms. Vasquez to report back to him with the criteria of Sheltering Arms, etc. and all Council Members should know the rules so they would know criteria and how the money was spent. Council Members Wiseman, Holm, Alvarado, Lovell, Green and Berry absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Tim Cornelson, 4717 Bellefontaine, Houston, Texas 77025 (713-838-1001) appeared and stated that he moved in on the back of the Stella Link redevelopment efforts and they were in a time where differences and intricacies of the plat by plat deed restrictions made expectation of what a neighborhood meant something very wavy and currently on their small block they had a 30 unit small high density townhome project planned and a seven story high density midrise for another area and it was a significant density change to their neighborhood; that they appreciated the help Council Member Clutterbuck had given in navigating this so neighborhoods would have an idea of what a neighborhood meant and they appreciated the Mayor's help and his help for the future. Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that was a nicer way to make a point; that many wanted to move into Council Member Clutterbuck's district because they did like the life within the district and the City of Houston's problems were born of its success rather than failures; that many houses from the 1950's and 1960's were in there but around where he was it was previously a dilapidated strip mall, it was a rundown section; that he posed a serious issue and he respected his

presentation and the flipside of the issue was in various places there was significant increase in density over the last 40 years and personally he thought many had benefited from it, the one thing he worried about from time to time was being a hypocrite and he thanked him for bringing this to their attention. Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that this was currently pending before the City Legal Department for a deed restrictions review because the way it was now proposed it violated the setback requirements and that was one way to help with density, appearance, etc., it was still pending and they would continue to watch it for him. Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he did have a good attitude; and upon questions, Mr. Cornelson stated that he lived in a townhouse on Bellefontaine; and Council Member Brown stated that he was looking at the architect; that the Belgravia was a rather attractive development and he knew his place was deed restricted; and Mr. Cornelson stated that there were deed restrictions and the neighborhood tried to make them more stringent but he did not know if they had enough ownership of their block; that in the case of the Belgravia he was concerned with placing 44 more units with 50 parking spaces and 8 guest spaces, he was concerned with traffic, parking, etc., issues with density change; and Council Member Brown stated that what allowed his house to be built was deed restrictions were not there. Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he believed whether it was performance standards put in deed restrictions or nature of performance standards such as park space, etc., that the performance standards both in deed restrictions and code were things which should be considered and could be done through objective criteria and he would not be inclined to waive or relax them. Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Donna Rein, 4022 Bellefontaine, Houston, Texas 77025 (713-231-8082) appeared and stated that she lived in the same block as Mr. Cornelson and what she would say almost seemed redundant, but she was here, the scheme of their neighborhood was about to change because of overzealous developers infiltrating with high density development and with no regard as to whether their development was suitable for their block or neighborhood, for example the Belgravia, a 44 unit development with a two story parking garage and four stories of living space with a rooftop terrace, it would be built across four lots and the tallest building with a few miles around their neighborhood and would loom over all the neighborhood, it would add 75 plus cars to their streets and that was not counting the development proposed for across the street; that such a high-rise development belonged in Midtown or Galleria and when a developer was changing the scheme of a neighborhood residents should have a say, a vote, after all they were there first and today her purpose was asking Council Members to continue their work, quickly, toward an ordinance to help neighborhoods through high density development and protect the neighborhoods in the scheme they were meant to be. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that the issue they brought up of increased density on streets and the inadequacy of the off street parking ordinance which required 1.6 spaces for every two bedroom apartment or condo, she had discussions with Ms. Marlene Gafrick and Director Marcotte about this and it was her firm belief someone needed flexibility and ability to require increase parking requirement, no one living in a two bedroom apartment she would dare

say had less than two cars and the impact on the neighborhood would be tremendous, this was taking up four lots. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Brown stated that they were committed to taking action on a new ordinance on or before January 30<sup>th</sup>, that was the date to deal with the high density issue and they did appreciate her input. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Rose Arnick, 13100 Stonefield, Houston, Texas 77014 (281-658-7322) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Renita Thornton, 2414 Ruth, Houston, Texas 77004 (713-526-0504) appeared and stated that she was president of the Washington Terrace Civic Association in the historic Third Ward and she was present asking for help, she would like an increase in police presence on Alabama as there was a high level of illegal activities including drugs and she would ask they protect them from dangers of light rail in their residential neighborhood. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Lovell stated that she discovered their wonderful neighborhood, it was a time warp with homes from the 1920's and 1930's and she would put in about the police, she knew where the activity was; that second, she would not make false promises but thought it pretty certain the light rail would go down Wheeler and the challenge would be how to allow it and not allow the neighborhood to be destroyed and she felt it had to be through continuous dialogue and meetings and she was committed to making that happen; and they needed to make sure they had homeowners sign up for minimum lot size so they could protect the integrity of their lots and neighborhood; and they had to get deed restrictions and get petitions from homeowners to make their district historic. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Mr. James Wright, 21311 North, New Caney, Texas 77357 (832-646-5497) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Ms. Mei Gong, 7900 North Stadium, Houston, Texas 77030 (713-790-2262) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Mr. Robert E. Tutt, 11100 Braesridge, Houston, Texas 77071 (713-772-1301) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Ms. Kimberly Shorten-Ezike, 10965 South Gessner #1222, Houston, Texas 77071 (832-207-0908) appeared and stated that she was present as she wanted car tow laws changed due

to the fact her uncle, Mr. Robert E. Tutt, had his car stolen and then it was towed by the Sheriff's Department to a storage lot and now he had to pay \$952.00 to get back his stolen property, it was not right or fair; that he paid taxes and it was not fair to have to pay to get back his stolen property it was like being victimized twice; that the city should have a place to store cars and if there was to be a fee it should be a minimum fee; that he was a veteran and he should not have to pay, he was on a limited income and needed help. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Council Member Khan stated that if Mr. Tutt came back in ask him to speak with Ms. Vasquez. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Upon questions by Council Member Noriega, Ms. Shorten-Ezike stated that she was not sure where her uncle served, she believed it to be Korea; and Council Member Noriega stated that she would like the city to see if they could help; and Council Member Khan stated that if he did not come back today she should get someone's phone number so he could contact them; and Ms. Tutt stated that he had just stepped outside and was available. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Mr. Ninghaw Chang, 13006 Hollow Brook, Houston, Texas 77082 (281-497-3673) appeared and stated that he was sorry he had to come but it was a good experience; that he wrote six letters to the Mayor from September 11th and the last emailed on November 20th and he wanted to see actions on his communications as soon as possible; and he would see all after the new year. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

Ms. Betty Heacker, 621 Del Norte, Houston, Texas 77018 (713-695-6017) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

At 4:50 p.m. City Council recessed until 9:00 a.m., Wednesday, December 5, 2007. Council Member Johnson absent on city business. Council Member Edwards absent due to being ill. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado, Noriega, Green and Berry absent. Council Member Khan presiding.(NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, December 5, 2007

The Houston City Council reconvened at 9:00 a.m. Wednesday, December 5, 2007 with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Office, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

At 8:23 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:28 a.m. Mayor White called the meeting to order and recognized Council Member Edwards. Council Members Johnson, Wiseman, Holm, Alvarado and Berry absent.

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

1. **PUBLIC HEARING** relative to proposed amendments to Project and Financing Plans for Tax Increment Reinvestment Zone No. Three (Main Street/Market Square Zone) – called. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Garcia and Berry absent.

The City Secretary stated that they had no speakers listed to speak on this hearing and Mr. Robert Fiederlein would make remarks. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Garcia and Berry absent.

Mr. Fiederlein stated that November 8, 2007 the Board of Directors of the Main Street/Market Square TIRZ approved amendments to the TIRZ project and financial plan and forwarded them to the City for consideration, that the public hearing was a statutorily required part of the City's review process and each Council office had been given a copy of the proposed amended plan for the TIRZ and an official City statement had also been distributed as well, that he would not read the City's statement; that in brief the administration would be proposing to City Council that several blocks in the western portion of downtown be annexed to this zone, that these included the blocks that encompassed City Hall, City Hall Annex, the Julia Idelson Building of the Central Library and Sam Houston Park, that the amended plan specifically addressed the projects to be accomplished in the current and expanded zone, that among the projects to be undertaken were the refurbishment and expansion of the Julia Idelson Building in conjunction with the Julia Idelson Library Preservation Partners, that they would recall that in the recent past they entered into a funding agreement with that organization for the project; that in closing, City Staff had worked with the TIRZ on the proposed amended plan and would at a subsequent Council session bring forth a recommendation for City Council to approve the annexation and the plan amendments. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia and Berry absent.

Council Member Khan moved to close the public hearing, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia and Berry absent. MOTION 2007-1176 ADOPTED.

2. **PUBLIC HEARING** relative to proposed amendments to Project and Financing Plans for Tax Increment Reinvestment Zone No. Fourteen (Fourth Ward Zone) - was called. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia and Berry absent.

The City Secretary stated that they did have one speaker on the hearing. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia and Berry absent.

Mr. Fiederlein stated that on November 15, 2007 the Board of Directors of the Fourth Ward TIRZ approved amendments to the TIRZ projects and financing plan and forwarded them to the City for consideration, that as discussed previously the hearing was a statutory part of the process, that each Council office had been given a copy of the proposed amended plan for the TIRZ and an official City statement had been distributed specific to this TIRZ; that in brief the administration requests that the City Council approve the annexation of approximately 13.8 acres to the TIRZ and approve a plan amendment to increase the zone's overall project plan expenditures by \$23.5 million, that the impetus for these proposed plan amendments was a unique financial opportunity that the City had been extended by the Federal Reserve Bank,

which was located between the present boundaries of the TIRZ, that the Federal Reserve, the City and the TIRZ were negotiating a prepayment of increment due from the Federal Reserve Bank that would allow for numerous projects to move forward in a simultaneous fashion, that as explained in the body of the proposed amendments it was more explicitly shown in Exhibit 2 of the planned amendments, that the proposed amendments were for a series of projects including infrastructure, streets scape, park improvements, historic preservation, cultural and public facilities and affordable housing; that in closing, City staff had worked with the TIRZ on the proposed amended plan and would at a subsequent City Council session bring forth a recommendation for City Council to approve the annexation and the planned amendments. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia and Berry absent.

Mr. Tim O'Brien, 1303 Ruthven, Houston, Texas 77019 (713-739-0011) appeared and stated that he was a homeowner in the district and he had his property tax bill, almost \$2,000 to show them; that he would like to pickup on a theme that African American News and Issues had last week called Black power corrupts, that there was a picture of some friends of his and Council Member Edwards, Senator Rodney Ellis and Legislator Garnet Coleman, that the article was about people taking money and going and throwing people's interest and that was what they had here, that the document that they were going to vote on was full of untruths, the first one was that a third of the money was supposed to be set aside for public housing, that the TIRZ non petition meant that none of the residents voted for it, the City forced it on them, so eight years after it was in existence not one penny had been spent on low income housing, that one of the bigger lies was that it was a dilapidated neighborhood, that was not true, if they took a ride five minutes from City Hall they would see it was not true, that it in they were bragging about their amendments, the planned amendment highlights that they gave a \$1 million to Camden Properties to develop apartments, that Camden Properties was capitalized at \$7 billion, so they got a handout, that he could not pay his tax bill but they gave a handout, that his tax dollars went to corporate welfare, that the plan had never had input from any of the residents, there had never been a public hearing, that this public hearing at 9:00 a.m. with a little legal notice in the back of the Chronicle from last week was not a public hearing, that none of the residents that paid taxes had any say, that the TIRZ board was not elected, that Council Members Edwards and Alvarado appointed somebody, that they did not get a vote and it was wrong, that they should not force stuff down people's throats and destroy a historic neighborhood without the input of the people, that the museum was a block from his house, that it said they were going to program \$2 million, that two summers ago the City of Houston let \$2 million off of the table, federal money that was programmed for the museum, the African American Library, because they did not use it, so now they were going to take their tax dollars and tell them what they were going to do but were not going to get their input, that it was wrong, that it was going to be Council Member Edwards legacy, that when he finished his PHD in Black History he was going to be teaching her grandsons, granddaughters and great granddaughters about what she did to the historic Black neighborhood, that she had never stood up for it because all she had done was take the money from the developers and done the same thing that those people did, that the article was written by Roy Malonson, that was going to be the legacy, her legacy for this historic Black neighborhood and it went back 10, 20, 30 years, so he hoped that she was happy as she stood and voted on something that was wrecking not only Black history, it was wrecking American history, that when he saw his Black neighbors getting harassed by the Houston Police, getting tickets in front of his house for now walking on the sidewalk, there were no sidewalks on his block and this plan was supposed to address that, was it going to address his Black neighbors being ethnically cleansed out of his neighborhood because they did not like the houses they lived in or their skin color. Council Members Johnson, Wiseman, Garcia and Berry absent.

Council Member Khan moved to close the public hearing, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson, Wiseman, Garcia and Berry absent. MOTION 2007-1177 ADOPTED.

Council Member Alvarado moved to suspend the rules to consider Item No. 50 out of order, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson, Wiseman, Garcia and Berry absent. MOTION 2007-1178 ADOPTED.

50. ORDINANCE approving and authorizing Toll Road Agreement by and between the City of Houston and **HARRIS COUNTY, TEXAS**, to facilitate the extension of the Hardy Toll Road South from its current terminus at Interstate Highway 610 to connect with U. S. Highway 59 and the northern approach to the Elysian Viaduct; authorizing the execution and delivery to Harris County of right-of-way licenses over thirty-five tracts of public street right-of-way; finding and determining that public convenience and necessity no longer require the continued use of five other tracts of public street right-of-way and vacating and abandoning those tracts while reserving and retaining easement rights for the public utilities currently in place - **DISTRICTS B - JOHNSON and H - GARCIA** – was presented. All voting aye. Nays none. Council Members Johnson, Wiseman, Holm and Berry absent. ORDINANCE 2007-1340 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item No. 34 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson, Wiseman, Holm and Berry absent. MOTION 2007-1179 ADOPTED.

34. ORDINANCE approving and authorizing agreement between the City of Houston and **CORINTHIAN POINTE SENIOR LIVING CORPORATION** to provide a \$3,375,670.00 Performance-Based Loan of Federal “HOME” Funds for costs to construct a senior living community in the 5800 block of West Orem, Houston, Texas, to house qualified low income residents - **DISTRICT D - EDWARDS** – was presented, and tagged by Council Member Edwards. Council Members Johnson, Wiseman, Holm and Berry absent. (Note: Council Member Edwards released her tag later in the meeting.)

## **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 before Council. Council Members Johnson, Wiseman, Holm and Berry absent.

Mayor White stated that they would move to the Monthly Financial Report and recognized Ms. Annise Parker, Controller and Ms. Judy Gray Johnson, Director, Finance and Administration. Council Members Johnson, Wiseman, Holm and Berry absent.

Ms. Parker stated that this was the Monthly Financial Report for the period ending October 31, 2007, that the good news continued and they were currently projecting a \$12 million budget surplus, it represented an increase of \$8 million from last month, that it was due almost entirely to a \$7.2 million increase in their projection for Property Tax Revenues, prompted by yet another new estimate of taxable values from HCAD, that with that increase and the \$25 million that followed the last update from HCAD they were now \$35 million over the budget estimate for Property Tax Revenues, that it was the first time that she could remember the numbers changing this much in the 10 years she had been at City Hall, that it was always good to have more revenue than they anticipated but there could be implications for a revenue cap if it

continued; that she thought it was a very productive discussion with the HCAD Executive Director Mr. Jim Robinson yesterday and hoped the Council Members had a better understanding of why it was happening in this particular year, that their projection for General Fund Expenditures had decreased by \$1.6 million, it was due to a combination of increases and decreases but the largest decrease was a \$1.6 million decrease in projected Fire Department spending due to lower than anticipated use of sick time, and that concluded her report. Council Members Johnson, Wiseman, Lovell and Berry absent.

Ms. Johnson stated that as the Controller stated their estimates were very similar to hers on General Fund Revenues, the property taxes being up about \$8 million, that they also saw some higher than expected numbers for sales taxes but by a much smaller margin, looking at about a 4.7% increase; that although it was not a change she mentioned yesterday that their Ambulance Revenues were holding at budget and they may be above those if they continued the level of current collections, they were now above their target of \$200 collected per transport and it was something that they started out three or four years ago as a very much stretched goal and they were very proud to say that they had reached it, that she would remind Council Members that in looking at this monthly report the additional spending that was planned for the \$25 million that they had all discussed before was not included in the financial report, that would require City Council approval, they were working on a budget transfer and hoped to bring that to City Council next week, that it required City Council approval because there were limits in the Budget Ordinance on how much transfers could be made without approval, so they would be bringing that as the final step in the process to City Council probably next week if not the week after, and that concluded her report. Council Members Johnson, Wiseman, Alvarado, Lovell and Berry absent.

Council Member Green moved to accept the Monthly Financial Report, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson, Wiseman, Alvarado, Lovell and Berry absent. MOTION 2007-1180 ADOPTED.

Mayor White stated that he wanted to thank the City Controller and the Director of F&A and would comment to his colleagues that when they got positive variances on spending that were due, for example, to have better management of sick time that was the type of thing that was a sign that people were doing their job to be good guardians of the taxpayer's money that allowed them to provide more services within a particular tax rate. Council Members Johnson, Wiseman, Holm, Alvarado, Lovell and Berry absent.

Council Member Garcia moved to suspend the rules to consider Item Numbers 3, 4, 77 and 28 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson, Wiseman, Alvarado, Lovell and Berry absent. MOTION 2007-1181 ADOPTED.

Council Member Edwards stated that she would release her tag on Item No. 34. Council Members Johnson, Wiseman, Alvarado, Lovell and Berry absent.

Mayor White stated that if there was no objection they would consider Item No. 34 after Item No. 28, that by unanimous consent it was so ordered. Council Members Johnson, Wiseman, Alvarado and Berry absent.

3. REQUEST from Mayor for confirmation of the appointment of **MS. VANESSA PEREZ MCCALLA** to Position Four of the **HOUSTON ARTS ALLIANCE**, for an unexpired term ending June 30, 2009 – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Johnson, Wiseman and Berry absent. MOTION 2007-1182 ADOPTED.

Mayor White stated that Ms. Vanessa Perez McCalla was present in the audience and asked that she stand and be recognized and thanked her for her participation. Council Members Johnson, Wiseman and Berry absent.

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **PUBLIC PARKING COMMISSION:**

- Position Eight - **MR. MARCUS L. DAVIS**, reappointment, for a term commencing on January 1, 2008 and expiring on December 31, 2009
- Position Ten - **MR. RICARDO A. BACA MARES**, appointment, for an unexpired term ending December 31, 2007 and a term commencing on January 1, 2008 and expiring on December 31, 2009
- Position Twelve - **MS. JOYCE CAMP**, reappointment, for a term commencing on January 1, 2008 and expiring on December 31, 2009
- Position Fourteen - **MR. CHARLES D. REEDSTROM**, reappointment, for a term commencing on January 1, 2008 and expiring on December 31, 2009

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Johnson, Wiseman and Berry absent. MOTION 2007-1183 ADOPTED.

Council Member Garcia requested that all of the folks from the Public Parking Commission stand and be recognized and thanked them for their service to the City of Houston. Council Members Johnson, Wiseman and Berry absent.

77. **ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to vehicle dimensions and the effects of operation on City streets; declaring certain conduct to be unlawful and providing a penalty therefor; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 60 on Agenda of October 3, 2007, POSTPONED BY MOTION #2007-986)** – was presented. Council Members Johnson, Wiseman and Berry absent.

Council Member Garcia stated that they had made a lot of progress on the item but still had a few details to resolve and moved to refer Item No. 77 back to committee, seconded by Council Member Khan.

After discussion by Council Members, Mayor White stated that he had asked for a plan that could also be presented to Council Member Garcia and the Public Safety Commission concerning truck enforcement, that there were some tools they had now and were there ways that they could utilize those tools effectively and more effectively, that he looked forward to working with Council Member Garcia on it, that they wanted to go about figuring out ways to solve the problem and none of them had any idea to create more work if they could figure out a way to do it. Council Members Wiseman and Holm absent.

Council Member Alvarado stated that she had gotten correspondence from the East End Area Chamber of Commerce and the Port of Houston on the issue, and she wanted to know how they would proceed logistically, how they would be able to take on the additional permitting responsibility, because one thing she had heard from folks that would be affected was that they did not mind the fee, tack it on to the State and maybe in the next Legislative package they could put that on as a priority to make sure if they did decide to just tack it on to whatever fees

they were paying to the State to make sure that money came down, that she knew that sometimes they had a problem with that like they did the red lights, but she just hoped the City Council would take those things into consideration, how do they handle that additional permitting process. Council Members Wiseman and Holm absent.

Council Member Garcia stated that a lot of those issues were issues that he paid attention to as they had gone through the process and in fairness to the industry he was not aware of what they were dealing with as it related to State government, but he assured them that if something could be done better, smarter and more efficiently they would figure it out in Houston, and they had, and consequently the folks that they were looking at to help them with an efficient permitting process were also the same people that the State had now partnered up with, but however the issue resolved itself, whether through the ordinance or through a mechanism as Council Member Alvarado suggests, the bottom line was that Houston was not getting it's fair share of infrastructure dollars, that the over weight trucks, the ready mix trucks and others were damaging their infrastructure, and then there was a whole other public safety piece to it, so he thought it would serve as a good project for a good legislator to help tackle, that their neighborhoods, because they were an unzoned city, were asking for this kind of support. Council Members Wiseman and Holm absent.

Council Member Alvarado stated that there was an informal Attorney General's opinion that said that even though they were a home-rule city they did not have the authority to impose it, that she knew that some other cities were doing it and thought the difference was that those other cities it was a designated route, a point to point destination, so she was sure they would be looking at that as they brought the next ordinance forward. Council Members Wiseman and Holm absent.

Council Member Khan stated that he hoped by delaying the decision on it that they do not have their constituents suffer with having big large trucks parked in their neighborhoods, that was one of the complaints they got quite often; that he hoped there was something already on the books that could be enforced and also that it should not be an indefinite delay on the discussion; Council Member Garcia stated that on Monday, December 10, 2007 at 10:30 a.m. they would be having a Public Safety Committee meeting and would be discussing this particular ordinance as well as another issue involving the HEC center, so he would appreciate their attendance. Council Members Wiseman and Holm absent.

A vote was called on Council Member Garcia motion to refer Item No. 77 back to committee. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1184 ADOPTED.

28. ORDINANCE establishing the west side of the 800 block of Waverly Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – GARCIA** – was presented, and tagged by Council Member Garcia. Council Members Wiseman and Holm absent.
  
34. ORDINANCE approving and authorizing agreement between the City of Houston and **CORINTHIAN POINTE SENIOR LIVING CORPORATION** to provide a \$3,375,670.00 Performance-Based Loan of Federal "HOME" Funds for costs to construct a senior living community in the 5800 block of West Orem, Houston, Texas, to house qualified low income residents - **DISTRICT D – EDWARDS** – was again before City Council. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1341 ADOPTED.

**MISCELLANEOUS** – NUMBER 5

5. RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for New Fire Station 105, WBS C-000166-0001-4 - **DISTRICT E – WISEMAN** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1185 ADOPTED.

**ACCEPT WORK** - NUMBERS 6 and 7

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$924,980.00 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Chlorine Scrubber Systems at Groundwater Facilities, WBS S-000533-0005-4 - 3.47% under the original contract amount - **DISTRICTS A - LAWRENCE and B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1186 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$704,671.36 and acceptance of work on contract with **CHIEF SOLUTIONS, INC formerly known as CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS R-000266-00B8-4 0.10% under the original contract amount - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; F - KHAN; G - HOLM; H - GARCIA and I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1187 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 through 24

11. **MAPPING SOLUTIONS, INC** for Mapping Software for Houston Emergency Center - \$107,585.94 Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1188 ADOPTED.
13. **SEQUEL DATA SYSTEMS, INC** for Hewlett-Packard Computer Hardware and Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) \$188,166.11 - Building Inspection Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1189 ADOPTED.
14. ORDINANCE appropriating \$130,489.06 out of Equipment Acquisition Consolidated Fund for the purchase of Grounds Maintenance Equipment for Parks & Recreation Department – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1342 ADOPTED.
- 14a. **POSTON EQUIPMENT SALES, INC** - \$95,280.64 and **LANSLOWNE-MOODY CO.** - \$339,225.78 for Grounds Maintenance Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Airport System and Parks & Recreation Department - Parks Special Revenue and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All

voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1190 ADOPTED.

15. ORDINANCE appropriating \$780,621.48 out of Equipment Acquisition Consolidated Fund for the purchase of Grounds Maintenance Equipment for the Parks & Recreation Department – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1343 ADOPTED.
- 15a. **PROFESSIONAL TURF PRODUCTS, L.P.** - \$548,701.24, **BROOKSIDE EQUIPMENT SALES, INC** - \$181,644.25 and **JOHN DEERE COMPANY (a Division of Deere & Co.)** - \$347,707.00 for Grounds Maintenance Equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative for Parks & Recreation and Public Works & Engineering Departments - Parks Special Revenue and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1191 ADOPTED.
16. ORDINANCE appropriating \$435,811.10 out of Equipment Acquisition Consolidated Fund for Purchase of Servers and Software Licenses for the Implementation of an Enterprise Geographic Information System for the Planning & Development Department – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1344 ADOPTED.
- 16a. **HEWLETT-PACKARD COMPANY** - \$270,507.10 and **SHI GOVERNMENT SOLUTIONS** - \$158,954.00 for Hardware and Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Planning & Development Department – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1192 ADOPTED.
17. **NORIT AMERICAS, INC** - \$6,820,000.00 for Chemical, Powdered Activated Carbon for Department of Public Works & Engineering, and payment in an amount not to exceed \$604,800.00 for emergency purchases for on-going requirements prior to approval of award Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1193 ADOPTED.
18. **AMEND MOTION #2005-286, 3/30/05, TO EXTEND** expiration date from March 30, 2008 to March 29, 2009, for Concrete, Hot Mixed Asphalt for Department of Public Works & Engineering, awarded to **G & S ASPHALT, L.P. dba AMERICAN MATERIALS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1194 ADOPTED.
19. ORDINANCE appropriating \$355,328.00 out of Equipment Acquisition Consolidated Fund for the Purchase of Medium-Duty Trucks for Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1345 ADOPTED.
- 19a. **AMEND MOTION #2007-470, 5/9/07, TO PURCHASE** additional Medium-Duty Trucks for Department of Public Works & Engineering, awarded to **TOMMIE VAUGHN MOTORS, INC** - \$355,328.00 and **LONE STAR CHEVROLET** - \$421,730.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All

voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1195 ADOPTED.

20. **DEERY AMERICAN CORPORATION** for Asphalt/Concrete Crack and Joint Sealant for Department of Public Works & Engineering - \$243,675.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1196 ADOPTED.
21. **AMEND MOTION #2005-246, 3/16/05, TO INCREASE** the award amount from \$777,401.69 to \$971,752.11, for Thermoplastic Materials for Various Departments, awarded to **FLINT TRADING, INC** - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1197 ADOPTED.
22. **AMEND MOTION #2005-1095, 11/16/05, TO INCREASE** the award amount from \$528,297.36 to \$660,371.70, for Miscellaneous Wire and Cable for Various Departments, awarded to **TURTLE AND HUGHES, INC** - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1198 ADOPTED.
23. **ALLSTEEL, INC** - \$202,399.30, **CONTRACT RESOURCE GROUP, LLC** - \$295,519.88, **KIMBALL INTERNATIONAL** - \$66,464.24 and **THE HON COMPANY** - \$164,806.46 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$729,189.88 - General, Enterprise, Grant and Special Revenue Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1199 ADOPTED.
24. **XL PARTS, LP (Bid No. 21)** for Automotive Vehicle and Heavy Equipment Filters for Various Departments - \$609,771.00 minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC, for a net award amount not to exceed \$597,575.58 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1200 ADOPTED.

**PROPERTY** - NUMBERS 8 through 10

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracie J. Renfro and Amber Alonso, for abandonment and sale of ±5,263 square feet of Beverly Street at E. 12 ½ Street, between Lot 14, Block 31 and Lot 1, Block 32, in exchange for the conveyance to the City of a 15-foot-wide sanitary sewer easement, all located in the Corrected Plat of Stude's Second Addition, Parcels SY8-028 and DY8-024 - **APPRAISERS - DISTRICT H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1201 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-061, located in the 10200 block of Emerald Drive, owned by West Belt 6, Ltd., a Texas limited partnership, Mohammad Ladjevardian, General Partner, for the **KEEGANS' BAYOU HIKE AND BIKE TRAIL PROJECT from Brays Bayou to**

**Kirkwood**, N-000420-0025-2-01 - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1202 ADOPTED.

**ORDINANCES** - NUMBERS 26 through 76A

26. ORDINANCE consenting to the addition of 206.4 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1346 ADOPTED.
27. ORDINANCE establishing the north and south sides of the 600 block of Highland Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1347 ADOPTED.
29. ORDINANCE establishing the south side of the 600 block of West Main Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1348 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City of Houston, **HARRIS COUNTY** and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** relating to Joint Runoff Elections to be held on December 8, 2007; providing a maximum contract - \$1,200,000.00 - General Fund – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1349 ADOPTED.
32. ORDINANCE appropriating \$345,827.87 out of Fund 7509 (Sharpstown Public Improvement District Fund) for payment to the Sharpstown Economic Development Authority for certain costs and expenses associated with the implementation of the Sharpstown Public Improvement District Service and Assessment Plan - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1350 ADOPTED.
33. ORDINANCE amending Ordinance No. 2004-155 to increase the maximum contract amount to Contract No. 55726 between the City of Houston and **DISCOVERY SERVICES OF TEXAS, INC** for Legal Duplicating and Litigation Support Services for the Legal Department; providing a maximum contract amount – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1351 ADOPTED.
39. ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City of Houston and **ALLCO, INC**, to settle a lawsuit bearing Cause No. 2003-52842-A; now pending in the 281st Judicial District Court of Harris County, Texas - \$212,500.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1352 ADOPTED.
40. ORDINANCE approving and authorizing Compromise and Settlement Agreement with **OLD WORLD INDUSTRIES, INC (OWI)** to settle a claim - \$305,403.39 - Enterprise Fund

– was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1353 ADOPTED.

41. ORDINANCE approving and authorizing agreement between the City of Houston and **THE GREATER HARRIS COUNTY 9-1-1 NETWORK** for Private Switch ALL Services for the Houston Airport System; providing a maximum contract amount - \$60,000.00 - Enterprise Fund **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1354 ADOPTED.
42. ORDINANCE appropriating \$136,500.00 out of Airports Improvement Fund, WBS A-000486-0009-4-01 and \$228,750.00 out of HAS FAA Grants Fund, WBS A-000486-0009-4-02, and approving and authorizing Amendment No. 1 to construction contract between the City of Houston and **VANDERLANDE INDUSTRIES, INC** for Explosive Detection System Interim In-Line Baggage Conveying Equipment at George Bush Intercontinental Airport/Houston; (Proj. No. 612H); providing funding for contingencies relating to the construction of facilities financed by such funds **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1355 ADOPTED.
43. ORDINANCE approving and authorizing first amendment to Contract No. 54609 for Jury Notice Services between the City and **QUESTMARK INFORMATION MANAGEMENT, INC**; amending Ordinance No. 02-1098 to increase the maximum contract amount - \$33,000.00 - General Fund – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1356 ADOPTED.
45. ORDINANCE appropriating \$919,820.00 out of Equipment Acquisition Consolidated Fund for the Purchase of Structural Fire Fighting Gear for Houston Fire Department – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1357 ADOPTED.
46. ORDINANCE amending Ordinance No. 2002-1154 which approved contract between the City of Houston and **DOLLAR TIRE CO., INC dba PRO TIRE SERVICE** for Roadside Tire Repair Services for Various Departments to increase the maximum contract amount - \$96,750.00 General Fund – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1358 ADOPTED.
47. ORDINANCE appropriating \$50,875.00 out of Police Consolidated Construction Fund; awarding construction manager at risk contract to **GILBANE BUILDING COMPANY** for HPD Qualification Pistol Range, WBS G-000088-0003-4; providing funding for Civic Art Program financed by the Police Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1359 ADOPTED.
48. ORDINANCE awarding construction contract to **PLAYPOWER LT FARMINGTON, INC** for Playground and Site furnishings for Houston Hope Areas, WBS F-000600-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, and contingencies relating to construction of facilities financed out of the Federal Government-Grants Fund - \$601,389.00 CDBG Fund - **DISTRICTS B - JOHNSON; D - EDWARDS; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1360 ADOPTED.

49. ORDINANCE appropriating \$1,342,000.00 out of General Improvements Consolidated Construction Fund; awarding construction contract to **THE GONZALEZ GROUP, LP** for the Miller Outdoor Theater Improvements, WBS D-000125-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, additional design services, and contingencies relating to construction of facilities financed out of the General Improvements Consolidated Construction Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1361 ADOPTED.
51. ORDINANCE approving and authorizing Indemnity and Maintenance Agreement between the City of Houston and **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4** for public right-of-way improvements - **DISTRICTS A - LAWRENCE and G - HOLM** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1362 ADOPTED.
52. ORDINANCE approving and authorizing first amendment to contract award between the City of Houston and **REPUBLIC INTELLIGENT TRANSPORTATION SERVICES, INC formerly known as Republic Electric** (approved by Ordinance No. 07-0532) for LED Retrofit Traffic Signal Upgrades in Downtown, Midtown, Texas Medical Center and other various locations, WBS N-000650-0024-4 - **DISTRICTS D - EDWARDS; E - WISEMAN; F - KHAN; G - HOLM; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1363 ADOPTED.
53. ORDINANCE appropriating \$1,605,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 6, WBS S-000701-0005-4; 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 contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1364 ADOPTED.
55. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **CYPRESS HILL MUNICIPAL UTILITY DISTRICT NO. 1** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1365 ADOPTED.
- 55a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Cypress Hill Municipal Utility District No. 1 and certain territory located in the vicinity of Cypress Hill Municipal Utility District No. 1, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Cypress Hill Municipal Utility District No. 1; imposing the sales and use tax of the City of Houston in the area within Cypress Hill Municipal Utility District No. 1 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye.

Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1366 ADOPTED.

56. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 120** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1367 ADOPTED.
- 56a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 120, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 120 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1368 ADOPTED.
57. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1369 ADOPTED.
- 57a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Fort Bend County Municipal Utility District No. 50, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 50 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1370 ADOPTED.
58. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 2** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1371 ADOPTED.
- 58a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Cinco Southwest Municipal Utility District No. 2 and certain territory located in the vicinity of Cinco Southwest Municipal Utility District No. 2, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Cinco Southwest Municipal Utility District No. 2; imposing the sales and use tax of the City of Houston in the area within Cinco Southwest Municipal Utility District No. 2 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1372 ADOPTED.
59. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City Of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146** –

was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1373 ADOPTED.

- 59a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Fort Bend County Municipal Utility District No. 146 and certain territory located in the vicinity of Fort Bend County Municipal Utility District No. 146, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Fort Bend County Municipal Utility District No. 146; imposing the sales and use tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 146 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1374 ADOPTED.
60. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS - FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1375 ADOPTED.
- 60a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris - Fort Bend Counties Municipal Utility District No. 3 and certain territory located in the vicinity of Harris - Fort Bend Counties Municipal Utility District No. 3, in Harris and Fort Bend Counties, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris - Fort Bend Counties Municipal Utility District No. 3; imposing the sales and use tax of the City of Houston in the area within Harris - Fort Bend Counties Municipal Utility District No. 3 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1376 ADOPTED.
61. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 157** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1377 ADOPTED.
- 61a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 157 and certain territory located in the vicinity of Harris County Municipal Utility District No. 157, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 157; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 157 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1378 ADOPTED.
62. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 167** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1379 ADOPTED.

- 62a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 167 and certain territory located in the vicinity of Harris County Municipal Utility District No. 167, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 167; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 167 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1380 ADOPTED.
63. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 173** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1381 ADOPTED.
- 63a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 173 and certain territory located in the vicinity of Harris County Municipal Utility District No. 173, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 173; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 173 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1382 ADOPTED.
64. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 196** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1383 ADOPTED.
- 64a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 196 and certain territory located in the vicinity of Harris County Municipal Utility District No. 196, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 196; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 196 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1384 ADOPTED.
65. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1385 ADOPTED.

- 65a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 285 and certain territory located in the vicinity of Harris County Municipal Utility District No. 285, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 285; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 285 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1386 ADOPTED.
66. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 391** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1387 ADOPTED.
- 66a. Ordinance annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 391 and certain territory located in the vicinity of Harris County Municipal Utility District No. 391, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 391; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 391 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1388 ADOPTED.
67. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1389 ADOPTED.
- 67a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 400 and certain territory located in the vicinity of Harris County Municipal Utility District No. 400, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 400; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 400 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1390 ADOPTED.
68. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 406** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1391 ADOPTED.
- 68a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 406 and certain territory located

in the vicinity of Harris County Municipal Utility District No. 406, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 406; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 406 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1392 ADOPTED.

69. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HUNTERS GLEN MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1393 ADOPTED.
- 69a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Hunters Glen Municipal Utility District and certain territory located in the vicinity of Hunters Glen Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Hunters Glen Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Hunters Glen Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1394 ADOPTED.
70. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **LAKE FOREST UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1395 ADOPTED.
- 70a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Lake Forest Utility District and certain territory located in the vicinity of Lake Forest Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Lake Forest Utility District; imposing the sales and use tax of the City of Houston in the area within Lake Forest Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1396 ADOPTED.
71. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1397 ADOPTED.
- 71a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Northwest Harris County Municipal Utility District No. 5 and certain territory located in the vicinity of Northwest Harris County Municipal Utility District No. 5, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Northwest Harris County Municipal Utility District No. 5; imposing the sales and use tax of the City of Houston in the

area within Northwest Harris County Municipal Utility District No. 5 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1398 ADOPTED.

72. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1399 ADOPTED.
- 72a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Northwest Harris County Municipal Utility District No. 10 and certain territory located in the vicinity of Northwest Harris County Municipal Utility District No. 10, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Northwest Harris County Municipal Utility District No. 10; imposing the sales and use tax of the City of Houston in the area within Northwest Harris County Municipal Utility District No. 10 annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1400 ADOPTED.
73. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **RICEWOOD MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1401 ADOPTED.
- 73a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Ricewood Municipal Utility District and certain territory located in the vicinity of Ricewood Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Ricewood Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Ricewood Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1402 ADOPTED.
74. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CHELFORD ONE MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1403 ADOPTED.
- 74a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Chelford One Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Chelford One Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1404 ADOPTED.

75. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 4** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1405 ADOPTED.
- 75a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Cinco Southwest Municipal Utility District No. 4, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cinco Southwest Municipal Utility District No. 4 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1406 ADOPTED.
76. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 152** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1407 ADOPTED.
- 76a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 152, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 152 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1408 ADOPTED.

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

### **PROPERTY**

9. RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Purvis Bearing Service, Ltd., et al; Cause No. 841,909; for a total consideration of \$373,000.00 in connection with **CENTRAL STREET GRADE SEPARATION PROJECT (Central St. Extension over Manchester Avenue to Train Yard)**; WBS/CIP N-000676-0001-2 - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1203 ADOPTED.

### **PURCHASING AND TABULATION OF BIDS**

12. ORDINANCE appropriating \$2,999,117.00 out of Police Consolidated Construction Fund for the Emergency Elevator Modernization at 1200 Travis for the General Services Department, WBS G-000118-0001-4-01-01, providing funding for Asbestos Abatement, Air Monitoring Services and contingencies relating to construction of facilities financed by Police Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1409 ADOPTED.

- 12a. **AMTECH ELEVATOR SERVICES** for spending authority to Address the Emergency Elevator Modernization at 1200 Travis for General Services Department - \$2,862,917.00 and contingencies for a total amount not to exceed \$2,988,917.00 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Holm absent. MOTION 2007-1204 ADOPTED.

## **ORDINANCES**

25. ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the care and control of dogs and cats; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented. All voting aye. Nays none. Council Members Wiseman and Holm absent. ORDINANCE 2007-1410 ADOPTED.

Council Member Berry stated that they had been working on Item No. 25 for quite a while in his office and wanted to say thanks to Katie Dorfman for her good work on it, that before Kent Robertson started they used to hear from the BARC people almost weekly and he was glad they did because they cared enough about the animals in their community and how they were treated to keep coming down and giving voice to them and they do not hear that anymore, not that BARC was prefect, but Kent Robertson had listened to the input of the volunteers and he really thought that Mr. Robertson had turned that program around and he wanted to say thanks to him for that, that it was important to know that no City money would be used for the program. Council Member Wiseman absent.

31. ORDINANCE providing for the ad valorem taxation of certain tangible personal property described as “goods-in-transit” under Section 11.253 of the Texas Tax Code – was presented, and tagged by Council Member Clutterbuck. (Note: Council Member Clutterbuck released her tag later in the meeting.)

Council Member Lawrence stated that on Item No. 31 they did quire a bit of research and was very surprised the slowness of the information getting out there, even to the partnership; that this was proposed Legislation by a Representative from El Paso and El Paso voted it down, so obviously he was not supporting his constituents, he was supporting somebody else; that also the County voted against this yesterday, so it was very big to because of all the warehouses being built in various places in her district and then right in the County. Council Member Wiseman absent.

35. ORDINANCE appropriating \$200,000.00 out of the Housing Special Revenue Fund (Fund 2000) for Housing Initiatives And Associated Administrative Costs – was presented. Council Member Wiseman absent.

Council Member Edwards stated that she just started looking at Item No. 35 today and did not know what the administrative costs were, was it in house staff or additional staff and could someone get her an answer on that. Council Member Wiseman absent.

Mayor White stated that he did not know and asked if Council Member Edwards wanted to tag the item, and Council Member Edwards stated that she did not want to tag the item, if someone could get her some information, and Mayor White stated that if there was no objection they would take Item No. 35 at the end of the agenda and by unanimous consent it was so ordered; that they would take Item No. 35 up at the end of the agenda and they should get some explanation of that. Council Member Wiseman absent.

36. ORDINANCE approving and authorizing Purchase Agreement, Parking Rights License Agreement, Rear Drive Easement Agreement, and a development agreement between the City of Houston, seller and the **YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER HOUSTON, INC ("YMCA")** for the sale of 4.968 acres of land, more or less, and subsequent development thereof by the YMCA, and to provide an easement over such 4.968 acre tract of land, and to provide for parking rights over a 2.133 area tract of land, more or less, all of which land is located in Palm Center, a subdivision recorded in Volume 339, Page 63 of the Map Records, Harris County, Texas, in consideration of such development and the payment of \$461,067.92 to the City by the YMCA - Revenue - **DISTRICT D - EDWARDS** – was presented. Council Member Wiseman absent.

Council Member Green stated that this was a great day for the Palm Center and for the Y.M.C.A. that was closed next to TSU a couple of years ago, that in 2005 they had some people come down and they were very concerned about all of the services that were offered in the heart of the community on Wheeler, and now he was glad to see that the project was finally on the way to coming to fruition, that it was going to be a great world class facility and he wanted to congratulate all of the people who were involved and took a great interest to making sure it happened, that it was going to be very centrally located and they had a lot more property and parking, that he looked forward to seeing a great new facility there. Council Members Wiseman, Alvarado and Berry absent.

Council Member Edwards stated that she wanted to thank all of the people who worked with them through the process; that this was the first facility of this type in the whole South Park/South Union area, that they had tried to use the land for a lot of facilities over the years and had not been successful, but this was the only youth facility that could accommodate seniors in the that entire area; that she wanted to especially thank her staff member, Nzinga Rideaux, who they put on the board to make sure she could help keep it on tap with Mr. Terrance Fontaine, so they would have a person in the mix and always there letting them be aware of where they were. Council Members Wiseman, Alvarado and Berry absent.

Mayor White stated that there were some delays on the item from what they would want but he wanted them to know, so if it would come up again, that part of it was consistent rules for the sale, conveyance or lease of land that was owned by the public to nonprofit institutions, and giving due credit for those services that would otherwise be provided to the public, and that was one of the reasons why they went through a very painful thing about a year ago so that they could establish those rules, and those rules would be applied consistently to all organizations and he wanted to thank the Y.M.C.A. for recognizing that they could make resources available to the Y.M.C.A. and take into account the services that they would otherwise provide, but to please note that it was not for free, so they had facilitated it with a location, that he would make that note because there would be people who wanted the City to do things for free. Council Members Wiseman, Alvarado, Noriega and Berry absent.

A vote was called on Item No. 36. All voting aye. Nays none. Council Members Wiseman, Alvarado, Noriega and Berry absent. ORDINANCE 2007-1411 ADOPTED.

37. ORDINANCE approving and authorizing contract between the City and **MOTHERS AGAINST DRUNK DRIVING (MADD)** for Design and Implementation of multi-media presentations intended for student audiences in regard to the safe operation of motor vehicles - \$70,000.00 - Police Special Services Fund – was presented. All voting aye. Nays none. Council Members Wiseman, Alvarado, Noriega and Berry absent. ORDINANCE 2007-1412 ADOPTED.

38. ORDINANCE approving and authorizing first amendment to Lease Agreement between, **HOUSTON AQUARIUM, INC.**, as tenant ("Tenant"), and the City of Houston, Texas, as landlord (the "City"), consisting of 0.4383 (19,092 square feet) of land, formerly known as the Fire Alarm Building, Houston, Harris County, Texas, for redevelopment as an entertainment, retail, education, exhibit and/or restaurant use facility - Revenue - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Holm. Council Members Wiseman, Alvarado, Noriega and Berry absent.
44. ORDINANCE approving and authorizing contract between the City and **FOX, SMOLEN & ASSOCIATES, INC** for Audit of Commercial Solid Waste Operators Franchises; providing a maximum contract amount - 1 Year with four one-year options - \$496,230.00 - General Fund – was presented. All voting aye. Nays none. Council Members Wiseman, Alvarado, Noriega and Berry absent. ORDINANCE 2007-1413 ADOPTED.
54. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **CHARTERWOOD MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Members Wiseman, Alvarado, Noriega and Berry absent. ORDINANCE 2007-1414 ADOPTED.
- 54a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Charterwood Municipal Utility District and certain territory located in the vicinity of Charterwood Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Charterwood Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Charterwood Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Members Wiseman, Noriega and Berry absent. ORDINANCE 2007-1415 ADOPTED.

**MATTERS HELD** - NUMBERS 78 through 80

78. ORDINANCE appropriating \$1,962,279.08 out of HAS-SUB Lien Bond 1998B AMT Construction (8006) Fund, and approving and authorizing compromise and settlement agreement between the City of Houston and **EMCOR GOWAN, INC f/k/a GOWAN, INC** and **YORK INTERNATIONAL, INC** to settle a claim; a joint venture to settle a claim arising out of activities financed by the Fund, WBS A-000091-0004-4-01 - **DISTRICT B - JOHNSON** – **(These was Item 6 on Agenda of November 28, 2007, TAGGED BY COUNCIL MEMBER JOHNSON)** – was presented. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-1416 ADOPTED.
- 78a. RECOMMENDATION from Director Houston Airport System and the City Attorney for approval of final contract amount of \$16,115,483.67 and acceptance of work on contract with **EMCOR GOWAN, INC f/k/a GOWAN, INC** and **YORK INTERNATIONAL, INC** for Central Plant Equipment Pre-purchase at George Bush Intercontinental Airport/Houston, Project 424D, WBS A-000091-0004-4-01, Contract No. 50637 - 4.97% over the original contract amount **DISTRICT B - JOHNSON** – **(These was Item 6A on Agenda of November 28, 2007, TAGGED BY COUNCIL MEMBER JOHNSON)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-1205 ADOPTED.

79. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **RANGE KLEEN MFG., INC** for Fat Trapper Containers and Bags for Department of Public Works & Engineering \$63,600.00 - Enterprise Fund – **(This was Item 23 on Agenda of November 28, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Members Wiseman and Berry absent.

After discussion by Council Members, Council Member Noriega stated that she wanted to put a couple of comments on record, that she was going to vote on Item No. 70 and stated that they had gotten calls and she had some conversations with constituents about a couple of issues; that one was that folks inquired as to why they would not send information in residents water bills and she wanted to remind the listeners and folks in Houston that many apartment owners did not get water bills; that sometimes solutions were simple and it was easy to make fun of this one, that there was a reason why companies advertised and did gimmicks and had giveaways, it worked, so she thought they needed to look at what happens after this, but would also like to remind folks that sometimes a solution to a problem was simple, that she thought that folks got materials that explained the information, there was a card in several languages, they were given alternatives, the information was there and she thought it was as good a way to distribute that as anything, that she thought they needed to watch it and see and not just dismiss it. Council Members Wiseman, Garcia and Berry absent.

After further discussion by Council Members a vote was called on Item No. 79. Council Members Clutterbuck, Wiseman and Lovell voting no, balance voting aye. MOTION 2007-1206 ADOPTED.

80. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director General Services Department to declare the following properties surplus - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; E - WISEMAN; F - KHAN; H - GARCIA and I - ALVARADO:**

8600 Block of West Airport	Former Water Facility
9002 Stella Link	Former Water Facility
12500 Block of Frazier River	Former Water Facility
11451 New Brook Drive	Former Water Facility
1400 Block of Hussion (east)	Former Water Facility
1400 Block of Hussion (west)	Former Water Facility
1400 Block of Milby	Former Water Facility
1400 Block of Miller	Former Water Facility
Edwards Drive	Former Wastewater Facility
6331 Micollet	Former Water Facility
7800 Block of Tidwell Road	Unused Remaining Right of Way
5000 Block of Hirsch	Unused Remaining Right of Way
5000 Block of Hirsch	Unused Remaining Right of Way
Old Galveston Road/Beltway 8	Former Public Utility Site
803 Ennis	Former Maintenance Facility - <b><u>(This was Item 70 on Agenda of November 28, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)</u></b>

Council Member Brown stated that he wanted his colleagues to understand that by taking this action they were not saying to sell the properties to the highest bidder, that they were releasing the properties so that they could be disposed of in the most beneficial way, and in some cases that may mean selling to the highest bidder, but in other cases it might mean that some of the properties could become a small neighborhood pocket park.

Mayor White stated that he would ask the Council Members present and their staff members who were following the meeting that there may be another process, that he knew a number of Council Members had discussed it, and to please do so promptly, within a matter of weeks and not months so that they could proceed and if it was the recommendation to remember the cost of maintenance because the difference between a neighborhood park and a weeded lot was often foresight.

Council Member Wiseman stated that one parcel in particular was in District D, it was a large chunk of property and the concern that she had was that they would declare something as surplus property and before they knew it a for sale sign was put up and it was sold without any thought to development, without any thought to the best use of that property, and they had a need now for regional detention in that area, so in visiting with Mr. Dadoush and Mr. Christy she impressed upon them the need to look at the uses that they as a municipality would have to take with the property before they divide it up and sell, that Aviation, it was important to meet their need to have a back door access to Ellington Field so that any incident with a stopped train, any kind of rail crossing, would not be necessary for homeland security and other reasons as well, that she thought it was important that it be kept in mind before they moved forward in trying to dispose of the property, and also that they look at, as they proceed into next year, other uses for the City that in the end would save them money.

A vote was called on Item No. 80. All voting aye. Nays none. MOTION 2007-1207 ADOPTED.

**Items postponed to the end of the agenda.**

35. ORDINANCE appropriating \$200,000.00 out of the Housing Special Revenue Fund (Fund 2000) for Housing Initiatives And Associated Administrative Costs – was again before City Council. All voting aye. nays none. ORDINANCE 2007-1417 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Johnson stated that on December 10, 2007 they would have a townhall meeting at Hester House in regard to the rash of copper thefts that had been taking place, that Neighborhood Protection and HPD would be there and several vendors, business people as well, that they would be calling on Neighborhood Protection and HPD to offer some cameras , but more importantly asking some of the business community to put up some cameras as well; that at this point they had to call on some kind of moratorium on the buying of copper until they get a handle on it, that maybe they could only buy it on certain days. Council Members Khan and Berry absent.

Mayor White stated that to Mr. Michel, that maybe this conversation would go nowhere because it was a bad idea or more likely State Law, but suppose for a certain period of time there was a place where they could bring their copper that would be very closely supervised, or two, within the City so they were not shutting down commerce but regulating it for some period of time, that he did not know what all the issues were, that to Council Members Johnson and Garcia, they made tremendous progress, some was enforcement, but they had gotten so far and if they had to take it up a notch, what would they do to take it up a notch, and hear feedback and hear what people say about what needed to be done, that he would be all in favor of at least thinking about something like that, that was a very big step. Council Members Wiseman, Khan, Brown, Noriega and Berry absent.

Council Member Johnson stated that the meeting would be on December 10, 2007 at 6:00 p.m. at the Hester House on Solo Street. Council Members Wiseman, Khan, Brown, Noriega and Berry absent.

Council Member Johnson stated that last week he mentioned that the IDC Falcons made it to the Super Bowl and he was happy to let them know that they reigned victorious. Council Members Wiseman, Khan, Brown, Noriega and Berry absent.

Council Member Clutterbuck stated that she would release her tag on Item No. 31. Council Members Wiseman, Khan, Brown, Noriega and Berry absent.

31. ORDINANCE providing for the ad valorem taxation of certain tangible personal property described as "goods-in-transit" under Section 11.253 of the Texas Tax Code – was again before City Council. All voting aye. Nays none. Council Members Wiseman, Khan, Brown, Noriega and Berry absent. ORDINANCE 2007-1418 ADOPTED.

Council Member Lovell stated that she wanted to say congratulations to the Saint Pius Panthers who won the State Championship for the consecutive year in a row. Council Members Wiseman, Khan, Brown, Noriega, Green and Berry absent.

Council Member Lovell stated that she wanted to congratulate Susan Christian and her staff, that they came to the lighting of the Christmas Tree in front of City Hall and it was a wonderful program and a great evening. Council Members Wiseman, Khan, Brown, Noriega, Green and Berry absent.

Council Member Lovell stated that she wanted to congratulate Council Member Edwards, that this Sunday would be the dedication of the Martin Luther King Statue in Hermann Park, that she knew how hard Council Member Edwards worked to make it happen, that she wanted to congratulate Council Member Edwards, her office and everyone who contributed. Council Members Wiseman, Khan, Brown, Noriega, Green and Berry absent.

Council Member Lovell stated that for the past two weeks she picked up the newspaper and they had see at least 5 youth under the age of 18, who in one way or another had been involved in a shooting and whose lives were totally ruined, that it was incredibly sad that it happens, that the young woman who executed the taxi cab driver apparently had a drug problem, that she knew that they as a Council were not in charge of the schools, but she thought it was something that affected their City in such a compelling way, that it was something that they needed to think what they could do, what was it that was happening out there that was causing the youth in the City to go and kill people. Council Members Wiseman, Khan, Brown, Noriega, Green and Berry absent.

Council Member Edwards stated that she agreed with her colleague regarding what was happening with their youth in the City and she was sure it was not just prone to Houston but from what she reads it was everywhere, that she did not know what they could do but knew what they could not do and that was not do nothing, that one of the things was that they had to have a venue where their children could talk to them and with them in a manner of what was going on in their world and in their lives. Council Members Wiseman, Noriega and Berry absent.

Council Member Edwards stated that she wanted to thank her colleagues for their vote on Item Numbers 34 and 36, that along with Vulcan Street was really good and she felt like she had finally gotten some things done; that on Sunday, December 9, 2007 at 3:00 p.m. they were going to install the six foot bronze statue of Dr. Martin Luther King, Jr. in Hermann Park, that the

Hermann Park Conservancy was going to be responsible for the maintenance and conservancy of the statue, along with the other statues in the park, that she would encourage her colleagues to come out and support and be a part of it. Council Members Wiseman, Noriega and Berry absent.

Council Member Lawrence stated that earlier in the week she went to the Airport for the Emirates landing, the maiden flight to Houston, that the plane was unbelievable and kudos to the Airport, a lot of work was done there to get them to come to Houston, that a first class round trip ticket by Emirates to Dubai and back cost \$125,000, that it was a luxury plane, that they were making three flights a week until February 1, 2008 and then they would be making a flight every day, that it was going to bring a lot of economy to Houston. Council Members Wiseman, Noriega and Berry absent.

Council Member Lawrence stated that as to the copper thefts, perhaps they could look at something like a moratorium but it was one strike and they were out, if they had an offense and if their paperwork was not in place then they were not allowed to receive copper for a certain length of time, that may be something they could look at that legally would be a little bit more suitable, that it was not a local problem, it was a national problem, the Crime Stopper Board and Executive Director were meeting in the next couple of days with a huge cooperation nationally, that copper was being stolen all over the place, that locally the Crime Stoppers number in Houston would remain 713-222-TIPS, that nationally it would be 1-800-222-TIPS to bring the national program to Houston because of the reputation of the Crime Stoppers. Council Members Wiseman, Noriega and Berry absent.

Council Member Lawrence stated that she wanted to thank Mayor White and Council Member Garcia for coming to the barbeque for Officer Hill, that District A and the people who really worked on the organization took a chance and did not have it at the union hall, they decided to do it in the district and it was wonderful, that they sold out, that she wanted to thank all who worked on the barbeque, that it was very successful and they were probably going to bring in close to \$50,000 for the officer, which was wonderful for the injury that he had gone through and what his family had gone through. Council Members Wiseman, Noriega and Berry absent.

Council Member Garcia stated that as to the copper issue, they had been telling Captain Moore and Sergeant McGinty to get after it with the issue, but it was only Sergeant McGinty and he thought one other investigator, two guys, that they got something short of the right kind of equipment for the priority of the issue, so in fairness he thought they could be doing a great deal of good on the issue if they could either temporarily staff up as needed for that particular need, that he knew, and may be mistaken and did not want to speak out of turn, but that he knew of the officers were being allowed to work overtime and things of that nature but it was still two guys, that they needed to make it a priority in terms of the enforcement and the investigation aspect of it; that the data base was working. Council Members Wiseman, Noriega and Berry absent.

Mayor White stated that if he could think about, during the next year, from time to time they needed some reports and with Council Member Garcia's experience he was in a great position to be their lead, that some of them had given some directions to the Police Department concerning priorities, that because of the general burglary and theft they were putting more investigators in, and they needed more and more investigators, but then they did have a number of priorities; that he wanted to give clear and consistent signals to HPD and maybe get a report on this, on burglary and theft generally, and finally he would urge those within HPD that there were tools, that the sooner they see an RCA the sooner they could approve it. Council Members Wiseman, Alvarado, Noriega and Berry absent.

Council Member Garcia stated that on Saturday, December 8, 2007 there would be the Lights in the Heights Parade, a wonderful event, and he would encourage people to come by and visit the Lights in the Heights; that on Wednesday, December 12, 2007, he wanted to invite folks who were either interested or involved in being part of the CERT teams that they had been pushing through Mr. Storemski's office, that they would be having a meet and greet at the Houston Emergency Communications Center, that it would be at 6:30 p.m., that they would get a tour and it would be a great opportunity to interact from the folks from Spring Branch, Denver Harbor and other parts of the City that were doing a tremendous service for their neighbors; that on Monday, December 10, 2007, they would be having a townhall meeting at 2:00 p.m. for the MWBE Small Business Development Committee, that it was intended to solicit input, advice and direction and some hopefully positive testimony about how they were doing in that regard as they worked with prime and subcontractors, that it would be held in the Council Chamber; that also on Monday at 10:30 a.m. they would be having a Public Safety Committee meeting and would be talking about two very important topics, the oversize truck ordinance and the issue regarding what some labor organizers were referring to as kids, that they were not kids but young people who were gainfully employed at the Houston Emergency Communication Center, that it would be an opportunity for Mr. Cutler and others to set the record straight and help the public understand how they were doing a very progressive thing and that was finding a career path for young people to come into public safety in good controlled and monitored environments. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Noriega and Berry absent.

Council Member Garcia stated that there was a group of young people who grew up in the Heights who have since moved to the west coast to pursue the glitz and glamour of Hollywood, the Astro Heights Band, that they would be performing in town on Saturday night. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Noriega and Berry absent.

Council Member Garcia stated that he was a product of public health, that his mother used to take him and his brothers to either the City health clinics or to Casa De Amigos when it was on Hogan to get their shots and things of that nature, that there was a beautiful lady in his district, Ms. Marcelina Diaz, who unfortunately passed away last month, that as he understood she was one of the founding organizers of Casa De Amigos before it became officially connected with the Harris County Health Department, that he wanted to recognize Ms. Diaz and to thank her and her family for her service. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Alvarado, Noriega and Berry absent.

Mayor White stated that as to the hearing he was going to have, they knew that there was quite a discussion, that he was so proud that they came up with some of the solutions that they came up with that balanced the need to have good call takers for non emergency calls, that he would ask Mr. Hall or some of the people who had been on their team to report to him by Monday on the issue, that out of the hundred plus hours that they had been in labor negotiations was there ever a request that they not have 19 year old graduates, certified from the School of Law Enforcement, take calls, was that ever a request made by the union, did they ever request that they not have a program with young people who were to do non emergency calls before their graduation, and if they did not make those requests he would not hold that against the employees and it would not be the substance of what they offered, but it was not a threat, it was something that was already being done, that they better have a lot of money to spend on radio because he would go broke personally when anyone attacks City employees on the airwaves, that they better have a lot of funds to do radio adds attacking their employees and employment practices because they would need it. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Alvarado, Noriega and Berry absent.  
(NO QUORUM PRESENT)

Council Member Holm stated that she received an email this weekend from her son that was a very powerful reminder and message of the importance they had each day to prioritize the way they lived their lives and who they were; that George Carlin was a comedian who sometimes was pretty crass and pretty caustic, but recently he wrote a message on the death of his wife that she thought had a lot of meaning, especially to them who spend so much of their time trying to improve the quality of life of others, and read the following, and stated that it was not meant to be negative but thoughtful in a time when there were so many challenges in the world and in every area they addressed, that she hoped it would help all of them as a little bit of remind and encouragement of looking forward:

“The paradox of our time in history is that we have taller buildings but shorter tempers, wider freeways, but narrower viewpoints. We spend more, but have less; we buy more, but enjoy less. We have bigger houses and smaller families, more conveniences, but less time. We have more degrees but less sense, more knowledge, but less judgment, more experts, yet more problems, more medicine, but less wellness. We have multiplied our possessions, but reduced our values. We've learned how to make a living, but not a life. We've added years to life not life to years. We've been all the way to the moon and back, but have trouble crossing the street to meet a new neighbor. We conquered outer space but not inner space. We've done larger things, but not better things. We've cleaned up the air, but polluted the soul. We've conquered the atom, but not our prejudice. These are the times of fast foods and slow digestion, big men and small character, steep profits and shallow relationships. These are the days of two incomes but more divorce, fancier houses, but broken homes. It is a time when there is much in the showroom window and nothing in the stockroom. That the thing for us always to remember is, life is not measured by the number of breathes we take, but by the moments that take our breath away.” Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Garcia, Alvarado, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that they were having a Christmas gift drive going on, so if they had any new clothing, educational items, toys, games or books to please bring them to the box located in the City Hall Annex, located on the first floor. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that the Police Department did a crime sweep in the Club Creek area, and the whole week they had been getting a lot of appreciation calls from their constituents; that he believed they apprehended 277 people with criminal records, that he wanted to congratulate Chief Hurtt and HPD. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that they were going to have a townhall meeting on January 14, 2008 with Chief Hurtt at the Southwest Multi Service Center. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to congratulate Mr. Rick Vacar and the Houston Airport System and the Mayor's administration for getting Emirates Airline to Houston, that it was a big deal and a lot of cities were trying to get Emirates to fly out of their airports. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that the fire which broke out at 7225 Bellerive, he was again very appreciate of the Houston Fire Department, that the Housing Department had been working very diligently trying to relocate the people and place them in a safe, comfortable and dignified way; that he wanted to congratulate Mr. Celli and his group for handling a difficult situation. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he would be going to an annual pilgrimage to Mecca, Arabia, and thus would miss the Council Members farewell luncheon, that it had been a wonderful experience working with the colleagues around the table, that he knew the City of Houston was better off because of the Council Members, that he wanted to mention Council Members Berry, Edwards, Wiseman and Alvarado and thought that each and every one of them had made tremendous contributions to the City and the citizens. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he received recommendations from a number of citizens and the Memorial Park Conservancy that on Memorial Drive they set the speed limit to 35 miles per hour between Shepherd and Loop 610, the section where they had a lot of joggers, bikers and walkers, that speed limit was 40 miles an hour, but thought the safety of people on foot should prevail. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Mayor White stated to Mr. Norman that they have a report on auto pedestrian for people who were on the track; that the other one, where he thought law enforcement believed they had a real danger, was pedestrian crossing, that they would do some kind of public announcement. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that on public safety he wanted to reiterate his concern about what he would call dangerous streets and dangerous subdivisions, that they needed some more modern standards so they could make the City safer and more efficient, that he got emails fairly frequently saying that new development had brought more crime and in his conversations with Chief Hurtt and the Fire Department and others, that they were permitting subdivision layouts that essentially made it very difficult and more expensive to provide police and emergency services, that they needed to make this connection more strongly between where crime occurs and the kind of physical environment that allowed that crime to happen, that he would suggest and believed that they were working in that direction, but wanted to reiterate that they needed some amendments to Chapter 42, Design Standards, to minimize dead end streets and long cul-de-sacs. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he wanted to mention the concept of green neighborhoods, which had been promoted as LEED ND, greens subdivisions, rather than just green buildings, that it was a program that was promoted by the U.S. Green Building Council, the Congress for the New Urbanism, the Urban Land Institute and other groups, that it meant that the neighborhood itself, the subdivision, was green not just the buildings. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:34 a.m. Council Members Lawrence, Johnson, Edwards, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary