

City Council Chamber, City Hall, Tuesday, February 19, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 19, 2008, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marta Crinejo, Assistant Agenda Director present. Council Member Adrian Garcia out of the city on city business.

At 2:01 p.m. Mayor White called the meeting to order and stated that Council Member Johnson would begin presentations. Council Members Adams, Khan, Rodriguez, Green and Jones absent.

Council Member Johnson invited Mr. Keith Davis, Jr., to the podium and stated that Keith was founder of the Keith J. Davis, Jr., Foundation, he was the son of Demar Davis, a leader and innovator in the field of marketing, and Demar was the parent company behind Keith J. Davis Junior's Foundation which was primarily to empower, educate and motivate youth and teens to become future leaders; that the foundation launched a new magazine For Youth Teens and Young Adults and it provided a means for young people to stay focused on happenings in the community; and presented Mr. Davis a Proclamation proclaiming today "Keith J. Davis, Jr. Day" in Houston, Texas; and Mr. Davis thanked Council Member Johnson and the Mayor and Council Members and all the staff, advertisers, etc., who made this possible. Council Members Adams, Khan, Green and Jones absent.

Council Member Lovell stated that this region had a great Port of Houston and an extraordinary commissioner and she liked to recognize outstanding people and invited Ms. Janice Longoria, a Port of Houston Commissioner, to the podium; and stated that she was selected to receive the Sandra Day O'Conner Board of Excellence Award and would be honored in New York City; that she was among an elite group being nominated and having many civic duties; and presented her a Proclamation proclaiming today "Janiece Longoria Day" in Houston, Texas; and Ms. Longoria thanked all for the great honor and stated that one reason she believed she was selected for the Sandra Day O'Conner Award was because of her service on the Port of Houston and she thanked all for that privilege and thanked and recognized her husband, her law partners, her chairman and director at the port and many colleagues and friends who supported her. Council Member Adams absent.

Council Members thanked and congratulated Ms. Longoria on her many accomplishments. Council Member Adams absent.

Council Member Brown invited those present with the Houston Firefighters Local 341 to the podium and stated that the Houston Firefighters Association Local 341 was the number one fund raiser of all fire departments in the country and Canada who raised money for the Muscular Dystrophy Foundation, in the last two years they raised \$4.3 million and presented them a Proclamation proclaiming today "Houston Professional Firefighters Local 341 Fill the Boot Day"; a spokesperson stated that she wanted to recognize those present with fire stations 6 and 8 standing in the back of the room; that last year citizens through the Houston Firefighters raised a record breaking \$531,734.38 and as they kicked off this years campaign she thanked all on behalf of the families served; and Ms. Tina Forbes, a member of the foundation, stated that she was one of the benefiting families and through the grace of God and MDA she was still here; that this year Houston was privileged to have their own posters and displayed a poster with a Houston firefighter and child, local goodwill ambassador of MDA, and thanked the City for

allowing the firefighters to do what they did; and the boot was passed around the Council table. Council Members Johnson and Green absent.

Council Members thanked the firefighters for what they did in their job and charity work. Council Members Johnson and Green absent.

At 2:24 p.m. Council Member Lawrence led all in the prayer and pledge. Council Member Green absent.

At 2:26 p.m. the City Secretary called the roll. Council Member Garcia out of the city on city business.

Council Members Khan and Jones moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Garcia out of the city on city business. MOTION ADOPTED.

Council Member Adams moved the rules be suspended for the purpose of hearing Mr. Michael Champion, Ms. Ruby Dixon and Ms. Mary Anne Pegelow at the top of the three minute non-agenda speakers list, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Garcia out of the city on city business. Council Member Johnson absent. MOTION 2008-0133 ADOPTED.

Council Member Noriega moved the rules be suspended for the purpose of hearing Ms. Keata Wade after Ms. Mary Anne Pegelow, seconded by Council Member Khan. All voting aye. Nays none. Council Member Garcia out of the city on city business. Council Member Johnson absent. MOTION 2008-0134 ADOPTED.

Council Member Khan moved the rules be suspended for the purpose of hearing Mr. David Smolensky after Ms. Keata Wade, seconded by Council Member Green. All voting aye. Nays none. Council Member Garcia out of the city on city business. Council Member Johnson absent. MOTION 2008-0135 ADOPTED.

At 2:28 p.m. the City Secretary began calling the public speakers. Council Member Johnson absent.

Mr. Jonathan Smulian, 1231 Arlington, Houston, Texas 77008 (713-863-9047) appeared and stated that he was co chair of the Houston Heights Historic District East effort; that he was an urban planner by profession and the city's historic preservation officer Ms. Stafford had done an excellent job in describing the genesis and character of the Heights which was recognized nationally as the first planned master plan town in Texas; that today's application followed a parallel application which was approved in December for the west area of the Heights and was culmination of efforts, etc., by the Houston Heights Association to fulfill its mission to preserve its historic character and buildings; that many steps preceded today and numerous structures were on the national register and city landmarks, but despite all measures approximately 130 historic houses were being demolished every year in the Heights an average of 2.4 each week and that was why they were seeking historic designation under the 1995 historic preservation ordinance; and urged Council's support of their application. Council Members Lawrence, Johnson, Adams, Holm and Green absent.

Council Member Lovell thanked Mr. Smulian and all who had made this possible, it was a lot of work, but all appreciated, that they wanted to take care of their neighborhoods. Council Members Lawrence, Johnson, Adams, Holm and Green absent.

Council Member Brown thanked Mr. Smulian for all he was doing and stated that it was a

spectacular area; that all needed to be done to strengthen the historic preservation ordinance; and Mr. Smulian stated that they firmly believed the preservation ordinance did not stop the demolition but did deter it and was one step in the process of trying to preserve and enhance their district and they would strongly support what he just said. Council Members Johnson, Adams and Green absent.

Council Member Noriega stated that the Heights was a great district and she thanked him for coming and reminding Council of their concerns. Council Members Johnson, Adams and Green absent.

Ms. Laura Thorp, 121 E. 16th, Houston, Texas 77008 (713-832-4404) appeared and stated that she was present offering support of the historic district in the Houston Heights, she owned a home built in 1910; that the neighborhood had changed and grown over the years and it saddened her to see the demolition; that the neighborhood was a living history and her home was home to the third Mayor of the Houston Heights when it was a city; and urged Council's support. Council Members Johnson, Adams and Green absent.

Mayor White stated that he admired her and others who cared about historic preservation and who invested their own time and money to preserve them. Council Members Johnson, Adams and Green absent.

Council Member Lawrence thanked Ms. Thorp and her husband for all they did in the Heights. Council Members Johnson, Adams and Green absent.

Mr. Marvin Hughes, 6226 Tiffany, Houston, Texas 77085 (832-443-8216) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams and Green absent.

Mr. Michael Champion, 6 Burrell, Houston, Texas 77022 (713-692-2528) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams and Green absent.

Ms. Ruby Dixon, 5105 Airline #1115, Houston, Texas 77022 (713-691-0191) appeared, presented information and stated that she was founder of a nonprofit organization, one entity out of their organization was We Are Choir People for the Performing Arts, and they practiced at the Metropolitan Multi Service Center at 1475 West Gray; that she hoped Houston could become a greater city in response to individuals with disabilities and the Metropolitan Multi Service Center was where those with disabilities went but it was in need of repairs for a long time; that the stage needed repair for years and one way they corrected it was removing the toilet from the bathroom, but she hoped they would look to see which repairs were needed; that another problem was vending machines were not in brail; and they also needed better communication services with administrators over such services and information delivered at the center was not in brail or cassette tapes. Council Members Johnson, Clutterbuck, Holm and Green absent.

Council Member Adams stated that the Metropolitan Multi Service Center was in District D; and upon questions, Ms. Dixon stated that many things needed to be corrected, but they would welcome an inclusiveness of those with disabilities, many times an emphasis was placed on one particular disability; and suggested a meeting where all could get together. Council Members Johnson, Clutterbuck, Holm and Green absent.

Mayor White stated that Council Member Edwards and others had set up Friends of the Metropolitan Multi Service Center to provide recommendations for improvements to the facility and it would be worth getting in touch with that group so they could compile various citizens

thoughts and to Ms. Vasquez he would like her to help him figure out when the next meeting was so information could be given to Ms. Dixon. Council Members Johnson, Clutterbuck, Khan, Holm and Green absent.

Council Member Jones stated that she would invite her to her office or she could come to her as she would like her to educate her on specific needs of disabilities; that she was looking at pictures she presented and she would like to discuss the history of the city and work together. Council Members Johnson, Khan, Holm and Green absent.

Ms. Mary Anne Pegelow, 1206 Stanford, Houston, Texas 77019 (713-521-0717) appeared and stated that she was secretary of the Metropolitan Multi Service Center Advisory Council and Metropolitan Disability Counseling and they too were proud the City of Houston received the award in disability friendliness; that as for the Service Center they wanted to be able to exercise more to their best ability; that they wanted the name to remain the same as it represented them, but more exercises needed to become available; that they were asking for emergency repair or replacement of the basketball court as well as non leaking walls and ceilings and they were advised the funds were available, they would like it repaired and back as it was when parks took it over. Council Members Lawrence, Johnson, Holm, Brown and Green absent.

Council Member Adams thanked Ms. Pegelow for bring the information; and upon questions, Ms. Pegelow stated that she was familiar with the Friends of the Metropolitan Multi Service Center and tried to make them aware, but their last meeting was closed and there was no posting of how to gain access to them; and Council Member Adams stated that she would make sure they provided information on communicating with them. Council Members Lawrence, Johnson, Holm, Brown and Green absent.

Mayor White stated to Ms. Vasquez that she could meet with Ms. Pegelow and Ms. Dixon right here and he hoped the message from Council Member Adams would be noted by those who put together the group. Council Members Lawrence, Johnson, Holm, Brown and Green absent.

Ms. Keata Wade, 4510 Teton, Houston, Texas 77051 (832-643-9241) appeared and stated that she was present as she believed proper police procedure was not followed yesterday when she was pulled over by police off 288 and Reed Road; that while being pulled over last night she thought she followed proper procedure and pulled over and rolled down her window, as the officer approached he asked her for her license and to step out of the vehicle and he pulled open the door and she got out; that they were walking to the back of the vehicle and he asked if she would like to know why she was pulled over and said because her license plate light was out and she said she saw that and had not known and would get it fixed; that the other officer got out of the patrol car and came over and they asked she put her hands on the vehicle and asked if she had drugs or weapons and she said no; that they then asked if she had anything in her pockets and she said yes and they asked she take it out and when she reached into her pocket they said you should never reach in a pocket in front of an officer, it was a bad move; and she said she was following instructions; that one officer pushed her toward the patrol car and said to walk with him and the other officer went to her vehicle and had not said what he was to do, but he started going through everything in her car and when she asked why, the officer with her said she may be going to jail and they needed to take inventory of everything in the car. Council Members Lawrence, Holm and Green absent.

Council Member Adams stated that she knew her well; and allowed her to complete her statement. Ms. Wade stated that the officer asked her question after question about the car, insurance, etc., and she answered, but wondered why all the questions; that he asked why she was out so late and it was only 9:00 p.m.; that after going through her things the second officer came and said he saw she worked at Lowes and it was good she had a job and she said she

also went to school; that she was still in the back seat of the car and visibly shaken up and the second officer said, "Okay little girl you can go; you need to handle your business."; and she did not know what he meant, but the other officer opened the door and handed her the license and she collected all her belongings off her trunk and got in the car and they stayed behind her until she pulled off and then they went on; that she raised this issue because she was very frightened and wanted to make sure others were not treated as she was; and upon questions by Council Member Adams, Ms. Wade stated that she was 21 years old; and Council Member Adams stated that she lived and was pulled over in District D and she would be calling the captain there to make sure he called the lieutenant of that officer to get information on why that occurred and her office would stay in contact with her and get written information as to why it occurred. Council Members Lawrence, Holm and Green absent.

Council Member Jones stated that she gave free seminars for years on knowing your rights when stopped by police, but even if she was stopped for a broken light law enforcement had no right to search her car unless they had consent to search from her and the only time they could go in your car was if drugs were in plain view; and upon questions, Ms. Wade stated that she was 5'2", weighed 120 pounds, there were two officers one about 6'4" and one about 5'9" and weighing about 200 pounds and 180 pounds; and Council Member Jones stated that she would be working with Council Member Adams office, if there was a violation they should have written a ticket, but to take someone out of their car, etc., was unacceptable. Council Members Lawrence, Sullivan, Holm, Noriega and Green absent.

Council Member Khan stated that Ms. Wade was courageous to share this information and he hoped she would become a role model to those who felt mistreated; and upon questions, Ms. Wade stated that she had not considered filing with Internal Affairs and Council Member Khan stated that she might do that. Council Members Lawrence, Sullivan, Holm, Noriega and Green absent.

Council Member Lovell stated that Ms. Wade did right by coming and speaking to Council and she was sorry she had the experience and it was not right; and upon questions, Ms. Wade stated that she did not get badge numbers or names; and Council Member Lovell stated that it was first unacceptable for an officer to call a young woman a little girl and maybe sensitivity training was in order again and she would be waiting for her Council Member to follow through and let her know what was happening and she would also encourage her to file a report with IAD. Council Members Lawrence, Sullivan, Khan, Holm and Green absent.

Council Member Rodriguez thanked Ms. Wade for coming and sharing information and stated that he shared the Mykawa Station with Council Member Adams and he was also interested in getting all the facts and she could also utilize his office. Council Members Lawrence, Sullivan, Holm and Green absent.

Upon questions by Council Member Adams, Ms. Wade stated that she received no ticket, they just told her to go. Council Members Lawrence, Sullivan, Holm and Green absent.

Mayor White thanked Ms. Wade for coming and exercising democracy and he would explain to her and mention to Council Members and do so with the utmost respect, but there were procedures and questions people could ask when there was a moving violation and there was a request for enhanced enforcement in the community and then there was a way you should not do it and as they listened to citizens at this table and as Lt. Gallier was present in the room and could take information and officers were not perfect, but there were procedures which must be followed under the laws and constitutions for searches and he was sure people would take a look and see if they were followed. Council Members Lawrence, Holm, Lovell and Green absent.

Mr. David Smolensky, 8110 Wateka Drive, Houston, Texas 77074 (713-723-8780) appeared and stated that he wished when someone called they could speak directly with the Mayor, he had a call back list but he was never called; that Friday after Christmas his wife came home and was held up in their garage and it took over 20 minutes for an officer to come; that the AT&T person down the street followed them and when they called the license plates and then the people were brought in nothing happened because they could not be identified and now nothing would happen unless they took them to civil court so he did checking and talked with Chief Hurtt and was told there were 4,700 officers but only between 900 and 1,300 were on the street at the same time, that was amazing, he could not understand why so few were on the street; that Dallas started officers off at \$41,000 and here cadets were \$29,000 and here they were at least 1,200 officers down and if they did not pay they would not get the good guys and he thought between the men in blue and the firefighters they were shortchanged. Council Members Lawrence, Johnson, Holm and Green absent.

Mayor White stated that any one victimized...; not a person here had sympathy for the perpetrator as opposed to the one victimized and the number one priority of Council within the budget was adding police officers; that the first year officer with similar training for Houston was about \$2,000 ahead of Dallas, what he had cited was cadet pay; that in addition to that when people talked about patrol there were some who did investigations and some who did undercover narcotics and the like and they may not be on patrol, but they were not at desks; that there were also three different shifts and that was allocated in part based on the risks during that particular shift; that he did agree there should be more officers and based on the citizen they just heard they could understand why some applied and were rejected because they did not pass background, psychological or education; that also the average salary and pension benefits plus health care paid by the public was for the average officer in excess annually of \$90,000 and that was exclusive of overtime, the amount of overtime between the 4,900 officers was \$52 million this fiscal year, so basically in excess of \$10,000 per officer and he was not saying he begrudged them the compensation, but compensation for police and fire fighters would have increased by 20% in this administration and they did not disrespect those who served the citizens. Council Members Lawrence, Johnson, Holm, Green and Jones absent.

Upon questions by Council Member Noriega, Mr. Smolensky stated that he had one other subject, Neighborhood Protection was to help with things and they had a pamphlet put out years ago, but they were so ineffective on what they could do, their hands were tied so why were the taxpayers paying for this; that they could not go on personal property and it let neighborhoods go down. Council Members Lawrence, Johnson, Holm, Green and Jones absent.

Mayor White stated that time was expired but he would be interested if he could give to Ms. Vasquez, as he would be interested, if she could get information from Mr. Smolensky who made a specific point about if there was a legal interpretation about the city not going onto property, about their hands being tied, he would like to understand that point and what the view of the Legal Department was because they reviews those from time to time and they did want to do whatever the law allowed. Council Members Lawrence, Johnson, Holm, Green and Jones absent.

Mr. Dave Jacobs, 3371 Bellefontaine, Houston, Texas 77025 (713-858-7878) appeared, presented information and stated that he was vice president of the University Square Home Owners Association and present on behalf of residents of University Square with concerns of a one block street construction project which had taken on a life of its own and asked those present with him to stand to be recognized; that their property was bounded by Bellefontaine and Maroneal bisected the community; that they were in the ninth month of construction and there had been many challenges, but the most difficult was the objective to depress the level of the street by 18 inches and no one contemplated it would leave the brick walkways of the residences hanging in mid air nor was it contemplated the construction would disrupt and

destroy the first half of those walkways; that they had reached a compromise thanks to a city employee Mr. Jimmie Smart who had been incredibly helpful and the compromise was homeowners would pay to remove bricks and the city would install a sidewalk in a fashion where the bricks could be returned and the homeowners would pay to return the bricks and the work was underway, however, on the Maroneal side of the property they could not seem to get anything approved and on Maroneal they had steps and the difference between street level and the residences in some cases was as much as four feet; that the city proposed a single steep short concrete ramp in lieu of the steps and they believed it would be unsightly and unsafe during rain; that the residents conceded a number of points reducing the cost of the contract by \$11,000 so there was little doubt they had plenty of money in the budget to fund the steps and could not understand why they could not get them; and last week Center Point came and marked gas lines on the freshly paved concrete as well as brick alleys and he was requesting Council identify a senior city person to take control of the project, identify what remained to be done, coordinate any disruption with other city projects underway and complete the project by April 1st. Council Members Lawrence, Johnson, Holm, Green and Jones absent.

Mayor White stated that Mr. Norman would meet with him and he did thank him for the specific requests; that each of the four principles seemed reasonable to him, he did not know enough about the facts to comment on the timetable and from time to time there were things which would bind them in procurement type laws. Council Members Lawrence, Johnson, Holm, Lovell, Green and Jones absent.

Council Member Clutterbuck stated that Mr. Jacobs was a longtime friend of the family and the neighborhood she was extremely familiar with, it was a pedestrian friendly walking environment; that she would express her objection again to people being moved on the speakers list and thanked him for waiting, it was unfortunate others were moved ahead of him; that she also wanted to thank him for his hard work in this, Tim Douglas in her office had been involved as well as a number of other people, but unfortunately sometimes with particular projects that was required and she felt problems could have been averted if the one block project had not been rolled into a contract servicing three different parts of town and she would like to make sure all entities worked together, utilities, municipalities, flood control district and city so they could anticipate projects and not have to dig up the brick work and streets again; and upon questions, Mr. Jacobs stated that many residents worked in the construction industry and were not naive to the process and knew it was an imperfect and messy process and he thanked Mr. Tim Douglas and Mr. Jimmy Smart who had been very helpful; that his response was to blame the contractor, but by what he learned they had done an outstanding job so he did not know where the impasse was but if they could solve it and get it done they would be grateful. Council Members Lawrence, Johnson, Holm, Rodriguez and Green absent.

Mayor White stated that Mr. Norman could report back to him too; that on the issue this would take multiple people, collaborative professionalism by the Department of Public Works and Center Point and he wanted to say best in class for both the utility maintenance and utility design for both Center Point and Public Works Department would be for each to post their next six months work on a geo data base and for individuals in each organizations to monitor the others and for people who messed up like this to be terminated immediately; that he would ask colleagues of Public Works to consider that and for him to be asked to intervene on Center Point. Council Members Lawrence, Johnson, Holm and Green absent.

Council Member Brown stated that Mr. Jacobs request of the city was absolutely reasonable and if the city was going through street construction projects like this, lowering the centerline of the street and it affected sidewalk functions and entrance walks to houses then there should be a standard detail in the Public Works manual which would take care of it so there would be no mystery on how it should be done and he was architect for those houses; and upon questions, Mr. Jacobs stated that his understanding for the residents being responsible for

pavers was because it was a standard upgrade and the city would only provide regular concrete so at their option they opted to keep the look preferred and were clear they would pay for it; and Council Member Brown stated that he could cite issues where the city paid for the pavers but they required a maintenance agreement and he felt in this case it would be a farer way to do it. Council Members Lawrence, Johnson, Holm, Lovell and Green absent.

Mayor White stated that he had been involved in a number of situations and because of reasons of equity, the expenditure of public funds, there were numerous cases in his Administration where he encouraged them to do nonstandard upgrades and then worked out with the homeowners association cost, but there were issues of equity between different neighborhoods where they tried to come up with something to let each neighborhood know they treated them equitably in the expenditure of funds and that had to do with upgrades in the private right of way. Council Members Lawrence, Johnson, Holm, Lovell and Green absent.

Ms. Carolyn Hughes, 6226 Tiffany Drive, Houston, Texas 77085 (713-721-5449) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Holm, Lovell and Green absent.

Ms. Joan Palmer, 5703 Sheringham, Houston, Texas 77085 (713-723-0048) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Holm, Lovell and Green absent.

Mr. Lonnie Buckner, 6135 Heatherbrook Drive, Houston, Texas 77085 (713-729-6726) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Holm, Lovell and Green absent.

Mr. Willie D. Guichard, 6219 McKinstry Blvd., Houston, Texas 77085 (713-721-1907) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Holm, Lovell and Green absent.

Mr. Elmer Fridia, 4123 Belgrade, Houston, Texas 77045 (713-721-8281) appeared and stated that he was with the Brentwood Civic Club and present regarding the new development in their area; that on Regg it ran into a new development where they were building 80 plus new homes and across Regency they built about 90 plus new homes and the traffic came across Glenwyck and it was a mess; but the new development was trying to open Regg into Regency and that would be even more traffic; that he would like a traffic analysis done to help alleviate traffic and Mr. Pedro Ramos came out to look but they had not heard back from him; that they purchased homes 30 plus years ago and it was just pure countryside, but with new development their life was hell to live. Council Members Lawrence, Johnson, Clutterbuck, Holm, Lovell and Green absent.

Mayor White stated that a couple of weeks ago he asked for a quick traffic analysis and the issue of managing traffic flow and whether there needed to be additional infrastructure and investment so people could get in and out they took seriously and he and Council Member Adams and deputy director of Public Works would take a hard look at the alternatives and he thought traffic counts may be being done as they now spoke; and to Mr. Norman he was writing a note on the status report he talked to Mr. Icken about this last week following his conversation with Council Member Adams to say this should be put on the front burner and the types of things they were most interested in was how they could increase the circulation of flow so they would not have big traffic jams. Council Members Johnson, Holm and Green absent.

Council Member Adams stated that she met with the community and thanked Mayor White for his support; that Pedro Ramos had been talking with Ms. Taylor every other day and keeping a file and she had talked with the Planning Department and let them know of her disagreement;

that she met with the builders also as there were other routes and her concern with Planning was did they look at the platting before they approved it, did they talk to the community; that she spoke with Ms. Gafrick about her displeasure on what took place and she asked her to contact the builders and see if they could sit with planning and come to an agreement as they had not started building on the land yet. Council Members Johnson, Holm, Rodriguez and Green absent.

Council Member Brown stated that he received calls as well and discussed it with Council Member Adams and received a call from the land developer who he knew quite well and asked him why did they do such a strange layout for the subdivision and the developer said that was the way the engineer drew it up and the city staff said that was the way it needed to be done, but he could assure them there was a better way to do this; that they did not like this because of cut through traffic, but he did not like it because of emergency vehicles and if they could get direct access from Airport Boulevard it would be a better solution; and Mayor White stated that some answers would be found, but it was a collaborative process where plats were submitted at the Planning Commission and he would doubt seriously and he would ask Ms. Gafrick to check to see if someone was criticizing unfairly a city employee by saying they were required to lay it out in this particular way because he did doubt that. Council Members Johnson, Holm and Green absent.

Council Member Noriega stated that there seemed to be quite a bit of difference looking at this before homes were built and looking after they were built; that several people mentioned traffic problems in this part of town and it seemed there may be a larger issue they needed not to lose with this particular subdivision and she would remind all there was a fairly serious public safety issue even with the opening of Regg which the neighborhood did not want. Council Members Johnson, Khan, Holm and Green absent.

Council Member Jones stated that all she heard concerns her and this was a larger problem, they heard it over and over again; that she was concerned with public safety and children walking and she would like to work with everyone to figure out a commonsense policy because wherever development came there was probably already existing housing so this was a policy issue. Council Members Johnson, Holm, Noriega and Green absent.

Council Member Brown stated that he did not say that a city employee of the Planning Department...; and Mayor White stated that he said the developer said it; and Council Member Brown stated that he was misquoted, the developer said not that they had to do this to their plan, but this was what the city wanted; and Mayor White stated that was exactly what he was questioning, if someone attacked an employee it was his job to defend them, similarly if a city employee gave misinformation...; that he would doubt this was required and if it was he needed to know who required it. Council Members Johnson, Holm, Noriega and Green absent.

Ms. Margie Taylor, 3923 Cheryl Lynne, Houston, Texas 77045 (713-721-2194) appeared, presented information and stated that she was present a month ago on this same issue, it was hard for her to understand why it was so hard to say to the builder not to open the street; that no houses were built yet and the city closed streets all the time; that Regency was already busy and when section five started to come through people would never get to work on time; that she wondered if anyone ever looked at the plans; that to come up West Airport the man would lose two lots and they were thinking of money but they were not thinking of those who lived there; that she thought the power was here and urged Council to ask that they assist them. Council Members Johnson, Clutterbuck, Holm, Noriega and Green absent.

Mayor White stated that was what he wanted to explore, there were two issue, one was what could they do to take the street to West Airport; that where you had a stub street those were assigned, but her issue of having everyone dump out of one place it was like a bottle, it

was already backed up and it was a legitimate concern; that he also needed a lawyer because ultimately he wanted to ask someone what to do but then if they thought it was the right thing he wanted to do more than ask and that was why he needed to know exactly what they could and could not do when they made a determination and it would be pretty quick that they come to a resolution on this. Council Members Johnson, Clutterbuck, Holm, Noriega and Green absent.

Council Member Adams stated that she had an opportunity to speak with Ms. Gafrick today and she informed her it was up to the builder whether he wanted to close or open the street and one thing she would like to request would be for them to do whatever they could with this problem; that she had worked in city government for almost eight years and seen where developers come in and because of the cry of the community once the street was opened they put the concrete barriers with the grass in it and a tree to keep traffic from coming through; that she knew stub streets was a whole different thing altogether, but she was looking at other ways to exit to protect the safety of Brentwood and secondly, she received phone calls and the street was open right now with a barricade to keep cars out, but it did not keep people out and before it was closed, but now there were more burglaries; that she also thought another exit plan should be looked at because Brentwood was a big community and if it was up to the builder to decide, they did not want to lose additional lots to exit Airport, but if you looked at Airport it was getting ready to open into Buffalo Speedway and Almeda and it was a great exit plan to help all their three projects within that radius and they should have consideration for residents already there; and asked Mayor White to do all he could to help; and Mayor White stated that he did not think someone losing a mere two lots was a good reason to not connect Airport but he did need all facts on the table. Council Members Lawrence, Johnson, Sullivan, Holm, Noriega and Green absent.

Council Member Jones stated that as she looked at the map it seemed circuitous that you would have to get out of the neighborhood as it was designed; that if they used the two lots traffic could get in and out quicker; that she could not understand how Planning made the decision it made, but she would like a briefing on how they decided to permit because this was a citywide problem and she would like to know if the city had a comprehensive plan as to where they wanted to go so whenever anyone brought something to the city in that area they would understand; and Mayor White stated that first on plat approval, there were a number of different improvements and so they were communicating it was not in defense of those who were there before them, it would be not correct to say it was helter skelter, there was actually manuals not read which had to do with street design and to give her this one feel he said what he meant to Council Member Adams and this was a new related topic to give everyone a sense of what they were talking about; that often they dealt with a situation in which people were building houses and they felt it would be more desirable for the residents to have relatively fewer intersections with the thoroughfare because they felt the fewer the harder it would be for people from the thoroughfare to come into the neighborhood; that one thing they had to require people to do, and he would check on here, was if you had a new subdivision development with over 150 houses you had to have at least two exits but people did not want it because of traffic and this dialogue went on quite a bit before the Planning Commission and plat approval but this should be able to be addressed and to Mr. Norman and Ms. Gafrick there was something called alternative street design and Council Member Brown was one, they did tend to give people more options of how to build but they could get a briefing on it and they needed to find a better way for the public to know what was coming before the Planning Commission. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Green absent. (NO QUORUM PRESENT)

Mr. A. D. Oliver, 12927 Regg Drive, Houston, Texas 77045 (713-721-8221) appeared and stated that he lived in the Brentwood West Subdivision on Regg and all had already been discussed and he would give up his time and present his statement to Council Member Adams. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega

and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Alva Cooper, 4214 Belgrade Drive, Houston, Texas 77045 (713-729-7332) appeared and stated that she believed they stated their case quite well today, Brentwood had gotten their message over that they indeed were looking for another exit to Airport Boulevard from the new Brentwood housing development; and today they were asking Council Members to go back into their reservoir of knowledge and solve the problem. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Adams thanked all for coming and stating their case and all would be done to support them in their efforts. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

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

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Keith Lightfoot, 10503 Rebel, Houston, Texas 77016 (713-631-2654) appeared and stated that he was a former employee of the city 25 years ago and in his departure found their were negative reports in his file; that he went to apply with the city again and got rehired, but while being processed it was taking awhile and he called and the department head checked and called back saying their were negative reports in his file; that 25 years ago he filed grievances but they never went past the department head and in the process he found out he could not be rehired and he did not know why, but every time he applied it was the same and he would like the opportunity to work. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Vice Mayor Pro Tem Lovell stated that no one from Human Resources was present and even so it would be confidential information and there could be no open discussion; and upon questions, Mr. Lightfoot stated that he lived in District B and tried to call his Council Member and was told he would have to deal with Human Resources; and Vice Mayor Pro Tem Lovell stated if he would speak with Mr. Fontaine he would get him in touch with someone in Human Resources about his file and employment; and Mr. Lightfoot stated that he spoke with someone and they pulled his file and said they did not really see why; and Vice Mayor Pro Tem Lovell stated that they would try and reconnect him to Human Resources. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Keith Taylor, 11922 Galentine Point, Cypress, Texas 77429 (832-236-8916) appeared and stated that he had a business in the Heights area of Houston, in the Shady Acres area, he considered himself an expert on property in that area as he had bought and sold four properties there; that about a year ago Council passed an ordinance 1943 and it dramatically affected the value of this particular street, about two years ago the property values were very rewarding and today it had a plague, no one was interested in the property and he knew there were other communities where the same thing took place; that he did not plan on selling his property, it was his business, but many there may need to and they were meek people afraid to come to Council. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Khan stated that this was an issue which created anxiety of a lot of people, 1943 was the flooding issue, the Flooding and Drainage Committee Meeting would be next Tuesday and he and anyone was welcome to attend and there would be a stakeholders meeting where they would look into it and they would be trying to explain what it was they did and why and options going forward and would appreciate input from people such as he who had knowledge; and Mr. Taylor stated that some Council Members stated they did not know all of what 1943 would do, but he flooded before and paid FEMA back, so they did get their money back, this was actually a land grab and not about flood insurance. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Brown stated that a stakeholder meeting was less intimidating than a Council Meeting, it was not in this chamber; that he was an architect and planner and he thought they could make some judicious revisions to the ordinance which would give some relief; and also the floodway and floodplain was a changing situation and they needed to do a finer rendition of this ordinance. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Jones stated that Council wanted to hear from everyone and it should not be a scary process. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Mary Pruitt, no address (no phone) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Rudy Southerland, 2202 Poco Drive, Missouri City, Texas 77489 (713-893-0716) appeared, presented information and stated that he was present to formerly present the proposal that last week he said he would bring; that the City of Houston faced unique challenges in the future and the long-term inability of the city to adequately incorporate the use of minority and women owned business enterprise vendors in its basic functions inhibited the problem solving and improvements obtained through diversity; that change was necessary and he had sent that to Council Member Brown. Mayor White, Council Members Lawrence, Johnson, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she wanted him to know she received something from the Mayor's Office and knew they had looked at it and understood he was selling a consulting service so they could become a more efficient government and she did not want him to think it had anything to do with minority business or anything like that, they were trying to figure out how and if he could help them based on information she received; and Mr. Southerland stated that Council Member Brown laid down the challenge and said bring him the points of order and he listened and with that brought a hard copy. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Khan stated that he believed Council Member Johnson headed the committee and it should be passed on to him; and Mr. Southerland thanked them for consideration of his company. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Mr. Southerland for meeting with Mr. Tom Morley and them working out a plan where his services could be best utilized if they looked at it in the

future; and thanked Mr. Fontaine for setting up the meeting. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

At 4:26 p.m. City Council recessed until 9:00 a.m., Wednesday, February 20, 2008. Mayor Pro Tem Garcia out of the city on city business. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, February 20, 2008, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Mike Sullivan, M. J. Khan, P. E., Pam Holm, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Wanda Adams out of the city on personal business. Council Member Adrian Garcia out of the city on city business.

At 9:32 a.m. Mayor White called the meeting to order. Council Members Sullivan, Green and Jones absent.

MAYOR'S REPORT - Affordable Housing Fair and Green Consumer Expo

Mayor White stated that two of the goals they had as a community was promoting home ownership so that people who were currently renting could build equity and could be part of neighborhoods and develop the security that homeownership provided; that another important goal of their community as a whole was to help people reduce their electrical utility bills, that they had a number of City programs that they were aware of but there were other tools that were available so that the citizens of the community needed to be encouraged to attend two events that would be occurring in the near future and introduced Ms. Andrea Young Jones to tell them what they were trying to accomplish and what it was. Council Members Green and Jones absent.

Ms. Jones stated that the event was called "Come Home The Home Buying Process", that it would be on Saturday, March 29, 2008 at the George R. Brown Convention Center, that it would begin at 7:00 a.m. and end at 3:00 p.m.; that they were doing this because they would like people to know that there were lenders out there that were still doing business, that they wanted people to know about the different programs that were available for them with down payment assistance, especially the City of Houston Home Buyers Assistance Program that had worked with the Mayor's Office in terms of Houston HOPE to provide down payment assistance to families that met a certain income range, that as they all knew they had the \$40,000 Good Neighbor Next Door, where they provided \$40,000 down payment assistance to police, fire, teachers and EMS, as well as they provide \$30,000 down payment assistance to families and individuals who wanted to live in the Houston HOPE neighborhood, but not just that, they provide down payment assistance for people who would like to purchase a home anywhere throughout Houston, so they wanted people to know about that as well as any other resource programs that were out there for them to receive assistance in purchasing their home, that they also wanted people to know that there were builders out there, that when they leave they would know that they could receive a mortgage or if they could not get a mortgage what they needed to do to get one and that they could purchase a home by meeting with builders who would be there showing their product and letting people know what they had to offer in different income ranges for people in terms of home prices, so what they needed basically was help with informing the public, letting the public know that the event was happening and that it was good for them, that they should come out and see what was available, that they would also like for people to know what type of mortgage companies were doing business in the affordable housing market, that so far they had Beazer Homes, Countrywide, Legend Homes, Mint Homes, Casa Nueva Houston

Homes, Houston Habitat for Humanity and Catholic Charities, that as well they had Bank of America, Capital One, Wakovia, Amergy and Countrywide, that they just sent letters out to the sponsors and were already getting responses back because there was a need out there. Council Members Green and Jones absent.

Mayor White stated that they were beginning the solicitation for exhibitors, that it was a little farther behind than the Green Consumer Expo, but one thing they might do was that they were cosponsoring it with the Greater Houston Homebuilders Association and part of it would be to have a marketing program; that three specific things, if they were interested to pass a note to him or Ms. Jones, who would be working with others in the City, that they might consider a note of appreciation that he would sign and see if they could get everybody around the table to sign to those who participate in the show and exhibit; that the second thing was to do similar and appreciate and they would need to use some of the apparatus of the Greater Houston Homebuilders Association and the various associations, such as the various realtors associations, that there were multiple ones, if she wanted them to sign letters to get them drafted and circulated around Council offices or around the table if they could do it before they adjourn today; that third, they may be calling on individual members if they were interested in appearing at churches, civic clubs, radio and anywhere where they could gather a group, to let them know and they could brief them and if each of them did a little bit then they could get the word out to people that would be meaningful. Council Members Green and Jones absent.

Mayor White recognized Mr. Cris Eugster to talk about the Green Consumer Expo. Council Members Green and Jones absent.

Mr. Eugster stated that it was a very exciting event, that it would be the first Regional Green Consumer Expo to promote and showcase green products and services around green building, energy efficiency, renewable energy, a youth zone as well as alternative transportation, green vehicles, that it would be free and open to the public, they expected over 15,000 citizens to attend, that it would be on April 5 and 6, 2008 at Reliant Park, that their objective was to inspire, educate and call to action Houstonians in the surrounding region to buy green products and services, not only to save money but also to make a difference in terms of the environment and their community, that they had a robust criteria in who could participate so that there was no green misinformation in this, that they were certified green products and services and they were going to heavily promote it on television, radio and the airwaves coming up towards the end of March, that they had over 100 companies registered to exhibit, they had some big names, WalMart, Toyota, Reliant, Hunt & Trane, Benjamin Moore, Green Mountain Energy, BP Solar, Kholer, Toto, HEB, some really big players that were going to be participating in the event, that they had some speakers, Mayor White, Mr. David Freeman, an expert on how to become more energy independent, as well as Mr. Joe Rhome who was a climate change expert, and both would be very knowledgeable and great speakers to convey the message of the importance of this event; that they had good sponsorship, a lot of the leading Houston employers had committed sponsorship money for the event, so they were well funded in terms of their media campaign; that they had the Mayor's Youth Council developing an I Green Campaign and they were engaging schools so they wanted to have the young people be a big part of it; that where they needed help was they would like to see more local retailers be a part of it, for some reason Home Depot did not have a booth even though they reached out to them, Lowes, so if anyone had relations or contacts they would need some help in getting some of the local retailers that were not part of it to be a part of it; that some of the auto dealerships that were promoting green vehicles, whether it was the Ford Escape or the Nissan Hybrid, they would like to see those vehicles available so that Houston citizens could realize they could go to their dealership and buy a green vehicle, so they needed help there, that basically they could go to www.HoustonGreenExpo.org to register and find more information about the event; that they would like to get the word out in town halls, schools and churches about the event, that they wanted to get as much visibility and excitement about it as possible, they could reach out to him if they had questions or needed to direct someone.

Upon questions by Council Members, Ms. Jones stated that they sent out letters to over 1,200 lenders, mortgage companies and banks, they used the Houston Builders Association's list that they used and also used the Home Buyer's Assistance list as well as the County's list, but they could send her what they had so she could double check to see if they missed anyone; that the Housing and Community Development Department was handling the phone calls that came in about information about the HAP Program, but she could speak with them to see and find a way to provide better customer service so people would understand all the programs and have somebody get back to them; that if people wanted information about the event they could go to www.HoustonHopeHomes.org, that was about the Come Home, the homebuyers process event.

Mayor White stated that if Mr. Juan Chavez could report back to him and Council Member Lovell by the end of the day concerning what was the aging report of people who had called into the HAP Program and were they assigned a unique number, that they were up to 30 homes going through the HAP Program in January, that it was like night and day with Mr. Chavez and compared to 5 or 6 that occurred historically within that project, so they were dramatically increasing the pace, that the Housing and Community Development Department was making big strides from benchmark performance.

After further discussion Council Member Noriega requested an email that was flyer ready, and Mayor White stated to put it on a small laminated card, and on Houston HOPE, in the Houston HOPE boundaries, which included the Near Northside and Denver Harbor, \$40,000 for teachers, firefighters, police, EMS, and \$30,000 at 80% of the medium income, and between 80% and 110% of the medium income there was a program that they had for homebuyers in these neighborhoods that was less than \$30,000, that part of it was a fixed and part of it was based on the house price, but it averaged about \$18,000 down payment assistance. Council Member Lawrence absent.

After further discussion and questions by Council Members, Council Member Khan requested a briefing sheet and pass it along to the Council Members; and Ms. Jones stated that this event was geared to people who wanted to purchase a home now, it was not geared towards people who were having problems with their mortgage; that they understood that was an issue and the people who were going to come and provide the roundtable at the beginning of the event at 9:00 a.m. would talk about credit and how to keep their house in terms of keeping it up and maintaining it and there would be people there afterwards who could answer questions about those issues, but it was not geared towards that, and Mayor White stated that Mr. Chavez said there were certain HUD Certified Housing Counselors and they would have people who were qualified to do that there. Council Member Lawrence absent.

After further questions, Mr. Eugster stated that there was going to be a section that included farmers markets and other groups like that, that the youth group was very much focused on recycling and some of the issues like that, so they had those covered but what they wanted to do was broaden it to energy efficiency, how do they save money and enhance their environment from those angles as well. Council Members Khan and Noriega absent.

After further discussion by Council Members, Mayor White stated that the sooner they got the flyers that people could circulate the better. Council Members Khan, Holm, Lovell and Noriega absent.

At 10:06 Mayor White stated that they would move to the consent agenda. Council Members Holm, Brown, Lovell and Noriega absent.

Council Member Sullivan moved to suspend the rules to consider Item No. 43 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. Council Members Holm, Brown, Lovell and Noriega absent. MOTION 2008-0136 ADOPTED.

43. ORDINANCE appropriating \$591,700.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **JOHN KIRKSEY ASSOCIATES, ARCHITECTS, INC** for Design of New Kingwood Library, WBS E-000097-0002-3; providing funding for the Civic Art Program **DISTRICT E – SULLIVAN** – was presented. Council Members Holm, Brown, Lovell and Noriega absent.

Council Member Sullivan stated that he had difficulty in setting up a meeting with Kirksey prior to the vote today to discuss a couple of issues that he wanted to work through, they were minor issues, nothing major at all, that he wanted to compliment Mr. Dadoush for facilitating a meeting finally and he had assured him that Kirksey would be more than cooperative in communicating with him and Harris County, and Mayor White stated that sometimes the interlocal agreements that they were doing took more time than he could possibly understand and it sometimes had to do with different people in County and City Legal and all that stuff, so if he could keep on it and let him know and the Commission what they needed to do to move it along he would appreciate it. Council Members Brown and Lovell absent.

Council Member Khan stated that this was a project that the architect would incorporate LEED Certification leadership and energy and environmental design credits. Council Member Lovell absent.

A vote was called on Item No. 43. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. Council Members Lovell absent. ORDINANCE 2008-0129 ADOPTED.

CONSENT AGENDA NUMBERS 1 through 45

MISCELLANEOUS - NUMBER 1

1. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **ROCKWELL MANAGEMENT CORP. (Bellfort SW IV & V Apartments)** for law enforcement services of one (1) deputy from Harris County Constable Precinct 7 - **DISTRICT C – CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. Council Member Lovell absent. MOTION 2008-0137 ADOPTED.

ACCEPT WORK - NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,827,350.88 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000294-0002-4 - 0.98% under the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. Council Member Lovell absent. MOTION 2008-0138 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 12

7. **AMEND MOTION #2007-218, 2/28/07, subsequently amended by Motion #2007-781, 7/18/07, TO PURCHASE** additional Patrol Vehicles for Houston Airport System, awarded to **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** - \$282,513.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0139 ADOPTED.
8. **METRO FIRE APPARATUS SPECIALISTS, INC** for Mobile Technology Lab Vehicle for the Library Department - \$246,267.00 - Community Development Block Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0140 ADOPTED.
9. **AAR INCORPORATED**, for Asbestos Abatement, Demolition and Site Clean-up Services for Police Department - \$206,730.00 and contingencies for a total amount not to exceed \$217,066.50 Dangerous Building Consolidated Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS and H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0141 ADOPTED.
10. **ROAM SECURE, INC** for Software Roam Secure Alert Network Licenses and Software Maintenance Services for an Emergency Notification System for the Department of Public Works & Engineering - \$60,400.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0142 ADOPTED.
12. **AMEND MOTION #2005-734, 8/3/05, TO EXTEND** expiration date from August 8, 2008 to August 7, 2010, for Concrete Saw Blades for Various Departments, awarded to **CDP DIAMOND PRODUCTS, INC** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0143 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 45

13. RESOLUTION designating **HOUSTON HEIGHTS HISTORIC DISTRICT EAST** as an historic district - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. RESOLUTION 2008-0004 ADOPTED.
14. RESOLUTION designating certain properties within the City of Houston as historic landmarks - **DISTRICT G - HOLM**
Dr. Conway and Bessie Blume House
3640 Inwood Drive
J. Robert Neal House
2960 Lazy Lane
– was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. RESOLUTION 2008-0005 ADOPTED.

15. Ordinance amending fourth amended and restated ordinance relating to the Issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series D; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0130 ADOPTED.
16. ORDINANCE appropriating a total of \$15,542,042.00 from the reimbursement of Equipment/Projects Fund (Fund 1850), approving and authorizing the purchase of land known as Blocks 203, 204, 205, 218 and 219, SSBB, Harris County, Texas, from the following parties, as their respective interests appear: (1) Louis Macey, Trustee, on behalf of a trust created pursuant to an agreement dated November 17, 1997, (2) Louis Macey, Trustee, on behalf of undisclosed parties; (3) Macey Family Properties, Ltd., a Texas Limited Partnership; and (4) Macey Family Properties II, Ltd., a Texas Limited Partnership; approving necessary documents related thereto; finding and determining that public convenience and necessity no longer require the continued use of a portion of public street right-of-way consisting of Jackson Street between Rusk Avenue and Capitol Avenue, vacating and abandoning said public street right-of-way to the abutting owner Macey Family Properties II, Ltd., a Texas Limited Partnership and to LAM Block 100, Ltd., a Texas Limited Partnership, as their respective interests appear, for the appraised fair market value; approving the conveyance of the City's interest in the real property underlying such street to the abutting owners Macey Family Properties II, Ltd., a Texas Limited Partnership and to LAM Block 100, Ltd., a Texas Limited Partnership, as their respective interests appear, for the appraised fair market value while reserving and retaining easement rights for the public utilities currently in place until the abutting owners grant acceptable permanent utilities easements to the City and move the utilities to such easements at their expense - **DISTRICT I – RODRIGUEZ** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
17. ORDINANCE approving and authorizing the conveyance of land known as Block 193, SSBB, Harris County, Texas and the improvements thereon in exchange for (1) \$250,000.00, (2) the acquisition of land known as Block 220, SSBB, Harris County, Texas, and the improvements thereon, from 800 Dowling, LP, a Texas Limited Partnership; and the entering into of a lease-back agreement by the City as “Tenant” and 800 Dowling, LP as “Landlord” of Block 193, SSBB, and the improvements thereon; approving necessary documents related thereto - **DISTRICT I – RODRIGUEZ** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Rookin Street from Highstar Drive to Sandspoint Drive, consisting of 0.3989 acre (17,376 square feet), of land, more or less, located in the Sharpstown Industrial Park, Section Six, out of the G. C. & S. F. R. R. Survey, A-1026, and the C. McKinzie Survey, A-560, Harris County, Texas, as recorded at Volume 67, Page 55 of the Map Records of Harris County, Texas; vacating and abandoning said tract of land to Neighborhood Centers Inc., a Texas Nonprofit Corporation, abutting owner, in consideration of said owner's relinquishment to the City of its underlying fee interest in said street to allow for the entire area to be designated as a utility corridor, construction of a pedestrian plaza, and other consideration - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0131 ADOPTED.

22. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC** providing up to \$1,045,000.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds for the administration and operation of a “Tenant-Based Rental Assistance” Program with Supportive Services – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0132 ADOPTED.
24. ORDINANCE approving and authorizing the City of Houston to enter into first contract amendment with **HOUSTON INDEPENDENT SCHOOL DISTRICT** to add seven school sites and to provide additional \$180,000.00 to administer an After School Achievement Program - Grant Funds - **DISTRICTS B - JOHNSON; D - ADAMS; F - KHAN; H - GARCIA and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0133 ADOPTED.
25. ORDINANCE approving and authorizing the Mayor to accept Federal Aviation Administration (FAA) Grant offers up to \$65,000,000.00 for projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; declaring the City's eligibility for such grants - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0134 ADOPTED.
27. ORDINANCE consenting to the addition of 117.5138 acres of land to **ENCANTO REAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0135 ADOPTED.
28. ORDINANCE consenting to the addition of 0.647 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 84**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0136 ADOPTED.
29. ORDINANCE consenting to the addition of 3.89 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 98**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0137 ADOPTED.
30. ORDINANCE consenting to the addition of 38.04 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0138 ADOPTED.
31. ORDINANCE establishing the north and south sides of the 1300 block of Kipling 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 - ADAMS** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0139 ADOPTED.

32. ORDINANCE renaming Colling Park Drive to Green Colling Park Drive from West Orem Drive South approximately 1,246.06 feet to its terminus - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0140 ADOPTED.
33. ORDINANCE appropriating \$125,000.00 out of Equipment Acquisition Fund and approving and authorizing contract between the City of Houston and **ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC** for an Enterprise License Agreement and related services; providing a maximum contract amount - 3 Years - \$1,810,000.00 - Equipment Acquisition and Central Service Revolving Funds – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0141 ADOPTED.
34. ORDINANCE awarding contract to **UNIVERSAL ENGINE SERVICES, LLC** for Maintenance, Testing and Repair of Emergency Power Units for Various Departments; providing a maximum contract amount - 3 Years - \$1,371,154.50 - General and Fleet Maintenance Funds – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0142 ADOPTED.
35. ORDINANCE appropriating \$38,000.00 out of Parks Consolidated Construction Fund for Emergency Mold Remediation at Tidwell Park for the General Services Department, WBS F-000509-0060-4 - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0143 ADOPTED.
36. ORDINANCE awarding contract to **SYNAGRO OF TEXAS-CDR, INC** for Dewatering, Processing, Hauling and Disposal of Biosolids from the City's Wastewater Treatment Plants; providing a maximum contract amount - 5 Years - \$28,250,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0144 ADOPTED.
37. ORDINANCE appropriating \$36,953.00 out of Equipment Acquisition Consolidated Fund for Purchase of a Supply Delivery Van for Fire Department – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0145 ADOPTED.
39. ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund (Number N-00663A-00RE-2-01), and approving and authorizing the purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees, for and in connection with, and finding a public necessity for the Hirsch Road Paving Project as identified in the body of this ordinance **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0146 ADOPTED.
40. ORDINANCE approving Purchase and Sale Agreement with **EXXON MOBIL CORPORATION** for the acquisition of 3.5 acres of land out of the Sylvester Murphy League, A-53, Houston, Harris County, Texas, for the Expansion of the Southeast Water

Purification Plant (Parcel JY6-030, CIP S-000012) - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0147 ADOPTED.

41. ORDINANCE appropriating \$680,000.00 out of Police Consolidated Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **MANHATTAN CONSTRUCTION COMPANY** for consolidation of various HPD Facilities, WBS G-000103-0001-3 – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0148 ADOPTED.
42. ORDINANCE appropriating \$540,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Design of Rehabilitation of Water Storage Tanks and Cathodic Protection Systems at various locations, WBS S-000600-0034-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - KHAN and G - HOLM** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0149 ADOPTED.
45. ORDINANCE appropriating \$2,706,004.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-0114-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0150 ADOPTED.

Council Member Lovell moved to suspend the rules to consider Item No. 19 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0144 ADOPTED.

19. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2007-1281 by adding two (2) Inspector positions and deleting one (1) Communications Senior Captain Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance – was presented, and tagged by Council Members Jones, Rodriguez, Lovell, Lawrence, Johnson, Khan, Green, Brown and Noriega.

Council Member Lawrence stated that she thought they needed to look at the item and get a little bit more feedback, information like the Communication Senior Captain position, that in 1991 they had 10 and they had 21 of them right now, that there was a lot of information that had not been given to them that she had been researching in the past week; did they want to divide the item into two different areas, that Legal was looking at an opinion for her on some things, so this was why she was tagging the item.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PROPERTY

3. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Baldwin, Baldwin Associates, on behalf of Teachers Insurance and Annuity Association of America, for abandonment and sale of ±10,000-square-feet of excess fee-owned right-of-way and the remainder of a street easement, located in the 8600 Block of Westpark, all out of Block "U", Block "T" and the remainder of an unnamed platted street, in the Jeanetta Townsite, Parcel SY8-015 - **APPRAISERS - DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0145 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Barry Hunsworth, Gene Carroll and Associates, L.P., on behalf of San Felipe/Midlane, LP [Morgan Group Midlane, L.L.C. (E. Alan Patton, Vice President) General Partner], for abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, within Lots 6 through 16 and a portion of Lot 5 (Tract 1), Block 3, located in the Briarglen Subdivision, out of the William White Survey, A-836, Parcel SY8-024 - **APPRAISERS - DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0146 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Derek Weiner, R. G. Miller Engineers, Inc., on behalf of San Felipe Partners, L.P. [Green San Felipe, LLC (Lorenzo Montezzerdi, President) General Partner], for abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, within Lots 1 through 4 and a portion of Lot 5 (Tract II), Block 3, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, both located in the Briarglen Subdivision, out of the William White Survey, A-836, Parcels SY8-025 and LY8-026 **APPRAISERS - DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0147 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Daniel H. Massiatte, Century Engineering, Inc., on behalf of Shaheen Floor Coverings, Inc., for abandonment and sale of Bluebell Avenue, from 80 feet east of Buttercup Street and continuing east ±440 feet, and the sale of excess fee-owned Richmond Avenue right of way out of Lots 11, 12, 13, 14, 15, 16 and 17, Block 13, in exchange for the conveyance back to the City of the entire area as a utility easement, all out of the Blossom Heights Addition, Section 2, Parcels SY8-060 and VY8-036 **APPRAISERS - DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0148 ADOPTED.

PURCHASING AND TABULATION OF BIDS

11. **MUSTANG MACHINERY COMPANY, LTD. dba MUSTANG CAT** for Equipment, Caterpillar Engine Parts and Service for Various Departments - \$230,400.00 - General and

Fleet Management Funds – was presented, and tagged by Council Members Lawrence and Clutterbuck.

RESOLUTIONS AND ORDINANCES

20. ORDINANCE establishing conditions for payment of a hiring incentive amount for police trainees \$2,800,000.00 - General Fund – was presented.

Council Member Clutterbuck stated that her concern was that she had not read the ordinance and was worried that the ordinance was maybe written as artfully as the RCA was, specifically the RCA implied, it stated, that the two academy classes that would start in March and May would receive a total of \$12,000 and she thought that what they intended to say was that each recruit in each of those classes, or each cadet in each of those classes would receive a total of \$12,000, which half to be received by the recruit at the execution of a legal binging agreement, and since she had not seen the ordinance she brought that to everyone's attention and would tag the item.

And Mayor White requested that she delay it to the end of the meeting and somebody needed to look at it, that generally they liked to use English with good grammar as just sort of a City policy, that nobody was perfect but Council Member Clutterbuck made a good point for a good reason, that he had some confidence that they had accurately written it.

Council Member Clutterbuck stated that she would remove her tag and moved to postpone Item No. 20 until the end of the agenda, seconded by Council Member Khan. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0149 ADOPTED.

After further discussion by Council Members, Council Member Khan stated that it was very important that they send out the correct information, that he supported the signing bonus, that it was a very good step and they would get a lot of good people, but also the total package which included salary plus benefits was very attractive and better than other cities which they were compared to, that he would like to see that information being disseminated also so that there was no confusion that they were trying to attract only by a signing bonus and that somehow their package was not as great as some other cities around. Council Members Rodriguez and Lovell absent.

Mayor White stated that he believed that the public safety professionals should be hired at very high standards and he for one did not begrudge people who were doing public service making, based on market conditions, a good standard of living with a career, that right now their number one priority with the Houston Police Department was to get the number of classified officers up. Council Members Rodriguez and Lovell absent.

After further discussion Mayor White stated that Item No. 20 had been postponed to the end of the agenda. Council Member Lovell absent.

21. ORDINANCE amending City of Houston Ordinance No. 91-392, which authorized assignment pay for the Police Mentor Program and authorized the Chief of Police to promulgate internal rules and/or guidelines to implement the Police Mentor Program - \$200,000.00 - General Fund – was presented, and tagged by Council Members Jones and Lawrence.

Council Member Lawrence stated that she had a couple of questions and thought the program was wonderful to have a mentoring program, the questions that she had, why were they taking the limits off of it, that in other words could a sergeant or a lieutenant or captain give

himself 8 or 9 people to mentor, that it was once a year and now they had taken that stipulation off, that she would like to see last year were there 10 lieutenants that were in the program or were there 10 captains, how many officers, that if she were a recruit having problems she would like to talk to another officer, an officer as a title, not a lieutenant or a captain, that she thought they needed to look at it, that she would feel very funny talking with somebody mentoring with her at that rank, so she wanted to know who got the mentoring jobs last year, what rank they had, that she would like to see it next week, that she wanted to be sure they were getting the best mentors out there and the reason why they were taking the limit off of a person being able to mentor as many as they wanted, according to the ordinance. Council Members Johnson, Sullivan and Jones absent.

Mayor White stated that he remembered a single digit number and guessed there may be legal or contract reasons or things that they wanted people to be available, that at least he would put her in the middle of his mind and there may be others at police management, that the best people to recruit, police were police, and it needed to be a team member with everybody there, compared with some of the other strategies he had heard of to the extent that they could incentivize police to sign up police, that would be a good thing; that the item had been tagged and they would get those answers and data for Council Member Lawrence. Council Members Johnson, Sullivan and Jones absent.

23. ORDINANCE approving and authorizing prepositioned contracts between the City of Houston and **COYTRECAN PROPERTIES, INC** and **GMC CONSULTANTS, LLC** for Emergency Relocation Services; providing a maximum contract amount - \$200,000.00 - Housing Special Revenue Fund – was presented, and tagged by Council Member Lawrence. Council Members Johnson, Sullivan and Jones absent.

Council Member Lawrence stated that she thought it was a great program and would like to see it expanded some, they were looking at State Law to see what they could expand, that also the Houston Apartment Association had been brought in, and were going to get her some information in the next couple of days, to voluntarily stepped forward and help write the ordinance so that they would have even more money to do what they wanted to do, that when they came in and board up a facility it cost them a tremendous amount to relocate, and there were guidelines possibly that could go beyond it and she just talked to Juan Chavez on it, so in the next couple of days they should be able to run some things by Legal. Council Members Sullivan and Jones absent.

26. ORDINANCE authorizing the City of Houston to release and relinquish the City's right, title and interest in and to a 25-foot building setback line on Garretson Lane between South Post Oak Boulevard and San Felipe Road, located in the William White One-Third League, A-836, Harris County, Texas - **DISTRICT G – HOLM** – was presented, and tagged by Council Member Holm. Council Members Sullivan and Jones absent.
38. ORDINANCE approving Compromise and Settlement Agreement to facilitate payment to vendors with outstanding purchase orders and approving and authorizing a third amendment to the Master Agreement (C#51399) between the City of Houston and **TEXAS PROCUREMENT CENTER, L.L.C.**, for Professional Consulting Services; providing a maximum contract amount – was presented, and tagged by Council Members Holm and Lawrence. Council Members Sullivan and Jones absent.

After discussion by Council Members, Council Member Lawrence asked if an audit was done by 2005, that there was a lot of information that was just coming out about this that she did not think they were privy to and she wondered when the audit was actually done, and Mayor White stated that he did not know if the City Attorney or Mr. Richard Lewis could get that information to her but they would get it and they ought to know the answer to that, and Mr.

Michel stated that he believed the audits were in 2003 and 2005, that there was an initial audit and a follow up on it. Council Members Noriega and Jones absent.

Mayor White stated that Item No. 38 had been tagged. Council Members Noriega and Jones absent.

44. ORDINANCE appropriating \$793,316.00 out of Parks Consolidated Construction Fund; awarding construction contract to **CARRERA CONSTRUCTION, INC** for Carverdale and Schwartz Park Improvements, WBS F-0504C2-0001-4/F-0504C2-0002-4, setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. Council Members Noriega and Jones absent. ORDINANCE 2008-0151 ADOPTED.

NON CONSENT AGENDA - NUMBER 46

MISCELLANEOUS

46. **SET A PUBLIC HEARING DATE** relative to proposed amendment of the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number 15, City of Houston, Texas (East Downtown Zone) - **DISTRICT I – RODRIGUEZ - SUGGESTED HEARING DATE - WEDNESDAY - FEBRUARY 27, 2008 - 9:00 A.M.** – was presented.

Council Member Brown moved to set February 27, 2008 as the date for a public hearing relative to proposed amendment of the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number 15, seconded by Council Member Clutterbuck.

Council Member Clutterbuck stated that in preparation for the hearing she would like to see a list of the approved amendments from the East Downtown TIRZ, apparently the Board of Directors had approved certain amendments and there would be a hearing on them, that she would like to see the amendments before they had the hearing, they were critical issues that affected a number of other agenda items that they were contemplating and her office had requested copies of the amendments; and Mayor White stated that he recalled making the same request to Mr. Fiederlein. Council Member Jones absent.

Council Member Lawrence stated that she had also asked Mr. Fiederlein to give her a timetable, if the TIRZ was going to pay for it, how were they going to pay for it and what priority did that have to their other projects they were doing and how long would it take them to make those payments, 30 years, what were they looking at, so he was going to have quite a bit of financial information for the Council Members on this particular TIRZ.

Mayor White stated that he did circulate to his colleagues some questions and answers yesterday at the Council table, and he would make himself available to answer specific questions.

A vote was called on the motion to set February 27, 2008 as the date for the public hearing. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. MOTION 2008-0150 ADOPTED.

Item postponed to the end of the agenda

20. ORDINANCE establishing conditions for payment of a hiring incentive amount for police trainees \$2,800,000.00 - General Fund – was again before the City Council.

Council Member Jones stated that she had a discussion with Mr. Michael Moore and she would not be tagging the item.

Council Member Noriega stated that if there was any one else who had concerns or questions she would be glad to make herself available, that she thought there were some things that perhaps people needed to understand and she would be happy to meet with anyone about those things.

Council Member Brown stated that he thought there were some general concerns about the result in terms of compensation equity between those police officers who had gone through the program and were at a certain salary level, that the concern was that some of the newer recruits would be making more money than the experienced officers.

Council Member Noriega stated that he was right and there was discussion going on about what to do about it, that it would be a separate action and they needed to look at it, that there was no question that it was a concern, that there was no question that they were needing very much to fill these classes and both things were going on at the same time, that she would commit to them that she was very clear about it and they were going to continue to discuss it.

After further discussion, Council Member Green asked how did they come up with the \$12,000 amount, that in his backup he did not see where there was any sort of statistical analysis that this was the magic reason why they were not able to fill the cadet classes, that there was an urgency to fill them but what were they basing the amount on, and Mayor White stated that he believed that one of the principle things was closing the gap between the cadet compensation, the City of Houston and some other city such as Dallas and what police departments throughout the Country were increasingly using these signing bonuses because of competition from the military, and in going through this with Chief Hurtt and the command staff he knew there was a lot of deliberation of what would be done in order to meet or beat a signing bonus offered by other cities, and close the gap with Dallas in particular and he believed the number came out to the \$12,000; and Council Member Green asked if this was something they were going to be offering for every cadet class, and Mayor White stated that they would hope that an expanded mentoring recruiting bonus would allow them to discontinue the program after four classes, that would also provide with some incentive to sign up sooner rather than later, but he thought if they were going to get serious about the recruiting they may have to make it month to month, or quarter to quarter adjustments on what their strategies were so that they would both have the number of people they needed and did not compromise the quality; and Council Member Green stated that he thought they needed to look at the recruitment process and they had to get to the issue of their not being able to fill the classes, that he did not believe it was all money and would ask the administration to charge the Police Department with further analyzing the entire process.

Mayor White stated that they ought to have a hearing on the issue, that this was a topic that he had discussed with the Chief and then had some fair amount of back and forth with members of the command staff since at least August of 2006 and they had done a lot better but they needed to do better still.

Council Member Noriega stated that she had given her word that they would address it, that she thought that having a hearing on it in the committee was an appropriate way to move forward on it and she intended to do that, and she wanted to assure folks that were concerned about it that the issue of other pay issues they would not let it drop just because they were moving forward with this too, which she thought was important, and Mayor White stated that he did not want people to forget that there would be, so long as he was Mayor, an annual percentage pay increase for all officers. Council Member Clutterbuck absent.

Council Member Brown stated that he hoped they could visit it on Council Member Noriega's committee because it was not just the narrow issue, but what do they do to make HPD a place where people wanted to work, that he looked forward to participating in the process.

A vote was called on Item No. 20. All voting aye. Nays none. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. ORDINANCE 2008-0152 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Clutterbuck stated that she wanted to praise some hard working individuals in the Public Works Department, that at her CIP meeting they had the wonderful leader of the Maplewood West Civic Association, Judy Terry, come and express concern about a troublesome intersection that flooded every single time that it rained, it was the intersection of Fondren and South Braeswood, that they thought it might require some kind of engineering redesign work that was appropriate for the CIP but the Public Works staff went out and examined the drain, the huge culvert, and found that it was over 75% blocked with tree roots, debris, shopping carts, hub caps, license plates and all kinds of things, that Public Works went out and completely cleared the drain and it was back on flow and they did not need to spend millions of dollars redesigning the intersection, that it was a simple solution, but often the simple solutions take a while to enact and this one did not, that she wanted to thank in particular the storm sewer maintenance team, Samuel Tracey, Elroyal Morris, Michael Green, Chrislindy Hunt, Derrick Surrels, Carl Craft, Worketh Smith, Kevin Springs, as well as their supervisor Donald Williams, that it was great work and they wanted to thank them for the hard work. Council Members Lawrence and Sullivan.

Council Member Clutterbuck stated that along the lines of CIP and how they do major infrastructure repairs, their neighborhood street reconstruction process, that currently in order for a neighborhood to get a reconstruction the neighborhood much petition and sign a legal document saying that they agree to reimburse the City through an assessment should that be necessary to pay for the street, that the process that they had, that she had been told had not been enforced in about 20 years, worries a number of individuals, elderly and people who were on a fixed income who did not want to sign a binding legal document agreeing to pay back the street reconstruction and if they did not enforce it what was the purpose of having it, that she would urge that they never enforce it, that they remove it from their legal documents because there was a strong philosophical quarrel that she had with asking tax paying citizens to sign a document agreeing to reimburse the City for what would otherwise be thought of as already an obligation of the City, that she knew that sometimes they required them to sign because street reconstructions could be controversial, but to require them to sign a document saying that they would reimburse the City through an assessment was also, in her opinion, bad public policy because it pits rich neighborhoods against poor neighborhoods and if they got to a point where they would start enforcing the requirement they would only have neighborhoods who could afford it getting their street reconstructed, that if they were not enforcing it they should take it out of their legal documents. Council Members Lawrence and Sullivan absent.

Mayor White asked if she knew what the origin of it was, and Council Member Clutterbuck stated that she had been told that the origin was from several administrations ago at a time when they had budgetary constraints and needed to reimburse the City through the assessments, and Mayor White stated that he wanted to make sure that Ms. Lacey would get him and Council Member Clutterbuck a response on that issue because he agreed with her analysis and would like an explanation, that usually there was some history and something that happened that they might be able to find out. Council Members Sullivan, Khan and Green absent.

Council Member Clutterbuck stated that last Friday the City hosted a reception honoring the above and beyond contributions to the Combined Municipal Campaign, that she wanted to congratulate City Council on reaching their participation fund raising goal, as well as receiving two awards, one in the category of largest percentage increase in participation and largest percentage increase in contribution, that she thought it was in large part due to the creative work of Lilly Segal Gardner of her office who was the chair of the campaign this year in hosting the bowling challenge, that it increased awareness of the combined municipal campaign. Council Members Sullivan, Khan, Green and Jones absent.

Council Member Noriega stated that yesterday began early voting, that Houston was ground zero for all the presidential races in both parties, that she was proud of the turnout and wanted to remind folks that it was going to be a busy day on March 4, 2008 and would encourage everyone to vote. Council Members Sullivan, Green and Jones absent.

Council Member Lovell stated that she too wanted to thank Lilly Segal Gardner for the hard work that she did in putting together the bowling tournament, that they all had a good time, that it was a lot of work. Council Members Sullivan, Green and Jones absent.

Council Member Lawrence stated that she wanted everyone around the table to have their thoughts on Council Member Adams, whose sister was critically ill. Council Members Sullivan, Green and Jones absent.

Council Member Johnson stated that his CIP would be on Thursday, February 21, 2008 at 7:00 p.m. at the Acres Homes Multi Service Center and would ask all of District B to come out to make sure they were able to find out where the money was going to be spent and to voice some of their desires to see new and improved development and infrastructure in the area; that on February 28, 2008 would be the Songs of My People, a musical that he was sponsoring, that it would be at the Hobby Center, that there would be two shows, one in the morning, they would be hosting 500 youth from across the district and City and then at night at 7:00 p.m. Council Members Sullivan, Green and Jones absent.

Council Member Johnson stated that in respect to the elections, he thought it was an exciting time of year for them, that he had an opportunity of going to the Toyota Center last night and it was an exciting time, that after watching all of the people file out of the Toyota Center and seeing the City abuzz he thought it was a great thing for the City and for downtown Houston and was proud that the City had gotten involved in the political process. Council Members Sullivan, Green and Jones absent.

Council Member Holm stated that in the last couple of weeks there had been some incidents in District G that affected public safety and their citizens well being, that in one neighborhood a couple coming home from dinner was approached at gunpoint and robbed, that on Friday evening there were two incidents in the Kirkwood Briarforest area, one was a couple leaving a pharmacy and someone approached them at gunpoint and then later that evening in the same vicinity fifteen people were held up at gunpoint inside of an establishment, that yesterday at 1:00 p.m. a lady arriving at a grocery store was approached and held up at gunpoint, that she would say this as an opportunity for them to reinforce the fact that they sometimes allowed themselves to become vulnerable in these incidents, that HPD was working diligently but these were crimes of opportunity and she would like to suggest that they watch themselves and that they need to make sure they ask for assistance if they needed it, escorts to their cars or wherever they were and if something should happen to them to be sure to communicate with HPD and any neighborhood security so they could coordinate good facts and information; that in District G they were encouraging each home owner association to set up a security committee so that they would get some good facts out there; that in the late 1970s and

early 1980s they had a lot of similar incidents and at that time HPD had a program where they would come into group meetings and share with people tools to take care of themselves and went through experiences of how to respond so that they were aware of it, that she was going to approach HPD to see if there was some kind of program that they could set up to equip their community to be engaged as they faced the challenges, that she thought it was a time to proactively address protecting themselves and she thought if they were equipped with some tools maybe they would be better off to do that. Council Members Sullivan, Green and Jones absent.

Council Member Holm stated that as they were also concerned with growing development and the density one of the things that they were finding was that some of the tools, while traffic was really an important part of that it was some of the things that led up to the traffic, that traffic sometimes was the byproduct, that they had talked for a long time about how important parking was to facilities and she thought as they started setting guidelines and establishing things like parking criteria and maybe reevaluating particularly some of that residential standard that maybe it was not appropriate at this time or it needed to be increased a little bit as well as storage, how they used their streets sometimes inhibited them, as well she knew they did a good job of screening the impact of their drainage on projects that it would help them develop better tools and once again criteria that enables development and sets some standards for the appropriateness of it, that those were the things that she would like for them to consider, particularly in District G as they were growing in density and also in mixed use, the parking situation was as vital as, while none of them wanted a big structure, it was the usage and the things that came with it that were really creating some of the greatest impact on it. Council Members Sullivan, Lovell, Green and Jones absent.

Council Member Khan stated that Neighborhood Centers would hold their groundbreaking ceremony on Friday, February 22, 2008 at 11:00 a.m., that it was a facility that was in southwest Houston next door to the multi service center and there was a lot of synergy between the two facilities and it was a huge project, that Mayor White would be there to do the groundbreaking and they encouraged everyone to join them, that it was located at 6500 Rookin Street. Council Members Sullivan, Lovell, Green and Jones absent.

Council Member Khan stated that the Furniture Bank would be holding their fund raising breakfast on Tuesday, February 26, 2008 at the Junior League of Houston, that the Furniture Bank collects and distributes furniture and home furnishings free of charge for people in need that had received housing assistance through a social service agency or charity in the Houston area. Council Members Johnson, Sullivan, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that United Healthcare in Houston was holding a business owner seminar on Monday, February 25, 2008, at the Mayuri Indian Restaurant, at 5857 Westheimer Road, that the seminar would give business owners, especially small business owners, the vehicles and information as to how to acquire insurance for their employees, so he would encourage all the small business to join them on Monday, February 25, 2008 at 6:00 p.m. Council Members Johnson, Sullivan, Holm, Rodriguez, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that he also attended the event at the Toyota Center and when he got home watched it on CNN and Houston looked really good, that they were very impressed with how they handled the crowds and how the event was conducted. Council Members Johnson, Sullivan, Holm, Rodriguez, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that he would like to comment on Item Numbers 16 and 17 on the Council agenda, which they would take up at a later time, the acquisition of the six block area that would be a potential site for a new soccer stadium, that he was very supportive of the Mayor's initiative in east downtown, that it was a great location for a soccer facility or another kind of development that would have an important civic component, that in terms of the use of public funds, he did not see it as a spending of public money, he saw it as a transfer of assets, that it was a very conservative low risk investment. Council Members Johnson, Sullivan, Holm, Rodriguez, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that he wanted the Mayor to join him in recognizing a special group in the audience, the Jang Gee Medical Devices and Management Delegation and welcomed them to the City of Houston, that it was an outgrowth of the initiative taken by the Citizens Chamber of Commerce who went on a trade mission to China and stated that they had a proclamation declaring it Jang Gee Medical Devices and Management Delegation Day in the City of Houston. Council Members Johnson, Sullivan, Holm, Rodriguez, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:35 a.m. Council Member Adams out of the city on personal business. Council Member Garcia out of the city on city business. Council Members Johnson, Sullivan, Holm, Rodriguez, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary