

City Council Chamber, City Hall, Tuesday, February 26, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 26, 2008, Mayor Pro Tem Adrian Garcia, 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, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present. Mayor Bill White absent on city business. Council Member Sue Lovell out of the city on city business

At 2:01 p.m. Mayor Pro Tem Garcia called the meeting to order and stated that Mayor White was out on city business and would not be present; and Council Member Green would begin presentations. Council Members Clutterbuck, Adams, Sullivan, Holm, Rodriguez, Brown and Jones absent. (NO QUORUM PRESENT)

Council Member Green invited Ms. Michelle Davis to the podium and stated that today they would be recognizing Deep Vein Thrombosis Awareness Month and Ms. Davis and others made sure people were educated on this; that deep vein thrombosis was a condition which occurred when a blood clot formed in a large vein and may result in a fatal pulmonary embolism; that it was a serious but preventable condition and caused more deaths each year than breast cancer and AIDS combined; and commended organizers and participants of such an important endeavor; and presented a Proclamation proclaiming February as "Deep Vein Thrombosis Awareness Month" in Houston, Texas. Ms. Davis stated that she thanked all for the recognition of the month and was in a field which educated physicians and patients on deep vein thrombosis which was preventable and had decreased over the years but still prevalent and she welcomed the opportunity for others to understand this. Council Members Clutterbuck, Adams, Sullivan, Holm, Rodriguez and Jones absent. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia invited those with his presentation to the podium and stated that it was his honor to have this opportunity to recognize someone he would call "Mr. Houstonian", as they talked about the spirit of Houston and its positive impression it was because people cared; that during the Aramco Houston Wheelchair Half Marathon held recently Mr. Saunders had trouble, he had a flat, people just kept passing him, but Mr. Randy Roberts stopped and helped repair the flat and that was Houston Spirit; that all were very proud of Mr. Roberts for coming to Mr. Saunders aid; that Mr. Roberts did not stick around for any accolades, etc., and it was much later that they found out who he was; and presented him a Proclamation for being a good semeratin, for helping a stranger in need and for bringing great pride and honor to this city; and proclaimed today as "Randy Roberts Day" in Houston, Texas. Mr. Saunders stated that he was just happy to finish the race that day and winning was a great thing and today wanted to share his medal with Randy and presented him his medal, an autographed copy of his book, etc., for helping him. Mr. Roberts thanked all for hosting the marathon and Kevin for allowing him to help and stated that he believed this to be an extraordinary recognition for a very ordinary act and he thanked all. Council Members Adams, Green and Jones absent.

At 2:14 p.m. Council Member Johnson invited Pastor Henry Campbell of the Love Ministry Community Baptist Church to lead all in the prayer and Council Member Johnson led all in the pledge. Council Members Adams and Green absent.

At 2:16 p.m. the City Secretary called the roll. Mayor White absent on city business. Council Member Lovell out of the city on city business. Council Members Adams and Green absent.

Council Members Khan and Lawrence moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor White absent on city business. Council Member Lovell out of the city on city business. Council Members Adams and Green absent. MOTION ADOPTED.

At 2:17 p.m. the City Secretary began calling the public speakers. Council Members Adams and Green absent.

Mr. Jeff Caynon, 1907 Freeman, Huston, Texas 832-283-7582) appeared and stated that he was present representing firefighters, their concern was with Agenda Item 33 which was tagged last week; that first, it was procedural, they had requested a number of times for the department to provide documentation to support the claim they held the position open for 17 years; that they had a responsibility to members to insure the position they were attempting to abolish was the one being described; that more to the merits, they were asking Council to separate it into two RCA's, the issue of the two inspectors and the issue of the senior communications captain as they were two stand alone issues, they would like it to go to the Administration and two RCA's be brought forward. Council Members Adams and Green absent.

Upon questions by Council Members, Mr. Caynon stated that in 1991 there were 10 positions for senior communications captains and today 18 and what had most to do with it was shift change, in 1991 those in dispatch worked a 24 hour shift and now shift was 13 hours and 20 minutes, so shifts were doubled and thereby supervisors were doubled; that what was described was having Mario Gallegos spot as a placeholder for 17 years and now they would get rid of that spot, but the trouble was they asked specifically for rosters for that time frame and the ordinance classified positions, specifically senior communications captains so they could make a comparison and see if in fact it was not filled; that March 18th there would be a senior communications captain test and that was what was driving the train through the Administration, they wanted to abolish the position before the test, before anyone had a property right to the spot; that in their view since Senator Gallegos signed his agreement was now there was a fourth senior communications spot open, when the test was given there would be a property right to the position; that no one had an argument regarding creation of positions for two inspectors, based on responsibilities, etc., they needed more, but the question was did they need a senior communications captain if there had not been one for 17 years and the first step was to validate if that was actually true; that there was a real need for some positions which were given up and it was very hard to get positions back once they were taken away and discussion in a public safety briefing about the atrium ordinance was that permits would fund the two inspector positions, if the situation with Senator Gallegos never happened the need for more inspectors would still exist because of the increase in work load and that cut to the heart of their issue that these were two standalone issues; that if the position was eliminated he did not know if it violated any provisions of their agreement with the city and would have to consult with their attorney; that they believed the position was more critical for new responsibilities and functions of the Fire Department and the fact was if it was needed now it did not matter if you needed it for the preceding 17 years and if you assume Mario Gallegos just retired instead of signing a settlement agreement that position would just be filled; that right now there were three senior communications officer positions opened and this would be the fourth; that the three would be filled after the civil service exam in March, but the test scheduled for March 18th was where the three positions would be filled from, all eligible would come take the test, be ranked and in this case three would automatically be ranked; that funding of the two inspectors was unrelated to getting rid of a position in that you suppose Senator Gallegos never left the department, the need would still be there for two inspectors because of increased workload. Council Member Green absent.

Upon questions by Council Member Jones, Mayor Pro Tem Garcia stated that if they could go back to the Public Safety Committee hearings the answer to whether two inspectors were to

be funded would be in those discussions or in the last or previous budget because he made the budget amendment to add inspectors; and he would suggest the City Secretary could help her with that; and Council Member Jones stated that she would officially request that information. Council Member Green absent.

Council Member Rodriguez stated that he understood the separation of the two issues and would be in support of that and he would guess they needed to ask it of the Administration or it could be separated at the table by amendment. Council Member Green absent.

Upon further questions by Council Member Holm, Mr. Caynon stated that there was a need to made the decision on whether the command position was needed as they did not want the position to get filled or test be given and someone have a property right to the position and then they try to abolish it so that was the reason for their haste; and Mayor Pro Tem Garcia stated that he did plan on tagging the item and they would get answers. Council Member Green absent.

Mr. Michael Lambert, 709 St. Charles, Houston, Texas 77002 (281-404-5576) appeared and stated that he and his wife were not against soccer or stadiums or development in their area; that they did want growth, METRO and mixed use facilities, but his neighborhood was not overrun with warehouses and was occupied by light industrial businesses and the development trajectory was toward owner occupied single family residential; that the rectangular 12 acres was not enough space, there would be no buffer zones and hide and seek parking with speeding traffic on streets, etc., and it brought no benefits to the neighborhood and their objection to the city purchasing the land was it seemed odd a TIRZ designed to aggregate and focus incremental tax revenue in a specific area would need an infusion of tax revenue to kick start it and the city was about to use public money to subsidize a public business and the city appeared to have no vision for the area or plan for the site. Council Members Adams and Green absent.

Council Member Rodriguez stated that they previously spoke and he appreciated his position; that there was no deal in place yet, but his commitment to the neighborhood was to have a stakeholders meeting just as soon as a deal was finalized; and Mr. Lambert stated that he would be happy to host the meetings. Council Members Adams, Sullivan, Green and Jones absent.

Council Member Brown stated that he would agree with him if there was no plan for the area, but if there was a definitive plan a lot of the issues he brought up could be dealt with; that you could not put in a soccer stadium without a development plan with specific goals for a livable and mixed used development which would be an asset; that planning would cause a much better city. Council Members Sullivan and Green absent.

Mayor Pro Tem Garcia stated that he would be working with Council Member Rodriguez to make sure there was good input and he would respectfully say that when they did a major initiative such as this a lot of institutions had succeeded because there was thought as to how they would intertwine with the existing areas; and Mr. Lambert stated that he thought METRO was the city's friend and there would be a station on the northern border of the property. Council Members Johnson, Sullivan and Green absent.

Ms. Tina Araujo, 815 Live Oak, Houston, Texas 77003 (713-504-2042) appeared and stated that she was general manager for the east Downtown Management District and they would be happy to host a stakeholder meeting regarding the property of interest to the city; that she was speaking in favor of the purchase of land located in east downtown and understood the city was considering it; that there were many options of use, with one way being to affect opportunities with Transit Oriented Development (TOD) and with the METRO location adjacent

to the land in question the ground work was in place for high density, mixed used, pedestrian friendly, transit oriented development and the ownership of six contiguous blocks by the city was the best scenario for affecting the types of development foreseen by the urban corridor study group and stakeholders and even though they understood streets would be closed by the assembly of land the impact was minimal; and that she would plug for improvements to Polk and McKinney Streets, major arterial streets. Council Members Johnson, Adams, Sullivan, Khan and Green absent.

Mr. Norm Pegram, 815 Live Oak, Houston, Texas 77003 (713-222-8871) appeared and stated that he owned International Mailing Systems in the East Downtown Management District area, had been there 27 years and had 200 employees; that he was also chairman of the East Downtown Management District and was present to speak in support of acquisition of the property by the City of Houston; that their area just recently experienced growth in residential and it was welcome and he thought it would cause it to grow commercially; that with the city buying the property it gave a certain credibility to the others who looked at the area, it was a huge stimulus and would help tremendously. Council Members Johnson, Adams, Sullivan, Khan and Green absent.

Council Member Rodriguez stated that he appreciated Mr. Pegram and Ms. Arujo for coming and they did all need to work together and he appreciated the offer to host the stakeholder meeting. Council Members Johnson, Adams, Sullivan, Khan and Green absent.

Council Member Lawrence stated that as Chairman of the TIRZ 15 Board she would like him to clear some things up and she would like the stadium there but not at the cost of something else in her district and she would like them to state in a letter that they were willing to take this on as a major budget item; and Mr. Pegram stated that as a member of the East Downtown Management District and chairman, he was not necessarily a TIRZ Board member; and Council Member Lawrence stated that she had misunderstood. Council Members Johnson, Adams, Sullivan, Khan and Green absent.

Council Member Holm stated that sometimes the management district interfaced with the TIRZ and maybe Council Member Rodriguez could tell her what the \$20 million of the annexation plan was for, if it was to build the facility or purchase the land; and Mayor Pro Tem Garcia stated that he understood the item was for the purchase of the land, but he had not had discussions and would get her details. Council Members Johnson, Sullivan, Khan and Green absent.

Council Member Jones stated that she was confused and would like clarification; and Mayor Pro Tem Garcia stated that he had not had the latest discussions, but reading commentary the Mayor had made in today's paper eluded to discussion going on and he thought the final concrete layout of how they would proceed forward or not had to be hammered down in particular areas, but knowing the Mayor and his eye on the taxpayer dollars they would not move forward if it did not have an obvious benefit to Houstonians and he was sure he would be sharing information. Council Members Johnson, Sullivan, Khan, Noriega and Green absent.

Mr. Joshua Espinedo, 815 Live Oak, Houston, Texas 77003 (713-966-7815) appeared and stated that he was vice chairman for the East Downtown Management District and present in support of the purchase of property in the vicinity of Texas, Dowling and Walker; that he was interested in the ability to maximize their leveraging ability with the public and private sectors and the City of Houston set the standard in many ways of how to effectively stimulate and encourage private investments; that they were fortunate with the foresight of the Council in considering the investment. Council Members Johnson, Sullivan, Khan, Holm and Green absent.

Upon questions by Council Member Rodriguez, Mr. Espinedo stated that whether it be to what the city eluded to or whether another city infrastructure they were a good steward for development, whether it be stadium, another municipal facility, etc., they would bring in infrastructure and planned thoroughly and he hoped Council Member Brown would help with it. Council Members Johnson, Sullivan, Khan, Holm and Green absent.

Council Member Noriega stated that they were by the stadium where the soccer team played now and were very aware of traffic and noise and she had a concern about a stadium in the area with traffic and parking issues, but did not agree it was a good idea to grab the land and have it. Council Members Johnson, Khan, Holm and Green absent.

Mayor Pro Tem Garcia stated that he watched a Cub game at Wrigley Field and where they had gone from the Astrodome to Reliant Stadium and Toyota Center, new designs allowed fans to be with activity, designs would help mitigate noise and lights. Council Members Johnson, Khan, Holm and Green absent.

Council Member Brown stated that he would like to know if the development of the property, with the exception of any public buildings, would be privately owned, tax producing property; and Mr. Espinedo stated that it was in the Mayor's hands; and Mayor Pro Tem Garcia stated that he was sure they would get the details tomorrow. Council Members Khan, Holm and Green absent.

Mr. Matt Bleakley, 2120 Texas, Houston, Texas 77003 (281-798-26666) appeared and stated that he lived near the ball park for four years and was present to express his support of the land purchase; that while the east downtown area as a whole could be classified as light industrial of the six blocks in question three were parking lots and two of which only had business during Astro games; that a vacant lots were not incentive for businesses or for people to move in and building the stadium, building a desire for more people to come, could take cars off the road with the short METRO ride in. Council Members Khan, Holm, Noriega and Green absent.

Upon questions by Council Member Rodriguez, Mr. Bleakley stated that his living room windows looked directly at this site and any building would be from him to about the back wall of the Chamber and he was not concerned with noise or lights and traffic, in his opinion, would be no worse than during the Astro games and he would doubt if there was another site in the city with as much readily available parking with the Astros having lots A, B and C right there; and the neighbors he spoke with were in favor of it as it would revitalize their area; and Council Member Rodriguez stated that there were two sides to the issue and support on both sides and they would involve the community. Council Members Khan, Holm, Noriega and Green absent.

Mayor Pro Tem Garcia stated that those who lived near Rigney Field had made it a part of their lives and he thought that was what he was hearing; and Mr. Bleakley stated that was why he moved there, he was a huge baseball fan and by the time he walked home most people were just getting into their cars. Council Members Khan, Holm and Noriega absent.

Mr. Hartwell Remsburg, Jr., 6702 Renwick Drive, Houston, Texas 77081 (713-839-0764) appeared and stated that he was present regarding the soccer stadium and was not against sports, he was among those who voted bonds for the Astrodome, he was an avid sports fan, but he did not like to see public taxpayers paying for a stadium that multi millionaires could pay for with their change; that he appeared previously against cell phones being used in cars and would like that on the Agenda. Council Members Khan and Holm absent.

Mayor Pro Tem Garcia stated that he was charming and it was a pleasure to hear him today. Council Members Khan and Holm absent.

Council Member Jones stated that she would ditto what Mayor Pro Tem Garcia had said, he was charming and she would encourage him to keep coming. Council Members Khan and Holm absent.

Ms. Linda Mercer, 5807 Kansas, Houston, Texas 77007 (713-542-5071) appeared, presented information and stated that she lived in Cottage Grove and was recently asked to serve as president of their civic club; that they had been pursuing the MKT Trail with TxDOT, City of Houston and Harris County Flood District for years and this morning read the TPC Resolution text which took them by surprise, they did not know the TPC would be voting on the TxDOT detention channel Friday morning; that they thought the public meeting TxDOT agreed to hold and the community meeting with Mr. Marcotte would come first, but she wanted Council to know few residents were invited to the meeting, they were told to keep it small and she was told to tell people who wanted to come they could not because the forum was small so what they read on line made them think all who wanted to be there could and that was not the case; that they stressed TxDOT needed to address the hydrology aspects with the community, they were all concerned with the new source of water and the increased volume of water planned to come from Washington Avenue and I-10 into their floodplain and cross it to east of Durham. Council Members Khan, Holm and Robinson absent.

Council Member Noriega allowed Ms. Mercer to complete her statement; and Ms. Mercer stated that it was explained a fence was being placed around the entire facility to keep people out, the MKT corridor in Cottage Grove provided a way for people to walk and bicycle away from traffic for nearly 100 years and now since the city owned the property they thought it was time for plans to be put into place to make sure it stayed that way and they would invite Council Member and decision makers to come see the area; that they were ecstatic in October when the city purchased the land for safe routes, but they did not see any such provisions in the plans approved Friday for TxDOT; and Council Member Noriega stated that she would like to come out and would. Council Members Khan, Holm and Rodriguez absent.

Council Member Clutterbuck stated that some of her concerns related to actions taken by organizations the city had representatives on were always of concern to them and she wondered if he had spoken with Council Members Holm or Lovell about it as they were designees on the TPC; and Ms. Mercer stated that she had not spoken with Council Member Holm directly, but did try to speak at the TIA meeting last week but denied as a different agenda item was up and Council Member Lovell was out of town; that the density in Cottage Grove was well studied and they were happy to hear the city had purchased the property and there should be ample room for hike and bike trails since that was what it was purchased for and she would like to know if there would still be trails they had there next year; and Council Member Clutterbuck stated that Council Members did not have the information, but was sure they could get her the answer and Council Members Holm and Lovell were passionate advocates for neighborhoods and would be happy to meet with her; and Ms. Mercer stated that she understood once TxDOT moved on their contracts there was no turning back and it seemed with the pace TxDOT moved this forward it would leave very little time to ask for changes and needed priority attention. Council Members Khan, Holm and Rodriguez absent.

Council Member Clutterbuck stated that she would suggest Ms. Mercer visit with Mr. Daren Hall who worked for the Administration and who would assist in navigating the very complex and multitudinous issues before the HGAC and the TPC and she was sure they could get him to give her a call; and Mayor Pro Tem Garcia stated that this was not the first time the hike and bike issue came up; and upon questions, Ms. Mercer stated that it had been four or five years; and Mayor Pro Tem Garcia stated that Ms. Mercer and others had made it well known...; that the high point of the property was a particular high point because it eluded to the fact they bought onto the hike and bike trail and that was part of the reason the purchase

occurred; and Ms. Mercer stated yes, she attended many meetings and kept saying what about west of the Heights and finally last October Council requisitioned to buy from St. Emanuel to Hempstead to create safe routes away from traffic for hikers and cyclists and this could connect many areas. Council Members Khan, Holm and Rodriguez absent.

Council Member Brown stated that he would apologize for her even having to come and bring it to Council's attention, it seemed there should be mechanisms in place in this city so when there was opportunity to combine, particularly on city property, attractive forms of detention and linear park and bikeway, asset to the neighborhood, it should be a fundamental matter of public policy all knew about including TxDOT; that he wanted to know how the city would convey to TxDOT the interests of the neighborhood and the city in very specific terms so this would not get out of hand. Council Members Khan, Holm and Rodriguez absent.

Upon questions by Council Member Jones, Ms. Mercer stated that she could grab shoes and off road bike and come on they would be having this Friday at 6:00 p.m. a meeting and then another Saturday, March 1st and March 9th and if those did not suit her schedule they would be happy to give her a private tour of the area; that it was very unsettling to think earth moving equipment would come in and fill in the ravine and take all the trees down; that an urban bike trail needed to be safe and have a canopy; that TxDOT kept deferring to the City of Houston, they said it was up to the city; and Council Member Jones stated that she would like to know the issue better. Council Members Khan, Holm, Rodriguez and Green absent.

Mayor Pro Tem Garcia thanked Ms. Mercer for coming and stated that he did hope they got this resolved. Council Members Khan, Holm, Rodriguez and Green absent.

Mr. Anthony Hurman, 13339 Lakeside Terrance Drive, Houston, Texas 77044 (281-454-5797) appeared and stated that he lived on the northeast side of Houston and had two issues; that his neighborhood was at least 50 years old and a gated community near Summerwood; that he had been there about 10 years and had a septic system, well water, ditches and a shell street which they paid out of their own pockets to get paved; that they had been getting city garbage pickup since he had been there and former Council Member Addie Wiseman stopped it and that was the only service they had received from the city; that he did pay city taxes but received nothing; that he did like well water, but he could not get ditch digging, a mosquito truck and now could not get garage pickup and he paid over \$3,000 in taxes for about a 1,600 square foot house; that his second issue was he had an eighteen wheeler company and had driven them since 1994; that he saw many people killed on a highway needlessly, over stupid things, but under Mayor Lee Brown, it was an insult to him, but there were so many minorities getting tickets he put out a memorandum that for one week no tickets should be issued and to him it was an insult, it was like saying give the niggers and wetbacks a break, then it was back to business as usual; that when he went to the courts with the City of Houston it was about 51% Hispanic, 40% to 45% Blacks and the other small percent White and that was an insult and the bailiffs' were rude, even the judge was or they allowed it to happen; that once it was said he had a gun and about 16 officers were there and trying to find something wrong with his truck, anything, but he did not have a gun, his trailer could kill anybody. Council Members Clutterbuck, Khan, Holm, Rodriguez and Green absent.

Council Member Sullivan stated that his office just found a lot of communication to his district office and he was in his district and he would be looking at each complaint in writing and respond to them in due course of time, but it would take a little time to investigate and he was sorry it had not been done before now, but the issues in writing and the first part of his public comments would be addressed. Council Members Clutterbuck, Khan, Holm, Rodriguez and Green absent.

Council Member Lawrence stated that she would like to know any names at the Municipal

Courts who was rude to him whether it be a bailiff, judge, etc., rudeness was inexcusable and she would be interested; and Mr. Hurman stated that the left lane was the safest for trucks when traveling out of town, when they were in other lanes people would start to miss an exit and dart over in front of them, many times with no signal; that the city had cameras and knew what was going on and he wondered if they withheld evidence and only used it when convenient, it was felony offenses cutting in front of trucks with no signals; and Council Member Lawrence stated that some of that was seen at Trans Star, but fees, license fees, etc., including highways were state, but back to the city she was interested in how he was treated. Council Members Clutterbuck, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Ricardo Rodriguez, 7705 Dayton, Houston, Texas 77011 (281-217-7152) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Joe Amante, 510 Hohdale, Houston, Texas 77091 (713-252-4242) appeared and stated that he was president of the Shepherd Oaks Civic Association, their property backed up to the (HEC) Houston Emergency Communications Center and they had many concerns with the impact of the tower, with negative impact of property value being a huge concern, long-term health effects from repeated exposure to radiation; that websites gave enough information to cause levels of hysteria and they asked the city in December to give documentation telling them they would be safe and what they received was a report pages and pages of calculations and technical data which was very difficult to read and understand, what they needed was a medical opinion which let them know they would be safe in their homes from the exposure of the tower; that he was given direct contact to Dr. Robert Emery who was director of Environmental Health and Safety for University of Texas Health Science Center in Houston and he asked that Dr. Emery review the documentation and give an objective view and he believed the data thorough, however, needed to verify the data was somewhat accurate; that he did not feel the continued monitoring was necessary and the pre-tower survey would give a base line as to what they were exposed to right now and the post installation survey would prove the calculated values once all equipment was in and fully operational; that the documentation would help them hold their value and at the school they would have documentation also. Council Members Clutterbuck, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that Mr. Cutler was present and they were talking about the issue previously and would weigh options to see what they could do about getting measurements and they would get back with him; and Mr. Amante stated that his biggest concern was stopping hysteria and holding the line on their property values; that apparently he had done a good job and he would ask him to continue; and Mayor Pro Tem Garcia stated that the issues were never easy but they always tried to give great assurance and if they had not met guidelines they would not be able to put the tower there, but there was other concerns and it was Houston's opportunity to try and figure them out as the country became more dense, but they would be in communication with him. Council Members Clutterbuck, Adams, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Casey Dewees, 514 Hohdale, Houston, Texas 77091 (281-546-3828) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Adams, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Joan Holmes, 6006 Dellfern Drive, Houston, Texas 77035 (713-723-6643) had reserved time to speak but was not present when her name was called. Council Members

Clutterbuck, Adams, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mr/Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Adams, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Jackaline Hickman, 1600 Louisiana, Houston, Texas 77002 (713-987-4046) appeared and stated that she came with the authority she had in Mathew 28 and 18, she was standing on Genesis 12 and 3 which said "those that bless you, I will bless them, those that curse you, I will curse them"; that recently Council sent Mr. Anthony Love to give her a meeting, but the jezebels at the YMCA came together with Mr. Love and had a meeting before she did and was told she could not be helped, to get a job at Randall's; and continued expressing her personal opinions until her time expired. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Jeannie Curtis, 3306 Maysel, Houston, Texas 77080 (832-545-2009) appeared and stated that she was present to discuss changes in the flood maps, in October 2006 the ordinance 4319 was passed and that day her home became almost worthless; that the law was passed in 2006 but she just found out about it six months ago maybe; that where she was once in a 100 year floodplain she was now in the floodway and yet her house had never flooded, not even during Allison; that the only thing which changed was the maps and the city went above and beyond the FEMA maps and added stricter building codes than FEMA and she was told that from an official at FEMA; that Article III Division III, Section 1943 of the floodways was unconstitutional and they needed a legislative solution; having the substantial repair of a home limited to 50% of the structure over a period of 10 years was ridiculous, her home was 50 years old and the restricted building code was unjust; that if her home was destroyed today she would not be able to rebuild because the value of her structure was very low, she lived in a beautiful old neighborhood and was a first time homeowner, her daughter and grandson lived with her now and she would have liked to make it larger but now would not be able to do it; that guidelines were just guidelines and subject to interpretation and could be changed at anytime and asked that her property not be taken by not allowing repairs. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that part of this issue had affected residents in his district as well and her opening line was something he was concerned about, folks were finding out about this in a really non methodical way; and thanked Ms. Curtis for coming. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Jones stated that she would ditto what the Mayor Pro Tem Garcia said; that she was a big homeownership person and did empathize with her; that she would work with Council Member Lawrence on this issue, she thought there should be fairness and would like guidance from the Administration on the flood maps and what happened and how it affected people's property and what involvement the city had in the process so she could make informed decisions; and Mayor Pro Tem Garcia stated that today they had a flooding and drainage committee and Mr. Icken was leading the discussion, he in part was the architect of the ordinance, so a good discussion was held today, but he did not know if they were at a point to address these kind of issues specifically and would suggest that Council Member Jones start her discussions with Andy Icken and secondly coordinate her efforts as he was through the chair of the Flooding and Drainage Committee, Council Member Khan because they did need to find answers and he thought there were options they were weighing which may not make

everyone complete, but thought it would take them further than they were today and one highlight of today's meeting was people came in with misinformation and misconceptions and inaccuracies about the ordinance and suggested Ms. Curtis visit with Mr. Norman; and Ms. Curtis stated that she was disappointed in Council Member Lawrence because she was co-chair of Flooding and Drainage and she had never come to speak with them; and Mayor Pro Tem Garcia stated that Council Member Lawrence and he and Council Member Clutterbuck and others had held a number of townhall meetings to deal with this issue and he would make sure her name did get to the chair of the committee so they could have better dialogue with her. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

At 3:52 p.m. City Council recessed until 9:00 a.m., Wednesday, February 27, 2008. Mayor White absent on city business. Council Member Lovell out of the city on city business. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, February 27, 2008, with 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, Adrian Garcia, 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. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

At 9:35 a.m. Mayor White called the meeting to order. Council Members Johnson, Adams, Garcia, Noriega and Jones absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** 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** – was called.

Mayor White stated that he would have a brief statement before Mr. Fiderlein; that his was for particular benefit of the new Council Members and had to do with TIRZ, that they had spent a lot of time, particularly in committee, and especially outside of committee, working through issues of TIRZ, that he would summarize policies of the administration which as much as anything else that they had done reflected a lot of work with individual Council Members to try to reflect the consensus around the table; that in 2005 there were probably around 100 hours of his time spent going TIRZ by TIRZ, line item by line item and every document and every expenditure, that followed a situation where in late 2004 he had asked for certain things, including budgets and budget justifications to be submitted by TIRZ by a certain date and coordinated by the Planning Department and that was largely not done therefore he took some responsibility for examining that himself, that he learned some things from that along with

people who participated in the process which had included at least one Member of Council, Council Member Lawrence, in pretty tedious meetings, and that was that each of the TIRZ, some 22 TIRZ, had their own unique story, rationale for existence, commitments and expectations that had been created and it was hard to paint with a broad brush as a result of that, that they also concluded, and it required no hours of analysis, simple skimming of math, that TIRZ had become a very significant portion of the finances of the City of Houston, and in fact the TIRZ revenues, in the last several fiscal years, the TIRZ increment had more than doubled within the last three years, that it was growing faster than the City budget, that for that reason alone they wanted to create a sense of accountability, that some of the conclusions that he reached he put in a memo in about October 2005, a little late, it was supposed to be at the beginning of September but they knew what happened then, they had Katrina, and he knew that Council Member Sullivan had looked at that and for those who wanted to see the origins of the administration's position on TIRZ he would commend that memo to them, that about seven of the TIRZ constituted the bulk of the revenues of the TIRZ, they should expect to have TIRZ budgets before the end of the fiscal year, that was not customary and when he took over they had been carried over from year to year without budgets largely, that they had not created any more TIRZ during the administration, that the last was created one month before this administration and there were representations made to the community at the time of the creation of that TIRZ that it would result in a remediation of a rail yard and economic development at that site and instead the creation of the TIRZ resulted in a flipping of the real estate by a developer for a large profit and nothing had been remediated or built, so they had to view the TIRZ with some skepticism, that he said it all by background, that they had used the TIRZ, that he would draw two conclusions, that they were not anti or pro TIRZ, they took each particular situation on the merits and it was hard to generalize because each had their own set of expectations and based in large part on consultation with each Council Member during that time, the Council had changed, but on each Council Member during that period of time they sort of adopted a philosophy of "let's try to make the TIRZ work" for the purposes for which they were intended, which was economic development within that area, to see what could be done to have a greater contribution within the law for some municipal services that they also shared in and not get in the business of creating new TIRZ but if necessary to make a TIRZ work then they, as they did recently in the case of the Uptown TIRZ, may have a modification of the boundaries that were contiguous to accomplish a purpose that was within the core purpose of the TIRZ, that in other words they wanted the TIRZ to be managed well in a way that everybody understood the objective for, that he would give just a few of the illustrations of how they had applied that principle, the Greenspoint TIRZ was created in large part to facilitate and upgrade and revitalization of the Greenspoint Mall, that there were some very candid conversations that they had with the management of that TIRZ and with the property owner of that mall so that they did not stray far from the purpose of economic development and he was pleased to say that an agreement was reached by the developer of that where there was a contribution of the TIRZ of an amount of funds for some space that was a public amenity in the mall and a much greater commitment by the developer as part of that for a contribution to the revitalization of that mall, that he sure hoped that at some point they would have some responsible owner of the Sharpstown Mall that would help them accomplish the purpose for which that Sharpstown was intended; that for Uptown, they did recently vote on an expansion to accomplish a purpose there but a good example of economic development that both allowed higher density utilization and enhanced the mobility would be of a project that Council Member Holm and other's had been involved in, Boulevard Place Development, which allowed them to retain retail sales within the City limits that could go outside the City limits to a Katy Mills Mall or something like that and yet by having a significant investment by both the private developer and the TIRZ, to create new streets they enhanced the mobility in an area that would have been constraint without that additional investment; that in the case of the Fourth Ward they recently approved a project plan which would allow the Fourth Ward TIRZ to make substantial investments in preservation of historical sites within that neighborhood, including the Gregory School, and facilities such as two of the parks that would be critical to the preservation and revitalization of that neighborhood;

that the Upper Kirby TIRZ had been much involved with needed drainage projects that were in that area and those were extensive and long planned and they had been expediting those because their goal was to get on with accomplishing the purpose of the TIRZ; that the Downtown TIRZ had done quite a bit but they changed the lines of that TIRZ with a vote of the City Council to include public facilities that were contiguous and there would be some contribution by that TIRZ to the rebuilding of the Ideson Library that would depend in even greater part on non public funds being spent on that public facility, that it both enhances downtown and it enhances their community as a whole; that finally a good example that he and Council Member Sullivan were working on now was that there was TIRZ 10 that was an old MUD in the Kingwood area and there were funds there that they were trying to make sure were spent for the purpose of that TIRZ, which was economic development in a way that made sense for Kingwood; so when they considered the East Downtown TIRZ and some of the amended project plans he really wanted everybody around the table to know some basis of fact that this was the type of action that they had taken with respect to a number of the different TIRZ, that he would give one final illustration that everybody could be proud who vote on, which the had a modest expansion, about two blocks of the Market Square Downtown TIRZ two or three years ago to provide some public investment with a much greater amount of private investment in a project known as the Pavilions Project, which was two blocks of downtown retail space, which was greatly needed for them to be able to attract more conventions and more jobs to the downtown area and that project in turn had contributed to an appreciation in values all around that TIRZ and the building boom that they saw around the Pavilions and Discovery Green.

Mayor White recognized Mr. Robert Fiederlein

Mr. Fiederlein stated that on February 6, 2008 the Board of Directors of TIRZ 15, the East Downtown TIRZ, approved amendments to the TIRZ Project and Financing Plan and forwarded them to the City Council for consideration, that the public hearing was a statutorily required part of the City's review process, that each Council office had been given a copy of the proposed amended plan for the TIRZ and an official City statement had been distributed to each of them today; that in brief the City proposed to add to the plan a new project category entitled "Cultural and Public Facilities", that the zone desired to promote the development of cultural and public facilities with the East Downtown area, that one specific project within this category was a planned public destination facility to be constructed in a six block area bounded by Texas Avenue, Walker Avenue, Hutchins Street and Dowling Street, that inclusion of the new project in the amended plan would allow for the zone to participate in the financing of the land acquisition and/or public destination facility development once a specific project had been identified for the site, that such participation by the zone would require City Council approval of an appropriate budget for the zone and potentially further amendments to the Zone Project and Financing Plan, that an additional element of the project was that the zone sought to attract and incentivize substantial economic redevelopment from the private sector in the surrounding area, that to further that end and for the purpose of aiding in the assembly of the land necessary for the public destination facility the City intends to exchange Block 193, which was presently a City owned warehouse, for Block 220, one of the 6 blocks which composed the public destination facility site, that it was the City's and zone's expectation that with Block 193 moving into privately ownership and with the potential public destination facility's construction and the public infrastructure investment in the zone's original Project and Financing Plan implemented that Block 193 would redevelop and augment the taxing entities respective tax bases; that in closing City staff had worked with the TIRZ on the proposed amended plan and would later in the Council session ask City Council to approve the amended plan.

Ms. Tina Araujo, 815 Live Oak, Houston, Texas 77003 (713-504-2042) appeared and stated that she was General Manager for the East Downtown Management District, not the TIRZ, that she was also a transportation planner and had been for over 25 years, as well as an urban planner and specialized as well in public involvement and community outreach; that she

was very familiar with the Greenspoint TIRZ, having been the Project Manager who put that project plan together many years ago when it was first envisioned by she and Jake Drake, as a member of that staff, that it was very nice to see the state of Greenspoint a few weeks ago, all the projects coming to fruition from that TIRZ, that she was very familiar with Tax Increment Reinvestment Zones; that she was present to speak in favor of the amendment to the project plan for the East Downtown TIRZ to include cultural and public facilities, that the district and the TIRZ worked in tandem to assure the best outcome for investments in East Downtown, that they wanted the best for the commercial property owners of East Downtown as well as for the City, that she did want to make one suggestion, on the land use maps in the amended plan, the land use maps did not show all the residential growth that had occurred in East Downtown over the last five years, the only residential blocks shown were those associated with the Ballpark Lofts and that was ancient history, in their view, as far as residential growth in East Downtown, that she would recommend that the City staff update the land use map that was included in the final version of the Amended Project Plan so that the most accurate land use information was part of the formal document, that she also wanted to make a quick comment in regard to the information that Robin Holzer sent to Council, she was courteous to send her a copy of the email, there were many issues that she brought up and if she had the opportunity later, when the item was up for consideration, Item No. 15, she would like to address any of those points that had caused any concern or question by the City Council because she could address each one point by point if given the opportunity to do so.

Upon questions by Council Members, Ms. Araujo stated that Ms. Robin Holzer, of the Citizens for Transportation Coalition sent City Council an email yesterday afternoon with a variety of points that she brought up in regards to the assembly of the land and what she was indicating at the time that this particular item was up for discussion, which was the consideration of the purchase of the property, she would like to address those if any question arose based on that email; that the East Downtown Management District was fully supporting the acquisition, that they had conversations with the staff of the TIRZ, Robert and Ross DeLeon and they had indicated their support, that no one from the TIRZ Board had come to her and said it was a great idea and was the way they wanted to spend their money; that her preference would have been, as a planner as well as General Manager for the East Downtown Management District area, for the boundaries of the TIRZ to be the same as the district because it did not afford the maximum opportunity to redevelop the area, commercially, residentially and so forth, that in regard to the project plan modifications she thought that it appeared there was an incremental amendment process going on with the East Downtown TIRZ and she would anticipate and hope that the staff and the Board of the TIRZ work very closely with the East Downtown Management District in developing further amendments to the plan, that it would be done corporately, that there were a variety of things that they could do to maximize the benefits of the project plan, that in Greenspoint they not only looked at the redevelopment of the mall but they had four major areas of redevelopment including residential, vacant land, the mall, as well as connectivity, arterial connectivity, because there were some streets right now that were not connecting in the Greenspoint area, as an example, so they had to take a comprehensive holistic look at the area, so that not only did they benefit the TIRZ but there was the spill over to the other areas, like east end or southeast.

Mayor White stated that in defense of any TIRZ, or management district, or Mr. Fiederlein or Mr. Icken or anybody else, he would say that for right or wrong it was the position of the administration that every single block by block proposed addition to TIRZ would have to be reviewed by him because every TIRZ wanted to take money out of the general revenue, so he wanted to make sure that it was as limited as necessary to accomplish a specific and urgent purpose, that he was not criticizing anyone, that it may be a mistake but he did not think so, he just wanted to say to the extent that there was responsibility.

Upon further questions by Council Member Rodriguez, Ms. Araujo stated that one thing

that they saw as the most positive aspect of the City's interest in east downtown was that it brought attention from the commercial sector for east downtown, that obviously there was housing being constructed there, it was market driven, but they required commercial to compliment the residential development, so when there was a high profile activity by the City or any large interest in east downtown that was going to be a benefit to economic development of the area, when commercial development comes into east downtown that equated two additional assessments, just like when there was a development in the City more sales tax, more money in the coffers, the same thing for the East Downtown Management District, that in turn supported their programs for public safety, graffiti abatement, Clean and Green, to keep the street right-of-way clean of liter, mowed, attractive, people felt safe there, all the different programs that management districts undertook to compliment what the City did, so this type of attention to Houston downtown could only benefit the economic growth and development of the area.

Mr. Michael Lambert, 709 St. Charles, Houston, Texas 77003 (281-404-5576) appeared and stated that it was a privilege to have a second opportunity to come before them, that it did not seem important yesterday but after one of the speakers spoke he decided that it might be of some importance to mention that he and his wife were both native Houstonians, that he was a third generation and she was a second generation, and they both had deep roots in east Houston, in fact his mother was born in the very shadow of the old Maxwell House Plant, that they were proud of the neighborhood that they had chosen, that when he was growing up Dowling Street had a reputation as a place that one should never go and now they lived there, that he mentioned it because it made a point, the area had changed, it was changing now and would continue to change into the future, that thus far that change had been decidedly for the better, they hoped, believed and trusted that it would continue to be so, that he told them yesterday that they were opposed to a soccer stadium or public destination facility and he told them why, things like traffic, permanently closed streets, lights, crowd noise, concert noise and more, that a sports venue was not an appropriate use for a residential neighborhood and the fact that it would bring no real development was also a waste of prime real estate, that he and his neighbors peacefully coexisted with a healthy assortment of light industrial business, that happy circumstance would continue into the future, but the trajectory of the area was unabashedly toward residential, that they were building sustainable in town residential neighborhoods but they needed things, they needed retail, they needed the kind of development that brought real jobs, they needed more high density residential, they needed the City to improve their streets not close them, they needed the City to not appropriate the value of their homesteads and seed it to private business enterprise just so downtown could have yet another sports venue or public destination facility, they needed the City to develop an overall vision for their area and they needed the City to develop a real plan for the sustainable use for the property it seemed so intent on buying, that the coming of the Metro LRT offered a singular opportunity to foster some extremely good and extraordinary development, that the mind boggles at the potential of this large piece of property located so close to downtown and also happened to have a pulse rail station on it's northern border, that they preferred that the land be left to the creativity and expertise of private developers, but if the City must buy the land to kick start TIRZ 15 then so be it, however they needed to quickly move past the idea of building such an inappropriate use as a sports stadium or public destination facility and get on with the business of building something real and important and long lasting.

Ms. Robin Holzer, 1306 Fairview, Houston, Texas 77006 (713-301-5716) appeared , presented information and stated that she chaired the Board of the Citizens' Transportation Coalition, that she was present because they had an item on the agenda to acquire land for municipal purposes and she wanted to start by saying that they recognized that the land could be used for many purposes potentially, that it was reasonable for the City to acquire land for purposes but they had concerns about the way the land may ultimately be developed and used, that the presumption seemed to be that the site would become a soccer stadium and depending on how such a stadium was designed it would likely require the abandoning of two streets,

Capital and Rusk, that she recognized that the item was not up for a vote today but she wanted to talk about it today, that they urged them to thoroughly and publicly evaluate the long term implications for traffic and access before they agreed to abandon these streets, that a complete street grid was not only the most effective way to carry vehicle traffic, it was also the easiest way for people on foot and people on bikes to move around and get to where they were going, that as population and jobs grow in east downtown the need for a complete street grid would be more not less, that if they looked at traffic on Capitola and Rusk today, she would dare say there was no problem, that the traffic was not a problem today, that she understood that they looked at Dowling and St. Emanuel and the connections to Franklin and Congress and that was great, but the expectations working with the redevelopment authority was that the area would redevelop and that the situation would change and that made it difficult because there were not really good modeling tools for figuring out how to make sure things worked, not three to five years from now, but fifteen or twenty years from now, that there was a history of street closures in the area already, that she had passed out a handout with a map that showed them that as they built the George R. Brown Convention Center and Minute Maid Field and the Toyota Arena, of the streets between Bell and Congress they had closed many and there were only four streets left, so if in the end it becomes a soccer stadium they were proposing to close two more of them, that her request to them today, on behalf of the public was two parts, that before they considered abandoning Capitol and Rusk for a potential public use destination two things needed to happen, one was a long range plan for access and mobility for the area that takes the future growth into account, and they recognized that it was going to be a challenge but it needed to happen, and the second was that there needed to be significant public input, not just to review the proposal but to consider alternatives that might not have been identified.

Council Member Noriega stated that she wanted to clarify what action it was that they were addressing with the TIRZ, and Mayor White stated that they were not addressing street closures, the hearing was on an amendment to the TIRZ plan which created an alternative option to use the TIRZ as a vehicle for land acquisition to proposed economic development of this nature, that there were other things that were in the TIRZ plan which probably had not panned out and would not pan out, and the TIRZ could have some financial capacity to accomplish it's purpose, that another item on the agenda, that both of the speaker's had recognized, he thought was a legitimate thing to do to account for both public needs and economic redevelopment was land acquisition of a critical mass, that not on the agenda was how that particular parcel would be used and he would finally add that he thought that Ms. Holzer's suggestion that there be a thorough analysis of traffic impacts and public input was very reasonable, that countless hours had been expended on the very topic and looking at different alternatives and working with Metro and looking at where traffic would flow and, for better or worse, the impact of the existing structures on the traffic flow, so not only had they done a fair amount of work looking at that already but there ought to be more done in the future if they were to have a street structure; that whatever configuration and whatever administration and whatever circumstances if there was a site that was developed in the area that was not at this site, that was somewhat separately configured then they could have a very serious problem and one of the reasons they were moving on this site as they were was because they believed that this contiguous acreage, if there was a multi block project, would minimize the impact on existing uses.

Upon questions by Council Member Rodriguez. Mr. Andy Icken stated that he and Ms. Holzer had conversations and they had initiated a conversation here and they did respect her interests in this, that they had looked with great diligence at all of the sites on the east side and as the Mayor said part of good development in a project was assembling a critical mass and the conclusion was that a 12 acre site would provide opportunities to do a large number of things, that the issues they looked at were both traffic and the infrastructure under the streets or the condition of the ground that they would be purchasing to put in that, all of those played a role in this, that with respect to traffic they may have seen in the media allusions to a number of other

sites up and down the east side that they were looking at to promote development in that area, that all the other sites that they looked at created even different problems, that Dowling today going north provided a very important access, that people who made a left would come into Congress to come into downtown, so from that point of view Dowling became a very point to be sure that the mobility stayed, that the second issues that involved a great deal of discussion with Metro, if the people looked at the original DEIS statements from Metro they actually had it coming down Capitol and that would have created issues, that the facts were that they began a long discussion with Metro and putting the two lines, the southeast line and the east end line to come down to ground in front of the station added great value to the property from their point of view, that the southern boundary was Walker, and while one would argue it was not a great mobility issue, in fact the Colombia TAP Bike Trail went right to the south of that, so as they put all those things together and did the implications on Capitol and Rusk, and Ms. Holzer did acknowledge that today there was very little traffic, there were very little issues, that what traffic did come in went down St. Emanuel before it even got to the site, that came out of Rusk going east or Capitol going west, that they believed in the modeling they had done for a number of issues, that it was very similar to what Minute Maid did to the north part of that, there was a very significant grid there, grids were important to mobility, and they were not going to argue that at all, but they believed that what was there could sustain a multiplicity of developments; that he had committed to Ms. Holzer that they would sit with her and talk some more about it.

Council Member Brown stated that they forgot one thing, that this location had a tremendous advantage in terms of shared parking; that they needed a plan and they needed to be a little more aggressive than they were about how they planned and set forth, that this was an absolutely exciting possibility for Houston but they had to all come together, there had to be a plan, they had to be buying from property owners, developers and citizens and the TIRZ could play an important role. Council Member Sullivan absent.

Upon questions by Council Member Khan, Ms. Holzer stated that she would like to limit their concerns to what she had identified so far, their organization was about public involvement and transportation planning, that TIRZs did transportation planning and they did public involvement and clearly where those could come together they were interested in that but they did not have a position on whether TIRZs were good or bad or if there should be more or less of them.

Upon questions by Council Member Khan, Mayor White stated that the acquisition of the land was triggered by two things, first Mr. Christy had long brought to his attention, with other department directors and Members of Council to their need to think ahead concerning land acquisition as they were selling land that was surplus, then also they had taken a look at each of the TIRZ and they wanted the TIRZ to be successful for the purpose which they were intended; that economic development was the driver, that they would like to detain the Dynamo and they would like to do so in a way that was depended on very large scale private investment by them, that they did have alternatives, that they would like to have a suitable facility here.

Council Member Lovell stated that since she had been at Council she thought actually that there had been a plan that they had all talked about and that plan was that they had to make sure that they had somewhere for their downtown to expand and that they would be very irresponsible as a Council, given the growth in the City, if they did not make that possible, and the fact that they had acquired the land was the responsible thing to do, if it was a soccer field that went in there, actually, it would play in very nicely into where they would have a sort of sport area of downtown with shared parking along with a great new park, which was getting ready to open, of which the parking could be shared and it brought growth to that area, that if it turned out that it was not a soccer stadium and it did not work she hoped the City would stay there and continue to grow the economic development there, that was their responsibility.

Council Member Rodriguez moved to close the public hearing, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0151 ADOPTED.

- 1a. ORDINANCE approving an amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone); authorizing the City Secretary to distribute such plans; determining the portion of tax increment the City will pay from the area annexed into the zone - **DISTRICT I – RODRIGUEZ** – was presented.

Council Member Clutterbuck stated that she wanted to talk about the financing plan, that on page 3, the last page before the exhibits, it said that the estimated project costs were detailed in Exhibit 3 and she thought it was a typo, that she thought they were actually detailed in Exhibit 1, because as far as she could tell Exhibit 3 was a map, that in looking at Exhibit 1, for estimated costs for the Project Financing Costs, Parts A and B, was she correct that Part B was the new adopted plan, and Mr. Fiederlein stated that was correct, the proposed plan for today, and Council Member Clutterbuck stated that in looking at estimated costs, the 1999 plan and the 2008 plan, the amounts were the same, and Mr. Fiederlein stated that was correct, that all they were doing today was proposing to add a new category of projects, which was the Public and Cultural Facilities and setting that as a plan value of \$20 million, that they were just establishing the category so that the TIRZ could participate as they indicated in their opening statement, that if there was ultimately a public destination facility that was going to go in there and the TIRZ was going to participate they would probably be coming back to City Council with further plan amendments and also a budget that would allow the TIRZ to participate, and Council Member Clutterbuck asked if those budgets would reflect the contemplated land acquisition that the Mayor was talking about, and Mr. Fiederlein stated yes.

Mayor White stated that he had an Exhibit 1 that had estimated 1999 plan costs and estimated 2008 plan costs and there were different numbers with a \$20 million difference, and Mr. Fiederlein stated that the \$20 million was for the addition of the Cultural and Public Facilities, that was a new project category in the proposed amended plan, which did not exist in the original plan.

Council Member Clutterbuck stated that she was looking at the Project Financing Costs, parts A and B and that was her question, why it was reflected there and not two lines down, and Mr. Fiederlein stated that Project Financing Costs would be if the TIRZ were to issue bonds to carry out the plan, those would be the potential financing costs, that since they did not yet have a definitive project they had not updated the estimated financing costs, and they would do that when they actually had a project to bring forth, and Council Member Clutterbuck asked if there were utilities on the land that they were contemplating purchases, and Mr. Icken stated that the only utilities in the streets that affected these affected the six blocks themselves and they could serve any of the utilities from the perimeter of the 12 acre site, that they had also done an Environmental ES1 and ES2 on the properties and there was nothing of any concern, and Council Member Clutterbuck stated that she would tag Item No. 1a.

Council Member Holm asked if someone could clearly state for her the relationship between expanding the TIRZ Project Plan and the purchase of the block by the City of Houston; and Mayor White stated yes, that they would like the TIRZ, as quickly as possible, to essentially take out the City financing, that the City might have the option of deciding within some period of time to have an RFP and sell the land, that if it occurred within a fairly reasonable period of time then maybe the transactions cost between getting it from the CP and TIRZ would not be worthwhile, and Council Member Holm stated that the reason they were expanding the plan was in order to possibly pay for the land that the City was acquiring with Item No. 15, and Mayor White stated yes, that it would allow that. Council Member Noriega absent.

Mayor White stated that Item No. 1a had been tagged by Council Members Clutterbuck, Holm, Green, Lawrence and Johnson.

MAYOR'S REPORT

Mayor White stated that he had a brief Mayor's Report on an issue that was timely and his report was usually to Members of the Council, but on this day it was going to be to some of their employees; that he and each person at the table took pride in the work of City employees who did a good job and in particular those who strived in public service to clean up the mess made by others, that talented people had a lot of places to work and they were proud when they went to work at the City of Houston, that those of them who believed that everybody should be judged on their own merits and own performance and not viewed as simply a member of some group that was subject to stereotyping, they should be quick to defend those that were employed by the City who worked to try to rectify the mistakes of others or who were doing their job diligently and happened to work at the same place as somebody who made a mistake, that he knew Chief Hurtt met yesterday with some of the people who worked diligently, many of whom had been hired in the last couple of years, who had passed some very high hurdles including professional qualifications and training to work in their forensics, that he wanted to tell them that he for one believed that it was unfair for anybody to judge somebody based on the misconduct that occurred years ago or by employees who had been terminated, that in fact those people who retained their jobs when there was high standards and strict disciplines should carry that as a matter of pride; that if they decide they malign those who carry very important public functions it should not surprise them if they had trouble retaining employees, if they as a community celebrate those who did the hard and important work to help them solve crimes then they would be a better City and a safer City and they would have more justice, that people with qualifications and pride were not forced to work at the City, they did so of their free will, and by trying to judge individuals because as part of a group or because of what someone did several years ago or because based on the comments of employees who had been terminated and who were not happy and who talked about the situation was not fair, so he wanted to tell the employees who clean up a tough mess and a real problem that they appreciated what they did and they knew it was unfair to judge a group by a few; that they would have high standards and it was a different standard when somebody was terminated for failing to meet that standard than it was when failures were swept under the rug; that the same could be said with the Emergency Home Repair Program at their Housing Department, that they had a good group of dedicated people including a large number of new inspectors that had been hired at the City in a tight market for inspectors, including the individual at HUD who sort of blew the whistle on problems and wrote up a report that showed problems in 2003 that had existed at that program, that they were now repairing houses far faster than they every did before at a really quick rate compared to historical standards, but the backlog in home repair was a result of the fact that the federal government told them to stop repairing houses for an extended period of time and that the new management that was brought in went through a system of procedures with HUD to make sure that home repairs in the future were done right and that they would not have to shortchange those needing home repairs in order to have to go back and redo work, that to those who had been hired to serve the public in the program he wanted to tell them thank you for working with the City, thank you for thinking of the beneficiaries of the program; that people who were just interested in a quite life, free of criticism avoid those organizations which had been subject to criticism, that those who wanted to make a difference and be constructive and not be an armchair critic or seek the safety of a quiet job seek organizations with fewer challenges, that they appreciated those were up for the challenge; and finally there were citizens who would complain, he would not go into the complaints of individual citizens, but suppose for a moment that somebody did not have their house repaired because they had liens on their house, that in the old days somebody may have done a repair and not checked the lien status and they would have HUD shut down the program because they were not administering it in accordance with federal law, which did not permit houses with liens, for good reason, to be repaired; the fact that

somebody's repair was delayed because of a HUD action and second of all to get the lien status cleared off of their house, the individual employees of HCD should not take the blame for the fact that they were trying to comply with the law of making sure that the home repairs were done on properties in accordance with federal law that were lien free; that he wanted to say to those who labored in controversial areas, where backseat drivers not knowledgeable about the facts may sometimes second guess, that he wanted to say that he was proud of the employees that they had, that did not say that they would tolerate violations of law or misconduct, they knew they would be held to a high standard and they had accepted that, and he particularly appreciate those people who were strong and big enough to understand that important needed to be done and have themselves subjected to that standard.

Mayor White stated that they would move to the consent agenda.

CONSENT AGENDA NUMBERS 2 through 29

MISCELLANEOUS - NUMBER 2

2. RECOMMENDATION from Director Parks & Recreation Department to change the name of **SUMMER STREET PARK** to **RANDALL P. JONES PARK** - **DISTRICT H – GARCIA** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0152 ADOPTED.

ACCEPT WORK - NUMBERS 3 through 5

3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$764,749.32 and acceptance of work on contract with **PARALLAX BUILDERS, INC** for Boone Road Park, WBS F-504B10-0010-4 - 2.50% over the original contract amount - **DISTRICT F – KHAN** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0153 ADOPTED.
4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$53,105.00 and acceptance of work on contract with **AAR INCORPORATED** for Soil Remediation at Former Canal Street Health Center, WBS Y-000001-0001-4 - 5% under the original contract amount - **DISTRICT I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0154 ADOPTED.
5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$173,098.00 and acceptance of work on contract with **KOETTER FIRE PROTECTION OF HOUSTON, LLC** for Fire Alarm System Replacement Health Department Headquarters Building, GFS H-0031-01-3 - 4.87% over the original contract amount - **DISTRICT D - ADAMS** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0155 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 13A

12. **AMEND MOTION #2004-0106, 1/28/04, TO INCREASE** the award amount from \$3,149,761.92 to \$3,937,202.40, for Medical and Emergency Medical Supplies for Fire Department, awarded to **EMERGENCY MEDICAL PRODUCTS, INC** - General Fund – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0156 ADOPTED.

13. ORDINANCE appropriating \$330,094.06 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of a 24" Force Main along Renwick between Gulfton and Elm for the Public Works & Engineering Department, WBS R-000019-0046-4 – was presented. All voting aye. Nays none. ORDINANCE 2008-0153 ADOPTED.
- 13a. **RELIANCE CONSTRUCTION SERVICES, L.P.** for Emergency Repair of a 24" Force Main for Department of Public Works & Engineering - **DISTRICT F - KHAN** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0157 ADOPTED.

ORDINANCES - NUMBERS 16 through 29

16. ORDINANCE consenting to the creation of **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 190** – was presented. All voting aye. Nays none. ORDINANCE 2008-0154 ADOPTED.
17. ORDINANCE consenting to the addition of 13.37 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**; for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2008-0155 ADOPTED.
18. ORDINANCE amending City of Houston Ordinance No. 2007-648, passed on June 12, 2007 which approved and authorized the submission of the 2007 Consolidated Plan and the grant application for the 33rd Program Year of the Community Development Block Grant ("CDBG") Program, among others, to the United States Department of Housing and Urban Development **DISTRICTS B - JOHNSON and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2008-0156 ADOPTED.
22. ORDINANCE approving and authorizing second amendments to 40 Professional Materials Engineering Laboratory Services Contracts for the Public Works and Engineering Department and the Houston Airport System (approved by Ordinance No. 2002-293) with **ASSOCIATED TESTING LABORATORIES, INC, ATSER, L.P., AVILES ENGINEERING CORPORATION, BANDY AND ASSOCIATES, INC, COASTAL TESTING LABORATORIES, INC, EARTH ENGINEERING, INC, FUGRO CONSULTANTS, INC, GEOSCIENCE ENGINEERING AND TESTING, INC, GEOTEST ENGINEERING, INC, DAE AND ASSOCIATES, LTD, d/b/a GEOTECH ENGINEERING AND TESTING, GROUND TECHNOLOGY, INC, HTS, INC CONSULTANTS, HVJ ASSOCIATES, INC, PARADIGM CONSULTANTS, INC, PROFESSIONAL SERVICE INDUSTRIES, INC, QC LABORATORIES, INC, RABA-KISTNER CONSULTANTS, INC, TOLUNAY-WONG ENGINEERS, INC, BUREAU VERITAS NORTH AMERICA, INC and TERRACON CONSULTANTS, INC** – was presented. All voting aye. Nays none. ORDINANCE 2008-0157 ADOPTED.
23. ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVILTECH ENGINEERING, INC** for Intersection Redesign and Street Safety Improvements, WBS N-000662-0029-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. ORDINANCE 2008-0158 ADOPTED.
24. ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between

the City of Houston and **HNTB CORPORATION** for Intersection Redesign and Street Safety Improvements, WBS N-000662-0030-3 – was presented. All voting aye. Nays none. ORDINANCE 2008-0159 ADOPTED.

25. ORDINANCE appropriating \$545,600.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAMP DRESSER & MCKEE, INC** for Design of Southwest Wastewater Treatment Plant, WBS R-000265-0059-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2008-0160 ADOPTED.
26. ORDINANCE appropriating \$871,165.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CHIEF SOLUTIONS, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, WBS R-000266-0109-4; 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. ORDINANCE 2008-0161 ADOPTED.
27. ORDINANCE appropriating \$826,715.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **COMPLIANCE ENVIROSYSTEMS, LLC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, WBS R-000266-0110-4; 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. ORDINANCE 2008-0162 ADOPTED.
28. ORDINANCE appropriating \$785,619.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **STANDARD CEMENT MATERIALS, INC** for Wastewater Collection System Rehabilitation and Renewal, WBS R-000266-0115-4; 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 out of the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. ORDINANCE 2008-0163 ADOPTED.
29. ORDINANCE appropriating \$2,454,589.00 out of Houston Airport System Consolidated 2004 AMT Construction Fund, WBS A-000354-0002-4-01, and awarding construction contract to **W. W. WEBBER, LLC** for Automated People Mover Phase 3, Package 1 - Utilities Relocation at George Bush Intercontinental Airport/Houston, (Project No. 536H); setting a deadline for W. W. Webber, LLC execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding W. W. Webber, LLC in default if it fails to meet the deadlines; providing funding for engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2008-0164 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS

FOLLOWS:

ACCEPT WORK

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,074,401.12 and acceptance of work on contract with **GARVER CONSTRUCTION, LTD.**, for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-000266-00R1-4 - 0.88% over the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - KHAN; H - GARCIA and I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0158 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,020,469.00 and acceptance of work on contract with **GARVER CONSTRUCTION, LTD.**, for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-000266-00R2-4 - 0.67% over the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; E - SULLIVAN; F - KHAN; G - HOLM; H - GARCIA and I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0159 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,981,110.73 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00S2-4 - 3.30% over the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - KHAN; G - HOLM and H - GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0160 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,420,675.88 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Bertner Bridge and Paving from Holcombe to S. Braeswood, Package 1, Holcombe to Brays Bayou, WBS N-000722-0001-4 - 1.61% over the original contract amount - **DISTRICT D – ADAMS** – was presented, moved by Council Member Khan, seconded by Council Member Garcia.

Council Member Jones stated that she would tag Item No. 9.

Council Member Brown stated that the issue when they had a prime contractor that was an MWBE firm it did not get counted in terms of satisfying their MWBE requirement, a prime, and he thought it was something worth revisiting because it was contributing to opportunity for minority businesses.

Council Member Adams stated that she wanted to make sure when they had a contractor who was doing business with the City of Houston and who continued to do the same thing, not meeting their MWBE goals, not utilizing those contractors who may qualify or vendors, but they could continue to use them to do their projects, were there certain guidelines of how many times they could keep utilizing the contractor when they continuously not meet the goals, that she wanted to get more information on that and how it worked, and Mayor White stated that they would get that. Council Member Brown absent.

Council Member Garcia stated that this and several of the items were part of the MWBE Committee and they had a lot of discussion on it, that one thing that he had asked was for the office of Affirmative Action to visit with the firm to find out what particular challenges they were having, that the issue with this particular item were not new to the firm or to others who were taking their game to the next level, that they performed extremely well where they had no goals, but other folks had gone through the same growing pains and he wanted to make sure that they review it and understand it if that was what the case was and if there was a performance issue that they make sure to look at it, that he understood that there was some effort done but they messed up somewhere, but they were asking that the issue go back to Affirmative Action and if need be go to the Compliance Committee. Council Member Brown absent.

Council Member Lawrence stated that about a year ago did they not pass something at Council concerning contractors that were not acceptable, that she did not know if Legal or who could review her on that process, that there was something that they talked about at Council and did not know if they put it in the form of an ordinance or not that with a certain record they would ban certain contractors for a length of time, based on their record of performance in general.

Mayor White stated that he believed there were two issues and he could think of at least one case where there was a ban and there was something brought up also by Council Member Clutterbuck concerning particular low bid contractors who might not meet deadlines or who mess up, that they did circulate and discuss what they could do to define responsible bidder so that they would not be on that list in case there was a low bid, that the issues involving the MWBE were subject to laws as interpreted by the Supreme Court and the Fifth Circuit and the District Courts and in framing those and making sure that they had a lawful program then there were some identified procedures which they believed would meet the legal test that circumscribe one's ability to discriminate against or in favor of people on the basis of race or ethnicity, and that included good faith compliance standards and one of the consequences if people did not do that good faith compliance stuff then what would happen, that he thought that was what they were going to advise Council Member Adams on, that in the one case there was a State statute which says lowest responsible bidder and there were certain things that they could take into account in doing that; that in the other case, because it involved issues which involved an overlay of constitutional law in a society in which they were trying to get to a point where people could look around the room and see the full diversity in every room of their society reflected but there were certain illegal things about quotas or discrimination, that they would have to give a more careful answer to her question, that there were two different answers, that did not mean that MWBE was somehow less important to the City, it said that they were trying to comply with two separate sets of laws.

Council Member Johnson stated that in respect to this particular contractor he knew that he had a bid in District B at one point and had run into the same problems, and he had a real problem with that and in giving talks to the MWBE Department and seeing some of the reasons as to why he did not meet his goals he was satisfied as well as the department was satisfied, but now he was a little confused, that he knew they said they put in calls to the particular contractor and he even happened to know that the contractor was part of a minority contractors organization so he wanted to know in respect to the calls made to them and their certainly not being able to be more responsive they needed to look at some procedures that would be put in place that would speak to just that, that this being a minority contractor themselves he thought certainly they should be held to a same standard and he hoped that they could do that, but at the same time help them graduate to a manor in which they were being able to be primes and do prime work and then bring other minority firms behind them, that he wanted to talk to Velma in respect to this and maybe talk to the contractor and see if there were some mechanisms in place that were prohibiting them from bringing in other subs that needed to be a part of the work.

Council Member Jones stated that she would tag Item No. 9 and would say that she did call the contractor this morning and the phone was answered and obviously they did not have a chance to talk so she still had all the questions that her fellow Council Members had. Council Member Lovell absent.

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,173,607.59 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-002013-0014-4 - 0.35% over the original contract amount - **DISTRICTS C - CLUTTERBUCK and F - KHAN** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Lovell absent. MOTION 2008-0161 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,370,503.98 and acceptance of work on contract with **RAMOS INDUSTRIES, INC** for 24-Inch Water Line along Post Oak Boulevard from Westheimer to IH-610, WBS S-000521-0019-4 - 4.27% under the original contract amount - **DISTRICTS C - CLUTTERBUCK and G - HOLM** - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0162 ADOPTED.

ORDINANCES

14. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2007-1425 by adding eight (8) Lieutenant positions, six (6) Sergeant positions and one hundred (100) Senior Police Officer positions and by deleting one hundred (100) Police Officer positions; to increase the number of eligible recipients for the Bomb Squad Assignment pay by eight (8) and to extend S.W.A.T. Assignment pay to responders as needed; substituting the amended exhibit as part of the current Police Department Classified Personnel Ordinance – was presented, and tagged by Council Member Jones.
15. ORDINANCE appropriating a total of \$15,942,042.00 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, including certain agreements related to parking and the demolition of existing improvements; 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 owners Macey Family Properties II, Ltd., a Texas Limited Partnership and 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 utility easements to the City and move the utilities to such easements at their expense - **DISTRICT I – RODRIGUEZ** – was presented, and tagged by

Council Members Jones, Sullivan, Lawrence, Johnson, Holm, Khan, Green and Clutterbuck.

- 15a. 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** – was presented, and tagged by Council Members Sullivan, Lawrence, Johnson, Holm, Khan, Green, Clutterbuck and Jones.
19. ORDINANCE approving and authorizing contract between the City of Houston and **INTERNATIONAL FORENSIC SCIENCE LABORATORY & TRAINING CENTRE** for Consulting Services for the Houston Police Department; providing a maximum contract amount - \$64,000.00 General Fund – was presented and tagged by Council Member Jones.

Council Member Khan asked what did Item No. 19 have to do with their crime lab, was it anything related to it and if there was any forensic work why were they not doing it in their own crime lab, and Mr. Hall stated that it was a recurring contract for three fire arms experts who did analysis of ballistics and all of that business, they consult with three specific people, that it was something that had recurred before, a recurring contract, that it was not related to DNA as he understood it.

20. ORDINANCE appropriating \$202,406.00 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing an Interlocal Cost Sharing Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Three of the Southdown Trace Subdivision, WBS S-000800-0112-4, R-000800-0112-4 & M-000800-0112-4 - **DISTRICT E – SULLIVAN** – was presented. All voting aye. Nays none. ORDINANCE 2008-0165 ADOPTED.
21. ORDINANCE appropriating \$322,349.00 out of Water & Sewer System Consolidated Construction Fund and \$363,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing an Interlocal Cost Sharing Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Four of the Southdown Trace Subdivision, WBS S-000800-0113-4, R-000800-0113-4 & M-000800-0113-4 - **DISTRICT E – SULLIVAN** - was presented.

Council Member Adams stated that both Item Numbers 20 and 21 were almost the same and she was looking at how when they were taking money from the Homeless and Housing Consolidated Fund, which she knew was coming out of the Housing and Community Development, that she knew there was a percentage that had to go to sewer to build affordable housing and she could understand that, but her concern was that they were constantly removing money, and to correct her if she was wrong, but when they were taking money away from Housing and Community Development to fund a sewer project to help build affordable housing, and she knew it was a DPC project, was there any way that it could be considered because when they were looking at some of the programs that filed under housing a lot of those programs fell short and she was trying to find out a way where they could either increase their budgets to fund DPC or increase budgets for homeless issues that were in the City of Houston,

that she was just trying to get clarity and understanding of the funding sources and how it was done.

Mayor White stated that the Developer Participation Contracts themselves were funded out of a number of sources, the principal one was the Water Sewer Fund itself, to promote economic development within the City, there was a payment for houses that were below the medium price level of Houston housing, a \$3,000 credit for the storm drains that they had funded from the Housing Bond Funds, that they could and would then quantify and give an estimate of what that was and look at the alternative funding sources, that they spent about, it had been more than a year of putting together a five year consolidated, by consolidated Houston Housing Authority, Housing Plan where they saw where all the funds were coming from and where they went historically and then what they wanted to do in the next five years, that it was just like a CIP and they would have a committee as a whole type hearing that he would encourage, that it was the first time they ever had anything like this, that he understood where she was coming from and they would see if they could find out if there were alternative sources of funding. Council Members Rodriguez and Jones absent.

Council Member Adams stated that especially in District D they had a lot of homeless issues that were affected and out of that there were a lot programs that were in the Housing and Community Development, like the Senior Repair Program, that there were a lot of things that went unfunded but for some reason they could find sources of a large amount to come out of the Housing and Community Development to fund projects that she just wanted to know for clarity and the audiences sake how they made that determination, and Mayor White stated that he thought these were out of the Housing Bond Funds, but still the point was well taken, that there was a lot of demand for those funds and they ought to have a open discussion what the alternatives were. Council Members Rodriguez and Jones absent.

A vote was called on Item No. 21. All voting aye. Nays none. Council Member Jones absent. ORDINANCE 2008-0166 ADOPTED.

MATTERS HELD - NUMBERS 30 through 37

30. WRITTEN Motion by Council Member Clutterbuck to amend Item 30C below:
I move to amend Item 30C, revisions to Chapter 45 in section 45-163 to strike the existing number 1 and in lieu of add a new number 1 that reads: "Would require a number of off-street parking spaces pursuant to Article VIII of Chapter 26 of this Code that is greater by 100 percent or more than the number of off street parking spaces provided under the current use of the parcel;"
- 30a. WRITTEN Motion by Council Member Lawrence to amend Item 30C below:
Replace multi family residential development in Sec. 45-163 with residential development and to add the definition of Residential to Sec. 45-162 as follows:
Residential shall mean pertaining to the use of land for premises that contain habitable rooms for nontransient occupancy and that are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels and day care centers shall not be considered to be residential
- 30b. WRITTEN Motion by Council Member Garcia to amend Item 30C below:
I move to modify section 45-163(3) by omitting the words "with two-way traffic."
- 30c. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to high-density multi-family development on two-way, two-lane local and

collector streets – **(These were Items 36, 36A, 36B and 36C on Agenda of February 13, 2008, POSTPONED BY MOTION #2008-132)** – were presented.

Council Member Clutterbuck stated that she was contemplating a motion to refer the items back and wanted Mayor White's thoughts on that. Council Member Jones absent.

Mayor White stated that he had given each Council Member both a written statement and a policy, titled "Interim Procedures on Traffic Impacts of High Density Development" (a copy of which is on file in the City Secretary's office for review), effective as of this day concerning their procedures for considering certain permit applications, that the City Engineer would review permit applications meeting the criteria using the provisions of Section 40-86 of the Code of Ordinances relative to public safety and traffic impacts; in making the determination to grant or to deny a permit application, the City Engineer may request supplemental information to assist his evaluation and the determinations of the City Engineer under this authority can be reviewed by Public Works & Engineering management responsible for all permit issuances. Council Members Adams and Noriega absent.

Council Member Clutterbuck moved to refer Item Numbers 30, 30a, 30b and 30c back to the administration, seconded by Council Member Khan. Council Members Adams and Noriega absent.

After further discussion by Council Members, Mayor White stated that there was a traffic impact analysis that was submitted on the project that was a glimpse of what the developers contemplated in August or September 2007, that it showed 230 residential rental units more or less with approximately 450 parking spaces and a large retail component generating over 2,000 trips, that the use of land was rental versus single family, the amount of retail did determine, under the models used by traffic engineers the number of trips, that they said then and he would say now that based on their analysis of the carrying capacity of that residential and residential collector street, that was excessive, they were not changing that evaluation, that was what their analysis had shown and they had verified that by going out on Bissonnet since that time, so they were not changing the position that he had first articulated at a Council meeting and they were also not changing the position that they said at the time of the Council meetings that people were entitled to build something on an existing multi family lot. Council Member Lovell absent.

After further discussion by Council Members, a vote was called on Council Member Clutterbuck's motion to refer Item Numbers 30, 30a, 30b and 30c back to the administration. All voting aye. Nays none. Council Members Rodriguez, Lovell and Green absent. MOTION 2008-0163 ADOPTED.

31. ORDINANCE **AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the acceptance of existing alleys by the City – **(This was Item 33 on Agenda of February 13, 2008, POSTPONED BY MOTION #2008-131)** – was presented. Council Member Lovell absent.

Council Member Clutterbuck stated that she would move to amend Item No. 31 as follows:

"1. Redesignate Sections 4, 5 and 6 of the proposed Ordinance as Sections 3, 4, and 5, respectively.

2. Amend the newly redesignated Section 3 of the proposed Ordinance to read as follows:

'Section 3. An inventory of the dedicated alleys that the City has accepted for maintenance and public use at the time of passage and approval of this Ordinance is attached as Exhibit A to this Ordinance. The City Engineer shall amend the inventory as necessary: (1) to add any alley that was in fact accepted by the City for maintenance and public use before the date of

passage and approval of this Ordinance but was not included in Exhibit A, (2) to add any alley accepted pursuant to the provisions adopted by this Ordinance, and (3) to make any corrections or other adjustments to any data contained on the inventory. A copy of the current inventory of alleys accepted by the City for public use shall be maintained in the Office of the City Engineer, as set forth in the provisions adopted by this Ordinance.”

3. Replace Exhibit A of the proposed Ordinance with the attached revised version.”

Council Member Clutterbuck stated that she had included in the handouts a redlined version of the ordinance containing the amendments as well as a yellow line version of the attachment and the reason she was proposing to make the changes was because they in the original attachment had omitted an important block that was previously maintained as an alley by the City and they needed to make sure that it was in the list of accepted alleys, seconded by Council Member Garcia. Council Member Lovell absent.

Council Member Garcia stated that he supported the item and would ask if there was a way to ask the citizensnet system to push it out to the areas most affected, that he thought it would be most helpful so that people could begin to engage the process.

Mayor White stated to Mr. Michel if he could draft and circulate to some Council Members who had been working on it something that was brief and descriptive to the citizens and if he could also consult with the Council Members and others within the City whether it should be some or all the recipients of citizensnet.

After further discussion a vote was called on Council Member Clutterbuck’s motion to amend Item No. 31. All voting aye. Nays none. MOTION 2008-0164 ADOPTED.

A vote was called on Item No. 31 as amended. All voting aye. Nays none. ORDINANCE 2008-0167 ADOPTED.

32. RECOMMENDATION from Purchasing Agent to award to **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 – **(This was Item 11 on Agenda of February 20, 2008, TAGGED BY COUNCIL MEMBERS LAWRENCE and CLUTTERBUCK)** – was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. MOTION 2008-0165 ADOPTED.

33. 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 – **(This was Item 19 on Agenda of February 20, 2008, TAGGED BY COUNCIL MEMBERS JONES, RODRIGUEZ, LOVELL, LAWRENCE, JOHNSON, KHAN, GREEN , BROWN and NORIEGA)** – was presented.

Council Member Garcia stated that he would tag the item and hoped that they could get the employees and the administration to work out some reasonable approach to the matter, and Mayor White stated that he thought there were things they had been working on concerning the financial impact and they would get that in the next week.

Council Member Lawrence stated that she would ask the administration to look at consideration of separating it into two different ordinances, that it had been proposed and she did not think it was unreasonable, that if they did not relate to each other she thought that

Council Member Garcia had proposed in the past having inspectors, that they were two separate things and she did not think it was out of their budget, that one depended on the other, that she thought it was a little bit misleading to have them together, so if they could check on that and get some statement from the Fire Chief and if so make them two separate items as it comes back to the table and if it needed an amendment she would be glad to carry that.

Council Member Adams stated that she concurred with her colleagues regarding Item No. 33 and would like to add her tag to the item as well and wanted to thank Mr. Cannon for speaking with her yesterday and going into detail about what it was about and would like to get additional information as well, but she did agree about the two separate issues, that the two items needed to be separate.

Council Member Rodriguez stated that he did think they were two separate items and would like to see the item split and come back to Council for discussion, and Council Member Jones stated that she had the same sentiments.

Mayor White stated that Item No. 33 had been tagged.

34. 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 – **(This was Item 21 on Agenda of February 20, 2008, TAGGED BY COUNCIL MEMBERS JONES and LAWRENCE)** – was presented.

Council Member Garcia stated that he did support the item and had reviewed it and understood how it would be of benefit to the Police Department, that they had done previous programs of that nature, but understood that Council Member Jones had requested some information and in courtesy to his colleague would tag Item No. 34.

35. 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 – **(This was Item 23 on Agenda of February 20, 2008, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented.

Council Member Lawrence stated that the Houston Apartment Association had made some proposals that she thought they could roll into the item and that was why she tagged it originally, that working with them last November and December on apartments, which owners were not taking care of and the City had to move in and board up and she, Don Cheatham and Andy Teas met quite a lengthy time last week and decided that it would be best to roll the item into the Habitability Ordinance, so she had no problem with the ordinance at this time.

A vote was called on Item No. 35. All voting aye. Nays none. ORDINANCE 2008-0168 ADOPTED.

36. 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** – **(This was Item 26 on Agenda of February 20, 2008, TAGGED BY COUNCIL MEMBER HOLM)** – was presented.

Council Member Holm stated that this was potentially a really outstanding new commercial development in the area and would like further discussion and moved to postpone Item No. 36 for two weeks, seconded by Council Member Johnson. All voting aye. Nays none. MOTION

2008-0166 ADOPTED.

37. 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 – **(This was Item 38 on Agenda of February 20, 2008, TAGGED BY COUNCIL MEMBERS HOLM and LAWRENCE)** – was presented.

Council Member Lawrence stated that the backup on Item No. 37 was insufficient, that she had two long meetings on it because she thought she let something go the first time it went to Council, that on the RCA, for example, the first page, business processes, TPC fees not to exceed 5% of vendors cost, what did that mean, that meant that TPC, basically one gentlemen, received \$40,000 a month, that was how it was flawed, that if they looked at the audits, which were not included in the backup, \$383,543.00 was paid in advance, the Master Contract, the Master Agreement said no work would be paid in advance, the City did not buy insurance, that \$46,473 had no backup invoices, they paid him anyway, that those were the kind of things that the audit brought out that they did not have access to.

Council Member Johnson stated that he did not think it was the City's responsibility to guess whether or not the contractor would stay in business and at the end of the day the City be held accountable for not only the money he owed the other contractor's but in addition to that the additional \$200,000 that was still owed to the particular contractor, that he thought what they were doing was the right thing, that by no stretch of the imagination was he condoning any bad transactions on the part of TPC but did believe that it was a situation where they could in fact get their money back and make sure that the contractor did the work; that he supported the administration and what they were doing.

Mayor White stated that there were many big vendors who would not do business with the City because they thought that somehow they would get mistreated, that he wanted them to bid on their jobs so that the citizens would get a better value in the future.

A vote was called on Item No. 37. Council Members Lawrence, Lovell, Rodriguez, Jones and Holm voting no, balance voting aye. ORDINANCE 2008-0169 ADOPTED.

Council Member Green moved to suspend the rules to extend the meeting beyond the scheduled noon recess to complete the agenda, seconded by Council Member Khan. All voting aye. Nays none. Council Member Jones absent. MOTION 2008-0167 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Noriega stated that there were a lot of folks that protected them that were part of public safety, the Aviation Department, Solid Waste, Public Works and Engineering and lots of City employees did very important work that helped residents every day, but there were some very special employees who put their lives for all of them each and every day, night and weekend; that the Houston Fire Department was established in 1838 and was a volunteer organization that had one station, that after 57 years the City began to pay the firefighters in 1895, so it went back that far, that since then they had 59 firefighters die in the line of duty and there was just not anything that they could do that truly addressed that sacrifice, that there were 90 stations and 100 EMS units and assorted engines, fire boats, rescue units and other equipment; that she remembered when she worked for the school district there were some students in a bus that were disabled and they were rescued by the firefighters out of a bayou where their vehicle had gone into the water and it was just an astounding story, but life safety was the cornerstone of the Fire Department's commitment; that the Police Department was

founded in 1840, they were only two years apart, and the first HPD badge bore the number 1, that in 1921 the first traffic light was installed and it was manually operated until 1927 when they put in automatic traffic lights, that she thought they would be amazed at the idea of cameras at every corner; that in 1939 the department presented it's first police academy class, and their current Police Department divides the City into 15 patrol divisions and HPD since it's founding had lost 107 officers in the line of duty and again what a sacrifice, that the men and women of the Police and Fire Departments shun a life of comfort and ease, when they see a woman on the street, their neighbor playing with their children, or someone in their vicinity who organizes the community barbecue, they needed to remember that some of them risked their lives every day for the rest of them; that last week they lost Harris County Precinct 6 Deputy Constable Harry Thielepape, who was shot more than three weeks ago working security at an apartment complex, that he was 56 years old and had a family; that all of these folks took care of all of them; that on Monday, Sherriff's Deputy Craig Miller lost his life in an automobile collision working under cover, that all of these things reminded them each day that their safety personnel were at risk for them, that she would like for them to join her and honor all of those who had made the supreme sacrifice that they might be safe, that they should not forget that they were not the only ones who had sacrificed, they had mothers, fathers, wife's, husbands, sons and daughters who were left behind, and remember the next time they drive away from town during a hurricane, there were folks driving into town to take care of business while they were gone; that as citizens they were responsible to assist the fire and police personnel it was their job as City Council Member's to make good decisions concerning the City, they must provide their public safety personnel with the necessary training and the supplies and the resources they needed to make the good decisions; and to reflect the needs of the residents of the City of Houston she would like to take a minute and thank the public safety folks and give them a hand. Mayor White and Council Members Johnson, Khan and Jones absent. Mayor Pro Tem Garcia presiding.

Council Member Brown stated that in the last November election there were 912,888 registered voters in the City of Houston and of those only 123,413 voted, that was 13.52% of the registered voters voting in the City of Houston in a general election; that he was asking the citizens of Houston to get out and vote. Council Members Johnson, Khan and Jones absent.

Council Member Garcia stated that in Dallas, Officer Victor Lozada was killed in a tragic accident as he was escorting Senator Clinton; that it turned out that his father, Pablo Lozada accompanied his family as they arrived in the United States in 1959 and he went to school with his family and left Houston to join the Dallas Police Department, and asked for a moment of silence for Victor Lozada, an officer who gave his life in the line of duty. Council Members Johnson, Khan, Brown, Lovell and Jones absent.

Council Member Adams stated that she wanted to thank the South Central Police Patrol, that about a month ago she received a complaint along Binz and a couple of other streets around Binz, that they were having an increase in crime and break ins, and she called over to South Central and informed them of the complaints being made and yesterday evening she received information that the community and students who lived there and attended the local universities were feeling safer because they were noticing an increased patrol; that she had asked them if they were patrolling the area to make a couple of more drive throughs for visibility around the community and they agreed, that a little bit of visibility made a world of difference, that she had asked Mae Walker that while her deputies were driving around as well could they make a visibility drive also. Council Members Johnson, Clutterbuck, Khan, Brown, Lovell and Noriega absent.

Council Member Adams stated that last week they had some speakers before City Council to discuss Regg Street and Mayor White stated that they would do their best to go out and see what they could do to help with it and she wanted to thank Mayor White for calling the

necessary people together and to meet, that their meeting was coming up next week, but she wanted to thank Mayor White for immediately taking up the task to come to some type of conclusion, and she wanted to thank former Council Member Edwards for the work she was doing on behalf of the Brentwood Neighborhood in meeting with the communities, that she met with the builders of the area and with the neighborhood so she wanted to thank her for taking on that responsibility in making sure there was communication among builders and neighborhoods. Council Members Johnson, Clutterbuck, Khan, Brown, Lovell and Noriega absent.

Council Member Adams stated that driving around District D they noticed there was a lot of abandonment going on, with abandonment of properties there were high weeds and vacant lots, and asked if they had a list of City owned property that was in District D that they could find to make sure that some of their properties were not some of the ones that were being abandoned, that she knew they had a list of properties that they were proposing to sell, but she wanted to know if they had a list of other properties in District D that she could get to make sure that they were responsible for some of their properties in District D and that they were not contributing to the abandonment. Council Members Johnson, Clutterbuck, Khan, Brown, Lovell and Noriega absent.

Council Member Adams stated that tomorrow there would be a ground breaking at the Palm Center for a new Y.M.C.A, that they were really happy that it was about to take a place. Council Members Johnson, Clutterbuck, Khan, Brown, Lovell and Noriega absent.

Council Member Rodriguez stated that he wanted to thank Mayor White for encouraging a prompt resolution to the matter regarding Diaz Park and would like to thank Terrance Fontaine, Issa Dadoush, Joe Turner, Steven Williams and their staff, that they had a meeting last Monday with residents to come up with some options for this year and working to resolve it in full next year, that at some point he would like to visit with the staff to determine how they could prevent something like this from happening again, that they had it listed as a concession stand but actually built it as a servery, but he did appreciate the quick response, and Mayor White asked that Council Member Rodriguez keep him informed, that they had to move fast on it. Council Members Johnson, Clutterbuck, Khan, Brown, Lovell and Noriega absent.

Council Member Sullivan stated that he wanted to welcome the 50 plus new HPD officers who were sworn in last night and took the oath of office, that it was an honor for him to be present as a Council Member and as a citizen; that he wanted to congratulate each and every one of them. Council Members Johnson, Clutterbuck, Khan, Brown, Lovell and Noriega absent.

Council Member Sullivan stated that he mentioned last week an item regarding the Kingwood Library, that he had some difficulty setting up a meeting with Kirksey and Associates, that it had been ironed out and Mr. Dadoush facilitated a very productive meeting, that they were all on the same team and the same page and were excited about moving forward. Council Members Johnson, Adams, Clutterbuck, Khan, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Sullivan stated that about a month ago he spoke to a small group in Clear Lake called the Clear Lake Ladies Think Tank, that it was a group of Indo American Women who met on a regular basis to discuss issues related to politics in the City, that they had a two hour meeting of give and take and was very productive, that they gave him a list of items that he would like to give to the Mayor later, that each one of them wrote the three top issues that were important to them, that he would make copies of each page and send it over to the Mayor's office. Council Members Adams, Clutterbuck, Khan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that she wanted to thank the SPARK Park Program and all the work that had been done there by Ms. Holmsby. Council Members Adams, Clutterbuck, Khan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that as to the Rockets, it was character time now, that when they lose their best player how much do they believe in themselves, that they won last night and had a great team; that it was Rodeo time starting Thursday night, that she was on the Swine Committee and the auction would be on Good Friday, that all the money that the Rodeo does goes to charity, that it was a wonderful event for the City. Council Members Adams, Clutterbuck, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that the Helicopter Convention was very successful, that there were some regulations that they may want to look at, what other cities were passing about twin engines; that she had some good conversation with a number of people who were there; that she thought Houston had a wonderful convention and the convention people did a great job; that she thought they would come back to Houston; that there was another one possibly coming, the International Rotary Convention had never been to Houston and she would be talking to them about that, that it would be in 2015. Council Members Adams, Clutterbuck, Sullivan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that he wanted for Ms. Stein to convey, that for the conventions that were booked 8 or 9 or 10 years out, that the Council Members needed to be asked to do stuff by the bureau, that he would like to know that the bureau was asking. Council Members Adams, Clutterbuck, Sullivan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he wanted to thank all of the City departments that came out to his CIP meeting on February 21, 2008, that they had a great turnout, that he was pleasantly surprised with the number of people who showed up, that they had the right question and were very much prepared and he appreciated that, that he would attribute that to his staff ability of having the mini CIP's that they were having and preparing the staff and preparing the citizens for what they wanted to see in their community and for them to be able to convey that to the City departments; that he thought the community got most of their questions answered and welcomed anyone who felt they did not get their questions answered to simply call his office. Council Members Adams, Clutterbuck, Sullivan, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Johnson stated that tomorrow was the program, Songs of My People, that he was hosting at the Hobby Center, that there would be one show at 10:00 a.m. for the children that were coming from the district and later on at 7:30 p.m. they would also have another show; that it would be a great show, that it was a Black History program that depicts songs from slave days to modern time. Council Members Adams, Clutterbuck, Sullivan, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia stated that as to the Rockets, although Yao is out the Fung Shui should still be there so they were wishing them all the best. Council Members Adams, Clutterbuck, Sullivan, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia stated that yesterday it was his honor to help inaugurate the Houston Harris County kickoff event for the rodeo. Council Members Johnson, Adams,

Clutterbuck, Sullivan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia stated that as they worked through the High Density Ordinance they really needed to pay particular attention to how they were growing in the City and find out how they could support that growth and at the same time make sure that they were doing all that they could to protect their respective neighborhoods as much as possible; that yesterday he had the opportunity to visit with the North Houston Association and they had their eye on the ball in a lot of regard, but he also thought that there was opportunity for them to leverage the space between George Bush Intercontinental Airport and downtown Houston as an opportunity for growth in the City, that they wanted light rail to continue on to the airports so they needed to make sure that people were understanding that was an effort they were working towards and that maybe they would like to help facilitate and strengthen that vision by encouraging growth in other areas of the City that did not necessarily have the kind of neighborhood challenges that they had closer into the City. Council Members Johnson, Adams, Clutterbuck, Sullivan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that on Friday, February 29, 2008 the Houston West Chamber of Commerce was hosting their Star Wars Luncheon at the Omni Hotel, that they were going honor outstanding businesses for their wonderful work; that tomorrow there would be a visit by some leaders of the Jewish Community, that it would be their annual visit to City Hall and they would be here in the morning and there was a reception planned for them at the Hobby Center; that tomorrow evening the Alliance for Multi Cultural Community Services were hosting their annual gala, that they were going to honor Mr. Jofrey for the Star Among Us Award, that the organization worked with new Houstonians, refugees and immigrants and helps them assimilate into society and become productive citizens of Houston; that on Saturday, March 8, 2008 the organization called DAYA was holding their annual celebration, that DAYA was run by a group of volunteers and their primary purpose was to help south Asian families in Houston in the area of counseling, education, financial assistance and women and children who were in crisis, that they dealt with family violence, sexual assault, child abuse, mental health, immigration issues and bicultural conflicts, that it was an organization that did great work in their City, that it would be at the Stafford Civic Center. Council Members Johnson, Adams, Clutterbuck, Sullivan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to encourage everyone to vote in the primary on March 4, 2008, that there was still time for early voting. Council Members Johnson, Adams, Clutterbuck, Sullivan, Rodriguez, Brown, Lovell, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:28 p.m. Council Members Johnson, Adams, Clutterbuck, Sullivan, Rodriguez, Brown, 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