

City Council Chamber, City Hall, Tuesday, May 6, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 6, 2008, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Adrian Garcia, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director present. Council Member Ronald C. Green absent on personal business.

At 2:00 Mayor Pro Tem Garcia called the meeting to order and stated that Council Member Noriega would begin presentations. Mayor White, Council Members Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Noriega invited those with her proclamation to the podium and stated that it was important to be reminded arson was never a victimless crime, it was considered a second degree felony in Texas and children as young as 10 years old could be charged; and presented a Proclamation to the representative of the Houston Fire Department proclaiming today as "Arson Awareness Week" in Houston, Texas. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she wanted to congratulate and encourage those at the Houston Fire Department for all their work and bringing attention to such a critical issue; and the spokesperson of HFD stated that he thanked all for this recognition and they took very seriously arson fires as it destroyed property and lives. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Lovell and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia invited those with his presentation to the podium and stated that letter carriers did much more than mail; that there were over 891,000 Gulf Coast residents living in poverty and the Houston Food Bank and Houston Letter Carriers worked to seek donations on an annual basis and distributed them; that this Saturday, May 10th the letter carriers would be picking up food from door to door for distribution and they would also hold a parade May 8th, 10:30 a.m. at the downtown Post Office, 401 Franklin and encouraged others to participate; and presented them a Proclamation proclaiming today as the "Houston Food Bank National Association of Letter Carriers Annual Food Drive Day" in Houston, Texas. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

Council Members congratulated and thanked them for all their efforts on behalf of the community. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Lovell absent. (NO QUORUM PRESENT)

A representative of the Houston Food Bank stated that the Houston Food Bank was very thankful for the partnership with the National Association of Letter Carriers; that hunger was a big problem and they thanked them for all their work. Council Members Johnson, Sullivan and Holm absent.

Council Member Khan stated that on a point of personal privilege he wanted to say all were honored today to have present VIPs from Aberdeen, Scotland, Lord Provost, Mr. Peter Stevens, Council Members and Lady Provost and asked they stand to be recognized; that Houston had a long standing sister city relationship with Aberdeen and they welcomed them and hoped they had a wonderful time during their stay. Council Members Johnson and Sullivan absent.

Lord Provost stated that they were honored to be present today and find out what went on in this chamber compared to their chamber. Council Members Johnson and Sullivan absent.

Mayor White invited Ms. Rogene Calvert to introduce the Mayor's Youth Council; and Ms. Calvert introduced Zachary Garber, chair of the Mayor's Youth Council; Tyler Look District A Council Member; Jacqueline Barnes, Council Member District I and Scott Hyde, At-Large Position 1 Council Member; and Zachary Garber stated that this was the third year a survey was conducted by their Council to participate in the 2008 Global Youth Service Day and more importantly to provide a voice for Houston's Youth and communicate their findings with this year 1,000 youth participating in the survey and discussed the categories and findings; and Tyler Look discussed recommendations which were also presented to Members of Council. Council Members Lawrence, Johnson and Sullivan absent.

Council Members thanked the students for their participation in such an important project. Council Members Lawrence, Johnson, Sullivan and Brown absent.

Council Member Adams wished Council Member Rodriguez a happy birthday. Council Members Lawrence, Johnson, Sullivan and Brown absent.

At 2:27 p.m. Council Member Jones invited Pastor T. Berry of the Greater True Light Baptist Church to the podium to lead all in the prayer and Council Member Jones led all in the pledge. Council Members Johnson, Sullivan and Brown absent.

At 2:28 p.m. the City Secretary called the roll. Council Member Green absent on personal business. Council Members Sullivan and Brown absent.

Council Members Garcia and Khan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Sullivan and Brown absent. MOTION ADOPTED.

Council Member Lovell moved the rules be suspended for the purpose of hearing Mr. Tony Jones at the top of the three minute speakers list, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Sullivan and Brown absent. MOTION 2008-0303 ADOPTED.

At 2:29 p.m. the City Secretary began calling the public speakers. Council Members Clutterbuck and Brown absent. Council Members Sullivan and Brown absent.

Mr. Bill Balckwood, 3638 Grennoch, Houston, Texas 77025 (281-433-2925) appeared and stated that he was with the Braeswood Home Owners Association and after 8 years of planning request and 1,869 signatures and 505 homes flooded due to a tropical storm street reconstruction commenced in their area in 2005 and they partnered with the City of Houston for upgraded street lights and it was between them the city and Center Point Energy, however, they had to raise \$245,000.00 to assist and did so, however during street reconstruction coordination between the city, contractors and Center Point was severely lacking and they have had dark streets for as long as 18 to 20 months into the process; now they were at about 35% complete on this multiyear project and they heard from Center Point that their money may be as much as \$150,000.00 short; that they answered their call and they were in Phase III of a Phase VI project and no one seemed to have authority or ability to see the monies were handled correctly or the implementation to go as planned; and they were requesting the City of Houston's immediate assistance. Council Members Sullivan and Brown absent.

Council Member Clutterbuck stated that the issue was similar to the Mary Bates

neighborhood situation they heard last week and was a major complaint heard in other council districts where they could not seem to get Center Point to get lights back on and here the neighborhood raised a significant amount of money and now were told more money was needed; and Mr. Balckwood stated that they had previously asked to pay for the street lights and to be allowed to warehouse them their selves and they were refused. Council Members Sullivan, Khan and Jones absent.

Council Member Holm stated the city had no control over Center Point but there had to be a better way to stand together rather than frustrate citizens. Council Members Sullivan, Khan and Jones absent.

Upon questions by Mayor White, Mr. Blackwood stated that the street lights were an upgrade, shorter poles to go under the tree canopies and a larger number; that the agreement came through meetings coordinated with Street Reconstruction Public Works and Center Point, but Center Point would never put anything in writing and they had to work through the contractors and early coordination team and Center Point, it was all done through protocol of the City of Houston and Center Point; and Mayor White stated that Director Marcotte was present and one issue was customers of Center Point and owners of the city; that Mr. Marcotte they needed to figure out...; that sometimes the price was misquoted or went up; and on Council Member Holm's point, he asked Legal to consult with Mr. Webb, he believed he would find the City of Houston had original jurisdiction, that is they stood in the same relation to Center Point as did the PUC and he did not think they had used the jurisdiction for decades, maybe some Council Members were interested in working with members of the Administration and Center Point on what the procedures and expectations were on street lighting and the timeliness after a project and alternatives people had and different products available and through the City Agenda Director or him may be willing to work as a group and for Legal what was their jurisdiction; and he believed he wrote something to Mr. Marcotte and Mr. Standish after the citizen last week; and Mr. Marcotte stated that he responded this morning; and Mayor White stated that this was the same type issue and he needed to make sure they understood procedures. Council Member Sullivan, absent.

Council Member Clutterbuck stated that the Mayor should sign her up for the committee, but she did want to be able to tell citizens they would be working on relief of the no light in communities more expeditiously; and according to Director Marcotte Center Point was using subcontractors and delegating all aspects of the street light installation and maintenance and that was why the slower response time; and Mayor White stated that the mere fact something was contracted out was not cause, the contractor was not responsible for delay because Center Point was the boss of the contractor. Council Members Sullivan, Rodriguez and Lovell absent.

Council Member Lawrence stated that there was a preconstruction meeting with the contractors and Center Point and if District Council Members would like they could bring Center Point here and talk about options at committee meeting; that many times with a Council Member and not a staff member there they could set terms on construction and at what point Center Point would come through, it had been successful for her; and Mayor White stated that if there was an informal working group and good committee presentation maybe it would be a good idea; and if there was a standard procedure for light restoration, say 48 hours and it turned out to be 24 weeks who was responsible and what was the consequence. Council Members Sullivan and Rodriguez absent.

Mr. Tony Jones, 1950 Spinwick #318, Houston, Texas 77055 (713-935-0011) appeared, presented information and stated that he had a seeing dog and was licensed in 2007 for his tags, but the license was to go out in February so he received a card stating to send his \$2.00 to Pet Data so he talked to them about sending the money as he had no checks and they said a check card could not be used, he could use a money order but only a Post Office money order

which meant he would need to spend \$1.00 for a \$2.00 money order so he did that and mailed it, then last week he got a second notice so he called Pet Data and they told him they did not get it or it was misplaced and now he needed to pay \$10.00 plus the \$2.00 and he could pay online with his credit card but then there was a \$1.75 convenience fee and after adding he would spend \$17.14 for a \$2.00 tag; that he called BARC and spoke with Mr. Robertson and another issue with him was the rabies vaccination was for three years yet every year he was required to send that he had a certified seeing eye dog and the rabies certificate was still good...; that finally Pet Data told him to shut up and just do what he was told and he would like to know why they were even dealing with a company in Dallas and if there were three year rabies vaccines why did they not have a three year license tag even if they paid more. Council Member Sullivan absent.

Council Member Lovell thanked Mr. Jones for coming and stated that what happened to him was not customer friendly and she thought seeing eye dogs should have fees waived and hoped Citizens Assistance could help him today and hoped they could relook at how this was done and allow fees waived. Council Member Sullivan absent.

Council Member Adams stated that to the chair of the Human Services and Technology Committee they discussed this issue yesterday with Pet Data and a major concern of hers was the Veterinary Association did not want to supply vaccine papers to the City of Houston so they could see which owners were licensed and she also supported Mr. Jones, a high concern with citizens was sending money to Pet Data instead of the City of Houston and she wanted to know why the Veterinary Association did not want to comply when it was by ordinance they comply and provide papers to the city and also look at ways to have a check and balance on Pet Data. Council Members Sullivan, Khan and Noriega absent.

Council Member Clutterbuck stated that she too had a similar experience of receiving notice her dog could not be registered because she did not send in the rabies vaccine even though on the face of the card it showed the dog was not due for another rabies vaccine for another two years and she would suspect Pet Data was contracted because those at BARC were not adapt to take in receivables, but a number of departments received and processed money without an added fee and as they approached the budget season she would like them to evaluate whether or not they should continue with Pet Data, maybe even subcontract it out to another department and his suggestion of a three year permit was outstanding and needed to be done. Council Members Sullivan, Khan and Noriega absent.

Mayor White stated that collection and payment processes needed to be made more customer friendly and Council Member Garcia had been advocating a one permit, wrap around permit, and on magazines you got a discount for signing up for five years so they did not need to process each year and he counted on department directors and others to put themselves in the position of a customer and to Council Member Clutterbuck they should work on this and if someone said it took \$225,000.00 to do it then they needed to look at the numbers and Mr. Alfred Moran had some ideas he was bringing to departments on how to do this in a similar way as the private sector and if magazines asked you to sign up for more years and gave a discount why could not the city do it. Council Members Sullivan and Noriega absent.

Council Member Holm stated she was on Council when they discussed Pet Data and one concern was paying an outside company to register their animals and they had no incentive for people to register them and it was time to evaluate where they were going with this, why could they not have a recording process so simple that when your pet was vaccinated you paid the vet \$1.00 plus the \$2.00, fill out the form and on a monthly basis they would mail them to the city and it would be a 100% complete database; and Mr. Jones stated that he would love to be a part of the process. Council Members Clutterbuck and Noriega absent.

Mr. Dan Cupp, 1237 Althea Drive, Houston, Texas 77018 (713-682-7010) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck and Noriega absent.

Ms. Twanda Twine, 4931 Trail Lake, Houston, Texas 77045 (713-433-8377) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Holm and Noriega absent.

Mr. Richard Swallen, 22010 Madera Canyon Court, Richmond, Texas 77469 (281-381-9202) appeared and stated that he was present regarding copper theft, he was a victim three separate times and lastly was last week; that he owed a few small strip centers throughout Houston and it took Council Member Brown getting involved to get police to investigate; that he called police and they said call theft and burglary division and after holding he got a recording to press different numbers for different circumstances and when he got to the location all the tenant had was a piece of paper with a case number written on it he received from HPD and that was the end of it. Council Members Clutterbuck, Holm and Noriega absent.

Council Member Lawrence stated that this was happening all over the United States and Crime Stoppers had been approached to set up a National Data Base for copper theft; that the City of Houston passed ordinances but right outside the county they were not checking and recording and many copper thieves were going to the county and she encouraged him to go speak before commissioners because that was the problem; and Mr. Swallen stated that no one came and he finally asked for a uniform policeman and he came and turned in the information and made no mention they needed to call theft and burglary to pursue information; that Council Member Brown called them and they finally came and finger printed and people needed to be told what to do so people could get caught; and Council Member Lawrence stated that officers were present and she was sure they would take that information back. Council Members Holm and Noriega absent.

Upon further discussion Council Member Garcia stated that this body understood the victimization of copper theft and because of Mayor White they worked to put rules in place and the Mayor's Legislative Team worked to put in place state law, but wanted to be sure any leads were followed up on; and Council Member Brown stated that the wire stolen was the heavy lead wire feeding from the pole and they got up there and cut live wires and he experienced difficulty in getting a permit from the city to rewire, a week or so delay and that affected tenants and in these kind of cases the permitting department needed to do all possible to get it permitted right a way and also had they raised the number of officers on this; and Mayor White stated that he would check on that, there was a myth of only two working but there were two exclusively devoted and they had a very large taskforce, but there were additional dedicated positions and it would be checked on; and Mr. Swallen stated that he called a Houston company and was told the more you bring the more they pay and if he would wait they would strip it, weight it and pay him and in talking to theft and burglary there was a 72 hour rule, they were not supposed to touch the product until after the 72 hours, but they were going to pay him right away; and Mayor White stated that to his response there were seven people dedicated full time and to HPD he hoped people were using penalties and if they would get a listing of scrap metal dealers receiving citations for violation of ordinance they would figure out and escalate what to do; and Council Member Jones stated that it would be helpful if officers had fingerprint kits when they went out; and receipt of stolen property of actually a misdemeanor but the DA's office, if they could prove criminal enterprise, they would have to ..., but braking into a building was low level, breaking into someone's home was a felony and punishment of two to twenty years; and Mayor White stated that they would get a report and maybe before Council Member Noriega's committee and there did use to be fingerprint kits in patrol cars and then they didn't, but that would be changed, he wanted them in the cars. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Sullivan, Holm, Rodriguez, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mr. Erik Osterrieder, 1109 Gross, Houston, Texas 77019 (713-201-0303) appeared and stated that he and his two neighbors were present on behalf of Gross Street; that they had substandard infrastructure and Council Member Brown came out and walked it, but the drainage system was substandard and a METRO bus was stuck in a ditch, they had a pregnant woman fall into one in her car and the Center for the Retarded was just down the street and a retarded child fell in and they could not get him out; that the street was full of patches and utility lines hung and there were no utilities because they were not connected; that they were 1 block from River Oaks and that was another problem; that the construction across from them served as a staging area for construction occurring in River Oaks and it was a true eyesore and created many problems, the street was about 18 feet wide and at one point had 9 dump trucks there, dirt was spread everywhere and they had piles about the size of a story or 2 story building across from them and they could not understand why they were the staging area for River Oaks, this was being leased to Metro City the ones doing the project and he had turned in a video to Council Member Brown and had a letter prepared with pictures and it was supposed to be available to each Council Member and he wondered if they had it. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez, Brown and Lovell absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that he was looking at information regarding his concerns and would ask Mr. Norman with Public Works and Engineering and who was present at this time to expedite the processing of his complaints and he would get with him; that in his district he was dealing with something similar. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Lovell absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Brown stated that they had a City of Houston construction project with Metro City and a staging area on the west side of Gross Street and it was a nuisance and traffic hazard, they had frontend loaders driving down the street and when he was there someone was almost run over and there were many there from School of the Blind and Center for the Retarded who walked and took public transit around the area; that he was told by Public Works that this company had already been given citations two to three times for illegal activities and so why did the City of Houston even hire such a company and he wondered on a construction of staging site how the neighborhood was protected from visual blight, mud, noise, traffic congestion, etc. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Lovell absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that Council Member Brown did call Public Works and he would imagine things were happening and the fact they were present put an exclamation point on his phone call and Mr. Norman was standing and ready to speak with them. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Lovell absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Adams stated that being the District Council Member this was the first she heard of it and usually when an At-Large Council Member found out something of this great magnitude they notified the District Council Member and she would ask that the information provided to Council Member Brown he also provide to her office so they could get with Public Works and Engineering and allow her to be of support; and Mr. Osterrieder stated that she would get the information this week. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Khan and Holm absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that as Council Member Adams said each District Council Member took tremendous ownership in the areas they were elected by and represented. Mayor White, Council Members Johnson, Clutterbuck, Khan and Holm absent. Mayor Pro Tem Garcia presiding.

Council Member Noriega stated that on the City Secretary's web page there was a site for anyone to look up and see who their District Council Member was and it was helpful for them to have the information. Mayor White, Council Members Johnson, Clutterbuck, Khan and Holm absent. Mayor Pro Tem Garcia presiding.

Council Member Jones stated that this happened before and they should go to the District Council Member; and Mr. Osterrieder stated that they did try both, they contacted both offices but actually received response from the At-Large Council Member; and Council Member Jones stated that they had something similar happen and any help Council Member Adams would need they could do. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Maricella Oleva, 10554 Sunhunter Brook, Houston, Texas 77038 (832-473-6803) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mrs. Joseph Thomas, 1717 Shearn, Houston, Texas 77007 (713-236-8001) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Jacqueline Lambert, 1900 West Loop South, Houston, Texas 77027 (713-439-1151) appeared and stated that she hoped to get help on a water bill for commercial property located at 8721 Clay Road; that service started last September and they had been receiving a \$700.00 water bill even though they used approximately 7,000 gallons of water a month and that was in addition to water impact fees, to date they paid over \$80,000 to get water at the location and after contacting the Water Department she was told Council passed an ordinance that the water meter size was what determined the commercial rate and not the actual usage and it seemed unreasonable and hoped Council would revisit the ordinance and make change. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that he thought there was fact mixed with fiction in what she had been told; that he was looking at Mr. Gary Norman and she could speak with him. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding.

Council Member Lawrence stated that even though she was in the city limits it could be a water district; and Ms. Lambert stated that she never applied to a separate entity, she was only receiving a City of Houston bill; and Council Member Lawrence stated that she thought possibly she was in a water district from a previous situation, but Mr. Norman would speak with her. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding.

Mr. Willis Taborn, 2106 Bel Arbor, Houston, Texas 77033 (281-222-8601) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding.

Ms. Jackaline Hickman, 1600 Louisiana, Houston, Texas 77021 (713-987-4046) appeared and stated that Council Member Rodriguez called her after she spoke last time and Loretta in his office helped her and now she was waiting for an unemployment check she had waited for two years and through her contacted Representative Sheila Jackson Lee and was now getting disability; and also the canopies at Hermann Park and the restrooms were foul. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Rodriguez thanked Ms. Hickman for the compliment and stated that he would pass it on to Loretta. Mayor White, Council Members Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm and Noriega absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mrs. Joseph Thomas, 1717 Shearn, Houston, Texas 77007 (713-236-8001) who was not present previously was again called and stated that she had a water bill and she and the Water Department could not agree on the meter reading or the payment and she was asking for a conference from someone in that department; that one account had been transferred to another account without reason and without the first dispute being settled and then they cut the water off and she had a house with several people in it and she needed to talk on the account transferred where a large truck backed over the meter and mashed it into the ground and it took almost a year to fix it and the bill went up because her name was on the account, it was \$800.00 plus and she was expected to pay. Mayor White, Council Members Johnson, Adams, Sullivan, Khan, Holm and Lovell absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia thanked Ms. Thomas for coming and he understood the Public Works Department was working with her to set up a hearing which was a part of the process and Mr. Norman was present and would speak with her. Mayor White, Council Members Johnson, Adams, Sullivan, Khan and Holm absent. Mayor Pro Tem Garcia presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-407-5344) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Adams, Sullivan, Khan and Holm absent. Mayor Pro Tem Garcia presiding.

Mr. James Patsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Adams, Sullivan, Khan and Holm absent. Mayor Pro Tem Garcia presiding.

At 4:04 p.m. City Council recessed until 9:00 a.m., Wednesday, May 7, 2008. Mayor White, Council Members Johnson, Adams, Sullivan, Khan and Holm absent. Mayor Pro Tem Garcia presiding.

The Houston City Council reconvened at 9:00 a.m. Wednesday, May 7, 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 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. Council Member Ronald C. Green absent on personal business.

At 9:25 a.m. Mayor White called the meeting to order. Council Members Johnson, Sullivan, Garcia and Brown absent.

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

1. **PUBLIC HEARING** relative to proposed amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Seven (OST/Alameda Zone) **DISTRICTS D - ADAMS and I – RODRIGUEZ** – was called. Council Members Sullivan, Garcia and Brown absent.

The City Secretary stated that Mr. Ralph De Leon would make comments on the hearing; and that no one had reserved time for either hearing. Council Members Sullivan, Garcia and Brown absent.

Mr. De Leon stated that on April 7, 2007 the Board of Directors of the OST/Alameda Corridors TIRZ approved amendments to the TIRZ Project and Financing Plan and forwarded them to the City for consideration; that the public hearing was a statutorily required part of the City's review process, that each Council's office had been given a copy of the proposed amended plan for the TIRZ and an official statement had been distributed to each of them today; that in brief the administration requests that City Council approve the annexation of 497 acres of public lands into the TIRZ and approve a plan amendment to increase the zones overall plan expenditures by \$77 million; that the intent of the proposed annexation and the associated project plan amendment was to provide much needed public infrastructure in the northern Third Ward, area along Brays Bayou and numerous area parks including Emancipation and McGregor; that as explained in the body of the proposed amendments, and more explicitly shown in Exhibit 1, other proposed amendments would provide for public infrastructure, roadway and streetscape improvements, Bayous Bayou pedestrian trails and bridges, park improvements, historic preservation, cultural and public facilities and affordable housing; that in closing, City staff had worked with the TIRZ on the proposed amended plan and would at a subsequent Council meeting bring forth a recommendation for City Council to approve the plan amendments. Council Members Sullivan, Garcia and Brown absent.

Mayor White stated that he did not know how many people who were citizens, much less elected officials, understood that in not to many years there would be more money available in the increment for the TIRZ for capital improvement than was available for the rest of the City combined in their tax rate, that was not intended and that was not defensible so they had a problem, but it was not going to explode tomorrow but if they did nothing then there was going to be more money available to the TIRZ for capital improvements than the rest of the City combined, that was not explainable and defensible; that second, all TIRZ were different and had different rationales and different circumstances and had been the policy of this administration to try to continue and do what other Council Members and Councils and Mayors had decided to do so they would keep faith with people with whom the City of Houston made commitments; that third, they had not been creating new TIRZ because of the unintended consequence of the TIRZ; that fourth, they had tried to make sure the TIRZ were spending their money, they were dealing with two here that had both cash in the bank and debt capacity and a lot of needs in and around the areas of the TIRZ; that they would all remember for example a citizen in Council Member Johnson's district who was waiting for police control while in the middle of a gang war right over by Greenspoint, they had money in the bank in Greenspoint but he could not get a cop there; that what this particular amendment did with respect to the OST/Alameda was two things, number one, it increased and put some right-of-way in the TIRZ, so not any loss of the tax base but so they could do road improvements and park improvements that could be done in an area that was adjacent to the TIRZ; that number two, it defined some traditional Public Works projects as part of the project plan, such as street reconstruction, reconstruction of parks and bayou improvements. Council Members Sullivan, Garcia and Brown absent.

Upon discussion and questions by Council Members, Mayor White stated that he was asking that Council Members be engaged, like Council Member Lawrence had been, on some

of the specifics of these; and he had a little bit of a conversion experience, but thought that it was less clear that there would be what they would call good and bad TIRZ, that he thought there was more an issue of what was the clarity with which there was public, meaning City, direction concerning what the TIRZ would accomplish; that in other words if they say the mission was to renovate the Sharpstown or Greenspoint Malls and that does not happen then the money was used somewhere else, that it was not because the citizens on those boards were bad or the staff; that he did not blame them, it was human nature, if they had money and could not spend it on one thing then spend it on something else, that it really takes engagement and the City Council, and finally he would say that people ought to scrutinize very carefully how much of the increment should be spent on capital improvements that were different in quality and nature from the rest of the City versus contributing to normal capital improvement, by that he meant within some of the TIRZ, for example two of the TIRZ, three of the TIRZ would contribute to half of the increment, that there were many different reasons why the downtown area had seen a very significant appreciation in real estate values, they could each have their own opinion but their economy, oil and gas, Metro, Discovery Green, the stadium, there were a lot of things that contributed to that, but the entire ad valorem tax increment went into the TIRZ above what it's baseline was so they had been addressing that and using relatively more on public safety, but he was asking them what was the right balance because the areas within the TIRZ had been paying a decreasing percentage of the public safety expenses of the City as a percentage of their appraised value and that was what bothered him a little; that he would tell them that he would wager that some of the TIRZ that were not project specific as soon as they approach those years when they were about to expire they would want to be extended, so how do they come up with a sunset mechanism that worked, when do they declare success, so they would not have it in perpetuity, so if they could help him think through that, maybe they could research what had been done at the State level and other levels concerning sunset periodically; that the County had set a hard and fast rule, a dollar limit, on what it would spend and after that it was not in anymore and they ought to start thinking about that; that he thought that with the Greenspoint Plan, that they would come to next, would be an example of a huge step in the right direction where the additional capital improvements and operating improvements associated with some of the Fire and EMS would be born by the TIRZ within the TIRZ; that the Uptown and Sharpstown TIRZ were contributing significantly to the cost of the new Police Station, so it was not all paying some business to relocate in this part of town as opposed to the other part of town, that had happened and he was not sure he liked it that much; that with respect to the Fifth Ward he also wanted to say that perhaps there was a way under the State Law that TIRZ money could be used for affordable housing, places of public meetings, assemblies such as parks and libraries, that they could be used for educational institutions as well, and they could be used across TIRZ boundaries on that, that the Fifth Ward was a classic example, they could not expand, as he found out, the boundaries of a TIRZ to include so much residential and if it was residential around there they were out of luck, so maybe there was a way that they could come up with something that was more equitable in parts of the City; that there were some legal limits on what could be done within the TIRZ on operations and maintenance expenses, that as they knew for their ad valorem taxes, and this was an important point, about 75% of the property tax they collected went to O&M, that within the TIRZs that number might be something like 20% to 30% went to O&M, so it was really the question that he was grabbing with, and was why they needed to be informed, that within a few years half of the money that was available for capital improvements in the City, under the General Fund, would be within the TIRZ, that they needed to make sure that they used the TIRZ funds not only to enhance those areas within the City and get the benefit of the views of the merchants within those areas but that there was some benefit for the City as a whole, that he would give them another reason for that, that people moved around the City all the time, they did not just live in the same place for twenty years or have their businesses for twenty years, so he did not want a situation in which there were some favored places of the City and some not, that was where they were headed and that was what he was worried about, that to put it another way and just so they knew, there were a lot of TIRZs, but three TIRZs, Downtown, Uptown and Midtown

made up about 40% to 50% and then if they added the other, Greenspoint and OST/Alameda they would get way over 50% of the TIRZ value within those TIRZs; that he wanted them to help him think about how there could be somewhat more formalization of the priorities that they had in their CIPs and those that were in the TIRZ, that for example what they were voting on today was a good example, that at Greenspoint public safety was a high priority, and a number of the TIRZ were contributing both to police and a fire station; that it sounded to him that there was some negotiation that should not have occurred but to pick up the O&M as well as the capital expense for some of the additional fire service in the area; that there was some thinking that if they made the whole City like a TIRZ then everybody would be better off, but he wanted to point out the fact that one plus one equaled two, that if they had a given ad valorem tax rate and a tax base then there was a point where they had to make choices and those choices just needed to be explicit so they understood what those choices were. Council Members Johnson, Garcia, Noriega and Jones absent.

Council Member Holm moved to close the public hearing, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Johnson, Garcia, Noriega and Jones absent. MOTION 2008-0304 ADOPTED.

2. **PUBLIC HEARING** relative to proposed amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Eleven (Greater Greenspoint Zone)  
**DISTRICT B - JOHNSON**

The City Secretary stated that Mr. De Leon would make comments on the public hearing. Council Members Johnson, Garcia, Noriega and Jones absent.

Mr. De Leon stated that on May 6, 2004 the Board of Directors of the Greenspoint TIRZ approved amendments to the TIRZ Project and Financing Plan and forwarded them to the City for consideration; that in brief the administration requests that the City Council approve a planned amendment for the zone which would allow for the overall reduction in project plan expenditures by \$35 million; that as explained in the body of the proposed amendments, and as more explicitly shown in Exhibit 4, the proposed amendments were to provide for a series of projects including public infrastructure, acquisition and development of parklands, environmental remediation initiatives, including the cleanup of an abandoned tire dump, affordable housing and a public safety campus, that in closing City staff had worked with the TIRZ on the proposed second amended plan and would at a subsequent Council meeting bring forth a recommendation for City Council to approve the plan amendments. Council Members Johnson, Garcia and Noriega absent.

Council Member Khan moved to close the public hearing, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Johnson, Garcia and Noriega absent. MOTION 2008-0305 ADOPTED.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 3 through 43**

#### **MISCELLANEOUS** - NUMBERS 3 and 5

3. REQUEST from Mayor for confirmation of the appointment of **MS. HELAINE W. LANE** to Position Two of the **JOINT CITY/COUNTY COMMISSION ON CHILDREN**, for a term to expire December 31, 2009 – was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Green absent on

personal business. Council Members Holm and Garcia absent. MOTION 2008-0306 ADOPTED.

5. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **BRAYS VILLAGE PATIO HOMES MAINTENANCE FUND, INC** for law enforcement services of one (1) deputy from Harris County Constable Precinct 5 - **DISTRICTS F - KHAN and G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Holm and Garcia absent. MOTION 2008-0307 ADOPTED.

**ACCEPT WORK** - NUMBER 7

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$741,191.15 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for City of Houston's National Pollution Discharge Elimination System - Storm Water Pollution Minimization Plan - 8430 Newcastle, WBS M-000126-0050-4 - 3.86% over the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2008-0308 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 10 through 14

10. **KEETON CONTRACT SERVICES, INC** for Painting the Exterior Roof Exhaust Ducts at George R. Brown Convention Center for the Convention & Entertainment Facilities Department \$90,000.00 and contingencies for a total amount not to exceed \$94,500.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2008-0309 ADOPTED.
12. **QUADMED, INC** - \$595,049.82, **CARDINAL HEALTH 220, INC** - \$468,274.74, **MOORE MEDICAL, LLC** - \$567,406.81, **AMBU, INC** - \$485,727.22, **EMERGENCY MEDICAL PRODUCTS, INC** - \$106,173.84, **HENRY SCHEIN, INC** - \$188,424.88 and **EMS INNOVATIONS, INC** - \$79,182.00 for Medical and Emergency Medical Supplies for Fire Department \$2,490,239.31 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2008-0310 ADOPTED.
13. **STANBIO LABORATORY** for Hemoglobin 201 Analyzers and Microcuvette Test Strips for the Health & Human Services Department - \$488,400.00 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2008-0311 ADOPTED.
14. **FLINT TRADING, INC** for Thermoplastic Pavement Marking Materials for Department of Public Works & Engineering - \$1,148,984.00 minus a commission fee for Internet-based reverse auction services for a net award amount not to exceed \$1,128,984.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2008-0312 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 15 through 43

15. RESOLUTION approving and adopting a revised Investment Policy for the City of Houston – was presented. All voting aye. Nays none. Council Member Green absent on personal business. RESOLUTION 2008-0010 ADOPTED.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of four water line easements (Parcels SY7-059A, SY7-059B, SY7-059C and SY7-059D), containing an aggregate of 0.3854 acre (16,786 square feet) of land, more or less, vacating and abandoning said easements to Houston Gulfgate Partners, L.P., in consideration of said owner's payment of an aggregate amount of \$71,341.00, and other consideration to the City **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0389 ADOPTED.
19. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 3,462 square foot, more or less, tract of excess fee-owned land within the Braeswood Water Well #1 Site C-116, adjacent to 5900 North Braeswood Boulevard, Houston, Texas 77074 (Parcel No. SY7-132), located in the Herman Aiken Survey, A-98, Harris County, Texas; vacating and abandoning said tract of land to Seven Acres Jewish Senior Care Services, Inc., abutting owner, in consideration of abutting owner's conveyance to the City of a sanitary control easement over the entire area being sold (Parcel No. QY7-008), payment to the City of \$17,310.00, and other consideration - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0390 ADOPTED.
20. ORDINANCE consenting to the addition of 242.6810 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 386**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0391 ADOPTED.
21. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 494 - DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0392 ADOPTED.
22. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 496** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0393 ADOPTED.
23. ORDINANCE consenting to the addition of 11.22 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 499**, for inclusion in its district - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0394 ADOPTED.
24. ORDINANCE consenting to the addition of 93.38 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 499**, for inclusion in its district - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0395 ADOPTED.
25. ORDINANCE consenting to the addition of 127.12 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 499**, for inclusion in its district - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0396 ADOPTED.

26. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 521** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0397 ADOPTED.
27. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 522** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0398 ADOPTED.
28. ORDINANCE consenting to the addition of 13.51 acres of land to **NORTHWOOD MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0399 ADOPTED.
29. ORDINANCE consenting to the addition of 5.926 acres of land to **PORTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0400 ADOPTED.
31. ORDINANCE committing \$975,000.00 in present and future Community Development Block Grant Funds as a cash match; approving and authorizing the acceptance of a grant from the U. S. Department of Housing and Urban Development (HUD) for Round 15 Lead-based Paint Hazard Control Program; declaring the City’s eligibility for such grant; authorizing the Director of the Health and Human Services Department to accept the grant and the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0401 ADOPTED.
33. ORDINANCE approving and authorizing Lease Agreement between **HOUSTON CHINESE CHURCH, as tenant**, and the City of Houston, Texas, as landlord, for two parcels of land (RE-90 and RE-93) with an aggregate of 35,600 square feet of land, more or less, located at 10305 South Main, Houston, Harris County, Texas, to be use for parking - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0402 ADOPTED.
36. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for Operation and Maintenance of Pinewood Village and Mary Withers Parks **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0403 ADOPTED.
37. ORDINANCE approving and authorizing Utility Functions and Services Allocation Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 460 DISTRICTS D - ADAMS and E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0404 ADOPTED.
38. ORDINANCE amending Ordinance No. 2008-0126 to increase the maximum contract amount and approving and authorizing first amendment to contract between the City of Houston and **MERRELL BROS., INC** for Onsite Water Treatment Sludge Dewatering, Hauling and Disposal Services - \$963,202.75 - Enterprise Fund - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0405 ADOPTED.

39. ORDINANCE appropriating \$121,730.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to Professional Architectural Services Contract between the City of Houston and **HUITT-ZOLLARS, INC** for Right-of-way and Fleet Maintenance Facilities Expansions (approved by Ordinance No. 2007-0949), WBS N-00653C-0001-3 - **DISTRICTS H - GARCIA and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0406 ADOPTED.
42. ORDINANCE No. 2008-355, passed second reading April 30, 2008  
ORDINANCE granting to **INLAND ENVIRONMENTS, LTD., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0355 ADOPTED THIRD AND FINAL READING IN FULL.
43. ORDINANCE No. 2008-356, passed second reading April 30, 2008  
ORDINANCE granting to **STANZ INTEGRATED CLEANING SOLUTIONS, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0356 ADOPTED THIRD AND FINAL READING IN FULL.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**MISCELLANEOUS**

4. RECOMMENDATION from Director General Services Department for Council to determine that the Construction Manager at Risk Alternative Delivery Method offers the best value for the City for the Right-of-way and Fleet Maintenance Facilities Expansion for the Department of Public Works & Engineering - WBS N-00653C-0001-4 - **DISTRICTS B - JOHNSON; H - GARCIA and I – RODRIGUEZ** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2008-0313 ADOPTED.

**DAMAGES**

6. RECOMMENDATION from City Attorney for settlement of lawsuit styled **WILLIAM DELEON and OSCAR DELEON v. City of Houston and Herman Lastrape, Jr.**, in the 80th Judicial District Court of Harris County, Texas; Cause No. 2005-54717 - \$240,000.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia.

After discussion by Council Member Lawrence, Mayor White stated that he would make two comments and the second comment he would like the City Attorney to comment on; that first was a comment that Mr. Anthony Hall had raised a number of times, where like the issue on the TIRZ he was bringing it to people's attention, that he was candid in that he did not know

what to do but it bothered him, that as he said there were quite a number of vehicular collisions which result in a significant cost to the taxpayer and in some cases where there may be fault with the City employees, he doubted whether there were career consequences or that there was something in the file, that there was stuff where they would run into something, that he could give a litany where people were careless and they were paying a whole lot of money to third parties and themselves; that if somebody ever wanted to have a hearing on it and thought they could come up with a good idea of what they ought to do in terms of the HR deal then that was probably something where they needed some work; that second, he thought the City Attorney had been recommending these based on the handicapping of their Legal liabilities and defense costs as opposed to humanitarian purposes and asked Mr. Michel to comment.

Mr. Michel stated that was correct, it was really just a function of whether they thought they would spend more dollars by losing at court or whether they should settle it not, it was really not a function of whether a person had insurance or not or a sense of what the right thing to do was, it was simply trying to manage the liability of the City, and Mayor White stated that he did not think that the City was considered by the bar to be an easy mark in terms of that they just had to sue the City and they would settle, that he did not think they had the reputation as being somebody who rolled over on a settlement, that was his impression and he may be mistaken on that.

After further discussion, Council Member Jones asked if they had statistics of how much money they had saved by paying stuff; and Mayor White stated that there were various perspectives that could be brought to bear, that he understood that some of the classified employee unions were not real keen on and may have some views, that he thought it was an issue that they owed their citizens to talk about and think about a little bit and if there were some things that they could do and to provide some quantities, that obviously they did not want to tell their people not to use the vehicles, they wanted the emergency responders to respond to emergencies but what were their policies and how did they effect the personnel records of those who were involved in accidents which may be avoided and if they could have a committee hearing.

A vote was called on Item No. 6. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Noriega absent. MOTION 2008-0314 ADOPTED.

### **ACCEPT WORK**

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,034,808.20 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Drainage Improvements at Grade Separations, WBS M-000241-0002-4 - 5.36% under the original contract amount - **DISTRICTS D - ADAMS; H - GARCIA and I – RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Garcia, and tagged by Council Members Adams, Jones and Rodriguez. Council Member Noriega absent.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,247,170.41 and acceptance of work on contract with **ALLCO, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-0099-4 4.88% over the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Garcia, and tagged by Council Members Jones and Rodriguez. Council Member Noriega absent.

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

11. ORDINANCE appropriating \$313,950.00 out of C & E Construction Fund for Seating Modifications for Talento Bilingue de Houston for Convention & Entertainment Facilities Department, WBS B -000123-0001-4 – was presented. Council Members Rodriguez and Noriega absent.

After discussion by Council Member Brown, a vote was called on Item No. 11. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Rodriguez and Noriega absent. ORDINANCE 2008-0407 ADOPTED.

- 11a. **RESICOM, INC** for Seating Modifications for Talento Bilingue de Houston for Convention & Entertainment Facilities Department - \$299,000.00 and contingencies for a total amount of \$313,950.00 – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Noriega absent. MOTION 2008-0315 ADOPTED.

### **RESOLUTIONS AND ORDINANCES**

16. RESOLUTION approving the action of the City of Houston Higher Education Finance Corporation for issuance of its Higher Education Revenue Bonds (Rice University Project), Series 2008 – was presented. Council Members Rodriguez and Noriega absent.

After discussion by Council Members, a vote was called on Item No. 16. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Rodriguez absent. RESOLUTION 2008-0011 ADOPTED.

17. ORDINANCE **AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the parking of large vehicles in residential areas and on the streets - was presented, and tagged by Council Members Khan and Adams.

After discussion Council Member Lawrence stated that she had a motion to amend Item No. 17, and Council Members Khan and Adams released their tags for the purpose of Council Member Lawrence offering her amendments to Item No. 17.

Council Member Lawrence offered the following motion to amend Item No. 17:

“I move to amend Item 17 by making the following change in Section 3 of the proposed Ordinance:

1. Amend Sec. 26-96 by changing the first sentence to read as follows:

No person shall park or cause to be parked or permit to remain parked any large vehicle upon any street or highway in any residential district – tagged by Council Members Adams and Khan

After a lengthy discussion by Council Members, Mayor White stated that both Item No. 17 and the amendment had been tagged by Council Members Adams and Khan.

30. ORDINANCE approving and authorizing contract between the City and the **FAMILY CENTER OF HOPE** to facilitate transition and relocation support for clients affected by Hurricanes Katrina and Rita - \$80,000.00 - Grant Fund – was presented.

After discussion by Council Members, a vote was called on Item No. 30. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Holm absent. ORDINANCE 2008-0408 ADOPTED.

32. ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **VILLAGE OF ZION, LP, by and through its general partner TKNET, LLC**, to provide a \$500,000.00 Loan of Home Investment Partnerships Program (“HOME”) Funds to assist in financing land acquisition and the development of a 50-unit Senior Citizen Complex located at 3154 Gray Street, Houston, Texas - **DISTRICT I – RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0409 ADOPTED.

34. ORDINANCE approving and authorizing contract between the City of Houston and **ACORN HOUSING CORPORATION, INC** to provide \$155,000.00 in Community Development Block Grant Funds for Foreclosure Prevention Counseling Services – was presented.

Council Member Rodriguez stated that he was looking at the RCA and it was a little vague, that they were appropriating \$155,000 for what was a very serious issue in his district, predatory lending, that he really did not see anything about their counselors qualifications, whether it was going to be bilingual and some of the outreach necessary and would tag the item.

35. ORDINANCE approving and authorizing amendment to agreement between the City of Houston and **STAR OF HOPE MISSION**, to provide an additional \$100,000.00 in Community Development Block Grant Funds for the Renovation of the Women and Family Emergency Shelter Facility located at 419 Dowling Street, Houston, Texas - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0410 ADOPTED.

40. ORDINANCE appropriating \$3,567,000.00 out of Water & Sewer System Consolidated Construction Fund, awarded construction contract to **MERIDIAN COMMERCIAL, L.P.** for Air Handler Units Upgrade at 611 Walker, WBS R-000268-0058-4; 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 construction management, asbestos abatement project management, Civic Art Program, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0411 ADOPTED.

41. ORDINANCE de-appropriating \$3,659,297.21 out of Water & Sewer System Consolidated Construction Fund from Contract No. 4600006059 (as passed by Ordinance No. 2006-0654); appropriating \$5,059,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION CO.** for proposed 42-inch water line along Allum, Player and Tidewater from Hiram Clarke to Candleshade, WBS S-000900-00AE-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 testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0412 ADOPTED.

**NON CONSENT AGENDA** - NUMBER 44

**PURCHASING AND TABULATION OF BIDS**

44. RECOMMENDATION from Purchasing Agent to make the following awards for Telephone Equipment and Accessories for Information Technology Department - \$1,836,119.80 - Central Service Revolving Fund:
- CALL ONE, INC** - \$86,855.40
  - CALENCE, LLC** - \$425,128.50
  - GRAYBAR ELECTRIC** - \$240,419.60
  - LIBERTY COMMUNICATIONS, INC** - \$173,462.00
  - WALKERCOM, INC** - \$88,681.30
  - TELECOM REMARKETING CORPORATION OF AMERICA, dba TRCA** - \$257,113.20
  - COMTALK, INC** - \$506,259.80

**COUNCIL DRAW LOTS**

**ITEM NOS. 25, 52, 110 and 111** due to receiving identical bids from **LIBERTY COMMUNICATIONS, INC** and **COMTALK, INC** in an amount of \$60,200.00

- was presented, and Council Member Holm drew Comtalk, Inc. and Council Member Khan moved to adopt the recommendation, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2008-0316 ADOPTED.

**MATTERS HELD** - NUMBERS 45 and 46

45. ORDINANCE appropriating \$689,912.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **DEYAR BUILDERS, INC** for Safe Sidewalk Program F2, WBS N-00610A-00F2-4; 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, testing, project management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E – SULLIVAN** – **(This was Item 28 on Agenda of April 23, 2008, POSTPONED BY MOTION #2008-280)** – was presented.

Council Member Sullivan stated that he wanted to compliment Public Works for working with his office and providing information so that he could make an informed vote on the item.

A vote was called on Item No. 45. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2008-0413 ADOPTED.

46. ORDINANCE **AMENDING SECTIONS 21-161, 21-164, and 21-166 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to registration of air pollution sources; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful, providing affirmative defenses thereto and penalties therefor; containing a savings clause; providing for severability – **(This was Item 13 on Agenda of April 30, 2008, TAGGED BY COUNCIL MEMBERS NORIEGA and CLUTTERBUCK)** - was presented.

Council Member Brown stated that he supported everything the Mayor was doing to give the City the Home Rule Authority that it deserved to have when an agency like TCEQ, Texas Council on Environmental Quality who did have regulatory responsibility was not doing it's job, that there was an unfortunate lawsuit that had been brought against the City by the Business Coalition for Clean Air Appeal Group, that they needed to stand firm and do the right thing and have the political courage to insure their residents that they were cleaning up the air.

A vote was called on Item No. 46. All voting aye. Nays none. Council Member Green absent

on personal business. ORDINANCE 2008-0414 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Garcia stated that today starts the Northside Community's SEARCH classes and training for the creation of another SEARCH team inside the City, that he wanted to thank all involved in that; that there would be a cleanup for the Monty Beach Park area on Saturday and would invite folks to participate. Council Member Johnson absent.

Council Member Garcia stated that he wanted to thank Mayor White for his leadership on working through the challenges of recruiting for the Houston Police Department; that he wanted to thank Mike Nichols, Continental, Mr. Fertitta and Dr. Ivani from Saint Thomas, to help them think through their processes, and to make sure they were working effectively to communicate the career possibilities of the Houston Police Department. Council Members Johnson, Clutterbuck, Holm, Lovell and Noriega absent.

Council Member Garcia stated that they were on the brink of starting the Hurricane Season; that when he last visited Miami Dade, with their homeland security folks, they talked about and ended up creating a round table with local meteorologists to make sure they were all on the same page and how the Office of Emergency Management operated in a storm moving in their direction, that they had organized a meteorologist round table, and would like to thank David Cutler, with the Houston Emergency Communication Center, who would be hosting it, that he thought it would help them make sure they had effective dialog and effective communication when there was a possibility of disaster being in front of them. Council Members Johnson, Clutterbuck, Holm, Rodriguez, Lovell and Noriega absent.

Council Member Khan stated that the stake holders meeting for the Flooding and Drainage Committee would be on Monday, May 12, 2008 at the City Hall Annex; that they were holding a Business Opportunity Workshop for people to learn how to do business with the government in general, that it was organized with the help of the Houston Airport System, that it would be held the International Trade Center, 1110 Bellaire Blvd, on Tuesday, May 20, from 8:30 a.m. to 11:00 a.m. Council Members Lawrence, Johnson, Sullivan, Holm, Garcia, Rodriguez, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to welcome all of the delegates to the OTC Convention, that it had been one of the largest conventions and there would be more delegates this year than in the past; that he asked delegates how was their experience at the Houston Airport when they came in and everybody gave lots of kudos and appreciation for their welcome at the Houston Airport. Council Members Lawrence, Johnson, Holm, Garcia, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that he had the opportunity of hosting Lord Provost of Aberdeen yesterday, that it was a wonderful meeting; that the Mayor of Karachi, Mr. Mustafa Kamal, paid a visit to Houston and visited City Hall and had a great meeting with Mayor White. Council Members Lawrence, Johnson, Holm, Garcia, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that the problem of interim vendors seemed to be all across Houston, that it was a problem for people with out any permits or licenses or sales tax permits or authorization from the property owners come especially on the weekend, see an empty law in a corner and set up their shops to sell things, that many times they were selling goods that were a health hazard, that it was an eyesore for the neighborhood, that maybe they could take a look at their ordinance regarding interim vendors, that it was antiquated and maybe it was a time for

them to visit the ordinance and see what changes they could make. Council Members Lawrence, Johnson, Holm, Garcia, Lovell and Jones absent.

Council Member Brown stated that he was not the only one who talked about cookie cutter sprawl and passed out a handout regarding a sign in Charles County, MD about people who were also concerned about the same thing. Council Members Lawrence, Johnson, Holm, Garcia, Lovell and Jones absent.

Council Member Brown stated that people from all over the world were convening in the City and discussing and doing business and dealing with the energy issues that affected the planet; that he had the opportunity to talk to some of the leading figures in the energy industry about the prospects for the future; that he was going to write an article in the paper about Houston 2020 and he asked Matt Simmons, for example, what he thought the price of gas would be in the year 2020 and what did he think the price of a barrel of oil would be, that by that time the demand for oil would be close to double and the supply would have dwindled, but the answer he got was that by 2020 they would be paying \$20 a gallon for gasoline in Houston and the price of a barrel of oil would be somewhere between \$300 and \$500, that he did not know if the Mayor agreed with him but that was a consensus of a small group that he spoke with. Council Members Johnson, Holm, Garcia and Lovell absent.

Council Member Clutterbuck stated that she felt there was a disconnect, and it was probably right at the ground level, with whoever at CenterPoint was in charge of the street lights and helping to get the street lights back on after a waterline replacement or neighborhood street reconstructions, that for the audience watching when the City goes in and replaces the waterlines or storm sewers or streets, they had to disconnect the electricity to the street lights for safety reasons for the construction workers, but some of the neighborhood projects went on for blocks if not miles and the frustration was that when one phase of a particular project was finished the street lights do not come back on and they did not come back on until the entire project was finished and what they saw was a lot of finger pointing between the City saying they were done and they told them they were done and CenterPoint saying they never received notice from the City, they had contracted it out to subcontractors and that was what was taking so long, etc., and the end result was that the customer, the taxpayer, was left in the dark, that she thought that this summer was a real opportune time to try to iron the issue out before they got through with daylight savings time, when neighborhoods truly needed their neighborhood street lighting, that one example of where she thought the disconnect may be related to the Montrose South Water Line Replacement in her district, that it was really more of the Museum Area Management Association, North and South Boulevard and just west of Montrose Boulevard, that neighborhood had a massive water line replacement, that she had an exchange of emails back and forth from CenterPoint and the Public Works Department and the CenterPoint individual saying that they were happy to get the lights back on as soon as they got notice from the City and that the City to just let them know two weeks before it was anticipated being finished then they could get on the schedule and have the lights restored, then there were copies of emails from the Public Works Department to CenterPoint saying just that, that the phase was finished, so perhaps the communication was not in the form that CenterPoint needed to see it, that she did not know whether it would take a phone call, but those were some of the issues that they needed to discuss and she looked forward to discussing it in their conversations with CenterPoint about how to make it work more smoothly for all of the neighborhoods throughout Houston. Council Members Johnson, Khan, Holm, Garcia, Brown and Noriega absent.

Mayor White stated that there had been a couple of different things that he had sent, at least two to Director Marcotte and then to Mr. Standish, that if Ms. Stein could make sure that Council Member Clutterbuck was copied on it and he would welcome some help, that he thought it was a matter of setting expectations and going through the process, and basically as

a manager he would say there needed to be somebody, at CenterPoint and Public Works, who were responsible for making sure that lights were on within some period of time after notice and it could be done if people knew that it was a priority, so it was just a matter of working it out. Council Members Johnson, Khan, Holm, Garcia, Brown and Noriega absent.

Council Member Adams stated that she wanted to wish all of the mothers a Happy Mothers Day. Council Members Johnson, Khan, Holm, Garcia, Brown and Noriega absent.

Council Member Adams stated that she wanted to congratulate the Hermann Park Conservancy for a wonderful event last weekend about Getting Your Green On; that she wanted to thank the Houston Museum District, the Board, for inviting her out to discuss a lot of the things that were going on in the Museum District; that this was the Greater Houston Chamber of Commerce National Woman's Week and she wanted to congratulate them on starting up their new Chamber of Commerce for Women and they had a great luncheon yesterday. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Adams stated that Council Member Khan brought up a great suggestion about their being more strict on the vendors in their community because in the Hiram Clarke Community they had vendors on every corner, that by driving in the area she was finding that a lot of the vendors did not have permits, that she was afraid of the precedence they were setting by allowing vendors to just set up shop on every corner in the community, that she wanted to see what they could do to do something about it, that they needed to be stricter on the property owners who gave permission for the vendors to be on their property when they did not have a permit to sell those type of products. Council Members Lawrence, Johnson, Holm, Garcia and Noriega absent.

Council Member Adams stated that she wanted to congratulate a member of her staff, Mr. Christopher Banks, who was graduating on Friday and getting his Law Degree from the University of Houston. Council Members Lawrence, Johnson, Holm, Garcia and Noriega absent.

Council Member Adams stated that even though the Rockets lost she wanted to thank them for a great season, and looked forward to a great season next year. Council Members Lawrence, Johnson, Holm, Garcia and Noriega absent.

Council Member Adams stated that during the campaign they received a lot of questions, and even on Council, about MWBEs and about people doing business with the City of Houston and every month the staff of District D had been working really hard to address the needs of the community, so every month since she had been in office, at least twice a month, they had been holding events to deal with concerns and questions that plagued the district, so on May 17, 2008 at Palm Center, 5330 Griggs Road, from 9:00 a.m. to 1:00 p.m. they were hosting their first Economic Development Summit, Navigating the Maze of City Contracts, they would have prime contractors out there and were asking anyone who wanted to do business with the City or learn how to get certified or if they needed loans to start up their business, they would have all vendors there on that day. Council Members Lawrence, Johnson, Holm, Garcia and Noriega absent.

Council Member Adams stated that she wanted to know what they could do about 5 minute popoff's, to see about limiting the time for Council Member speaking. Council Members Lawrence, Johnson, Holm, Garcia and Noriega absent.

Council Member Jones stated that she seconded the unofficial popoff motion by Council Member Adams. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Jones stated that there was a wonderful Cinco De Mayo Parade last week, which she participated in; that she would also like to give a shout out to the new HISD Board Member, Ms. Paula Harris, that she had a great District 4 Townhall Meeting at Cullen Middle School, that they were talking about voting on putting a lot of money into redeveloping Ryan Middle School; that she wanted to ditto what Council Member Adams stated about the Hermann Park Conservancy, that she had never seen so many shades of green, but everybody was cute; that she had seen something in the news about Valet Parking, where people did not have insurance and people's cars were getting wrecked, that she actually had that experience previously and had talked to somebody about showing their permits and showing insurance and would like for them to figure out how to enforce it to make sure that people that they entrusted their cars to if they did do damage that there was a mechanism in place where they make sure they protect people's investments. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Jones stated that she wanted to give kudos to Metro and HPD, that her staffer wanted to vent for her, that she used the Metro Rail System a lot and she was attacked at the end of April 2008 at the Main Street Station by a man she believed was mentally ill and homeless, that he was extremely agitated and violent and when he attacked her she actually was helped by a citizen so it worked out well, that on May 3, 2008 she went to some events at Discovery Green and was attacked by the same man who recognized her, that he appeared to be mentally ill and irritated and started yelling and throwing things, that she called 9-1-1 and the Metro Police and HPD showed up and helped her and looked for the man but were not able to find him, but she would like to tell everyone if they used the rail that there were payphones on the platforms so they could call 9-1-1 for free if they were in danger and there were cameras on the platform and on the trains, but she wanted to know if they could do more work with MHMR and for homelessness. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Lovell and Noriega absent. (NO QUORUM PRESENT)

Mayor White stated that people would have a report on the budget, that it would be the Mayor's Report next week, but one of the things that they had identified and would be in the budget was a new program for the City of Houston that a lot of people had been working on where they had these repetitive 9-1-1 calls with people with mental health issues, within the Department of Health and Human Services, working with HPD, to have some psychiatric social workers who could be triaging those so that their care provider was not the guy with the gun, that they could not solve it, the State and County was the principal grantee so they had both the Harris County Hospital District had a MHMR and the State but they were not getting the support so to often law enforcement had to make repeated calls and they would at least take a step in the right direction within the budget to try and fill at least part of the hole and people would get a briefing. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Rodriguez stated that he to supported going to a 5 minute popoff. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Sullivan stated that he was on board with the 5 minute popoff, that he would offer for consideration that each Council Member get 5 minutes to speak during popoff and if they needed more time then they get back on at the end of the line. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Sullivan stated that he continued to be impressed with the City employees, that this morning he met the Parks crew in Kingwood who does mowing, edging and picking up trash and litter for the whole northeast sector and not just Kingwood, but they happened to be at a facility in Kingwood, that they were good men and worked hard for the City, in particular Juan Vasquez and Gilbert Partita, who he appreciated all they did; that he wanted

to thank Captain Dupont for last week setting up a ride along for him, that they rode with the District Chief, Tom Wheeler, out of Station 11 and he had the authority to respond to every type of call within the City, so they did EMS calls as well as fire calls, and they also did a mutual aid with Cloverleaf Sheldon and South Lake Houston Fire Department, that the City of Houston was called in with mutual aid so he saw how the Fire Department cooperated and worked with other volunteer fire departments, that they worked hard and it was a grueling schedule; that two weeks ago he rode with the street sweeping crew in Kingwood and did that for four hours, that it was a tough job that none of them wanted to have to do, that they worked only at night and it was dangerous because they were dealing with traffic and it was hard to operate, that Bubba Hill was the operator who he rode with and he has been with the City for 23 years and had been a committed street sweeper for 14 to 16 years, that they were great to him and showed him everything they did and saw the equipment. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Sullivan stated that on May 14, 2008 District E was going to have a townhall meeting at San Jacinto College, that they would have representatives from various City Departments, it would be from 6:30 p.m. to 8:00 p.m.; that on May 28, 2008 they would have a Hurricane Workshop in Clear Lake, an update, and was from 6:30 p.m. to 8:00 p.m., that they had confirmed attendance from Public Works, Solid Waste, Houston HPD AND HFD, TranStar, Harris County Office of Emergency Management and the United Way. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Lovell stated that she was also in favor of the 5 minute popoff. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Lovell stated that she wanted to wish a Happy Mother's Day to everyone. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Lovell stated that Christina Gorczycki, who worked in their office, her last day was on Friday and they wanted to wish her well. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Lovell stated that tomorrow, Thursday, there would be a TIA Committee meeting, that they were going to talk about the Airport Land Use issue and also the changes to the Booting Ordinance; that on May 13, 2008 was the much awaited TIA Committee meeting, where they would have the Metro Consent Agreement, that she was sure there would be public comment, that it would be at 10:00 a.m. in the Council Chamber; that they would have a Quality of Life Committee meeting on May 12, 2008, that it would probably be at 10:00 a.m. that it would be the second hearing on the Entertainment District on the sign issue with the pavilions, that they would have some visual aids to show what it would look like and move forward with it and get it on the agenda. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

Council Member Lovell stated that they talked about it in the Fourth Ward and the opening of the Gregory School, and they talked about TIRZ today and how they played an important role in many areas of the City, and in that area it really did show what TIRZ could do and the OST/Alameda it was going to be so important to keeping the integrity of those neighborhoods, that each one was very different and she did not know how they did it and under what committee structure but there did need to be a formalized, something that they would leave, that formalized the communication and prioritization between the TIRZ Board and the Council, that she thought it was important that they formalize those communications before they all left office to insure that those TIRZ continued to do their good work, that some of them finished their projects but the truth was that the City was evolving so quickly and so many issues come up that when they were done with their first purpose if there was an opportunity to look at another

way that they could serve that area in a manner then it should be in place, but she thought they should formalize the communication between them. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

There being no further business before Council, the City Council adjourned at 12:00 p.m. Council Member Green absent on personal business. Council Members Lawrence, Johnson, Khan, Holm, Garcia and Noriega absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary