

City Council Chamber, City Hall, Tuesday, June 17, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 17, 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, 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.

At 2:08 p.m. Mayor White called the meeting to order and stated that Council Member Garcia would begin presentations. Council Members Lawrence, Adams, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia invited Mr. Larry Brown to the podium and stated that many enjoyed the outdoors this time of year by riding their motorcycles which prompted the point of encouraging safety by the motorcyclists and the average vehicle driver; and presented a Proclamation to Mr. Brown proclaiming the month of June as "Motorcycle Safety and Awareness Month" in Houston, Texas. Council Members Adams, Sullivan, Rodriguez and Green absent.

Mr. Larry Brown an avid motorcycle rider involved in several safety programs stated that in speaking with DPS today there were 840,000 licensed motorcycle drivers in Texas and 380,000 law licensed tagged motor vehicle motorcycles in Texas and statistics showed over 75% of motorcycle accidents involved a motor vehicle and 50% of the drivers involved said they did not see the motorcycle and all should look more than once so they would not be the one pulling out in front of that motorcycle. Council Members Adams, Sullivan, Rodriguez, Lovell and Green absent.

Council Member Clutterbuck thanked Mr. Brown and Council Member Garcia for bringing such an important issue to everyone's attention; that she rode a Vespa and riders had an obligation to drive safely and abide by the rules and vehicle drivers should be aware. Council Members Adams, Sullivan, Rodriguez, Lovell and Green absent.

At 2:15 p.m. Council Member Johnson invited Dr. Sydney Lewis of the St. Paul Missionary Baptist Church lead all in the prayer and Council Member Johnson led all in the pledge. Council Members Adams, Sullivan, Rodriguez and Lovell absent

At 2:17 p.m. the City Secretary called the roll. Council Members Adams, Sullivan and Lovell absent.

Council Members Garcia and Jones moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Adams, Sullivan and Lovell absent. MOTION ADOPTED.

Mayor White stated because of the number of speakers he would ask the City Secretary to read the rules as a reminder to those around the Council table and for the benefit of the public; and the City Secretary read the Rules of Council from the Code of Ordinances, Chapter 2, Rule 2-2, limiting the speakers speaking time and Council Members time for questioning as a whole to one minute when the total time requested by speakers was greater than 150 minutes; and that today there were a total of 155 minutes reserved; and Mayor White stated that for that reason Council would adhere to those time limits. Council Members Adams, Sullivan, Khan and Lovell absent.

Council Member Green moved the rules be suspended for the purpose of hearing from the

speakers listed at the end of the speakers list relative to Item 53 after the last three minute speaker on Agenda Items, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Adams and Lovell absent. MOTION 2008-0418 ADOPTED.

At 2:20 p.m. the City Secretary began calling the public speakers. Council Members Adams and Lovell absent.

Ms. Ada Edwards, 900 Bagby, Houston, Texas 77002 (832-393-0961) appeared and stated that she was present to correct perceptions regarding Wheeler Avenue and the lines going into the Southeast and University corridor; that the Southeast line was the only line recommended to METRO by the District D Taskforce, they did not recommend any line for the University Line, they gave recommendations on how the line should look because of concerns for their own community and they were concerned about Wheeler because Wheeler represented some of the same concerns they had about Scott; that the areas known as South Park, South Union, South Acres, Sunnyside had large portions with 60% of the people depending upon public transportation for primary transportation and that needed consideration and also in their meetings with over 100 people many did not even ride the bus and they needed to look at constituents they were trying to serve; and whenever the line came out in any community the history of that community needed serious consideration as to how they went and not just institutions within it. Council Member Adams absent.

Miss Nancy Aceves, 2317 Freeman, Houston, Texas 77009 (832-501-4996) appeared in opposition to Agenda Item 53 and stated that her concern with the rail was for the schools, elementary students would have to cross the rail and also elderly, also pedestrians would have to walk about half a mile to get to a rail stop when they only had to walk about one block for a bus. Council Members Lovell and Green absent.

Council Members Jones and Garcia expressed their admiration and appreciation for her coming to voice her opinions at her age; and upon questions by Council Member Garcia, Miss Aceves stated that other students had the same concern of the rail being dangerous and worries for their younger brothers and sisters; and Council Member Garcia stated that as they moved forward he expressed to METRO safety designs were to be enhanced along with education for rail lines. Council Members Johnson, Lovell and Green absent.

Miss Ninfa Lopez, 1914 Champman, Houston, Texas 77009 (713-229-0728) appeared in opposition to Agenda Item 53 and stated that her concern with the rail was also children being hurt and that the clinic, Casa de Amigos, would have to be closed and many would have to go much further; that schools were right there and many could be hurt just as those in downtown. Council Members Johnson, Lovell and Green absent.

Council Member Garcia thanked Miss Lopez for coming to voice her opinion as well; and upon questions, Miss Lopez stated that her concerns were the same as Miss Aceves and her classmates felt the same; and Council Member Garcia stated that he met with METRO to be sure they would not compromise safety; and he would like them to speak with those younger and let them know they needed to respect the line. Council Members Johnson, Lovell and Green absent.

Ms. Daphne Scarbrough, 2016 Richmond, Houston, Texas 77098 (713-523-8413) appeared in opposition to Agenda Item 53 and stated that she wanted to implore Council, it was too early to give the consent agreement to METRO; that they missed the deadline for the 2009 budget for the FTA and the earliest they could get in line with other cities would be 2010 and the Council Members left would be holding the bag of dirty laundry, for the stripping of the surrounding environment. Council Members Johnson, Khan, Garcia, Lovell and Green absent.

Upon questions by Council Member Adams Ms. Scarbrough stated that she would hope in seven days Council could get questions answered, but she could not imagine a consent agreement without plans. Council Members Johnson, Khan, Garcia, Lovell and Green absent.

Mr. Dan Nip, 302 Gentilly Place, Houston, Texas 77024 (713-858-1388) appeared in favor of Agenda Item 53 and stated that he was chairman of TIRZ 15, the East Downtown TIRZ, and strongly supported the METRO Southeast line, many houses were going up there and the line would provide a great service. Council Members Johnson, Khan, Garcia and Green absent.

Mayor White thanked Mr. Nip for his service on the TIRZ board. Council Members Johnson, Khan, Garcia and Green absent.

Ms. Barrie Scardino, 315 Capitol, Houston, Texas 77002 (713-520-0155) appeared in favor of Agenda Item 53 and stated that she was the executive director of the American Institute of Architects in Houston and present to say the institute had long supported public transportation throughout the country and that AIA Houston issued several policy statements in support of METRO and their light rail initiatives and urged Council's support on behalf of the AIA. Council Members Khan, Garcia and Green absent.

Ms. Andrea Hodge, 4522 Verone, Bellaire, Texas 77401 (281-300-8410) had reserved time to speak but was not present when her name was called. Council Members Khan, Garcia and Green absent.

Mr. Sam Lott, 4403 Acacia, Bellaire, Texas 77401 (713-927-3048) appeared in favor of Agenda Item 53 and stated that he was chairman of the Transit Planning Committee of the Greater Houston Partnership and speaking on their behalf; that they passed seven resolutions over the past years in support of the METRO solutions plan and urged Council act quickly and support the consent agreement, it delivered the transit system approved by voters in 2003 and provided the city with oversight of the project. Council Members Adams, Khan, Garcia and Green absent.

Rev. William Lawson, 4042 Glen Clove Drive, Houston, Texas 77021 (713-741-0444) appeared in favor of Agenda Item 53 and stated that he wanted to support the District D Taskforce recommendation, if the lines would not impact negatively residences or businesses and they would maximize safety; and the voices of the people should be listened to. Council Members Adams, Khan and Garcia absent.

Council Member Jones thanked Rev. Lawson for his work and appearing today. Council Members Adams, Khan and Garcia absent.

Upon questions by Council Member Clutterbuck, Rev. Lawson stated that he had not seen attachment number three with the map route on it, but if it was good he would agree with it. Council Members Khan and Garcia absent.

Mayor White thanked Rev. Lawson for his work and for keeping those in mind who depended on public transportation. Council Members Khan and Garcia absent.

Upon questions by Council Member Adams, Rev. Lawson stated that he would support the Wheeler rail by the University Line if it did not negatively impact homes and businesses there. Council Members Khan and Garcia absent.

Mr. Steve Parker, 4518 Park Drive, Houston, Texas 77023 (713-923-3982) had reserved time to speak but was not present when his name was called. Council Members Khan and Garcia absent.

Minister Robert Muhammad, 4443 O.S.T., Houston, Texas 77021 (713-741-2747) appeared relative to Agenda Item 53 and stated that he was present in support of the District D Taskforce recommendations on the southeast line; that in 1978 they voted for 87.5 miles of rail and in 1983 they voted down a heavy rail system on the Westpark corridor and in 1988 they approved 20 miles of rail along with 25% of METRO's revenue being taken away to build roads and that was not the original purpose of METRO; that finally some rail was built but they were about 80 miles short right now; that if they were going down Wheeler those people should have the best treatment possible. Council Members Johnson, Khan and Garcia absent.

Council Member Rodriguez allowed Minister Muhammad to complete his statement; and he stated that the truth of the matter was Mayor White appointed five board members to METRO and the chair and directly or indirectly approved the CEO of METRO and if they were mad at METRO they should direct it to the Mayor; that he rode the light rail here and the city could not balance the budget on METRO's back, they had their own taxing authority and they needed to do what needed to be done, you could not build commuter rail and not collect and distribute them and if they were not going down Wheeler then don't call it a University line, move it on Elgin. Council Members Johnson, Adams, Khan and Garcia absent.

Council Member Green stated that if they were going down Wheeler then the people needed to be treated with respect and they needed to call it what it was and that was his point all along: and Minister Muhammad stated that if the city would give METRO back their money they could build a respected system. Council Members Johnson, Adams, Khan and Garcia absent.

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) appeared, in opposition to Agenda Item 53, presented information and stated that there were no proper city sponsored traffic impact studies and that was crucial to understand how significantly traffic would be impacted by light rail; that on Main Street traffic was reduced 80% or greater since the rail and a number of businesses that opened after the rail had failed; and the agreement should be studied. Council Members Johnson, Adams and Garcia absent.

Council Member Jones stated that Minister Muhammad was on the District D Taskforce and they all worked very long and hard on the University line and initially he agreed with the taskforce, now he was a consultant for METRO and Rev. Lawson said all communities needed to be listened to and no one area should take the hit for everyone; that she supported rail, but people should not be thrown under the bus. Council Members Johnson, Adams, Khan and Garcia absent.

Mr. Jack Drake, 16945 Northchase, Houston, Texas 77060 (281874-2132) appeared in favor of Agenda Item 53 and stated that today he was representing three organizations whose governing bodies did support the consent agreement, one the North Corridor Coalition for High Capacity Transit which represented dozens of civic organizations, businesses and political subdivisions from Downtown to the Woodlands, 2nd was the North Houston Association comprised of over 80 members, not for profits and political subdivisions, 3rd the Greenspoint District with 800 commercial property owners with \$1.9 billion in value and workforce of 70,000; that they all agreed this needed to get stated and the agreement could be adjusted as necessary; and urged Council's approval. Council Members Adams, Khan and Garcia absent.

Upon questions by Mayor White, Mr. Drake stated that there was much ridership which depended on this, particularly in the Greenspoint and North Houston area, routes running from Downtown through Northline and on to Greenspoint were some of the heaviest routes in terms of bus service they had today. Council Members Clutterbuck, Khan and Garcia absent.

Ms. Janet Rederker, 4 Greenway Plaza #950, Houston, Texas 77046 (713-965-1711) appeared in favor of Agenda Item 53 and stated that her first hat today was as a citizen, born and raised in Houston and one who had waited about 40 years for rail here, no decision would be liked by all and she begged they pass this agreement; that her second hat was as director of a transportation management organization in the Galleria/Greenway area and again urged this be done. Council Members Clutterbuck, Khan and Garcia absent.

Mayor White stated that he was not sure Ms. Rederker was aware but he and all members of the Congressional Delegation from the region and Senator Hutchinson met with the FTA transit administrator and they gave them a time schedule which was tracked every two weeks to try and get FTA funding before the change in federal administration which would cause a change and disruption in the funding process and they were keeping to that timetable agreed to. Council Members Clutterbuck, Khan and Garcia absent.

Mr. Preston Roe, 3731 Florinda, Houston, Texas 77021 (713-747-4358) appeared in favor of Agenda Item 53 and stated that he was president of Super Neighborhood 68 and had worked with METRO since 2001 and they decided on the Southeast line; that he was not going along completely with the tag on of other lines, but they had an alternative route for the Southeast line going to Palm Center, he just heard the Wheeler line was being tagged on, but the Southeast line needed to be done before funding was lost. Council Members Clutterbuck, Khan and Garcia absent.

Upon questions by Council Member Adams, Mr. Roe stated that as Minister Muhammad said, if those on Wheeler were given fair treatment he could be for it, if they would just lose their homes he could not. Council Members Clutterbuck, Khan, Garcia and Green absent.

Ms. Tina Araujo, 2 Chamber Pine Place, the Woodlands, Texas 77382 (713-504-2042) appeared in favor of Agenda Item 53 and stated that she was speaking as an urban planner and she had the opportunity to contribute to the planning process for all five LRT corridors identified for METRO Phase II and her observation was numerous alternatives were examined and it was clear the use of public streets for LRT was acceptable by the city as an alternative for METRO. Council Members Clutterbuck, Khan, Garcia and Green absent.

Mr. Percy Gonzalez, 5537 Harrisburg, Texas 77041 (713-921-3572) appeared in opposition to Agenda Item 53 and stated that he lived in the East End and felt there would be a problem with children crossing the rail; better streets was what people wanted, simple mobility meant to put money into fixing the City of Houston; that with the rail the trees would be gone, destroyed and finally he wanted to know how many times someone could speak before Council. Council Members Johnson, Clutterbuck, Adams, Khan, Garcia and Green absent.

Mayor White stated that on his last issue a speaker could appear multiple times. Council Members Johnson, Clutterbuck, Adams, Khan, Garcia and Green absent.

Ms. Beverly Wood, 4507 Austin, Houston, Texas 77004 (713-526-9578) appeared in opposition to Agenda Item 53 and stated that when the vote came up tomorrow she would urge a no vote based on overwhelming evidence and information that it would affect the health and safety of those along the right of way on Wheeler. Council Members Johnson, Clutterbuck, Adams, Khan, Garcia and Green absent.

Ms. Estella Jimenez, 1307 Brooks, Houston, Texas 77020 (832-309-6084) had reserved time to speak but was not present when her name was called. Council Members Johnson, Clutterbuck, Adams, Khan, Garcia and Green absent.

Mr. Luis Villa, 1711 Chestnut, Houston, Texas 77009 (832-921-3119) appeared and stated

that he was a student at Jefferson Davis High School and concerned about the students, especially the elementary, those in elementary, middle school and high school would have to cross the rail to get to school and he would be crossing several times along with his friends and family and he had concerns of safety. Council Members Johnson, Clutterbuck, Adams, Khan, Garcia and Green absent.

Mayor White stated that he would ask as Council Member Garcia did previously that he help in making people understand that rail just as the cars and busses needed people to be alert, look both ways, etc., and Mr. Villa stated that he would help. Council Members Johnson, Clutterbuck, Adams, Khan, Garcia and Green absent.

Council Member Brown stated that light rail was like street cars, specifically designed to work compatibly with pedestrians, children, cars, etc., it was a friendly form of transportation and there was a safe street car system in Houston previously and people did get used to it. Council Members Johnson, Clutterbuck, Khan, Holm, Garcia and Green absent.

Mr. Adam Aceves, 2317 Freeman, Houston, Texas 77009 (281-501-1940) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Khan, Holm, Garcia and Green absent.

Mr. Mario Umanzor, 1622 N. Main, Houston, Texas 77009 (713-927-3232) appeared in opposition to Agenda 53 and stated that he was from the North corridor and noticed that people who came to speak in favor of this project were Muslim and the majority represented organizations, but they were not organizations, they were citizens who lived in the corridors and they were very concerned for their future; that he did not like the train downtown, seeing all the wires, he did not like it and he did not think there was a train that was child friendly. Council Members Clutterbuck, Khan and Garcia absent.

Mayor White stated that he was at meetings on the Northside and one was packed and people complained that they wanted light rail and not bus transit; and upon questions, Mr. Umanzor stated that he probably was there. Council Members Clutterbuck, Khan and Garcia absent.

Mr. Keith Wade, 4510 Teton Avenue, Houston, Texas 77051 (713-398-8969) appeared in favor of Agenda Item 53 and stated that he was a citizen of the Third Ward and had the privilege of being a co-facilitator of the District D Taskforce along with former Council Members Carroll Robinson and Ada Edwards and the group which considered the routes took them very seriously, they were learned and experienced in the community and loved Houston and wanted Houston to be the best and although they were there specifically for the Southeast line they made recommendations for the University line and by no means did they say Wheeler, they did give alternatives of Blodgett to Ennis to Elgin back . Council Members Clutterbuck, Adams, Khan, Garcia and Lovell absent.

Council Member Jones allowed Mr. Wade to complete his statement and he stated and from Elgin to University so they could make sure all major stakeholders in the area would be served and the best route would be available; and he hoped they would move toward that. Council Members Clutterbuck, Adams, Khan, Garcia and Lovell absent.

Ms. Gwendolyn Harris, 19826 Mallard Point Ct., Cypress, Texas 77433 ((281-463-8339) appeared in opposition to Agenda Item 53 and stated that she was Council Member Jones mother and she was born in the area the rail was going through and she was raised in Cuney Homes and to see the area uprooted and for people who lived there 30 to 50 years to be uprooted and caused to move out it would be devastating; that the rail could be directed another way and asked it be considered. Council Members Clutterbuck, Adams, Khan, Holm, Garcia

and Lovell absent.

Mr. DeLloyd Parker, 3201 Elgin, Houston, Texas 77004 (713-521-0629) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Adams, Khan, Holm, Garcia and Lovell absent.

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared in opposition to Agenda Item 53 and stated that he would be the next Mayor of the City of Houston and he wanted the item delayed tomorrow and wanted Council Member Lovell to tell citizens how she was flipping houses in the Third Ward, seven properties and someone was paying her to vote for this Wheeler Avenue for METRO, METRO and Mayor White could not be trusted. Council Members Holm, Garcia, Lovell and Noriega absent.

Ms. Alysa Enriquez, 612 Westford, Houston, Texas 77022 (713-204-7213) appeared and stated that she knew the safety of children had been stressed over and over, but again she wanted to say there were four elementary schools, one middle school and one high school would be along the proposed North corridor light rail alignment stations and during the past spring METRO started the Community and School Safety Education Pilot Program in which METRO solutions were to set up classrooms on an elementary campus and engaged in three one hour lessons on train awareness and safety, but for new students would they get the same programs. Council Members Holm, Garcia, Rodriguez, Lovell and Noriega absent.

Mr. Carroll Robinson, 3401 Prospect, Houston, Texas 77004 (713-522-7679) appeared and stated that his experience with Mr. Frank Wilson and Mr. John Sedlack at METRO was if you went to them with solid alternative solutions they were willing to listen and adopt when feasible; that he co-chaired the District D Taskforce with Mr. Keith Wade and the community made the recommendation on the Southeast line; that they turn east on Wheeler off Scott and MLK to Palm Center in response to concerns of those on Scott old alignment and METRO went and made an evaluation and what he heard over the last weeks on the consent agreement was they needed to be factual and then be political and rail would have an impact the same as any other thing. Council Members Sullivan, Holm, Garcia, Rodriguez and Noriega absent.

Council Member Jones allowed Mr. Robinson to complete his statement and he stated that he heard there was now need for a substantive design issues, wherever you put the line there would be impacts and the consent agreement in and of itself was not the end of the deal, if Council was willing to use the power it had in partnership with the Mayor, this was a contract and they always had the right to bring it back if METRO did not act in good faith and they had expenditure of funds which would come along the line and they could also create their own technical advisory group to help with the design issues on making it safe for the public. Council Members Sullivan, Holm, Garcia, Rodriguez and Noriega absent.

Upon questions by Council Member Adams, Mr. Robinson stated that he was in favor of the consent agreement and could live with the University line; that he understood people wanted safety and that was different than where you placed the line. Council Members Sullivan, Holm, Rodriguez and Noriega absent.

Mayor White stated that he wanted to say to all Council Members that the city had received from TSU and the University of Houston both some important correspondence and he could not think of two institutions more important to the future of this community. Council Members Sullivan, Holm, Rodriguez and Noriega absent.

Rev. Danny Davis, no address given (713-523-3507) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding.

Mr. Richard Leal, 7314 Nordling, Houston, Texas 77076 (713-694-5138) appeared in favor of Agenda Item 53 and stated that he wanted to emphasize METRO did have a kid safety program, they would go out to the school and educate them and his daughter was one of the beneficiaries of the program and also got to ride the rail; that children needed to be reconditioned to think of multi transit services because of the price of gasoline. Mayor White, Council Members Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding.

Mr. Felix Fraga, 5501 Brady, Houston, Texas 77081 (713-669-5218) appeared in favor of Agenda Item 53 and stated that he was glad the young people of Jeff Davis who were concerned about the safety were still here so they could hear that METRO had put in more effort than any organization he had seen put into safety and they would do this in phases and not the way it was done on Main Street to help the businesses and he was glad their line was next. Mayor White, Council Members Sullivan, Holm, Rodriguez and Noriega absent. Mayor Pro Tem Garcia presiding.

Ms. Dee Simon, 5210 Cortelyou Lane, Houston, Texas 77021 (713-644-2957) appeared in opposition to Agenda Item 53 and stated that Mayor White was a man for all the people no matter the color of skin or money in pockets, what happened to him; that she would urge he not use rail as a Goliath to take away their children, homes and peace. Mayor White, Council Members Sullivan, Holm and Rodriguez absent. Mayor Pro Tem Garcia presiding.

Mr. Ron Robles, 2324 N. Main, Houston, Texas 77009 (713-227-7608) appeared in opposition to Agenda Item 53 and stated that he was a resident on the northside of town and he invited the students to come and 100 more felt the same way; that they had buses and parents dropped them off, they did not want rail and he had 3,500 signatures from those who lived in the community against rail; that many who wanted it did not live in the area and many would not ride it; that he felt commuter rail was needed way before light rail, they needed to bring people from Katy, Clear Lake, Woodlands, etc., they did not need light rail causing accidents; and urged Council not to vote tomorrow. Mayor White, Council Members Sullivan, Holm, Rodriguez, Noriega and Green absent. Mayor Pro Tem Garcia presiding.

Mr. Andrew Higgins, 3316 Ozark, Houston, Texas 77021 (281-536-5715) appeared in opposition to Agenda Item 53 and stated that safety should be above all else; that if the rail was placed in the proposed location there would be no way to assure safety, accidents would happen and happen to the elderly and young; that last week the Mayor assured him placement of the rails were neither by racial means or ability of the pocket book, but based solely on ridership, but much of the rails ridership depended on ten years down the road and this was not fair. Mayor White, Council Members Sullivan, Holm, Rodriguez, Noriega and Green absent. Mayor Pro Tem Garcia presiding.

Ms. Lizette Cobb, 2411 Wheeler, Houston, Texas 77004 (713-529-9387) appeared in opposition to Agenda Item 53 and stated that she lived on Wheeler and she and her neighbors were not against light rail, but against the existing plan, the consent agreement had no accountability and there was no trust or confidence with METRO; that they were not going to move or let a train rob them of their land legacy or history in the neighborhood; and urged Council consider that. Mayor White, Council Members Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. Mayor Pro Tem Garcia presiding.

Upon questions by Council Member Adams, Ms. Cobb stated that there needed to be measures of accountability and it was too important to rush through. Mayor White, Council Members Sullivan, Khan, Holm, Rodriguez, Noriega and Green absent. Mayor Pro Tem Garcia presiding.

Mr. DeLoyd Parker, 3201 Elgin, Houston, Texas 77004 (713-521-0629) was now present, recalled and appeared in opposition to Agenda Item 53 and stated that gentrification was a very comprehensive concept and he believed if Council followed through with the rail they would regret it, their community would never be the same, it would be lost. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. John Dyess, 206 Hunt, Houston, Texas 77003 (832-439-9084) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Marilyn Jeter, 5307 Stuyvesant Lane, Houston, Texas 77021 (713-640-5550) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Rodriguez, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mrs. Louis C. Ray, 2815 Wheeler, Houston, Texas 77004 (713-526-2129) appeared in opposition to Agenda Item 53 and stated that they were not against rail, but did not want it down Wheeler; that it was about gentrification and taking their land and for developers it was power and land; and she had proof Council Members and developers bought land in the area because they were trying to run rail and those should not be able to vote as they could not represent citizens as they should because of their own interests; and Council Member Lovell had bought seven houses in third Ward and presented the documentation. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Jessica Hulse, 4809 Brady, Houston, Texas 77011 (713-928-9936) appeared in favor of Agenda Item 53 and stated that she was for light rail, especially the Harrisburg line, she resided in Second Ward and most of the community was in favor of it; that they worked hand in hand with METRO and safety and wanted to be included in all such meetings. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that they were working to make sure they started sooner rather than later. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Shitoda Johnson, 6402 Goforth, Houston, Texas 77021 (713-829-3342) appeared and stated that she was present to express dissatisfaction with Neighborhood Protection, for the past five years she lived in the Third Ward, Sunnyside area, and utilized services of 311 to report neighborhood problems and it took way to long for any problems to be resolved. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that the gentleman in the back corner was with Neighborhood Protection and he would work to address her issues. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Darlene Hosea, 7255 Sims Bayou Drive, Houston, Texas 77061 (713-645-2358) had

reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Zongki Liang, 2311 S. Braeswood #23H, Houston, Texas 77030 (713-272-9012) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Harold Scott, 10743 Braes Bend Drive, Houston, Texas 77071 (832-978-8146) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Irwin Polt, 119 Hahlo, Houston, Texas 77020 (713-674-4708) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Mary Ross, 2901 Clementine, Houston, Texas 77026 (832-883-4278) appeared and stated that she was disabled and lived in a house with health and fire hazards; that she had pictures with her and it was unfair her house was red tagged two times and she had been working with Mr. Ray Daniels and someone was supposed to come out, some did and made a report on what was needed, but still nothing had been done. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Johnson stated that he was getting frustrated with the Housing Department on this and he was with someone in that department on the phone now, someone would be coming down to visit with her and he saw her pictures and understood what she was going through; that they would be having a meeting tomorrow to see what the problem was, Urban League did a horrible job and they would make sure they got it right, he could not promise anything but answers the two of them were getting were totally unacceptable. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she would work with Council Member Johnson, she just had a very good meeting with Mr. Celli yesterday and they did revisions so it may be helpful and whatever he needed from her she would be happy to help with. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mrs. Ivory M. Hopkins, 1710-A Blue Bonnet Place Circle, Houston, Texas 77019 (832-798-1415) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. J. C. Boxie, 3913 Cork, Houston, Texas 77047 (832-818-0575) appeared and stated that his concern was deed restrictions, the city planners had been helpful in helping them develop deed restrictions and they had fought many battles in the court house; that their money was limited and they could not keep attorneys, they had pro bono attorneys to help get deed restrictions, but had no money for attorneys to help with enforcement; and if there was anyway for the city to assist they would be thankful. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia

presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that he just had a conversation with others and they received no assistance either, it was because the income was above the threshold which qualified them for city support and he was not sure of what the short answer was, but would ask Legal if there was some direction they could provide for Mr. Boxie and he needed to be copied on that because he needed the answer for others as well. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. William Wade, 1001 McKinney #1450, Houston, Texas 77002 (713-751-1722) appeared, presented information and stated that he was a civil trial attorney and was representing a young man who was killed through gross negligence of a City of Houston employee driving a dump truck in 2006 and there were two families getting ready to be victimized again because of an outrageous and stupid law referred to as a Tort Claims Act and he needed the city's help, someone to negotiate with directly; that they city just voted to spend \$150,000 on legal fees to see if police officers could wear beards and each family he represented would receive significantly less than that without help. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that this was above his pay grade, but he knew there would be response to him; and thanked him for being present on behalf of the families. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Francis Page, 2646 S. Loop West #270, Houston, Texas 77054 (713-747-6300) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Rodriguez, Brown, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Huberto Jaimes, 283 Casa Grande Drive, Houston, Texas 77060 (832-443-1261) appeared, presented pictures for viewing and stated that in the pictures Council would see a second car parked in the driveway and he wanted them to notice the spacing between the street and the second car; that last week he was issued a parking citation for parking in the second half of his driveway, under Texas State Code 54503 it was a violation to park your car on the second half of a driveway if you were obstructing a sidewalk and he and others were disgusted with the stupid law, there was enough space for a pedestrian to walk around the second car. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia thanked Mr. Jaimes for coming and stated that he could see what he was touching on and they were trying to come to a reasonable grip on the issue, the alternative was to park on the street and sometimes it was not an alternative; and asked Ms. Vasquez to provide him with information on where the discussions were; that he also had the right to appeal his citation and the photos provided evidence he did not have the option to drive all the way into the driveway. Mayor White, Council Members Lawrence, Sullivan, Khan, Holm, Lovell, Noriega and Green absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Durrell Douglas, 14220 Park Row #1023, Houston, Texas 77084 (713-349-3520) appeared and stated that he was present to complain about Municipal court records; that on June 4th he was pulled over and arrested for not having his license plate in the front of his car and told he had a warrant for an incident which occurred three years ago, a speeding ticket

which was taken care of, once taken to jail there were different reports on what he owned in order to be bailed out and therefore could not be bailed out and a jailer informed him he had to be held to the side because of errors in the computer; and first of all the issue was taken care of and there should not have been a warrant. Council Members Lawrence, Adams, Sullivan, Khan, Holm, Garcia, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Jones allowed Mr. Douglas to continue; and Mr. Douglas stated that 1st there should have been no warrant and if he was arrested he should have had opportunity to be bailed out, but they were inconsistent and he had to wait until the system was corrected. Council Members Lawrence, Adams, Sullivan, Khan, Holm, Garcia, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Mark Roberts (Benjamin Franklin), 2530 Haverhill Drive, Houston, Texas 77008 (713-622-7174) appeared and stated that Cricket Wireless was proud to bring the nation's most cherished symbol of liberty, the Declaration of Independence, to the great city of Houston and the document would be on display at City Hall on Friday, July 11th and at the Museum of Natural Science Saturday, July 12th and all would have opportunity to view only one of twenty five surviving copies of the original Declaration of Independence, the copy was discovered in 1989 hidden behind a framed painting and that was the only one traveling the country; and personally invited the Mayor and Council Members to the viewing July 11th at 9:30 a.m. in the rotunda and to the following press conference. Council Members Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Garcia, Noriega and Green absent. (NO QUORUM PRESENT)

Mr. Johnny Molock, 5910 South Loop East, Houston, Texas 77033 (713-240-3658) appeared and stated that he was bridging the digital divide and supporting the Texans Helping Texans with the Alief area computer center; that their organization was the first to put a WiFi apartment complex wireless at the Independence Hall apartment Complex three or four years ago and they believed if any funds went to any apartment complexes they should also make sure those complexes were wireless and they could put video surveillance cameras there and help with security. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Garcia and Noriega absent.

Upon questions by Mayor White, Mr. Molock stated that they put mesh boxes and turned them wireless, they put a 20 station lab and they believed if they used that strategy they had worked out the cost and it cost them \$30,000 to turn a handicapped complex wireless and there was assistance from United Way; and Mayor White stated that he was not making a commitment but had he spoken with Ms. Nicole Robinson and Mr. Molock stated that she was at the tour of their facility with Congressman Green. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Garcia and Noriega absent.

Mr. Conrado Contreras, 2920 Shadow Briar #814, Houston, Texas 77082 (281-759-0793) appeared and stated that he was president of the Salvadorian American Foundation of Houston, a 501c3 organization founded in January 2003 to empower their community through education and community service; that they had new citizenship classes and he was voicing support for the After School Achievement Program at the Alief Community Center which would be coordinated by Texans Together. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Garcia and Noriega absent. (NO QUORUM PRESENT)

Mr. Keith J. Davis, Jr., 9898 Bissonnet, Houston, Texas 77036 (832-766-7047) appeared and stated that they recently met with Mr. Garcia of Unified HOODS regarding reviving the Alief Community Center and after looking over their resources and supporters, etc., those with Youth Teens and Young Adults were teaming up and supporting them in the revival of a critical center; and he was present showing support. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Garcia and Noriega absent.

Council Member Jones stated that she wanted to brag on Mr. Davis, he was seventeen and had his own newspaper; that he helped to help youth and she encouraged what Texans Together and Unified HOODS were doing and anything the city could do to help she would appreciate. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Garcia and Noriega absent.

Council Member Green stated Council Member Jones summed it up and he should make sure they used the City Council Members. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Garcia and Noriega absent. (NO QUORUM PRESENT)

Council Member Adams thanked Mr. Davis for all he did for youth and District D. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Garcia and Noriega absent. (NO QUORUM PRESENT)

Mr. Daniel Bustamante, 4309 Leeland, Houston, Texas 77023 (713-882-1649) appeared, presented information and stated that he was executive director of the Greater Houston Fair Housing Center and housing discrimination was a daily occurrence in the City of Houston in 2008; that the current mortgage lending crisis occurred partly because of the lack of equal housing opportunities and discriminatory lending practices; that fair housing applied to all including the City of Houston and today he was asking the city to meet its obligations and follow through on recommendations set out in its analysis to Fair Housing in 2006. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Rodriguez allowed Mr. Bustamante to continue; and Mr. Bustamante read off a list of his recommendations related to fair housing enforcement which he considered critical to ensure people's rights were not violated. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Linda Reyes, 11626 Triola Lane, Houston, Texas 77072 (832-643-8343) had reserved time to speak but was not present when his name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Rev. Marvin Holmes, 3211 McIlhenny, Houston, Texas 77004 (832-267-1661) appeared and stated that he was present on behalf of his neighborhood; that they were having problems such as speeding traffic, drug activity, loud music, etc., that he made a report to HPD and when he called they never showed up. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she would work with Council Member Rodriguez, she knew where he was and understood how it was. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Rodriguez thanked Rev. Holmes for coming and stated that this was the first he heard of this and he would have someone from his staff come to visit with him at this time. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell

presiding. (NO QUORUM PRESENT)

Mr. Allen Baquet, 18030 Still Springs Court, Humble, Texas 77346 (281-812-3552) had reserved time to speak but was not present when his name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Jesse Dickerman, 4005 Norhill Blvd., Houston, Texas 77009 (713-203-7407) had reserved time to speak but was not present when his name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Gilbert Requena, 7332 LaPaseo, Houston, Texas 77087 (832-771-8310) had reserved time to speak but was not present when his name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Jogretta Williams, P. O. Box 42505, Houston, Texas 77242 (713-314-7546) had reserved time to speak but was not present when her name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, P. O. Box 263252, Houston, Texas 77207-3052) had reserved time to speak but was not present when her name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. William Sanders, 411 Cavalcade, Houston, Texas 77009 (713-782-8833) appeared and stated that he wanted to thank Council Member Jones and her staff for the meetings and getting involved on what they were focusing on at the Alief Community Center and recognized Council Member Khan's staff for being involved; that Texans Together and Unified HOOD were going to be committed together heart and soul to get achieved what needed to be. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Francisco Garcia, 3530 Greens Crest Drive, Houston, Texas 77082 (832-245-3898) appeared and stated that again he wanted to recognize Council Members Jones and Khan for the attention they were providing to Unified HOOD and Texans Together, all their support; that the park was owned by the city and he personally felt they were responsible and should help out in helping the community; that communities made this city and the city should work with them on many areas including the rail and not disconnect. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she dedicated money for Amity Park because she knew

they needed help in Alief; and Mr. Garcia thanked her for recognizing the problems going on; that tomorrow he hoped all would think of the youth in the community, parents, grandparents, etc., all needed the city's support. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Rodriguez, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

At 4:01 p.m. City Council recessed until 9:00 a.m., Wednesday, June 18, 2008. Council Member Holm absent on personal business. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Rodriguez, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, June 18, 2008, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Pam Holm, M. J. Khan, P. E., Adrian Garcia, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Michele Mitchell, Director Finance Department; Mr. Terence Fontaine, ; Ms. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:47 a.m. Mayor White called the meeting to order and stated that he would like to begin with the consent agenda. Council Members Johnson and Holm absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 52

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MR. FRANKLIN D. R. JONES, JR. (HISD Representative)** to Position 6 of the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY**, for a term to expire May 6, 2010 – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0419 ADOPTED.
3. RECOMMENDATION from Director Library Department to adjust default costs and maximum fines in the Library's Fee Schedule – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0420 ADOPTED.

DAMAGES - NUMBERS 4 and 5

4. RECOMMENDATION from City Attorney for settlement of lawsuit styled **CHAD CORY**, et al. v. City of Houston, et al.; Civil Action No. H-03-0125; United States District Court, Southern District of Texas, Houston Division - \$257,500.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0421 ADOPTED.
5. RECOMMENDATION from City Attorney for settlement of lawsuit styled **CORI LOPEZ**, et al. v. City of Houston, et al.; Civil Action No. H-03-2297; United States District Court, Southern District of Texas, Houston Division - \$474,117.00 - Property and Casualty Fund

– was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0422 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 16

7. **FLAIR DATA SYSTEMS, INC** for Uninterruptible Power Supply Batteries and Installation Services through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Houston Airport System - \$125,815.80 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0423 ADOPTED.
8. ORDINANCE appropriating \$305,799.90 out of C & E Construction Fund for Purchase and Installation of Walk-In Coolers and Freezers at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department (WBS B-000107) – was presented. All voting aye. Nays none. ORDINANCE 2008-0527 ADOPTED.
- 8a. **WARREN SOUTHWEST REFRIGERATION** for Purchase and Installation of Walk-In Coolers and Freezers at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department - \$291,238.00 and contingencies for a total amount not to exceed \$305,799.90 – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0424 ADOPTED.
9. **CONSILIENCE SOFTWARE** for Web-based Disease Surveillance System from the General Services Administration (GSA) Schedule 70 Contract through the Cooperative Purchasing Program for the Houston Department of Health & Human Services - \$325,000.00 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0425 ADOPTED.
11. **MOTOROLA, INC** for Radio Transmission System Equipment through Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Information Technology Department - \$440,522.44 - Police Special Services Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0426 ADOPTED.
12. **AMEND MOTION #2005-511, 6/22/05, TO EXTEND** expiration date from June 27, 2008 to June 26, 2010, for Rolls-Royce Turbine Engine Replacement, Overhaul, and Exchange Parts for the Police Department, awarded to **DALLAS AIRMOTIVE, INC dba PREMIER TURBINES** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0427 ADOPTED.
14. **XEROX CORPORATION** for Maintenance Agreement from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$250,852.68 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0428 ADOPTED.
15. ORDINANCE appropriating \$425,000.00 out of Equipment Acquisition Consolidated Fund, for Purchase of Electronic Document Management System Software and related Training and Implementation Services for Various Departments, WBS X-286800 – was presented. All voting aye. Nays none. ORDINANCE 2008-0528 ADOPTED.
- 15a. **HYLAND SOFTWARE, INC** for Electronic Document Microsoft Licenses and Maintenance Services through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Information Technology Department - \$1,675,000.00 Enterprise and

FY09 Equipment Acquisition Consolidated Funds – was pulled from the agenda and would not be considered.

16. **AMEND MOTION #2005-631, 6/29/05, TO EXTEND** expiration date from June 29, 2008 to June 28, 2009, for Linear Low Density Polyethylene Bags for Various Departments, awarded to **ALL AMERICAN POLY** - \$484,709.86 - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0429 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 52

18. RESOLUTION approving and authorizing submission of an application for grant assistance to the State of Texas through the Governor’s Criminal Justice Division (“CJD”) for a Forensic Science Grant for the Houston Police Department Crime Laboratory; declaring the City’s eligibility for such grant; authorizing the Chief of Police of the Houston Police Department to act as the City’s representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. RESOLUTION 2008-0017 ADOPTED.
20. ORDINANCE authorizing approval and termination of Remarketing Agreements relating to the City of Houston, Texas Combined Utility System First Lien Revenue Refunding Bonds, Series 2004B-2 and Series 2004B-3 and certain other matters relating thereto; and declaring an emergency – was presented. All voting aye. Nays none. ORDINANCE 2008-0529 ADOPTED.
21. ORDINANCE consenting to the addition of 226.080 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 82**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2008-0530 ADOPTED.
23. ORDINANCE approving contract Parking Agreement between the City and **HCPA SERVICES COMPANY** for Employee Parking in the Hobby Center Garage; providing a maximum contract \$1,906,306.80 - General, Enterprise and Other Funds – was presented. All voting aye. Nays none. ORDINANCE 2008-0531 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City of Houston and **YETTER & WARDEN, L.L.P.** for legal services relating to Cause No. 850479; Dawn A. Alewine, et al. v. City of Houston; in the County Civil Court at Law Number Three of Harris County, Texas; establishing a maximum contract amount - \$400,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2008-0532 ADOPTED.
26. ORDINANCE amending Ordinance No. 2007-1385, relating to the approval and authorization of the Strategic Partnership Agreement between the City and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285 – DISTRICT A – LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2008-0533 ADOPTED.
- 26a. ORDINANCE amending Ordinance No. 2007-1386, relating to the annexation for limited purposes of a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285**, in Harris County, Texas - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2008-0534 ADOPTED.
28. ORDINANCE appropriating \$2,700,000.00 out of Equipment Acquisition Consolidated Construction Fund; WBS V-1800-2008-03 for the Purchase of Microcomputer Hardware for Various Departments – was presented. All voting aye. Nays none. ORDINANCE

2008-0535 ADOPTED.

29. ORDINANCE appropriating \$189,188.90 out of Equipment Acquisition Consolidated Fund for the Purchase of Software and other Technology Equipment Items for the Enterprise Geographic Information System Initiative for the Planning and Development Department – was presented. All voting aye. Nays none. ORDINANCE 2008-0536 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City of Houston and **HOLLIDAY DOOR & GATE SYSTEMS, INC** for Overhead Door Repair Services for Various Departments; providing a maximum contract amount - 3 Years with two-one year options - \$4,887,678.00 General, Enterprise, Fleet Management and In-House Renovation Revolving Funds – was presented. All voting aye. Nays none. ORDINANCE 2008-0537 ADOPTED.
31. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **JOHNSON CONTROLS, INC** for Energy Management and Maintenance Services for the General Services Department – was pulled from the agenda and would not be considered.
34. ORDINANCE appropriating \$1,855,000.00 out of General Improvements Consolidated Construction Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for Municipal Courts Phase II Renovations; WBS D-000105-0004-4; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, air monitoring, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2008-0538 ADOPTED.
35. ORDINANCE appropriating \$86,318.00 out of Solid Waste Consolidated Construction Fund; awarding construction contract to **EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P.** for Underground Fuel Storage Tank Removal Kelley Light Vehicle Maintenance Facility; WBS L-000052-0002-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines providing funding for project management, construction oversight and contingencies relating to construction of facilities financed by Solid Waste Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2008-0539 ADOPTED.
36. ORDINANCE appropriating \$5,022,585.00 out of Street & Bridge Consolidated Construction Fund (4506); approving and authorizing the purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees, for and in connection with, and finding a public necessity for the Capital Improvements Projects identifies in the body of this ordinance; CIP N-00663A-00RE-2-01 – was presented. All voting aye. Nays none. ORDINANCE 2008-0540 ADOPTED.
37. ORDINANCE appropriating \$1,250,000.00 out of Houston Airport System Consolidated 2004 NonAmt Construction Fund and \$3,750,000.00 out of HAA-FAA Grants Fund and approving and authorizing professional services contract between City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC** for Terminal “B” South Apron

Reconstruction at George Bush Intercontinental Airport/Houston; Project No. 643; WBS A-000565-0001-3-01 and A-000565-0001-3-02 - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2008-0541 ADOPTED.

39. ORDINANCE appropriating \$4,915,000.00 out of Drainage Improvements Commercial Paper Series F Fund, awarding contract to **C.E BARKER, LTD.** for Clairmont Place Drainage Improvements, WBS M-000269-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2008-0542 ADOPTED.
43. ORDINANCE appropriating \$11,000,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** for Almeda Sims WWTP & SPF Improvements Package 1; WBS R-000298-0004-4; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2008-0543 ADOPTED.
44. ORDINANCE appropriating \$1,105,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JIMERSON UNDERGROUND, INC** for Hidden Echo Subdivision, WBS R-000801-0005-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. ORDINANCE 2008-0544 ADOPTED.
45. ORDINANCE appropriating \$2,720,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Sewer Work at Hiram Clark, Tiffany, Castlereach, Dalmatian, Fleetwell; WBS R-002011-0060-4; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2008-0545 ADOPTED.
46. ORDINANCE appropriating \$7,164,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BRH-GARVER CONSTRUCTION, LP** for Sims Bayou Utility Relocation-Almeda Rd. to Almeda Sims Wastewater Treatment Plant (WWTP), WBS R-002011-0062-4; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2008-0546

ADOPTED.

47. ORDINANCE appropriating \$2,516,716.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for FY08 Water Service Line Replacement Program, WBS S-000035-00H2-4; 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, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. ORDINANCE 2008-0547 ADOPTED.
48. ORDINANCE appropriating \$1,606,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Ellena Gardens-North Section Area, WBS S-000035-00N4-4; 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 Water & Sewer System Consolidated Construction Fund **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2008-0548 ADOPTED.
49. ORDINANCE granting to **AAA DEMOLISHING, 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 - **FIRST READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0549 PASSED FIRST READING IN FULL.
50. ORDINANCE granting to **MZ TECH, INC dba UTS ENVIRONMENTAL, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0550 PASSED FIRST READING IN FULL.
51. ORDINANCE **RAPID WASTE, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0551 PASSED FIRST READING IN FULL.
52. ORDINANCE granting to **TREE EXPERTS, INC dba DEMOLITION EXPERTS, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0552 PASSED FIRST READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

6. **JOHNSON MOWING SERVICES, (Bid No. 12)** for Disposable Paper Products for the Houston Airport System, \$597,196.80 minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, L.L.C., for a net award amount not to exceed \$585,252.86 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia, and tagged by Council Member Green. (Note: Council Member Green released his tag later in the meeting)
10. ORDINANCE appropriating \$1,606,750.00 out of Equipment Acquisition Consolidated Fund, for Purchase of Microsoft Licenses and Maintenance Services for Various Departments, WBS X-680001-0001-3-01 – was presented. All voting aye. Nays none. ORDINANCE 2008-0553 ADOPTED.
- 10a. **SHI GOVERNMENT SOLUTIONS, INC** for Microsoft Licenses and Maintenance Services through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Information Technology Department - \$940,090.00 FY09 and FY10 Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0430 ADOPTED.

Mayor White recognized Council Member Johnson for a point of personal privilege.

Council Member Johnson stated that he wanted to recognize some young people who were in the audience, that they were teens that were working with the Honorable Sylvester Turner in his summer program, that they were from the Turner Youth Leadership Team, which included Mr. Bradford, Eisenhower High School, Ms. Phillips, Eisenhower High School, Mr. Wright, Milby High School, Ms. Smith, Blen College, Mr. Thompson, Kashmere High School and Mr. Reynolds, Eisenhower, that they were present to learn about government and were going to be putting on a conference July 19, 2008, and asked that they stand and be recognized, and Mayor White thanked them for being present today.

13. **INTERNATIONAL CODE COUNCIL** for Uniform Building Code and Uniform Fire Code Manuals and Amendments for the Department of Public Works & Engineering - \$54,858.00 - Building Inspection Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0431 ADOPTED.

RESOLUTIONS AND ORDINANCES

17. RESOLUTION authorizing the creation of **HOUSTON PARKS BOARD LGC, INC**, a Local Government Corporation; approving the certificate of formation; approving the by-laws; appointing the initial directors and chair – was presented. All voting aye. Nays none. RESOLUTION 2008-0018 ADOPTED.
- 17a. ORDINANCE approving an **AMENDMENT TO CHAPTER 32, ARTICLE VIII OF THE HOUSTON CODE OF ORDINANCES** relating to the Houston Parks Board LGC, Inc to reflect the City's creation of a Local Government Corporation to carry out the purposes and functions of the Parks Board, and to clarify and to set forth additional purposes and powers of the Parks Board – was presented. All voting aye. Nays none. ORDINANCE 2008-0554 ADOPTED.
19. ORDINANCE relating to Airport Compatible Land Use Regulations in the vicinity of George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field;

establishing controlled compatible land use areas, and adopting boundaries for each airport; appointing the City Planning Commission as the Airport Commission; providing for additional members of the Airport Commission; requesting the Airport Commission to do those things that are required by law to be done by it before the City Council may adopt Airport Compatible Land Use Regulations for the airports – was presented, and tagged by Council Members Rodriguez and Holm.

After discussion by Council Members, Mayor White stated that this was something that they had worked with the Legislature to authorize so that they could comply with FAA requirements to get federal money for the airports, which they depended upon for a large part of their expansion.

After further discussion by Council Members, Council Member Holm stated that she was concerned that with the passage of the ordinance they would begin issuing notices to homeowners that may be affected and was wondering what it meant to their property values when they had not even set the rules yet or the standards, that she wanted clarity about the process and what happens as they moved forward.

After further discussion Council Member Sullivan stated that he would also tag Item No. 19.

Mayor White stated that Item No. 19 had been tagged by Council Members Rodriguez, Holm and Sullivan.

22. ORDINANCE approving a Drought Contingency Plan, an Agricultural Use Water Conservation Plan, and a Water Conservation Plan for Municipal Uses – was presented.

Council Member Noriega stated that the Drought Contingency Plan was something that was required by TCEQ and was standard operating procedure, that it was their first submission under the new regulations and there would be updates to it, that it was not something that the City needed to worry about water rationing, that she wanted to get that on the record.

A vote was called on Item No. 22. All voting aye. Nays none. ORDINANCE 2008-0555 ADOPTED.

25. ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and **JPMORGAN CHASE BANK N.A.** for Securities Safekeeping Services; providing a maximum contract amount - 26 Months - \$146,000.00 - General Fund – was presented. All voting aye. Nays none. ORDINANCE 2008-0556 ADOPTED.

27. ORDINANCE approving and authorizing Compromise & Settlement Agreement between the City of Houston and **AIRPORT/288 ASSOCIATES LIMITED** and to settle a claim - \$680,416.00 Water and Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. ORDINANCE 2008-0557 ADOPTED.

32. ORDINANCE appropriating \$5,783,000.00 out of Fire Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to Construction Management-At-Risk Contract (approved by Ordinance No. 2007-1325) between the City of Houston and **GILBANE BUILDING COMPANY** for Construction of Fire Station 37; WBS C-000147-0002-4; providing funding for engineering and testing services, air monitoring, Civic Art Program, and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT C – CLUTTERBUCK** – was presented.

After discussion by Council Member Clutterbuck, a vote was called on Item No. 32. All voting aye. Nays none. ORDINANCE 2008-0558 ADOPTED.

33. ORDINANCE appropriating \$1,351,838.00 out of Public Library Consolidated Construction Fund as an additional appropriation for the HPL Express Frank; WBS E-000033-0001-4 under an existing contract with **SPAWMAXWELL COMPANY, LP - DISTRICT C - CLUTTERBUCK** – was presented.

After discussion by Council Member Clutterbuck, a vote was called on Item No. 33. All voting aye. Nays none. ORDINANCE 2008-0559 ADOPTED.

38. ORDINANCE appropriating \$4,626,000.00 out of Drainage Improvements Commercial Paper Series F Fund, awarding contract to **R J CONSTRUCTION COMPANY, INC** for Drainage Improvements at Grade Separations, Package II, WBS M-000241-0003-4; 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 Drainage Improvements Commercial Paper Series F Fund - **DISTRICTS D - ADAMS; E - SULLIVAN; H - GARCIA and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2008-0560 ADOPTED.

40. ORDINANCE appropriating \$399,430.90 out of Limited Use Roadway & Mobility Capital Fund as an additional appropriation and approving and authorizing second amendment to a Professional Engineering Services Contract (approved by Ordinance No. 2005-392) between the City of Houston and **CLAUNCH & MILLER, INC** for Design of Morningside Drive Reconstruction; WBS N-000403-0003-2; providing funding for contingencies relating to construction of facilities financed by of Limited Use Roadway & Mobility Capital Fund - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2008-0561 ADOPTED.

41. ORDINANCE appropriating \$67,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **POLYTECH, INC d/b/a PTI, INC** for the Design of Market Street from N. Wayside to Lockwood Drive; WBS N-000773-0001-3; (approved by Ordinance No. 2002-0175); providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICTS H - GARCIA and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2008-0562 ADOPTED.

42. ORDINANCE appropriating \$1,031,200.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Program H3, WBS N-00610A-00H3-4; 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 - **DISTRICTS A - LAWRENCE; E - SULLIVAN and F - KHAN** – was presented. All voting aye. Nays none. ORDINANCE 2008-0563 ADOPTED.

Mayor White recognized Council Member Lawrence for a point of personal privilege.

Council Member Lawrence stated that there was a group of fine young men from Spring,

Texas present in the Council Chamber, Boy Scout Troop 262, that they were working on their Communication Merit Badge.

MATTERS HELD - NUMBERS 53 through 58B

Council Member Lovell moved to suspend the rules to consider Item No. 53 after Item No. 57, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Rodriguez absent. MOTION 2008-0432 ADOPTED.

54. ORDINANCE approving and authorizing contract between the City and the **HOUSTON ARTS ALLIANCE (formerly known as the CULTURAL ARTS COUNCIL OF HOUSTON/HARRIS COUNTY)** for the Support of the Arts Community - \$11,194,000.00 - Enterprise Fund – **(This was Item 30 on Agenda of June 11, 2008, TAGGED BY COUNCIL MEMBER JOHNSON)** – was presented. Council Member Rodriguez absent.

Council Member Johnson stated that he had a good meeting with Jonathan Gless, Convention and Entertainment, and was excited to know, and would follow up, that they were going to do more outreach in the area of cultural arts, making sure that they divide the pie up a little better than it had been in the past, and Mayor White stated that they would commit to doing that and knew Mr. Gless and others would work with him on that.

A vote was called on Item No. 54. All voting aye. Nays none. ORDINANCE 2008-0564 ADOPTED.

55. ORDINANCE appropriating \$6,828,000.00 out of Water & Sewer System Consolidated Construction Fund, \$181,286.00 out of the Homeless and Housing Consolidated Fund, \$2,000,000.00 out of the Tax Increment Reinvestment Zone Affordable Housing Fund and \$678,523.00 out of the Drainage Improvement Commercial Series F Fund for financing Developer Participation Contracts for Fiscal Years 2008 and 2009 – **(This was Item 38 on Agenda of June 11, 2008, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. ORDINANCE 2008-0565 ADOPTED.
56. ORDINANCE appropriating \$18,418.50 out of Parks Consolidated Construction Fund for Purchase and Installation of a Picnic Shelter through the Texas Local Government Purchasing Cooperative for the Neighborhood Partnership - Bendwood Park Picnic Shelter, WBS F-000244-0002-4 - **DISTRICT G - HOLM** – **(This was Item 42 on Agenda of June 11, 2008, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. All voting aye. Nays none. ORDINANCE 2008-0566 ADOPTED.
57. MOTION by Council Member Garcia/Seconded by Council Member Khan to adopt recommendation from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and file objections to the award in connection with eminent domain proceeding styled City of Houston v. H.H. Clark & R. D. Clark, et al., Cause No. 892,399; for acquisition of Parcel AY7-368; for the **PROPOSED BEALL STREET EXTENSION PROJECT between West 14th and Wynnwood**, WBS/CIP N-000663-00RE-2-01 - **DISTRICT A - LAWRENCE** – **(This was Item 58 on Agenda of June 11, 2008, TAGGED BY COUNCIL MEMBER HOLM)** – was presented.

After discussion and questions by Council Members, Mr. Michel stated that he thought the way this was approached was when they saw what the value of the fence was the simplest way, and it may not be the best, he had spoken with the Mayor and Council Member Lawrence about things they could do to improve the process, but just when they moved through a number of

these, because of the cost of determining the title work and so on, they were looking at one of two ways, either they were paying for an adverse position claim that may come later or they would pay for improvement to the property that someone, even though it was put there illegally, was claiming was theirs, that some of the processes that he thought they were going to change was if they looked into it a little bit more at the beginning they could do certain things like they did not have to condemn everything, they could exclude the fence, they could, like Council Member Lawrence stated, ask them to take it down, that he thought those were things they could come up with a checklist to avoid this type of issue, but legally what they were doing was maybe paying for adverse possession or maybe not, but the cost of going through the title work and making that determination, seemed from a cost benefit, that it would be simpler to just pay it, but he thought there were some things that did not cost a lot that they could do to eliminate this in the future.

After further discussion, Council Member Lawrence moved to refer Item No. 57 back to the administration, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Sullivan absent. MOTION 2008-0433 ADOPTED.

53. ORDINANCE approving and authorizing contract between the City of Houston and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (“METRO”)** consenting to the construction and operation of Phase II of the Metro Solutions Plan Light Rail Project; authorizing the Public Works & Engineering Director to approve amendments to the agreement to consent to Metro’s construction of other projects approved by the voters in the 2003 Metro Solutions Election; containing various provisions relating to the subject – **(This was Item 26 on Agenda of June 11, 2008, TAGGED BY COUNCIL MEMBERS JONES, HOLM and GREEN)** - was presented. Council Members Lawrence and Sullivan absent.

After discussion by Council Members, Council Member Clutterbuck moved to suspend the rules to interrupt the discussion on Item No. 53 to consider Item Numbers 1 and 1a at this time, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0434 ADOPTED.

APPROXIMATELY 10:15 A. M.

1. Announcement by City Controller of the results of the electronic auction-style bidding for the sale of \$80,000,000.00 Tax and Revenue Anticipation Notes, Series 2008 – presented. Council Members Adams and Sullivan absent.

At 10:35 a.m. Mayor White recognized the City Controller Annise Parker to address the issue. Council Members Adams and Sullivan absent.

Ms. Parker stated that they had distributed to City Council a bid summary for the competitive sale of \$80 million in City of Houston Tax Revenue Anticipation Notes, Series 2008, that they had just concluded their on line auction and were pleased that they had a successful auction with an excellent true interest cost and the winning bidder was Citigroup for the \$80 million and the true interest cost was 1.69886%, that was about half of what they paid a year ago in their TRANS borrowing, that as a reminder to Council they access this money to bridge until anticipated Tax Revenue comes in and attached to the memo was the list of the top bids that were submitted and the times of those bids, and she would respectfully ask Council to award the sale to the above listed firm, Citigroup. Council Members Adams, Sullivan and Rodriguez absent.

Mayor White stated that right now a lot of cities were having trouble borrowing money, how was the City of Houston doing, and Ms. Parker stated that they were in an excellent position and

in fact they were discussing it upstairs as they were watching the bids come in, that the best guess that they had was that they would be paying 1.85% and they came in much lower than that, that it speaks to the strength of the City of Houston finances and the fiscal management. Council Members Sullivan, Rodriguez and Lovell absent.

Council Member Khan asked Ms. Parker as to the auction based securities would get them out of that dilemma and Ms. Parker stated no, that it was something different, that they had been aggressively working their way out of the auction rate market, and on the Combined Utility System they were almost through the process, and Council Member Khan stated that he would appreciate an update and a briefing on that. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

- 1a. MOTION awarding the Sale of \$80,000,000.00 Tax and Revenue Anticipation Notes, Series 2008, based on the lowest true interest cost, ratify and confirm the use of the POS provided to prospective bidders in connection with the offering for sale of the Notes, and authorize the distribution of the Official Statement – was presented. Council Members Sullivan, Rodriguez, Lovell and Noriega absent.

Council Member Khan moved to adopt the recommendation of the Controller, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Sullivan, Rodriguez, Lovell and Noriega absent. MOTION 2008-0435 ADOPTED.

Council Member Green stated that he would release his tag on Item No. 6 and would move to suspend the rules to consider Item No. 6 at this time and Mayor White requested the City Secretary to call the item. Council Members Sullivan, Rodriguez and Noriega absent.

6. **JOHNSON MOWING SERVICES, (Bid No. 12)** for Disposable Paper Products for the Houston Airport System, \$597,196.80 minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, L.L.C., for a net award amount not to exceed \$585,252.86 - Enterprise Fund – was again before the City Council, previously moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Noriega absent. MOTION 2008-0436 ADOPTED.

At 10:42 the City Council returned to the discussion on Item No. 53. Council Members Sullivan, Rodriguez and Noriega absent.

After a lengthy discussion by the City Council, Council Member Clutterbuck asked what did the consent agreement apply to and would like clarification on the record, that it was her reading of the Terminal Complex Section, Attachment 3, that should there be other station alignments that deviated from Attachment 3 that they would have to come back to City Council for approval of a consent agreement and Mayor White stated that if somebody wanted to change an alignment then there were provisions of the City Charter, as well as the agreement, that if somebody wanted permission to change their streets, then somebody just could not give that permission to change the streets without returning to the governing body, and that was a fact that they could not change even if they wanted to do so because it was in the Charter and the ordinances; that they were not giving a consent to use streets that they were not giving a consent to use, which was not to say that it may be for various reasons that City Council and Metro, who would continue to work together on many issues in the future, if there was something that they agreed would be a better alignment at some point, particularly on those lines where they had not been far along on the design, it was more likely then that there would be a deliberation about the consent to use those streets; that they still retained all of their rights on permitting; that if they would seek the City's consent to use their streets that were not part of the plan then under the Charter they would have to go back to the governing body.

After further discussion by Council Members, Council Member Holm offered the following written motions to amend Item No. 53:

Re: Agenda Item 53

Motion to amend Agenda Item 53, Metro Consent Agreement, Article 3 Project Management, Section 3.4 Code Compliance Determination as follows:

Amending section 3.4.1 to reflect the following change:

~~Except as provided in paragraph below, If the City determines that METRO's plans are not Code Compliant, METRO may request a variance which the City shall approve or disapprove within the time set out in Attachment 2 and for which an approval will not be unreasonably withheld. If the City fails to approve or disapprove METRO's request for variances within the timelines set forth in Attachment 2, METRO may proceed with construction at risk of the consequences set out in 3.7 below if the variance request is disapproved.~~

Removing section 3.4.3:

~~If the City determines that a METRO plan is not compliant with the City's Building Code, METRO may proceed at its own risk to construct the proposed building structure, while requesting a variance as described above. If the City does not grant a variance, METRO must remove and/or correct the proposed building structure to make it Building Code compliant at METRO's own expense.~~

Re: Agenda Item 53

Motion to amend Agenda Item 53, Metro Consent Agreement, Article 13 Termination of Project at Metro's Discretion, Section 13.1 Termination By Metro

Removing section 13.1:

~~Notwithstanding any other provisions of this Agreement, METRO may, in its sole discretion, terminate the entire Project or the construction of any Project Facility at any time if it determines that it is in its best interest to do so and shall restore City Facilities and properties that were the subject of Rearrangements hereunder to their former condition.~~

After further discussion a vote was called on Council Member Holm's motions to amend Item No. 53. All voting aye. Nays none. MOTION 2008-0437 ADOPTED.

A roll call vote was called on Item No. 53 as amended.

Mayor White voting aye	Council Member Garcia voting aye
Council Member Lawrence voting aye	Council Member Rodriguez voting aye
Council Member Johnson voting aye	Council Member Brown voting aye
Council Member Clutterbuck voting aye	Council Member Lovell voting aye
Council Member Adams voting aye	Council Member Noriega voting aye
Council Member Sullivan voting no	Council Member Green voting aye
Council Member Khan voting aye	Council Member Jones voting no
Council Member Holm voting aye	MOTION 2008-0567 ADOPTED AS AMENDED

Mayor White stated that he wanted to thank Council Member Lovell for her personal involvement in the negotiations and the three hearings that she had on the consent agreement.

After further discussion, Council Member Green moved to recess until 1:30 p.m., seconded by Council Member Khan. Council Members Johnson, Adams and Lovell absent.

Budget Item No. 58 to follow.

At 1:25 p.m. Mayor White reconvened the meeting of the City Council. Council Members Adams and Jones absent.

FISCAL YEAR 2008 BUDGET MATTERS HELD

58. Consideration of proposed amendments to Item 58A below, submitted in writing on June 11, 2008 by Council Members Brown, Lovell, Noriega, Green, Jones, Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Garcia and Rodriguez as set forth in the attached Exhibits (Amendments will be considered in the order of a matrix prepared by the Administration) – was presented.

Mayor White stated that most of them did not regard the amendment itself as important, they were concerned about the results and the commitments; that he, Ms. Stein and members of the senior staff of the City reviewed both the commitment and the budget amendments periodically, there had been some things that have slipped through the cracks, but they be his partner in helping him to make sure whether it be a commitment or budget amendment that there was appropriate follow through on what they say, but whether it was a commitment or budget amendment for most of them it was of no consequence; that second, there were no winners or losers on how many budget amendments got passed or commitments got made because frankly there were some Council Members who put things that were similar to other amendments and they just incorporated them in the budget and there was no score card for that, unless they wanted them to acknowledge where the ideas come from they always wanted to do that; that for what it was worth he had tended to see where there was a little bit more playing to the crowd or municipal channel or this or that constituency, his observation had been that it tended to get a little less support around the Council table for the position or amendment that people were advocating rather than for because they were all under pressures from different people to express their concerns and any one of them could do so for about five hours if they so chose; that next, they did conduct the meeting in accordance with parliamentary procedure so if there were points of order or motions to do this or that do not take it personally, the parliamentary procedures were intended for a purpose and he would administer them as written in Roberts Rules of Order, that he would ask people to refrain, as they normally did, from using to many motions to close debate because patience was an important part of a deliberative body, that he would say to all Council Members that patience was important and listening to each other was important, but he found it was somehow counterproductive to have their colleagues listen to a point that was made repetitively; and finally, this was not the only time that they addressed budgetary issues at the City of Houston, they addressed them through appropriations during the course of the year, the budget did give them the flexibility, which they exercised usually in connection with Members of City Council to make adjustments in the budgets within some general guidelines.

Line 1 Khan - Amendment - 11.01

Request that during FY 2009 the Administration establish a 4/40 compressed work week schedule alternative for the use at the discretion of city departments for non-emergency employees as a way to reduce energy consumption – was presented.

Council Member Khan stated that he had seen the administration's comments on his amendment to bring energy consumption focus and also bring some kind of efficiency in the system and moved to "request that the administration report in 90 days on the issue", seconded

by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0438 ADOPTED AS AMENDED.

Line 2 Khan - Amendment - 11.07

Require each city department in FY 2009 to establish a balanced scorecard system to align its business activities and measure its performance against strategic goals – was presented.

Council Member Khan stated that he wanted to amend his amendment by changing the word “require” to “request”, and Mayor White stated that he supported the amendment to Council Member Khan amendment and if there was no objection it was so ordered.

A vote was called on Amendment 11.07 as amended. All voting aye. Nays none. MOTION 2008-0439 ADOPTED AS AMENDED.

Line 3 Khan - Amendment -11.08

Require each department in FY 2009 to establish a 5-year operational planning process and a 2-year budget – was presented.

Council Member Khan stated that he wanted to amend his amendment by changing the word “require” to “request”, seconded by Council Member Garcia. Mayor White stated that if there was no objection it was so ordered.

A vote was called on Amendment 11.08 as amended. All voting aye. Nays none. MOTION 2008-0440 ADOPTED AS AMENDED.

Mayor White stated that this was something that he had looked forward for a number of years, that now they had some of the capabilities of doing this and he thought it was going to be very beneficial, that the two year budget they might want to consider how they do it in a sense that they wanted to preserve the right of each Council, that it may be more like a one year budget with a guideline for two years and then a five year operating budget, if they do that they would be much better than say the federal budgeting process, just to give them an example, and they would really set a model, that it was a very significant change of process.

Line 4 Khan - Amendment - 11.09

Require each city department in FY 2009 to establish as part of their budget planning process the identification of 2.5% of their budget, which if needed by an economic downturn, can be used to reduce expenses – was presented.

After discussion by Council Member Khan, Mayor White stated that the administration’s comment had indicated that they would consider the concept of adjusting budgets up or down to accommodate economic change, and Council Member Khan stated that the 2.5% of his amendment was not critical and they could take it out, and Mayor White asked if he wanted them to identify, as part of their planning process, 2.5% up or down, and Council Member Khan stated that they could add the word up or down.

After further discussion by Council Members, Ms. Mitchell stated that last year they had asked departments up front about looking at areas in which they could save 2%, so it was really not much different than that, if they could do a five year plan then they could have a two year budget; that they should be able to look at areas in their thought process with the economics whether they could be up or down, that did not mean they should cut their budgets, but they should be able to know what areas they might be able to save on.

Mayor White stated that with the understanding that in this exercise they would do “2.5% down and 2.5% up relative to a base case”, that they would support this.

A vote was called on 11.09. Council Members Sullivan and Holm voting no, balance voting aye. MOTION 2008-0441 ADOPTED AS AMENDED.

Line 5 Brown - Amendment - 1.02

Amendment: HPD Preliminary Management Study to evaluate "Community Policing/CompStat" decentralized form of organization. **Source of Funding:** HPD budget and possible Federal grant. **Estimated FY 09 Cost:** \$180,000 - \$250,000 – was presented.

Council Member Brown stated that he wanted to amend 1.02 along the lines of the administration's comments and moved "that the administration undertake a management analysis" related back to the subject in the original amendment, and Mayor White stated that they would agree to that, and if there was no objection they would accept that amendment.

A vote was called on 1.02 as amended. All voting aye. Nays none. MOTION 2008-0442 ADOPTED AS AMENDED.

Line 6 Noriega - Amendment - 3.05

Increase funding for the Houston Police Department overtime budget by \$7,018,787 to provide for overtime equivalent to FY08 - was presented.

Lone 7 Noriega – Amendment - 3.03

The City shall continue the police department cadet class hiring incentives through the end of FY09 – was presented.

Council Member Noriega presented written substitute for Amendment 3.05 and Amendment 3.03 as follows:

"The HPD overtime budget would be increased by 1.225 million for the first quarter. Additional funding will be allocated to the extent that the city collects more property tax revenue than budgeted up to a total of \$4,900,718."

"HPD incentive funding shall be increased by \$708,000 to provide for an additional two classes in FY 2009".

Mayor White stated that they supported this particular Council item.

Council Member Holm asked where was the increased funding coming from and Mayor White stated that there were two portions of the increased funding, the bulk was contingent upon the collection of property taxes in excess of those that had been projected based on HCAD's numbers and the budget prepared by the administration; and where does the property tax revenue come from in their budget, what was the source of that number, that the Harris County Appraisal District gives them an estimate that had a sort of upward and lower and most likely portion of the range and they hug in that middle most likely that was provided to them by HCAD, and Ms. Mitchell stated that was correct, and Mayor White stated that there were no politics or manipulation about changing the revenue this way or that way; that they use the mid point in the range, which they also identify as most likely, that it was possible for them to be under that mid point; that there had been years in which they had a higher collection rate.

After further discussion Council Member Holm asked what was the fund balance now prior to taking out or just after, and Mayor White asked Ms. Mitchell if she had that figure and Ms. Mitchell stated that as of April 3, 2008 the fund balance was \$242,512 as of April 3, 2008, and the ending fund balance would be \$223,112 with the budgeted numbers.

A vote was called on Amendments 3.05 and 3.03 as substituted. All voting aye. Nays none. MOTION 2008-443 ADOPTED AS SUBSTITUTED.

Line 8 Garcia - Amendment - 13.09

Increase by up to 3 police academy classes above those proposed, through budget savings and surpluses – was presented.

Council Member Garcia moved to substitute the following written amendment for 13.09:

“Should all FY09 HPD academy classes be filled to 85% capacity, HPD will evaluate manpower needs to access the need of three (3) additional academy classes for FY09.”

After discussion by Council Members, Mayor White stated that he thought Council Member Garcia's point was that if they were able to fill the classes or get close to filling the classes then they would consider adding additional classes and before they did so he thought Council Member Garcia understood that it would need to be a decision by this body that they would do so.

After further discussion Mayor White stated that Council Member Garcia might consider this, and he did not know if Council Member Noriega's staff could make a note, that as a practical matter Council Member Garcia might consider expressing the view, and he took his point was that they ought to access getting as many police classes as they could and probably the time where they would be able to do that, and decide what to do for the balance of FY09, would be towards the end of this calendar year, like November or December, because they already had a class scheduled in February and March, so even if they wanted to add another class most likely what they would have to do was do it in April, and Ms. Mitchell stated that the classes in May and June were the two they were not funding.

After further discussion by Council Members, Council Member Adams asked if there had been a survey of officers that were in various positions within the City of Houston that civilians could fill, had they done a count to see exactly how many officers those were, for example she had been told there were officers in positions of secretaries, full uniformed officers, was there a reason why a full uniformed officer was holding a job of secretarial and clerk duties, not in the police stations, but in Captain's and Sergeant's offices, because when Chief Hurtt came before City Council one of her major concerns was to look inside of their departments and see exactly how many jobs they had that way that they could put those particular officers on the street to increase the numbers that were coming out of the jail, that it could help them with the emergency need.

Mayor White stated that there was a person by person evaluation of people who had fulltime jobs who were classified, how many of those classified jobs could be done by civilians, there was a report and the highest concentrations were at the jail, they needed some officers, Municipal Courts and then there were some headquarter positions, that there were some in the forensics finger printing, in the crime stats, where it ought to be done by civilian employees, that sometimes there were legal restrictions, that in this budget there was a significant increase in the Police budget to hire civilians to replace those officers, and Mayor White asked Ms. Mitchell if she knew what the numbers were, and Ms. Mitchell stated that it was 4.9 for the jail program and thought they added another million three on top of that for the marshal's, and Mayor White stated that over \$6 million was added to hire civilians to replace those done by classified officers and he hoped that the Public Safety Committee could have a report from the Chief and the Command Staff concerning a full inventory of positions that may be done where they could replace that now, that there were some administrative responsibilities where having a real police background helps.

After further discussion by Council Members, Council Member Garcia stated that to help clarify he would amend his substitute amendment by scratching out the number three (3), so the amendment would read “to access the need of additional academy classes”, that he thought that cleared what his goal was, to hire the classes they had budgeted now, fill those classes they had now, and then come back to the body and if they had a surplus of applicants to put in more classes and they could fit them into the FY09 budget they should do it, but that was a discussion to be had.

Mayor White stated that this was basically the attitude of the administration, that if he wanted to say that had it been the policy of this administration in budget time to agree, and agree in good faith, if some Council Member said they would like for the Mayor to access the need for something, they had done that repeatedly for almost every Council Member, that if it was a legitimate request they would do that in good faith.

After further discussion by Council Members, Ms. Mitchell stated that she wanted to correct something, that Mayor White was correct on 63, that it graduates on Thursday, but on the \$3.3 million she also wanted to say that included their probationary, so it was not just the trainees, they moved to officers, so the \$3.3 million was the whole year.

Council Member Adams asked if they could get her the answer of how many recruits did they get when they opened the first recruiting class, that she would like to have that answer.

A vote was called on Amendment 13.09 as substituted and amended. All voting aye. Nays none. MOTION 2008-0444 ADOPTED AS SUBSTITUTED AND AMENDED.

Line 9 Noriega – Amendment - 3.04

Increase funding for the Houston Police Department by \$1,064,012 to provide funding for additional software and design for the 24/7 Real Time Crime Center - was moot. Council Member Lovell absent.

Council Member Noriega stated that she would defer Amendment 3.04 until after Amendment 13.06.

Line 10 Garcia – Amendment - 13.06

Provide additional funding for the next phase of implementation of the Real Time Crime Center, to provide for the technology upgrades and additions. Approximate cost: \$1,064.012 – was presented.

Mayor White asked if they addressed the source of funding, and stated that the administration proposed in particular a source of funding and process for determining the sufficiency of the source of funding and asked if Council Member Garcia would consider incorporating that within his motion.

Council Member Garcia moved to amend his motion with “the commitment of the administration to fund it with either surpluses or other savings available”, seconded by Council Member Khan.

Mayor White stated that they would propose that it be funded by the IT Equipment Budget, which was approximately \$8 million, and by February 28, 2009 they should report on the amounts that had been encumbered in that budget, and whether there were any savings or needs within that budget, so they evaluate that budget.

Council Member Garcia moved to amend his motion “that it be funded by the IT Equipment Budget”, seconded by Council Member Khan.

After further discussion Mayor White stated that Council Member Adams had made an inquiry about civilians that were being replaced and that number was 237 officers during the next fiscal year, and they were funding \$7.9 million in civilian positions to accomplish that, that it was in this budget.

A vote was called on Amendment 13.06 as amended. All voting aye. Nays none. Council Member Lovell absent. MOTION 2008-0445 ADOPTED AS AMENDED.

Mayor White announced that Line 9 – Amendment - 3.04 was moot after passage of Line 10 – Amendment 13.06. Council Member Lovell absent.

Line 11 Khan – Amendment - 11.04

Request that during FY 2009 the Administration conduct a cost-benefit analysis of outsourcing the functions of the crime lab – was presented.

Line 12 Jones – Amendment - 5.07

Request that the Administration review and consider the cost to outsource the Houston Police Department's crime lab – was presented.

The City Secretary stated that Line 11 – Khan – Amendment 11.04 and Line 12 – Jones – Amendment 5.07, had the same administration comments.

Council Member Khan stated that after looking at the administration's comments he would move to substitute administration's comments for amendment 11.04 to read "the administration to report back in 90 days on the feasibility of outsourcing certain crime lab functions", seconded by Council Member Garcia.

Mayor White stated that what they were talking about was contracting for some forensics where there were backlogs, that he did not want anybody to think that they were talking about tomorrow eliminating all the positions of anybody in forensics, that was not what was on the agenda, that they appreciated the people who were working doing forensics, but they knew there was a significant backlog.

A vote was called on Amendment 11.04 as amended. All voting aye. Nays none. MOTION 2008-0446 ADOPTED AS SUBSTITUTED.

Council Member Khan requested that for the record it be called the Jones – Khan amendment.

Mayor White announced that Line 12 - Jones - Amendment 5.07 was moot.

Line 13 Sullivan – Amendment - 10.06

Provide HPD Truck Enforcement vehicles for Truck Enforcement officers who have been hired or trained for this service, but do not yet have vehicles – was presented. Council Member Noriega absent.

After discussion Council Member Sullivan moved to table Amendment 10.06, seconded by Council Member Khan. All voting aye. Nays none. Council Member Noriega absent. MOTION 2008-0447 ADOPTED.

Line 14 Sullivan – Amendment - 10.11

Add at least 12 full time Mobile Response Team personnel to the City's MRT program – was presented.

After discussion Council Member Sullivan moved to table Amendment 10.11, seconded by Council Member Khan . All voting aye. Nays none. MOTION 2008-0448 ADOPTED.

Line 15 Sullivan – Amendment 10.12

Allocate HPD resources at Kingwood Substations to provide a minimum of 4 patrol cars for every shift, as well as 1 Sergeant, on the street – was presented. Council Member Jones absent.

After discussion by Mayor White and Council Members, Council Member Sullivan moved to table Amendment 10.12, seconded by Council Member Garcia.

Mayor White stated that he would say for the record that they did not need to conclude it but just as it came up, the planned staffing was one officer per beat for five beats, sometimes there had been up to 6.7 officers per beat, that if Council Member Sullivan would work with them they may agree to disagree but they would work with him to identify what their staffing was today and what it would be, and finally as they moved more towards a crime reduction unit, information based policing, it was not ComStat, but more towards the lessons learned from ComStat, that what that meant was that they shift resources to where crime was periodically, that he did not want to say something that they were going to do a minimum or maximum number in a particular area for a particular time, but they would work with him.

A vote was called on Council Member Sullivan’s motion to table Amendment 10.12. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0449 ADOPTED.

Line 16 Sullivan – Amendment - 10.13

Allocate HPD resources to Clear Lake stations to have 8 patrolmen, and 2 Sergeants for every shift on the street – was presented.

After discussion Council Member Sullivan moved to table Amendment 10.13, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0450 ADOPTED.

Line 17 Rodriguez – Amendment - 14.06

The administration will identify funding for 200 new red light cameras. It is estimated that the net city share for every 100 cameras in the first year of operation is \$2,480,000. The administration will allocate \$210,000 of this annual revenue towards the addition of three new hearing judges that will focus solely on red light camera citations. The remaining revenue will be allocated towards HPD public safety programs including, but not limited to the recruitment of new officers to ensure safer neighborhoods – was presented.

Council Member Rodriguez moved to substitute the following for Amendment 14.06:

“Substitute: Within 60 days, the administration and HPD will provide City Council a report on the intersections where red light cameras currently exist. They will further discuss potential to expand the program to increase public safety dollar.”, seconded by Council Member Garcia.

After discussion by Council Members, Mayor White stated that red light cameras should be based on objective criteria, that HPD had looked at traffic at the intersection and the frequency and this would be fully vetted and reviewed by Council committee and subject to debate, so they could look at the criteria, that one good thing about the camera was that Council Members would know the location, that absolutely it was going to be done fairly and equitably and they were going to be placed where they were going to be reducing incidents and accidents.

A vote was called on Amendment 14.06 as substituted. Council Member Sullivan voting no, balance voting aye. MOTION 2008-0451 ADOPTED AS SUBSTITUTED.

Line 18 Khan – Amendment - 11.12

During FY 2009 add five Neighborhood protection inspector positions to be funded by General Fund surplus – was presented.

Line 19 Adams – Amendment 9.02

Add and fund 91 additional staff for the Neighborhood Protection Corps. 9 – Administrative Associates; 67 Community Service Inspectors; 10 Sr. Contract Compliance Officers; and 5 Contract Compliance Supervisors - \$1,330,269.00 – was presented.

Line 20 Adams – Amendment 9.03

Add and fund additional equipment to Neighborhood Protection for additional staff positions – 20 vehicles; 23 cellular telephones; 17 digital cameras; and 6 laptop computers - \$444,570.00 – was presented.

Council Member Khan stated that it was a very important topic and point and he appreciated the response they got from the administration, that the need for inspectors in the Neighborhood Protection was essential, they had more contact concerning complaints from their constituents on Neighborhood Protection issues and crime issues than anything else, that was why this amendment was there, that he appreciated what the administration was doing and committed to do, so in that spirit he moved to table Amendment 11.12, seconded by Council Member Garcia.

Mayor White stated that they would report back to the City Council and they ought to have a Council committee hearing on the vacancies and if they needed more people, and if they would notice on the administration's comments that if they were able to collect property taxes more than was budgeted that it was the administration's view that this would be the first place, now that they had done police overtime, to which those additional resources would be devoted and with that understanding was it a motion to table, how did Council Member Khan want to do this. Council Member Rodriguez absent.

Council Member Khan stated that if they could he would like to make it part of the budget amendments, the commitment that the Mayor made, and Mayor White stated that if it would assist and if Council Member Khan would make a motion to consider the last two sentences of their comments as a motion, "that the administration would consider additional funding for Neighborhood Protection staffing to the extent they collect more property taxes, etc., they would report back in 180 days.", seconded by Council Member Garcia. Council Members Sullivan and Rodriguez absent.

Council Member Khan stated that if Council Member Adams agreed to this that he would like to suggest for the record that it was called the Adams/Khan amendment. Council Members Sullivan and Rodriguez absent.

After further discussion, the City Secretary stated that she had called Line Numbers 18, 19 and 20 and asked if they were going to consider all those at the same time, and Mayor White stated that they would consider them all at once, that there was a motion that embodied the last two sentences under the administration comments. All voting aye. Nays none. Council Members Sullivan and Rodriguez absent. MOTION 2008-0452 ADOPTED.

Note: MOTION 2008-0453 omitted in error.

Line 21 Sullivan – Amendment - 10.14

Increase funding for dangerous buildings and dilapidated buildings so homes can be removed within 60 days of final decision by the City of Houston or the courts – was presented.

Council Member Sullivan stated that he understood that dangerous and dilapidated building issues were important to the Mayor as well and that he was planning a report to the City Council, and moved to table Amendment 10.14, seconded by Council Member Garcia.

Mayor White stated that Ms. Stein would be setting the Mayor's Report where they would go through the whole process and invite improvements on it.

A vote was called on the motion to table Amendment 10.14. All voting aye. Nays none. MOTION 2008-0454 ADOPTED.

Line 22 Johnson – Amendment - 7.08

The Neighborhood Protection Division of the Houston Police Department will expand the neighborhood contractor program in FY 09 to appropriate \$24,000 each to five Super Neighborhood Councils to abate weeded lots within its specified geographical boundaries. The Super Neighborhood Councils are: Greater Fifth Ward (55), East Little York/Homestead (47), East Houston (49), Trinity Houston Gardens (48), and Acres Homes (6) – was presented.

After discussion Council Member Johnson moved to table Amendment 7.08 and stated that he would like to know if there were any limits, if a neighborhood wanted to cut X amount of lots what would that be, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0455 ADOPTED.

Line 23 Brown – Amendment - 1.06

Amendment: Provide matching funds for the Houston P.A.L. (Police Athletic League) program and office space. **Source of Funding:** Houston Police Department budget. **Estimated FY 09 Cost:** \$180,000 - \$200,000 – was presented.

After discussion by Council Member Brown, Mayor White stated that he did not know the extent to which people had worked with Mr. Dadoush but they ought to be able to provide office space for a program of this nature.

Council Member Brown moved to substitute the following language for Amendment 1.06, “that the City of Houston would work with the Police Athletic League to provide sufficient office space for them within a City facility”, seconded by Council Member Garcia. Council Member Holm voting no, balance voting aye. MOTION 2008-0456 ADOPTED.

Line 24 Johnson – Amendment - 7.03

HPD shall appropriate 0.50% of its annual General Fund (\$667,651,619) budget to fund juvenile prevention programs. 0.25% of appropriated funds will be earmarked for programs in apartment complexes and/or city owned facilities in Houston Hope Neighborhoods. Programs shall include, but are not limited to, D.A.R.E. and HPD's Explorers and Mentor Programs. HPD will submit quarterly reports to the Human Service and Technology Access Committee to evaluate the effectiveness of each program – was presented.

Council Member Johnson stated that his budget amendment was asking for one half of one percent of the general budget of the Houston Police Department and then asking for .25% of that to go to Houston Hope areas. Council Member Noriega absent.

.After discussion by Council Members, Council Member Johnson offered the following substitute language for Amendment 7.03:

“The administration will evaluate a 90 day plan to identify partners and programs with funding to look at juvenile prevention programs.” Council Members Adams, Lovell and Green absent.

Mayor White stated that they would agree to that and it would not be in lieu of the current Anti Gang activities, and they may need to expand some of those activities because there were places where grant funding was rolling off that they may need to increase that; that they would support the 90 day evaluation and report and would ask Council Members to keep an open mind, they would have the evaluation and have a report and then they would consider where to go from there. Council Members Adams and Lovell absent.

After further discussion Mayor White stated that Council Member Johnson had offered a substitute motion for there to be an evaluation of these juvenile prevention programs made within 90 days and that would include funding sources and funding amounts along with the evaluation and then a report to Council on that, that without a commitment the Council would have to take further action on that, that the administration supported that amendment.

Note: The motion was written as copied from Council Member Johnson’s hand written note as follows:

“The administration to evaluate in 90 days to propose juvenile preventive programs, identifying partners and appropriate budget allocation for implementation.”

A vote was called on Amendment 7.03 as substituted. All voting aye. Nays none. Council Member Lovell absent. MOTION 2008-0457 ADOPTED AS SUBSTITUTED.

Line 25 Garcia – Amendment - 13.05

Provide additional funding to the HPD/HEC High School for Law Enforcement (HSLE) Co-Op program to ensure and expand the program in other areas of non-emergency police radio operations and that the HSLE Co-Op Program be indentified as a separate budget line item. Approximate cost: \$290,000 - was presented. Council Member Johnson absent.

After discussion Council Member Garcia moved to table Amendment 13.05, seconded by Council Member Khan. Council Member Johnson absent.

Mayor White stated that they would work with Council Member Garcia, that it was an important program. Council Member Johnson absent.

A vote was called on the motion to table Amendment 13.05. All voting aye. Nays none. Council Member Johnson absent. MOTION 2008-0458 ADOPTED.

Line 26 Rodriguez – Amendment - 14.01

The administration will allocate funding within the next thirty days (\$180,000/annually for the next six years) to restore the Mayor’s Anti-Gang Office Gang Free Schools Program in the East End to reduce crime – was presented.

Council Member Rodriguez moved to substitute the following language for Amendment 14.01, “Within thirty days, the administration will restore the Mayor’s Anti Gang Office’s Gang Free Schools Program targeting ‘hotspots’ throughout the city.” Council Member Johnson absent.

After discussion by Council Members, Council Member Lovell asked that they as Council Members be giving some sort of briefing or report on what was going on, and Mayor White

stated that they would start out with a Mayor's Report and then they could decide after that if they would want to have committee deliberations. Council Member Brown absent.

After further discussion Mayor White stated that if there was no objection to allow Council Member Rodriguez to substitute language for Amendment 14.01, and hearing none it was so ordered. Council Member Brown absent.

A vote was called on Amendment 14.01 as substituted. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0459 ADOPTED AS SUBSTITUTED.

Line 27 Noriega – Amendment - 3.02

Within 180 days of passage of the FY09 budget, the administration will develop a plan to upgrade all fire stations to include gender specific sleeping, shower, and restroom facilities and to make all stations ADA compliant – was presented.

Council Member Noriega presented the following written substitute for Amendment 3.02
“During the next CIP development and review process the General Services Department will analyze the facilities in all fire stations for gender specific facilities and ADA compliance. All new renovated or remodeled fire stations in the CIP will include gender specific facilities and ADA compliance, an estimated renovation, remodel or replacement plan will be prepared for the remaining stations, these stations will be included in future CIP budgets as practical”. Council Members Garcia and Brown absent.

After further discussion, a vote was called on the motion by Council Member Noriega to allow her to substitute language for Amendment 3.02. All voting aye. Nays none. MOTION 2008-0460 ADOPTED.

A vote was called on Amendment 3.02 as substituted. All voting aye. Nays none. MOTION 2008-0461 ADOPTED AS SUBSTITUTED.

Line 28 Lawrence – Amendment - 6.03

Add One Inspector to HFD Apartment Team – was presented.

Line 29 Khan – Amendment - 11.11

During FY 2009 add five fire inspectors positions to be funded by General Fund Surplus – was presented.

Line 30 Garcia – Amendment - 13.08

Provide additional funding to increase staffing by adding two (2) Fire Inspectors – was presented.

Line 31 Sullivan – Amendment - 10.15

Increase funding to HFD so annual inspection of common attics can be made at all multi-family projects – was presented.

After discussion Council Member Lawrence moved to table Amendment 6.03, seconded by Council Member Khan.

Mayor White stated that there may be some hearings before Council Member Lawrence's committee concerning if they needed to facilitate any changes, that she had sat in a lot of those habitability meetings.

Mayor White asked if the motion to table included Lines 29, 30 and 31, Amendments 11.11, 13.08 and 10.15, that he thought they had the consent of all those Council Members, and

Council Member Lawrence moved to table Line 28 through 31, seconded by Council Member Khan.

After further discussion Mayor White stated that it was his understanding that the answer was yes, that the common attic inspection got the right respect in terms of priority with this funding, that it was his understanding that it was Mr. Icken's evaluation that it had not been done to the extent that it should have been done in the past. Council Member Jones absent.

After further discussion, Mayor White stated that to keep it in mind if they had an oversight hearing on it, that there were about 2,500 apartment complexes and when they got up in staff, seven people, find out how many they thought they could do a day and keep a weekly track on these things, that obviously they should spent more time on the places with the most problems, how should they prioritize, if they had enough people working on it and people were not idle and did not take long breaks, they ought to think they could knock out a bunch of these apartments. Council Member Jones absent.

A vote was called on the motion to table Amendment Numbers 6.03, 11.11, 13.08 and 10.15. All voting aye. Nays none. Council Members Adams, Khan and Noriega absent. MOTION 2008-0462 ADOPTED.

Line 32 Johnson – Amendment - 7.04

Amend the City of Houston's Fiscal Year 2009 proposed General Fund budget for the Fire Department to move the effective date of the addition of Ambulance 67 from January 2009 to July 2008 – was presented.

After discussion by Council Members, Council Member Johnson moved to table Amendment 7.04, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Khan and Lovell absent. MOTION 2008-0463 ADOPTED.

Line 33 Adams - Amendment - 9.04

Amend the City of Houston Fiscal Year 2009 Proposed General Fund Budget for the Fire Department to move the effective date of the addition of Medic 24 from January 2009 to July 2008 – was presented. Council Members Johnson, Khan and Lovell absent.

After discussion by Council Members, Council Member Adams moved to table Amendment 9.04, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Johnson and Khan absent. MOTION 2008-0464 ADOPTED.

Line 34 Sullivan Amendment - 10.01

Provide funding for new Jaws of Life in at least one station in every HFD district Territory – was presented. Council Members Johnson and Khan absent.

Council Member Sullivan moved to table Amendment 10.01, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Johnson and Khan absent. MOTION 2008-0465 ADOPTED.

Line 35 Sullivan Amendment - 10.02

Provide funding for one set of new, high intensity, portable lights in at least one station in every HFD district territory – was presented. Council Member Johnson absent.

Council Member Sullivan stated that knowing that the funding was in the future budget he would move to table Amendment 10.02, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Khan absent. MOTION 2008-0466 ADOPTED.

Line 36 Garcia – Amendment - 13.07

Houston Fire Department to submit a report within 90 days on the effectiveness of the ILMS (Information Land Management System) for Fire Inspectors – was presented.

Council Member Garcia moved to substitute Amendment 13.07 to read that “the Fire Department would submit a report within one year of the completion of training so that they could evaluate at that time the effectiveness of the ILMS (Information Land Management System) for fire inspectors, seconded by Council Member Khan.

A vote was called on the motion to allow Council Member Garcia to substitute language for Amendment 13.07. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0467 ADOPTED.

A vote was called on Amendment 13.07 as substituted. All voting aye. Nays none. MOTION 2008-0468 ADOPTED.

Line 37 Rodriguez – Amendment - 14.05

The administration will identify new funding for a new ladder truck apparatus and adequate staffing to be housed at Station 8 (HFD) – was presented. Council Members Johnson and Sullivan absent.

Council Member Rodriguez moved to table Amendment 14.05 and stated that he wanted to work with the Fire Department and the administration on coming up with a plan on implementing and making sure they had adequate services in the downtown area and Mayor White stated that they agreed with that, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Sullivan absent. MOTION 2008-0469 ADOPTED.

Line 38 Brown – Amendment - 1.03

Amendment: Establish within the Municipal Courts a "Blight Court" docket to assist in prosecuting/restricting petty crime and blight (including hot sheet motels, dangerous buildings, illegal dumping, and related activities). **Source of Funding:** Municipal Courts Budget and grants. **Estimated FY 09 Cost:** \$250,000 - \$350,000 – was presented. Council Members Johnson and Garcia absent.

Council Member Brown stated the intent was from his conversation with police officers working with Neighborhood Protection and with some discussion with the administrator of Municipal Court System that they could streamline the process for enforcing their nuisance ordinances, but he found in speaking with police officers that they were discouraged by the delayed procedures that occurred at the Municipal Courts, that he had police officers tell him that they drive by a building and had a camera in their car and see guys doing a drug deal inside an abandoned building but they were not going to take a picture of it, it was not worth their time, that it was so laborious to go through all the different delays in enforcement process; that he knew they had to follow due process, he was not suggesting they try to avoid that, but the idea came from the Blight Court in Detroit, which is a special court which deals with broken window type offenses that create at least a perception of a dangerous environment, that he did not know how they could there but they needed to do a better job of the process of ridding themselves of these blight and nuisances, that he would amend the amendment based on Mayor White’s wise counsel. Council Members Johnson and Garcia absent.

Mayor White stated that first it was from the original DRT, officers who were now in Neighborhood Protection and talking with some of them, that he gave Judge Mejia instructions about the repetitive citations and referral of these matters in the first incidence to designated judges so that Neighborhood Protection would get a dedicated docket, that they could hold a hearing to see how that was occurring, that they did have in their budget the funding for five

additional part-time judges and what they would like to do was to work with him and Council Member Green and others who were knowledgeable to make sure there was a better way to organize themselves so they could deal with the Neighborhood Protection offenses, that he would say that if an HPD officer told Council Member Brown that he was watching a narcotics transaction and then decided not to cite the owner for a dangerous building because there was a backlog in the Municipal Courts, he ought to report that to Internal Affairs. Council Members Johnson and Garcia absent.

Council Member Brown stated to please not read anything into his very overly simplified description of what he was told, and Mayor White stated that whoever told him that he thought at the time the last thing he wanted the officer to be thinking about was writing a Class C Misdemeanor citation, because there was ---, for the dangerous building, and Council Member Brown stated that he thought the idea was if they could remove the places where crimes take places, the places that breed crime; and Mayor White stated that he thought there ought to be dedicated courts as intake on some of these, that what prompted this was that they had officers who would write multiple citations and then people would dismiss, if they wrote 20 citations on a property and then they would only do 1 and dismiss 19, that it was unlawful to have multiple citations and the reason they were doing it was the crack house, so they had them referred to one judge who could try to be sensitive, and Council Member Brown stated that now that Mayor White brought that up was that one thing he was told was when there were multiple citations backed up the judges had said they would do one a week and the officers say they would be there for the next year and a half and they asked why couldn't the judge hear multiple citations at one hearing, and Mayor White stated that he had no idea so they should have a hearing and he would suggest that Council Member Brown table the amendment and then have a hearing, maybe a couple, both Regulation and Public Safety, to figure out some of this stuff, and Council Member Brown stated that what he was going to suggest was perhaps Mayor White could ordain Council Member Green and himself to do a little study on this and report to the committee with more details, that would be useful in figuring out what the policy really should be. Council Members Johnson, Garcia, Noriega and Green absent.

Council Member Brown moved to table Amendment 1.03, seconded by Council Member Khan. Council Members Johnson, Garcia, Noriega and Green absent.

Mayor White stated that they would work with them and others to analyze the problem within 60 days and to come up with recommendations. Council Members Johnson, Garcia, Noriega and Green absent.

Council Member Lawrence stated that she would be glad to bring that forward with their research and Neighborhood Protection, that during the budget hearings she asked Judge Mejia for the list of judges and how many tickets each of them dismissed and she had not received it, that she thought they needed to look at the Southeast Command Court that they set up at Mykawa and see how many hours was that court run, how many cases were going to that court, how many other Neighborhood Protection ordinances were going through the other courts. Council Members Johnson, Garcia, Noriega and Green absent.

Mayor White stated that he would ask Mr. Lapin or Mr. Moore to pull emails, including archives, from him to the chief judge on this topic, probably 2005 and 2006, but he thought the best way to handle this was for their to be committee hearings, that they had his commitment, he wanted for it to be done it was just a matter of how do they do it. Council Members Johnson, Garcia and Noriega absent.

After further discussion, Mayor White asked Council Member Brown if he would consider combining Amendment 39 in the motion to table Amendment 38.

Line 39 Brown – Amendment - 1.04

Amendment: Add 3-4 Code Enforcement staff in Neighborhood Protection to assist "Blight Court". **Source of Funding:** Reallocation of Neighborhood Protection funds, plus Federal grant funds. **Estimated FY 09 Cost:** \$200,000 - \$300,000 - was presented.

Council Member Brown moved to table Amendment 38 and Amendment 39, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Garcia absent. MOTION 2008-0470 ADOPTED.

Line 40 Adams – Amendment 9.01

Propose to change the operations schedule for the Depository Sites from: Wednesday – Sunday, 10a.m. to 7p.m. to Tuesday - Saturday, 10a.m. to 7p.m. – was presented. Council Members Johnson and Garcia absent.

After discussion by Council Members, Council Member Adams stated that she would table Amendment 9.01, seconded by Council Member Lawrence. All voting aye. Nays none. All voting aye. Nays none. Council Members Holm, Garcia and Brown absent.

Line 41 Sullivan – Amendment - 10.03

Increase drop off recycling at Kingwood Park and Ride from every 2nd and 4th weekend, to every weekend – was presented. Council Members Holm, Garcia and Brown absent.

Line 42 Sullivan – Amendment - 10.04

Provide for SWD personnel to gauge recycle container levels on Saturday and Sunday Ellington Field Recycle center, and swap out full containers for empty ones when necessary, even if on the weekend – was presented. Council Members Holm, Garcia and Brown absent.

Line 43 Sullivan – Amendment - 10.05

Increase SWD budget to provide weekend container pick up at EFD recycling center – was presented. Council Members Holm, Garcia and Brown absent.

Council Member Sullivan stated that he would move to table Amendment Numbers 10.03, 10.04 and 10.05 because he had been in discussion with the administration and was excited about the possibilities that they were talking about with respect to recycling in both Kingwood and Clear Lake, seconded by Council Member Khan. All voting aye. Nays none. Council Members Holm, Garcia and Brown absent. MOTION 2008-0472 ADOPTED.

Line 44 Garcia – Amendment - 13.02

Conduct a study to implement a city-wide universal recycling program that includes glass recycling – was presented. Council Members Holm and Brown absent.

After discussion Mayor White stated that they supported the amendment to do a study and would come back before the end of the year with the study of what would they do in order to get more recycling in the City, including universal recycling, what do they do to expand it and make it cost effective, was going to be what they would study. Council Members Rodriguez and Lovell absent.

A vote was called on Amendment 13.02. All voting aye. Nays none. Council Members Rodriguez and Lovell absent. MOTION 2008-0473 ADOPTED.

Line 45 Garcia – Amendment -13.03

Conduct a feasibility study of a Small Business program to address the issue of M/W/BE capacity disparities – was presented. Council Members Rodriguez and Lovell absent.

After discussion, Mayor White stated that he would commit to them that they would do this, that they had identified a group of people and they would do it soon and get together a summit of business leaders, including the GHP, Minority Business Council and he could name many others including small business people, who started small and had medium businesses, minority business he had talked to, to participate and help them design the program; that he gave the same speech last year and it did not get done and he apologized to them, that they would develop the plan and would commence the first meeting soon. Council Member Adams absent.

A vote was called on Amendment 13.03. All voting aye. Nays none. Council Member Adams absent. MOTION 2008-0474 ADOPTED.

Line 46 Johnson – Amendment 7.06

Increase the General Fund's FY 09 appropriation to the Mayor's Office of Affirmative Action and Contract Compliance by \$500,000. The increased funding will be earmarked for the creation and operation of a Small Business Development Program – was presented.

After discussion Council Member Johnson moved to table Amendment 7.06, seconded by Council Member Khan. All voting aye. Nays none. Council Members Adams and Lovell absent. MOTION 2008-0475 ADOPTED.

Line 47 Noriega – Amendment - 3.01

In 90 days of passage of the FY09 budget, the administration, with concurrence of council, will create a charter for and appoint members of a mass transit corridor steering committee. The mission of this committee is to develop city standards for the built environment. This would include sidewalks, landscaping, traffic management and all other aspects of neighborhood integration and design along current and planned transit routes to coordinate and encourage appropriate projects and coordinate with the various public and private entities along the transit corridors. This committee will be made up of representatives from various city departments, METRO, and communities. The members of the committee shall be appointed for regular overlapping terms by the mayor and council and will continue throughout the development of mass transit in the city – was presented. Council Members Adams and Lovell absent.

After discussion Council Member Noriega moved to table Amendment 3.01, seconded by Council Member Khan. All voting aye. Nays none. Council Members Adams and Lovell absent. MOTION 2008-0476 ADOPTED.

Line 48 Brown – Amendment - 1.01

Amendment: For the next FY CIP, the DPW&E is directed to develop a plan for dedicating up to 25% of the City's Annual General Mobility Fund transfer from METRO to specified streetscape enhancements for the next phase of METRO's Light Rail Transit Expansion. **Source of Funding:** METRO General Mobility Fund transfer or 15 year bond issue supported by METRO funds. **Estimated FY 09 Cost:** Approximately \$3 million annually for 3 years – was presented. Council Members Adams and Lovell absent.

After discussion Council Member Brown moved to substitute the administration's comments for Amendment 1.01 with the addition that there would be a recommendation from the administration as to different sources of funding for these enhancements, and Mayor White stated that it would include sources of funding that were not being funded. Council Member Garcia absent.

“The administration commits to increase the CIP by \$3 million per year for two years, FY10 AND FY11, to fund streetscape enhancements along Light Rail lines.” Council Member Garcia absent.

Upon questions by Council Members, Mayor White stated that Council may remember that in it's foresight it authorized the retention of planning firms that went out and did community surveys along each of the lines on issues involving the streetscape improvements, there were community meetings, notices that went out, reports and minutes that reported back to the subcommittee of the Planning Committee and all of that had been collated; that he was not much for visioning processes, but some people were; that it did include what people called streetscape; that would it be forever, no; how much in total, they said \$3 million from some source of funding plus the TIRZ funding; that they had to provide a source of funding for it, so that was the general thought behind this, that he was thinking about \$6 million plus what was contributed by the OST/Alameda TIRZ within those boundaries and the Uptown TIRZ, that he thought it was a reasonable number; that what he was trying to do was make a commitment by the administration and having them vote to keep the commitment, that they would work and look at the contingencies, that it was their job to try to find this money and it took work, that one by one they would try to economize and come up with a pool of money, that was the way that he would proceed, that they needed a goal, that as a rule there was no such thing as free money; that as to Metro's commitment, Metro would either write a check or have a credit, depending on who did the contracting for what it would take to replace things and because all of the streetscape was not obsolescent that would have real value, so they could replace it and try to make it nicer, that the principle they would use with Metro should be if there was a curb that was messed up they were going to pay for that curb, that they were going to put things back or give them a check to put it back to where it was; that as to Metro having an obligation, they were not touching a sidewalk or removing a tree, they would put back the asphalt and were building a rail line; why were they doing it now, about half the City Council told him that it was important, so that was why they were doing it now, that it had nothing to do with the construction of the fixed rail line, a number of Members of City Council said that they would like the street, sidewalks, right-of-ways, landscaping, trees, the materials in the street construction to look nicer after they build it than it did before, that it made sense so they said okay the City would pick that up and would put it in the budget. Council Members Johnson, Adams, Sullivan, Garcia and Lovell absent.

After further discussion Mayor White recognized Council Member Rodriguez and Council Member Rodriguez stated that he wanted to welcome State Representative Mark Strama who was present in the audience. Council Members Johnson, Adams, Sullivan, Garcia and Lovell absent.

After further discussion a vote was called on the motion to allow Council Member Brown to substitute the administration's comments for Amendment 1.01. Council Members Lawrence and Holm voting no, balance voting aye. MOTION 2008-0477 ADOPTED.

A roll call vote was called on Amendment 1.01 as substituted.

Mayor White voting aye	Council Member Garcia voting aye
Council Member Lawrence voting no	Council Member Rodriguez voting aye
Council Member Johnson voting aye	Council Member Brown voting aye
Council Member Clutterbuck voting aye	Council Member Lovell voting aye
Council Member Adams voting aye	Council Member Noriega voting aye
Council Member Sullivan voting no	Council Member Green voting aye
Council Member Khan voting no	Council Member Jones voting aye
Council Member Holm voting no	MOTION 2008-0478 ADOPTED AS SUBSTITUTED

Line 49 Brown – Amendment - 1.05

Amendment: Audio Traffic Signal Lights on key pedestrian intersections in priority areas where sight impaired people circulate. **Source of Funding:** Street light budget. **Estimated FY 09 Cost:** \$200,000.- was presented.

Line 50 Jones – Amendment - 5.01

Request that the Administration fund 20 audible pedestrian crosswalks in an amount not to exceed \$250,000, at 20 prioritized intersections, from FY 08 budget surplus funds or funds identified by the Administration in the Public Works and Engineering Department budget – was presented.

Council Member Brown stated that he would substitute Council Member Jones Amendment 5.01 for Amendment 1.05.

Council Member Jones moved to substitute Amendment 5.01 with the following:

“Request that the Administration work with the Public Works and Engineering Department and the Mayor’s Office of Disability to identify and prioritize the possibility of funding a program to provide audible pedestrian crosswalks and report back to City Council on any data available showing the frequency or usage within 180 days”, seconded by Council Member Garcia.

A vote was called on the motion to allow Council Member Jones to substitute language for Amendment 5.01. All voting aye. Nays none. MOTION 2008-0479 ADOPTED.

A vote was called on Amendment 5.01 as substituted. All voting aye. Nays none. MOTION 2008-0480 ADOPTED AS SUBSTITUTED.

Mayor White stated that MOTION 2008-0480 made Line 49 – Brown - Amendment 1.05 moot.

Line 51 Brown – Amendment - 1.07

Amendment: The Department of Public Works and Engineering is instructed to develop a set of standards and guidelines for the award of DPC contracts, to promote healthy livable neighborhoods, housing choices, and sustainable growth within the City, applicable to FY09 projects. **Source of Funding:** N/A – was presented.

Council Member Brown stated that he was just really asking that Andy Icken and Public Works to come up with some suggestions about how they could improve the program. Council Members Lawrence, Adams, Khan, Holm, Rodriguez and Lovell absent.

Mayor White stated that they would have a dialog for the public record, that the purpose of the dialog that he would have with Council Member Brown was to make sure that they were understanding each other and not talking past each other; that it would be easy for him to say that the Department of Public Works would study and reconsider it’s standards that they had for a variety of things, including plat approval, street design, alleys and a number of other things, that he would like to think that that was their responsibility every day, that if the Department of Public Works professionals thought they had bad standards, and they did have standards, that they would say they needed to change the standards, as they had done from time to time, that he did not necessarily want different standards for DPC contracts than they would do for anything else in the City because DPCs were simply a way that they encouraged developers to pay for water sewer service within the City limits for their development, so he did not want a different standard to apply for them than to apply for anything else that sought plat approval or street design regardless of whether they were seeking, that in other words if they had a bad standard it should apply to anybody, not just DPC contracts, so he would work with Council Member Brown, like the alternative street design stuff, that he was not sure exactly when it was coming up before the City Council, that he was all for looking at whether people had options, just like they worked with him on those standards on the parks and the park set aside, that he was

inclined to say yes they would review the DPC or look at all the standards within the Public Works Department to see whether they were good standards, because he had never heard a human being say they were for unsustainable development, but he wanted to make sure they were communicating and dealing in good faith with each other. Council Members Lawrence, Adams, Khan, Holm, Rodriguez and Lovell absent.

After further discussion Mayor White stated that he would commit to look at the City standards that applied to subdivision plat approval and design and everything else, and particularly one, as they had done in the past, like they did with the Building Code; that he had the Mayor's commitment that he would ask Mr. Icken, and he thought the next one up that was coming up was alternative street design, that they may have some discussions, that it could be something where there are unintended consequences, alternative street design, what was one person's secure neighborhood was another ones skinny streets or isolated neighborhood, that somebody said that the safety standard was that there was only one way in, and other people say if there was only one way in there was no connectivity; that they would consider during the course of the year new standards, but they objected applying different standards for DPCs than they subject to other development within the City. Council Members Lawrence, Adams, Khan, Holm, Rodriguez and Lovell absent.

Council Member Sullivan stated that it was an exhaustive process that they went through, fully supported, the business and development community, residents, the Planning Department, Mr. Icken's department and a lot of people put a whole lot of work into it and he did not just want to sit and be quiet and watch it be thrown out the window, so he just wanted to state his objection. Council Members Lawrence, Adams, Khan, Holm, Rodriguez and Lovell absent.

Mayor White stated that they would be willing to commit to relook at their standards and they would probably start with street design and options for street design, that they were complicated things but they would not agree that there should be different standards for DPCs, for people seeking DPCs than for people seeking any other kind of building or improvements within the City. Council Members Lawrence, Adams, Khan, Holm, Rodriguez and Lovell absent.

Council Member Brown moved to table Amendment 1.07, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Lawrence, Adams, Khan, Holm, Rodriguez and Lovell absent. MOTION 2008-0481 ADOPTED.

Line 52 Jones – Amendment - 5.04

Request that Public Works and Engineering initiate "Quieter Zones" in 10 neighborhoods, from FY 08 budget surplus funds or funds identified by the Administration. Council Members Lawrence, Adams, Khan, Holm, Rodriguez and Lovell absent.

Council Member Jones moved to table Amendment 5.04, that it turned out that Union Pacific Railroad and not the City of Houston must initiate quieter zones under federal law, so she was asking that PWE report within 90 days on selection criteria, but would like for them to work on this because quieter zones was something that she would like to see here eventually, that Sugarland had it and she did not want them to be to far ahead of them. Council Member Lovell absent.

Council Member Garcia stated that he wanted to take the opportunity, since Council Member Jones was referring to quiet zones or safety zones in some cases, that he had sent to the administration a letter asking the status of particular projects in the district that he could not figure out with all the complaints they were getting, and some progress had been made, where the effort was, that the letter was a fairly stern letter about issues that had been raised on the quiet and safety zones, the ones that were street lined in particular and stated that he was looking for some feedback on questions he had raised. Council Member Lovell absent.

Mayor White stated that he agreed and wanted a report, that they might want to have a committee report on the status of the various quiet zone projects.

A vote was called on Council Member Jones motion to table Amendment 5.04, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Lawrence, Adams, Khan and Lovell absent. MOTION 2008-0482 ADOPTED.

Line 53 Johnson – Amendment - 7.07

Amend the Public Works & Engineering Department's FY09 budget to earmark \$85,000 to change 100+ overhead and post signs to rename portions of Scott, York, Waco and Hirsch Street(s) to Mickey Leland Boulevard – was presented. Council Members Adams and Lovell absent.

Mayor White stated that they were processing the item and there was a fine process underway at Council Member Johnson's initiative, and Council Member Johnson stated that he appreciated the fact that they were looking at this and would move to table Amendment 7.07, seconded by Council Member Khan. All voting aye. Nays none. Council Members Adams and Lovell absent. MOTION 2008-0483 ADOPTED.

Line 54 Khan – Amendment - 11.02

Request that during FY 2009 the Administration commission a study to establish an impact fee dedicated to regional detention and flood mitigation projects – was presented. Council Members Adams and Lovell absent.

Council Member Khan moved to substitute the following written language for Amendment 11.02:

“Request that the Administration develop a long-term plan for regional detention and flood mitigation”. Council Members Adams and Lovell absent.

Mayor White stated that they agreed with that, that if they remembered Dotson was doing some of that plan to update the Turner Collie and Braden report on the retention in particular and as soon as they got that they would be reporting back. Council Members Adams and Lovell absent.

Council Member Sullivan stated that Council Member Khan requested an impact fee and the administration does not address supporting an impact fee or not, would that come to them as a governing body, and Mayor White stated yes. Council Members Adams, Brown, Lovell and Jones absent.

A vote was called on the motion to allow Council Member Khan to substitute language for Amendment 11.02. All voting aye. Nays none. Council Members Adams, Brown, Lovell and Jones absent. MOTION 2008-0484 ADOPTED.

A vote was called on Amendment 11.02 as substituted. All voting aye. Nays none. Council Members Adams, Brown, Lovell and Jones absent. MOTION 2008-0485 ADOPTED AS SUBSTITUTED.

Line 55 Khan – Amendment - 11.03

Require Public Works engineers with a paygrade of 20 or higher to have obtained a P.E. license - Council Members Adams, Brown, Lovell and Jones absent.

Council Member Khan stated that in light of the administration's comments he would move

to table Amendment 11.03, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Adams, Brown and Jones absent. MOTION 2008-0486 ADOPTED.

Line 56 Khan – Amendment - 11.05

Create a Traffic engineering division in the Public Works and Engineering department where all personnel dealing with traffic and transportation issues are consolidated – was presented. Council Members Adams, Brown and Jones absent.

Council Member Khan moved to substitute the following written language for Amendment 11.05:

“Request that the Administration evaluate the structure of traffic and mobility activities in the City”. Council Member Brown absent.

Mayor White stated that if there was no objection to Council Member Khan substituting language for Amendment 11.05 by consent it was so ordered.

A vote was called on Amendment 11.05 as substituted. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0487 ADOPTED AS SUBSTITUTED.

Line 57 Holm – Amendment - 12.01

Require that all Neighborhood Street Reconstruction Projects replace any previously approved traffic calming or mitigation devices with similar devices, that have been reviewed and approved by PWE and HFD, that have been removed during reconstruction. FY 09 funding will be appropriated from either the General Fund, the appropriate mobility fund, or any fund approved by the Administration if allocated CIP construction funds cannot support it – was presented. Council Member Brown absent.

Council Member Holm moved to substitute the following language for Amendment 12.01:

“For all neighborhood street reconstruction projects on streets with traffic calming devices, that were previously approved by Public Works (TTD) and the Houston Fire Department, PWE will include in the project scope and funding, the replacement of those devices with the same or suitable alternative devices.” Council Member Brown absent.

After discussion Mayor White stated that he thought they had done it, that they had talked about it and he thought they voted on it and he thought he told Public Works to do it, but now that they would do it as a Council amendment he thought he knew where the holdup was, that they were stovepipes and somebody said that for reconstruction fire would not approve any of these things, so Public Works thought they could not do it, so now they were creating an ordinance in the appropriation saying do it, previously approved by Public Works or HFD, that if HFD had previously approved it they were stuck with it.

A vote was called on the motion to allow Council Member Holm to substitute language for Amendment 12.01. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0488 ADOPTED.

A vote was called on Amendment 12.01 as substituted. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0489 ADOPTED AS SUBSTITUTED.

Line 58 Holm - Amendment - 12.02

Allow private community funds to be used on approved traffic control devices to replenish the FY 09 NTP budget – was presented. Council Member Brown absent.

After discussion by Council Member Holm a vote was called on Amendment 12.02. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0490 ADOPTED.

Mayor White asked Council Member Holm to ask for status reports along the way because this was the type of thing that was a little bit new for the City, so they never knew what legal obstacle was going to be posed to make sure they could not do something that made sense. Council Member Brown absent.

Line 59 Holm – Amendment - 12.03

During FY 09, establish a process to promote community participation in the Neighborhood Traffic Project program without depleting the approved FY 09 budget for this program – was presented. Council Member Green absent.

Council Member Holm stated that during this year Public Works and Finance had promised, and they would follow up, to come up with a process that allowed the community participation without depleting the program budget and also to perhaps enter into some partnerships that they allow, as they had done in the past sometimes, if they met the standards, to actually contract individually and not have to go through their neighborhood budget, but they would work on that process, and Mayor White stated that they strongly supported it.

A vote was called on Amendment 12.03. All voting aye. Nays none. Council Members Brown and Noriega absent. MOTION 2008-0491 ADOPTED.

Mayor White stated that he had the same comment, that he thought it could be extremely important to the City but it would require Council Member Holm's tenacity to identify. Council Members Brown and Noriega absent.

Council Member Garcia moved to recess until 7:00 p.m., seconded by Council Member Khan. All voting aye. Nays none. Council Members Brown, Lovell and Noriega absent. MOTION CARRIED.

At 7:06 p.m. the City Council reconvened. Council Member Johnson absent.

Line 60 Garcia – Amendment - 13.01

Conduct a feasibility study of culvert replacement program for homes that have senior exemption or have physically disabled residents in neighborhoods with documented flooding issues - was presented. Council Member Johnson absent.

After discussion by Council Members a vote was called on Amendment 13.01. All voting aye. Nays none. MOTION 2008-0492 ADOPTED.

Line 61 Garcia – Amendment - 13.04

Amend PWE Code Enforcement Officer hours to include Saturday inspections – was presented.

After discussion Mayor White stated that if Council Member Garcia would consider tabling Amendment 13.04 with the overtime cost they would give Mr. Norman and Mr. Marcotte the following charge, could they have people who had Tuesday thru Saturday schedules or recruit for people who had that, that they would ask Public Works to report back to them as to how many people did they have working on Saturday, and Council Member Garcia stated that they had them strictly on overtime and on call, and Mayor White stated that he did not understand why, and Council Member Garcia stated that they had staff that were working four 10 hour days anyway, that looking at the calls for service that they were getting they were averaging nearly the same workload on Saturday's that they did during the rest of the week, and Mayor White

stated that they would ask Mr. Norman to have the Public Works Department report back to them as to why they did not have people on Tuesday thru Saturday.

Council Member Garcia moved to table Amendment 13.04 and that it be amended to include within 30 days to report back, seconded by Council Member Lawrence.

After further discussion Council Member Sullivan stated that as a candidate last year he sat out in the audience last year and watched the process and one discussion that HPD had, and he wanted to see if either one happened or two and could be rolled into this was BARC, that HPD addressed the fact that they had HPD officers waiting for a BARC officer and he thought they were going to try to fund three BARC officers to be available downtown so they could go out to calls and free up their HPD officers sooner, and his question was when did that happen and could it be rolled into this amendment if it did not happen. Council Member Lovell absent.

After further discussion Ms. Mitchell stated that she would answer Council Member Sullivan, that they did fund BARC last year for \$300,000, that the positions were filled and part of that money, at their request, went to trucks, she believed it was \$145,000 and the rest went to staff, that she had arranged for a meeting with the Police Chief as well as Mr. Steven Williams to work on the dangerous dogs and adding more staff. Council Member Lovell absent.

A vote was called on Council Member Garcia motion to table Amendment 13.04. All voting aye. Nays none. MOTION 2008-0493

Line 62 Sullivan – Amendment - 10.07

Conduct a thorough traffic and mobility study in the Clear Lake portion of District E, similar to Parsons study conducted in December 2004 – was presented.

Council Member Sullivan stated that this amendment was the result of a successful Parsons Study that was done in Kingwood in 2004 and based on some of those great recommendations they would be implementing them soon and he would like to see a similar study in Clear Lake.

Mayor White stated that they supported the amendment, and a vote was called on Amendment 10.07. All voting aye. Nays none. MOTION 2008-0494 ADOPTED.

Line 63 Lawrence – Amendment - 6.02

Analyze Cost Effectiveness of Transferring Right of Way Mowing Responsibilities from Public Works & Engineering Department to Parks and Recreation Department – was presented.

After discussion by Council Member Lawrence a vote was called on Amendment 6.02. All voting aye. Nays none. MOTION 2008-0495 ADOPTED.

Line 64 Green – Amendment - 4.02

Transfer \$734,701 of General Funds from the Parks Department's \$750,000 tree planting initiative to fund the City's weeded lot program. – was presented.

After discussion Council Member Green stated that he was of the opinion that maybe they could use TIRZ funds or management district funds to do it but thought that General Fund dollars should be spent on some other items that were a lot more pressing like cutting those weeded lots.

Mayor White asked Council Member Green if he thought to increase by \$734,701 the amount of money they should spend for mowing weeded lots and if so why was \$700,000 more

the right amount of mowing for mowing weeded lots, and Council Member Green stated that the \$734,701 was less the amount from one of his other amendments for SEARCH, that he looked through the budget and this looked like an item to him, that he had to ask himself did they absolutely need to spend \$750,000 on planting trees, and in his opinion he did not think so.

Council Member Garcia asked how many lots do they get cut and what rate do they cut and do they do repeat lots or do they do citywide number of lots, what was the math for the impact that they got for this amount, and Council Member Green stated that pretty much to be decided by the people who did the money; that unlike many of the amendments here he had identified a source of funding, asked for that source of funding to be used elsewhere, that it was allocated right now for planting trees; that he just knew that he saw an item that he thought if they had to do without it he did not think the City would fall apart, that was what they did with budget items, they look at places where they could better use the money.

Mayor White stated that if somebody wanted to propose an increase on weeded lots, but he would oppose taking it out of budget proposed for trees which had multiple benefits in many different areas and communities of the City.

Council Member Adams stated that she remembered when she was working with the Super Neighborhoods at one point there was a grant issued to a Super Neighborhood in Council Member Johnson's District, that there were two grants issued for \$15,000 each for the communities to take position, the equipment was provided through Keep Houston Beautiful for them to mow the lots, what happened to that program, was it successful because they were pilot programs, what was the outcome, and Mayor White stated that he got a report concerning the number of lots that were mowed, that he would like to check that number, that one Super Neighborhood did zero and another did eight but that may be wrong, but he would get that number for them, and Council Member Adams stated that she thought it would be of great help, if it was a successful maybe they could look at ways, like Council Member Green did, to come back up with the grant money to take control and mow the lots, and Council Member Johnson stated that in respect to the particular program there were no additional monies added to the program, that it was just using monies that were already allocated for weeded lots through Neighborhood Protection. Council Members Garcia and Noriega absent.

After further discussion by Council Members, Council Member Khan stated that he saw that they had \$1.109 million in FY08 for mowing of the weeded lots, \$1.178 million for the FY09 proposed budget, if somebody could get to him the last four or five years of how much money they were spending on weeded lots and how much of an increase they saw in how many lots they mowed, and Mayor White stated that they would get that for him.

Mayor White stated to Ms. Mitchell that he had previously asked for this when they went through the budget amendments, but would note that Public Works may not have it separated out on their mowing, residential versus medium, but they did do both and if they could get some kind of estimate from them as well, so five years of Neighborhood Protection funded and then an estimate on what they did within Public Works, and requested Mr. Michel to see if he could get the lawyers to come up with higher fines for not maintaining lots.

After further discussion by Council Members, Council Member Lawrence moved to call the question, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Sullivan and Rodriguez absent. MOTION 2008-0496 ADOPTED.

After further discussion Council Member Green moved to table Amendment 4.02, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0497 ADOPTED.

Line 65 Jones – Amendment - 5.06

Request that the Administration review and consider funding an After School Achievement Program at the Alief Community Center, coordinated by Texans Together, to establish social service programs to include vocational training, computer training, and tutorials – was presented. Council Members Johnson and Sullivan absent.

Council Member Jones moved to substitute the following written motion for Amendment 5.06.

“Request that the Administration have the Parks and Recreation Department notify Texans Together of the RFP process during the next selection period for After School Achievement Program funds. In addition, requesting that the Parks and Recreation Department, Houston Public Library Department, and the Digital Houston initiative help develop social service programs in the Alief area”. Council Members Johnson, Adams and Sullivan absent.

After discussion by Council Members, a vote was called on the motion to allow Council Member Jones to substitute a written motion for Amendment 5.06. All voting aye. Nays none. Council Members Sullivan and Lovell absent. MOTION 2008-0498 ADOPTED.

A vote was called on Amendment 5.06 as substituted. All voting aye. Nays none. Council Members Sullivan and Lovell absent. MOTION 2008-0499 ADOPTED AS SUBSTITUTED.

Line 66 Khan – Amendment - 11.10

\$59,000 for the installation of a computer lab and related equipment at the Alief Community Center from General Fund surplus – was presented. Council Members Sullivan and Lovell absent.

Council Member Khan moved to table Amendment 11.10, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Sullivan and Lovell absent. MOTION 2008-0500 ADOPTED.

Line 67 Johnson – Amendment - 7.01

Increase the General Fund’s FY 09 appropriation to the City of Houston’s After School Program from \$830,000 to a total of \$1M. The increased funding will be earmarked for programs in Houston Hope designated neighborhoods – was presented.

Council Member Johnson stated that his budget was pretty consistent with creating more program money for After School Programs and Juvenile Delinquency Prevention Programs, so his amendment simply asked for an increase of FY09 for After School Programs and he wanted to substitute for that amendment by offering a verbal amendment that said that “the administration agrees to identify funds in addition to those that were currently budgeted for ASAP to survey parents in the Houston Hope neighborhoods where school closures had been proposed to determine the population and the need for after school services”, that they all knew that HISD had gone through a number of meetings and community meetings and possible foreclosure of schools and there was just a lot of uncertainty and as there was uncertainty where these schools were going to be there was certainly going to be an even greater need to provide more services to these children who were left on limbo, so he wanted to offer the verbal amendment for the City to consider, seconded by Council Member Garcia. Council Members Sullivan and Lovell absent.

Mayor White stated that if when they did this if they could also use that to consider the population of those who needed after school programs, the use of after school programs, and Council Member Johnson stated the population for those who were in need of after school programs, the use of after school programs, views concerning the quality of elementary school

education including instruction, programs and facilities and the number of students who were transported outside of their school zones in the areas and the programs and qualities of these schools which had attracted parents to send their children to other schools outside of their neighborhoods, that as they looked at what was happening in their communities many parents were electing to send their children away from neighborhood schools because their neighborhood school did not offer quality programs so he believed doing a survey and finding out what those needs were inside of these communities and then providing them with those programs would help parents to stay in their own neighborhoods and then attract more parents back into the neighborhoods that otherwise they did not feel offered their children quality educational after school programs, and Mayor White stated that they strongly supported the amendment. Council Members Lovell and Noriega absent.

A vote was called on the motion to allow Council Member Johnson to substitute a verbal amendment for Amendment 7.01. All voting aye. Nays none. Council Members Lovell and Noriega absent. MOTION 2008-0501 ADOPTED.

A vote was called on Amendment 7.01 as substituted. All voting aye. Nays none. Council Members Lovell and Noriega absent. MOTION 2008-0502 ADOPTED.

Mayor White stated that probably of all the things this had the tightest deadline, that if Ms. Clarke and Ms. Bailey working with a team and it bared on something Council Member Green was working with, he would like to see an RCA very quickly, to try to push to get something on the agenda like within two weeks or three weeks, that it was very urgent and they needed it now, that there were certain decisions made in the City and he announced yesterday that this was critically time dependent so everybody work with him to try to get it on the agenda quickly. Council Members Lovell and Noriega absent.

Line 68 Khan – Amendment - 11.06

\$450,000 for the FY 2009 operation and staffing of Hackberry park from General Fund surplus to provide services and programming – was presented. Council Members Lovell and Noriega absent.

Council Member Khan moved to substitute the following written motion for Amendment 11.06:

“The Administration will develop a staffing plan for Hackberry Park by December 31, 2008.”

A vote was called on the motion to allow Council Member Khan to substitute a written motion for Amendment 11.06. All voting aye. Nays none. Council Members Lovell and Noriega absent. MOTION 2008-0503 ADOPTED.

A vote was called on Amendment 11.06 as substituted. All voting aye. Nays none. Council Members Lovell and Noriega absent. MOTION 2008-0504 ADOPTED AS SUBSTITUTED.

Line 69 Sullivan – Amendment - 10.08

Increase Parks Dept. budget \$35,000 for playground equipment at Sylvan Rodriguez Park – was presented. Council Members Lovell and Noriega absent.

Council Member Sullivan moved to table Amendment 10.08, seconded by Council Member Khan. All voting aye. Nays none. Council Members Lovell and Noriega absent. MOTION 2008-0505 ADOPTED.

Line 70 Lawrence – Amendment - 6.01

Re-establish Matching Grants Program for Neighborhood Improvements to be Administered by Planning & Development Department (\$100,000) – was presented. Council Members Lovell and Noriega absent.

Council Member Lawrence offered the following written substitute for Amendment 6.01 as follows:

“Add \$50,000 to Planning & Development Department to Re-establish Matching Grants Program for Neighborhood Improvements.” Council Members Lovell and Noriega absent.

Council Member Brown asked how did the Super Neighborhoods fit into this, and Council Member Lawrence stated that they could also apply, so could individual neighborhoods they just had to have matching funds, that Planning already had the applications, that they had simplified them and it should be great for neighborhoods who wanted to work and have a matching grant.

A vote was called on the motion to allow Council Member Lawrence to substitute for Amendment 6.01. All voting aye. Nays none. MOTION 2008-0506 ADOPTED.

A vote was called on Amendment 6.01 as substituted. All voting aye. Nays none. MOTION 2008-0507 ADOPTED AS SUBSTITUTED.

Line 71 Rodriguez – Amendment - 14.03

The administration will create a plan to fine building permit applicants who lie on their application, indicating there are no deed restrictions in the neighborhood when indeed there are – was presented.

Council Member Rodriguez offered a written substitute for Amendment 14.03 substituted the word “lie” with “falsify”, seconded by Council Member Garcia.

After discussion by Council Members, a vote was called on the motion to allow Council Member Rodriguez to amend Amendment 14.03. All voting aye. Nays none. Council Member Khan absent. MOTION 2008-0508 ADOPTED.

A vote was called on Amendment 14.03 as substituted. All voting aye. Nays none. Council Member Khan absent. MOTION 2008-0509 ADOPTED AS AMENDED.

Lone 72 Rodriguez – Amendment - 14.04

Revenue generated from the building permit application fines will be allocated toward 2-3 new deed restriction inspectors. If this revenue is not enough to fund these inspectors, the administration will identify new funding to do so – was presented. Council Member Khan absent.

Council Member Rodriguez stated that he had been informed that City Attorney Arturo Michel had some updates on his deed restriction enforcement team and wondered if he could speak to those changes, and Mayor White called on Mr. Michel. Council Member Khan absent.

Mr. Michel stated that the amendment request was to add more inspectors and he did not think they needed more at this time, but if they did they would add them because they had reorganized how they did their neighborhood services, they had moved the regulatory stuff out, they had looked at what other cities in Texas had done and were trying to make it more prosecutorial and get people out there to file lawsuits, to be aggressive, to still use the citizens and neighbors but assist them in helping them to develop evidence and to do that they needed inspectors and it was crucial, they thought they were properly staffed but were going to monitor

it and they should see a decrease in those number of matters that were unresolved because of lack of evidence, that if lack of inspectors were holding them back then they would add more, they were committed to doing that, and Mayor White asked if they had inspectors working on Saturdays, and Mr. Michel stated yes, that as of this past year they did.

Upon further questions by Council Members, Mr. Michel stated that they currently had three and a half inspectors that were devoted full time to this type of operation, that there were other people who could do inspections but that was the FTE count.

After further discussion Council Member Adams asked how do they go back and communicate to their constituents that they only had three inspectors, that was a heavy load and did not know what they could do to improve that, and Mayor White stated that he would suggest they consider either a committee hearing or it maybe something that at some point they would want a committee as a whole or a Mayor's Report, that as he understood it the inspectors workload was complaint driven, and Mr. Michel had been through the grilling at a number of civic club meetings, and asked Mr. Michel to tell them about the inspector thing.

Mr. Michel stated that they had organized the division to bring more focus to it, to bring more lawsuits and the discovery process could do a lot to get a lot of the evidence that they needed, that an inspector could be labor intensive depending on what they were looking at, what they wanted to do was use those people in situations to get enough to file a lawsuit and then move on, but they were doing all of it for a purpose, it was kind of the signature move they were doing within the department and they were not going to let it fail because they did not think they could get the evidence, they would get the inspectors out there to do that and they would shift resources within the department to do it, but he thought the biggest way to achieve change there was to change the focus of how they operated, to be aggressive in filing lawsuits and use that process, that was also an area where they could get lawyers to help them pro bono, there was one thing that lawyers could do was file lawsuits, so the thought that was the most cost efficient way, but if they were lacking in inspectors they were not going to let that be the status quo, they would change that; that as to the total case load, in terms of active complaints they were looking at they probably had about 170, that in terms of the active cases they probably had about 50 or so but he would get that detailed information; that when he looked at it in detail it looked as if they moved through to make a determination in about 21 to 22 days, whether they thought that was quick or not he did not believe that the civic association saw that as a problem, what they saw as a problem was that the City did not fine the violation that they believed existed or that they did not move aggressively in prosecuting the lawsuits; that he thought another part of the reorganization was that they needed to work more closely with the other departments because when people called 3-1-1 it may not be a deed restriction issue it may be a Neighborhood Protection issue and he thought the departments needed to be a one stop complaint and then they could have some targeted enforcement to address some of the issues; that as to the lawsuit being the only option, they could collect a fine but the lawsuit was a pretty effective mechanism because State Law, once they gave notice they could collect a fine of \$1,000 per day for a continuing violation; that he would look at the ability to use criminal process for collecting fines.

After further discussion Council Member Rodriguez moved to table Amendment 14.04 with the understanding that their deed restriction team had been strengthened, however he would like to come back next year to review the performance of the deed restriction team and if they were still struggling with the enforcement he would like to consider using the generated funds from Amendment 14.03 to hire more inspectors or attorneys, which ever was needed, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0510 ADOPTED.

Line 73 Sullivan – Amendment - 10.09

Install water saving devices in all public restrooms at City Hall, City Hall Annex, and other city

owned buildings – was presented.

Council Member Sullivan stated that he would like to ask the City to think about and investigate water saving devices in City Hall and the City Hall Annex and other City owned buildings, and Mayor White stated that they would do that. Council Member Brown absent.

Council Member Sullivan moved to table Amendment 10.09, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown absent. MOTION 2008-0511 ADOPTED.

Mayor White stated that the General Services Department would analyze and report back to them on water saving devices. Council Member Brown absent.

Line 74 Johnson – Amendment - 7.02

Appropriate 1% of sales and hotel occupancy tax revenue generated from the Microsoft World Wide Partner Conference in July 2008 for digital inclusion project(s) for community-based organizations (CBO) and/or city owned libraries and parks in Houston Hope designated neighborhoods. Projects must be presented to the Human Services and Technology Access Committee for approval. Funds must be expended in FY 2009 – was presented. Council Member Brown absent.

After discussion by Council Members, Mayor White stated that he would meet with Mr. Balmer, CEO of MicroSoft while the conference was in Houston and asked Council Member Johnson if he and Ms. Nicole Robinson and Ms. Linda Clarke help him develop the program that they would be asking them to support, that they would make that commitment and the odds were if they got a commitment it would be more revenue than some portion of the Sales Tax generated.

Council Member Johnson moved to table Amendment 7.02, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0512 ADOPTED.

Line 75 Sullivan – Amendment - 10.10

Increase funding for Bay Area Houston Economic Partnership from \$50,000 per year to \$100,000 for FY09, 10, 11, 12, and 13 – was presented.

Council Member Sullivan stated that it had been well publicized that NASA's funding was subject to being cut, that NASA was important to the entire region and supporting BAHEP funding was more important than ever before; that just last week NASA awarded a large contract to Oceanerring International, which BAHEP had been courting and Houston was now going to be home to the design of the new space suit, which was important, that it was 250 new clean jobs and they were also going to build a facility in the Clear Lake area, and would offer a motion to amend Amendment 10.10 that includes the administration comments to agree that "the City of Houston fund a multi year contract for Bay Area Houston Economic Partnership", seconded by Council Member Rodriguez.

Mayor White stated that they would have to come back with the appropriations before Council to do so, and with that they would agree to do that, and he would say that was sort of their intention and they would agree to that.

A vote was called on Amendment 10.10 as amended. All voting aye. Nays none. MOTION 2008-0513 ADOPTED.

Line 76 Lovell – Amendment - 2.01

The administration will fund within the next (30) days an increase to the Health & Human Services Department's budget to meet the needs of the HIV/STD laboratory services, specifically the addition of personnel to conduct STAT lab services at each of the STD clinic locations - was presented.

Council Member Lovell stated that she was pleased to see that there was a \$3 million increase for Health and Human Services, that Mr. Williams and his department every year did a phenomenal job and knew that they would take the increase and use it wisely, that she was also pleased to see that the HIV/STD funding would be supplemented with \$400,000 from foundation grants and would like to ask HHS also not to forget about HEP C and how important it was to continue their efforts on that issue and would move to table Amendment 2.01, seconded by Council Member Khan.

Council Member Garcia asked for a point of clarification and asked if it was a \$3 million increase from last years budget, and Ms. Michel stated that was correct, their budget was increased, that they were getting \$400,000 by a grant and Director Williams stated that the \$3 million they had increased he would be spreading it out, he was trying to determine that now but probably another \$150,000 would go to HIV, but they also increased their HIV/AIDS last year per the amendment as well, so he was saying about \$550,000. Council Member Noriega absent.

After further discussion a vote was called on Council Member Lovell motion to table Amendment 2.01. All voting aye. Nays none. Council Member Noriega absent. MOTION 2008-0514 ADOPTED.

Line 77 Jones – Amendment - 5.02

Request that the Administration provide funding in the amount of \$100,000 to the Health Department, for the City of Houston's Office of Veterans Affairs, to provide intervention services to include job placement, temporary housing vouchers, and counseling through an RFP process. The funding would come from FY 08 budget surplus or whatever fund the Administration identifies – was presented. Council Member Noriega absent.

Council Member Jones moved to table Amendment 5.02, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0515 ADOPTED.

Line 78 Johnson – Amendment - 7.05

Increase the General Fund's FY 09 appropriation to the Health and Human Services Department by \$100,000. The increased funding will be earmarked for the youth employment program with a focus on health and environment throughout the six service regions - was presented.

After discussion Mayor White stated that they would continue the program and they would identify sources of funding, subject to review of the program, that they would commit to do that, and Council Member Johnson asked when could they get the review done, and Mayor White stated just as soon as Council Member Johnson committee wanted to do it, maybe in September, at the end of the program. Council Member Lawrence absent.

Council Member Johnson moved to table Amendment 7.05, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2008-0516 ADOPTED.

Line 79 Rodriguez – Amendment - 14.02

The Health Department will allocate revenue generated from the Urban Park Ranger leash law enforcement to add BARC Officers/Inspectors that will focus on after-hour service – was presented. Council Member Lawrence absent.

Council Member Rodriguez stated that he wanted to offer a substitute verbal amendment, "that the administration would look at the revenue stream for the leash law enforcement and do an analysis of what would be required to focus on after hour services and report in 90 for BARC inspectors/officers", seconded by Council Member Sullivan. Council Member Lawrence absent.

A vote was called on the motion to allow Council Member Rodriguez to substitute language for Amendment 14.02, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Lawrence absent. MOTION 2008-0517 ADOPTED.

A vote was called on Amendment 14.02 as substituted. All voting aye. Nays none. Council Member Lawrence absent. MOTION 2008-0518 ADOPTED AS SUBSTITUTED.

Line 81 Jones – Amendment - 5.05

Request that the Administration seek funding in the amount of \$15,299 for the SEARCH Mobile Outreach Program in the FY 09 budget – was presented.

Council Member Jones moved to substitute the following written motion for Amendment 5.05, seconded by Council Member Rodriguez. Council Member Lawrence absent.

"Request that the administration assist SEARCH in seeking funds, to the extent possible, to restore funding at the FY08 level for the SEARCH Mobile Outreach Program"

Mayor White stated that they would agree, if Council Members help them they would commit to doing that, and also the person who calls around to Council offices all the time for \$15,000 ought to really consider calling donors, that he thought that there were classes and courses that they could go to about fund raising. Council Member Lawrence absent.

A vote was called on the motion to allow Council Member Jones to substitute language for Amendment 5.05, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Lawrence absent. MOTION 2008-0519 ADOPTED.

A vote was called on Amendment 5.05 as substituted. All voting aye. Nays none. Council Member Lawrence absent. MOTION 2008-0520 ADOPTED.

Mayor White stated that line item numbers 80 – Amendment 14.07 and 82 – Amendment 14.01 were moot. Council Member Lawrence absent.

Line 80 Rodriguez – Amendment - 14.07

The administration will allocate funding (\$15,300) for the operation of SEARCH's mobile street outreach unit. This mobile unit will allow SEARCH to go into the community and address the homeless problem in our neighborhoods. (MOOT)

Line 82 Green – Amendment - 4.01

Transfer \$15,299 of General Funds from the Parks Department's \$750,000 tree planting initiative to Housing Department # 520103 Subrecipient Contract Services for Search Mobile Outreach Program. (MOOT)

Line 83 Jones – Amendment - 5.03

Request that HUD's federal requirement for the re-inspection of 1,000 homes on the Single Family Repair Program list be completed by the end of FY 09 budget period – was presented. All voting aye. Nays none. MOTION 2008-0521 ADOPTED.

58a. ORDINANCE related to the Fiscal Affairs of the City; approving the annual budgets of the City of Houston, Texas, for Fiscal Year 2009 for the General, Enterprise and Special Revenue Funds including providing for future adjustment to certain fund balances; making various amendments to the proposed budgets; re-designating a cash reserve in the fund balance; authorizing various other transfers; creating new funds; reassigning various operational functions between departments; amending Chapters of the Houston Code of Ordinances to reflect the reassignment of operational functions; establishing a cost for copies of the budget; making other provisions related to the subject; making certain findings related thereto; providing a repealing clause; providing for severability – **(This was Item 55 on the Agenda of June 11, 2008, TAGGED BY COUNCIL MEMBERS KHAN, HOLM, CLUTTERBUCK and GARCIA)** - was presented.

Council Member Clutterbuck offered the following written motion to amend Item No. 58a:
 “I move that Exhibit A be amended to include adjustments throughout the FY 2009 Budget in conformance with Ordinance No. 2008-387, passed on April 30, 2008, recognizing that burglar alarm fees and associated penalties are to be placed in the Police Special Services Fund rather than the General Fund and used to defray the costs associated with administering the burglar alarm ordinance, including the costs of responding to alarm calls”

General Fund:

Revenue:

Eliminate HPD Revenue Budget for Alarm baseline (\$3,952,000)

	<u>Cost Center</u>	<u>Account</u>	<u>Description</u>	<u>Reduction</u>
	1000010046	421170	Burglar Alarm Permits	(3,200,000)
	1000010046	428050	False Alarm Penalties	(752,000)

Expenditures:

Reduce HPD Patrol Classified Base Pay Acct. 500020 (\$3,952,000)

	<u>Cost Center</u>	<u>Original</u>	<u>Revised</u>	<u>Reduction</u>
	1000010025	13,962,907	13,568,137	(394,770)
	1000010026	4,967,089	4,826,656	(140,433)
	1000010027	19,832,247	19,271,535	(560,712)
	1000010028	18,153,243	17,640,001	(513,242)
	1000010029	9,779,626	9,503,129	(276,497)
	1000010031	7,178,021	6,975,079	(202,942)
	1000010032	7,872,984	7,650,393	(222,591)
	1000010033	9,258,584	8,996,818	(261,766)
	1000010034	12,770,547	12,409,488	(361,059)
	1000010035	9,865,477	9,586,553	(278,924)
	1000010036	10,727,104	10,423,819	(303,285)
	1000010037	15,413,337	14,977,559	(435,778)

Police Special Services Fund

Establish a new cost center to account for activity as follows:

Revenue:

Establish HPD Revenue Budget for Alarm baseline **\$3,952,000**

	<u>Cost Center</u>	<u>Account</u>	<u>Decription</u>	<u>Increase</u>
	1000010new	421170	Burglar Alarm Permits	3,200,000
	1000010new	428050	False Alarm Penalties	752,000

Expenditures (1):

Establish HPD expense budget for alarm response cost **\$3,952,000**

	<u>Cost Center</u>	<u>Account</u>	<u>Decription</u>	<u>Reduction</u>
	1000010new	500020	Classified Base Pay	3,952,000

Mayor White stated that this was F&A catching up with City Council who created another dedicated source of funding for Public Safety.

A vote was called on Council Member Clutterbuck motion to amend Item No. 58a. All voting aye. Nays none. MOTION 2008-0522 ADOPTED.

A vote was called on Item No. 58a as amended. All voting aye. Nays none. ORDINANCE 2008-0568 ADOPTED AS AMENDED.

58b. WRITTEN Motion by Council Member Clutterbuck as follows:

In order to comply with Section 102.007(c) of the Texas Local Government Code, I move to ratify the projected increase in revenue from property taxes budgeted for FY2009 over the amount budgeted or raised in FY2008.

The FY2009 budget is based on a tax rate reduction of a half-cent that would provide approximately \$20 million in relief for taxpayers. Almost one half of the projected increased revenue results from new property added to the tax rolls. The budget also assumes a rise in the senior and disabled exemption from \$64,420 to \$70,862 that will result in an estimated \$3.3 million savings for approximately 100,000 households in Houston.

The growth in property tax revenue not related to new property is 2.85%, which is far less than the growth in population and inflation. This is within the limits authorized by the voters at the charter elections on November 2, 2004 and November 7, 2006

The adopted budget for FY09 increases expenditures for Police, Fire and EMS by \$105 million over the FY2008 adopted budget, anticipates a dedication by special council ordinance of a portion of ad valorem taxes to drainage improvements, and expands curbside collection of recyclables to increase landfill diversion – **(This was Item 55A on the Agenda of June 11, 2008, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and KHAN)** – was presented. All voting aye. Nays none. ORDINANCE 2008-0523 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Mayor White stated that this budget had the largest tax rate cut in 20 years, increases the senior exemption significantly and provides more services to their population with a special

emphasis on public safety; that there was a record increase in the new investment in public safety and significant increases in funding a variety of programs to enhance the quality of life in their neighborhoods and they did it unanimously.

Council Members thanked Mayor White for his leadership and Ms. Michel Mitchell and Ms. Marty Stein for all of their hard work and Chairman Clutterbuck for all of her hard work and all of the department heads who had incorporated many of the cost saving matters and efficiencies and all of their Council staff for all of their hard work, and Council Member Johnson stated that he wanted to wish Terence Fontaine a Happy Birthday; and Council Member Rodriguez stated that he wanted to wish Mr. Johnny Villarreal a Happy Birthday; and Council Member Lawrence stated that she wanted to wish the very best to Darren Hall on his engagement, and Council Member Lovell stated that she wanted to wish Mayor White a Happy Birthday; and Council Member Jones stated that she wanted to wish a Happy Birthday to her grandmother who turned 89 years old, that she was born on the corner of Caroline and Pease in 1919; and Council Member Adams stated that she wanted to thank her staff, Friday was her birthday and she wanted to thank them for celebrating and surprising her on Friday. Council Member Sullivan absent.

Mayor White stated that his parents taught him that work gave dignity, and he admired, they had been at this since 9:00 a.m. and there were two people to his right, one of whom began working for the City the year he was born, and she had to be on her game every moment, that he had a little deal about mandatory retirement, that people could work and do service with dignity and if they doubted that look at what Anna Russell did for them, that those of them who were adding up the years were getting more and more envious of her ability. Council Member Sullivan absent.

After further discussion Council Member Noriega stated that she wanted to thank both the Houston Fire Department and Police Department, both of which met with her office and were very helpful with what they brought forward, that she wanted to thank all of the City staff who had stayed to deal with them, and Council Member Garcia stated that he wanted to thank Anna Russell as well for all of her good work and that of her staff as well, and also to the Council liaisons. Council Member Sullivan absent.

There being no further business before Council, the City Council adjourned at 9:37 p.m. Council Member Sullivan absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary