

City Council Chamber, City Hall, Tuesday, July 29, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 29, 2008, Mayor Bill White presiding and with Council Members Jarvis Johnson, Anne Clutterbuck, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Adrian Garcia, James G. Rodriguez, Peter Brown, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Debra Dillard, Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Toni Lawrence absent on city business. Council Member Wanda Adams absent on personal business. Council Member Sue Lovell out of the city on personal business.

At 2:04 p.m. Mayor White called the meeting to order and stated that Council Member Jones would begin presentations. Council Members Johnson, Sullivan, Holm, Rodriguez and Noriega absent. (NO QUORUM PRESENT)

Council Member Jones stated that she wanted to introduce Ms. Lynette Woodard, if anyone followed basketball they knew she was on the Olympic team, a Harlem Globe Trotters and really smart, she was a legend and two time Olympian and held many other titles; that Ms. Woodard was present because through her foundation she was going to put on a charity basketball game with former WMBE players and they would play against the Houston Jaguars, a women's semipro basketball team and they would be giving four \$1,000 scholarships; that the game would be August 9th at the Barnet Field House; and presented Ms. Woodard a Proclamation proclaiming today as "Lynette Woodard Day" in Houston, Texas. Ms. Woodard thanked the Mayor and Council Member Jones for a warm welcome and invited all to the game. Council Members Sullivan, Holm, Rodriguez and Noriega absent.

At 2:11 p.m. Council Member Brown invited Pastor Elmo Johnson with the Rose of Sharon Missionary Baptist Church to lead all in the prayer and Council Member Brown led all in the pledge. Council Members Holm and Rodriguez absent.

At 2:13 p.m. the City Secretary called the roll. Council Member Lawrence absent on city business. Council Member Adams absent on personal business. Council Member Lovell out of the city on personal business.

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

Council Member Holm stated on a point of personal privilege she wanted to welcome Miss Jessica Dalton who was interning and working through the Mayor's Office, they were happy to have her. Council Member Jones absent.

Council Member Garcia stated on a point of personal privilege he wanted to introduce an intern currently serving with his office, Mr. Nguyen Lynn, learning about local government and proud to have him. Council Members Johnson and Jones absent.

At 2:16 p.m. the City Secretary began calling the public speakers. Council Members Johnson and Jones absent.

Ms. Clara Garrison, 9306 Noel, Houston, Texas 77033 (832-894-5238) appeared and stated that she was present representing the Sunnyside Garden Bayou Estates Civic Club; that

they had attempted to solve problems with the Mykawa Road Police Department and previous District D representative, but they were now requesting someone give their community, one of the oldest Black South Houston residents in Houston, assistance in obtaining more police presence it was being taken over by drugs and gangs and reports they received at the end of each month would show they had on average 100 to 200 narcotics calls in their area monthly. Council Member Jones absent.

Mayor White thanked Ms. Garrison for coming and stated that a lot of work had been done and much was being done. Council Member Jones absent.

Ms. Cheri Butler, 6240 Antoine, Houston, Texas 77091 (713-683-7824) had reserved time to speak but was not present when her name was called. Council Member Jones absent.

Mrs. Durrell Beal, 5237 Higgins, Houston, Texas 77033 (713-738-3195) had reserved time to speak but was not present when her name was called. Council Member Jones absent.

Ms. Jennifer Woodruff, 1026 W. 31st, Houston, Texas 77018 (713-303-3511) appeared, presented pictures of signs and stated that she was present representing the Shepherd Forest Civic Club regarding the Public Works Department encroachment package as it related to neighborhood signs, in reviewing the package it included neighborhood signs and there was a fee to be implemented of \$1,050 per sign if it encroached in any public area and it would have a renewal of \$105 every year for the encroachment and speaking on behalf of Shepherd Forest it was a very onerous and punitive fee, if the proposal passed it would be \$9,000 total for their civic club which operated as a nonprofit organization and was roughly one-third of their entire budget; that they felt such signs help to build civic pride and created public awareness of residential areas and deed restrictions being enforced. Council Member Jones absent.

Council Member Garcia stated that all were paying attention and would find a reasonable solution. Council Member Jones absent.

Upon questions by Council Member Holm, Ms. Woodruff stated that she lived in the neighborhood five years and the signs were there, she felt they were up at least twenty years; and Council Member Holm stated that she hoped this would come to Council for some determination, the signs did play an important in identifying the character and intent and if they needed to set standards going forward then they should do so, but she was trying to figure why this was an important issue to the city right now with all the things already on their plate. Council Member Jones absent.

Council Member Khan stated that the rational behind it seemed to be they did not want clutter on the streets and if they were implementing something who were they implementing it for and if it was for some it should be uniformly done and he needed explanations; and Ms. Woodruff stated that the Shepherd Forest Civic Club took great pleasure in cleaning esplanades and making them attractive and that saved the city money, they were trying to do their part in keeping Houston beautiful and she felt other civic clubs did the same. Council Member Jones absent.

Council Member Johnson moved the rules be suspended for the purpose of hearing Mr. Donald Wasson after Ms. Ramona Overstreet, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Adams absent on personal business. Council Member Lovell out of the city on personal business. MOTION 2008-0597 ADOPTED.

Ms. Ramona Overstreet, 5034 Oak Shadows, Houston, Texas 77091 (713-681-9121) appeared and stated that the Northwest Sewage Treatment Plant was causing such pollution

and they also maintained their neighborhood signs and esplanades; that she spoke with Mr. Horton numerous times and he came out and the manager of the treatment plant came out and knew what the problem was, but did not correct it and it had been going on since 2006 and making her sick, she was a cancer patient and it was a horrible stench and children could not even go outside; that she called 311 and they sent a truck out the next day, but it was not her home polluting or with a sewage problem, it was the treatment plant. Council Members Garcia and Jones absent.

Council Member Johnson stated that tomorrow he would be meeting with Mr. Horton, it was already on his agenda; and upon questions, Ms. Overstreet stated that she had more excuses from the manager and Mr. Horton, he was a nice man but not solving the problem; that they told her it was repaired, but it could not possibly be; that the manager of the plant came out Friday, got out of his truck and immediately knew what the problem was. Council Members Garcia and Jones absent.

Mayor White stated that he knew Mr. Norman was present and perhaps as a part of the briefing, as he understood it, there were a couple of different types of issues, one type of which he and Council Member Johnson should be looking at was there were large diameter trunk lines going into the plant and by Brays Bayou and parts of District C there was another instance where when a bunch of methane gas collected within the trunk line they had to vent it and exposed it to the atmosphere; that it seemed to him and he would say this to Mr. Norman that what was both a chemical engineering and process engineering solution to see how they could avoid gases from being vented, if a gas was in a conduit what aspect of the design increased the pressures so they had to be vented rather than just carrying the gas in the lines on into the sewage treatment plant; that if he was right and it was methane he would say there was no worse greenhouse gas than methane, now if someone said it would cost \$50 million to fix then if he could discover the money he would probably hire police, but they did need to figure out if it was the way it was designed or was there fixes; that one thing in particular he was interested in was they proposed to have intensive planting of vegetation and trees along the perimeter of the plant to help with odors; and upon questions, Ms. Overstreet stated that she had seen no plantings and she had suggested such many years ago; and Mayor White stated that they could get a mix of 15 gallon and 30 gallon trees and to Mr. Norman there were phones in the City of Houston and people were in the Parks Department and they should find out which were the best trees for absorbing carbon dioxide and other gases in the atmosphere because they would be planting like crazy and if this was one of the solutions, then lets just do it and the same thing should be done with solid waste sites, if there were some things they could do with trees and planting and if nothing else created a better neighborhood environment and actually absorbed some things then they should think about doing it and he would like to see a time table. Council Members Garcia and Jones absent.

Council Member Johnson stated that he was glad the Mayor mentioned vegetation, but there were several other things; that his staff contacted several engineering companies who said what he said with respect to how to get things done, but he would like to look at things they were not doing which could possibly remediate the problems the community was facing and he would like to meet with Mr. Norman after meeting with Mr. Horton and see where they may be able to remediate the problem. Council Members Garcia and Jones absent.

Mr. Donald Wasson, 5011 Autumn Forest, Houston, Texas 77091 (713-956-0108) appeared and stated that he was a resident of Candlelight Village and neighbor of the Northwest Wastewater Treatment Facility located at 5423 Mangum, the city spent much to upgrade the facility and yet in the last six months their neighborhood was polluted by odors originating from that facility; that he commended the city for trying to alleviate the problem which was greatly reduced, but recently the frequency of the odor had increased, the stench infiltrated homes and kept families from enjoying outdoors or opening windows and the odors were also a

health hazard, hydrogen sulfide and ammonia vapors mixed with the smell were indescribable, except to say it smelled like death and at least two homes in the subdivision lost sales in the last month because of that odor; and asked that the Council insist the plant make upgrades to eliminate those odors and he would like a zero tolerance odor policy control enforced or his next step would be to contact the Texas Commission of Environmental Quality. Council Members Garcia and Jones absent.

Mayor White stated that he heard their previous comments and he appreciated him coming; that also to Council Member Johnson another thing to think about and to Mr. Norman was to make sure the Council Member was briefed on this, the citizens comments were about increased smell on weekends and holidays and one recommendation was to have regular maintenance on weekends, he had not investigated the facts, but if the plant worked seven days a week and workers worked five days a week they would need to change the way the workforce was managed. Council Member Jones absent.

Council Member Brown stated that with modern technology the treatment facilities were not supposed to smell and when Mr. Norman checked into this he would like a copy of the explanation; and Mayor White stated that he would like copies of the briefing material to go to Council Members Johnson and Brown. Council Members Garcia, Green and Jones absent.

Mr. Michael Coppens, 4932 Stimsom, Houston, Texas 77023 (832-443-5523) appeared and stated that he was president of the Eastwood Civic Association and he thanked Council Member Rodriguez for supporting and defending their efforts to rejuvenate into one of the best neighborhoods and thanked Council Member Noriega for her support as well; that the Eastwood Civic Association fully supported efforts the city was doing to confront the homeless issue in the city, they understood how important it was because they had facilities in their neighborhood which they supported and continued to support, but at this time they did not believe the Magnolia Glen Facility was a good idea, they had to much already; that they had no problem with such facilities only with too many in the area and would ask Council to consider other options. Council Members Johnson, Garcia, Green and Jones absent.

Upon questions by Council Member Noriega, Mr. Coppens stated that he believed any effort to diversify city services currently available in their neighborhood would be met with approval; that he emailed Tom Lord yesterday about attending their September meeting, but he would be out of town and requested to meet at their August meeting Monday. Council Members Johnson, Khan, Garcia, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Rodriguez thanked Mr. Coppens for coming and stated that they did have his full support as they did have their fair share of such facilities and he felt they needed to do a better job of working with the ones they now had. Council Members Johnson, Khan, Garcia, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that he said to everyone they should be looking for more places which were cost effective for seniors, homeless and one issue they frequently got into was people were concerned about a pattern or trend which existed over a period of time and then they were not only dealing with an issue which came up but the history and one task was...; that there were many facilities on 59 and they were not being used by seniors or for a full 24 hours and he hated to see a facility which could be well managed for public good..., there were places which attracted a transient population and those should be looked at on the merits, but there would be a lot of communities worse off if they did not find a place because they would just be being pushed around on the streets and to Council Member Rodriguez they should address the whole problem and look at each project on its merits. Council Members Johnson, Garcia, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Steve Parker, 4518 Park Drive, Houston, Texas 77023 (713-923-3982) appeared, presented information and stated that two years ago they received notice a facility was being planned for their area and they met with their city and state representatives and they did not have all the answers, but the super neighborhood then held a series of meetings with over 100 in attendance and everyone's stance was to oppose the facility at the beginning and then they visited other New Hope facilities as well as competing housing groups and researched the work and the super neighborhood voted by 90% to support New Hope in their neighborhood at the location of the previous HouTex Inn; that another group looked at Magnolia Glen and turned it down because they could not protect their residents from the community, the area known by HPD as the Lost Ward was just a couple of blocks to the west and one reason the Housing Corporation was pushing for the site was to use it for drug and alcohol rehabilitation, the Magnolia Glen location was more significantly a bad location for that type population because of the area, those recovering from addictions would be waiting at their stops with addicts and dealers close by; that they suggested alternatives they would be willing to support for the location but they were not listened to with some options being for housing of low-income or students as it was near U of H and TSU and on the rail line and bus routes and there was also interest in the location for an educational campus. Council Members Johnson, Garcia, Green and Jones absent.

Mayor White thanked Mr. Parker for coming and for his leadership on the Super Neighborhood Council and on the freight rail district Council Members Johnson, Garcia, Green and Jones absent.

Upon questions by Council Member Rodriguez, Mr. Parker stated that they were told the Magnolia Glen was considered by the Housing Corporation because the Eastwood area was a dying residential area with mostly warehouses and industries, but on the map presented it showed the residential area and it showed other residential there which had not even been contacted about this and as mentioned they already had many such facilities in the area; and Council Member Rodriguez stated that he thought it would help the neighborhood to get resolution to this; that he had about 40 pages of email opposing it. Council Members Johnson, Garcia, Green and Jones absent.

Council Member Noriega stated that there was also a school immediately adjacent to the area and typifying it as a dying area was incorrect and she felt there was need for more senior services, she also supported the neighborhood. Council Members Johnson, Garcia, Green and Jones absent.

Mayor White thanked Mr. Parker again for coming and stated that Mr. Sampley and others were looking at the situation and this had to do with the tone and some precedent because he wanted everyone to look at the merits on each project, there were some high-end neighborhoods near the Texas Medical Center with many sick people coming in and he was asking Council Members to have good dialogue with the county also as the city had limited funds and the county had agreed to do something, he did not want to see the city spending \$10,000 for seniors, homeless or anybody else per unit; and Mr. Parker stated that they were working for education and affordable housing and he felt there would be open dialogue there as well. Council Members Johnson, Green and Jones absent.

Council Member Garcia thanked Mr. Parker for his long active participation in the community and stated this was a tough issue for anyone, but the way dialogue was being conducted demonstrated he had a great Council Member who believed in representative government, he was hearing their voice and it also spoke highly of the Administration who was listening; that they did need to find an answer for homelessness and have plans. Council Members Johnson, Holm, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated looking at land use patterns south of the railroad there it wet his appetite for another discussion of what they did want there and this was good opportunity to think more specifically about a vision for their neighborhood; and encouraged him and his super neighborhood to get involved. Council Members Johnson, Holm, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Rodriguez stated that the Finger family was also opposed to the project as it would impact their family business which had been here since 1965 and he had submitted a memo in March asking for the Administration to come up with a policy notifying civic clubs and neighborhoods when a new facility was proposing to come in and to look at limitations; and they were saturated. Council Members Johnson, Holm, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Paul Mourino, 9100 S. W. Freeway #241, Houston, Texas 77074 (484-348-6107) appeared, presented information and stated that he worked with the LaRouche PAC in Washington, D. C., and for the past three years fought in the US Congress with Mr. LaRouche to fix the economic and foreign policy problems of our day; that he was now standing before Council asking that they introduce and pass Mr. LaRouche's HBPA, Homeowners and Bank Protection Act, as a resolution to Congress to ask that Congress act in the following prescribed manner, namely the legislation was designed to erect a firewall to protect homeowners and banking functions, namely the entire mortgage system must be frozen to keep homeowners in their primary dwellings while financial papers were cleaned up and reorganized into state and federally chartered banks; and continued reading over his proposal ending with the HBPA being crafted and debated across the nation and passed as law by over 80 city councils when his time expired. Council Members Johnson, Sullivan, Holm, Noriega, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Chuck Davidson, 2918 Fontana, Houston, Texas 77043 (713-460-3764) appeared and stated that he was wearing two hats, one of the Spring Shadows treasurer and secondly as the Super Neighborhood North president and to talk about Public Works and their encroachment policy; that it came to his attention in an email July 10th and thought if the city started to enforce it would cost them \$15,000 right a way and maybe more so he did calling to Public Works and Council Member Lawrence's office and said it should be grandfathered, existing subdivision signs should not be charged, they could be permitted or registered so the city could be aware of them, they were responsible for them and maintained them and put sprinklers and enhanced the community; that the bottom line would be if they were going to get into the intricacies of this they grandfather existing signs and give groups the responsibility to maintain them. Council Members Johnson, Sullivan, Khan, Garcia, Noriega, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that he understood this would be at the Regulatory Neighborhood Protection Committee on August 21, 2008, at 10:00 a.m., they would have a hearing and in addition to Ms. Stein and others this had not been a topic he personally spent a lot of time on but he would say he made a good comment concerning existing signage and there was a legitimate positive public interest in people identifying their subdivision, it was a source of pride; that some neighborhoods trying to revitalize did not have as strong a civic association as they but did have a sense of community, part of this was how to get people to have nice signs rather than something unmaintained for 30 years and he was sharing that with Council Member Holm and Ms. Stein, there may be an issue of grandfathering, but that was some of the principles. Council Members Khan, Garcia, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Sullivan stated that he appreciated his comments on marquees and monuments, he knew the Mayor said the Regulation and Neighborhood Protection and Development Committee would have a hearing Thursday, August 21st, Council Member

Lawrence was not present and she chaired the committee and he vice chaired in her absence and this was a subject many were interested in and they would get much community input on. It did need to be addressed and was a sense of pride and identification of communities and they supported it, it would be in this Chamber and he could contact Council Member Lawrence or him. Council Members Khan, Garcia, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Maureen Mulrooney, 9819 Vogue Lane, Houston, Texas 77080 (713-461-0766) appeared, presented information and stated that she was on the executive committee of the Spring Shadows Civic Association and chair of the Community Government Committee and Council had in front of them a list of signs they had in their neighborhood which encroached on city property and they had others which did not encroach, the 15 signs presented were on entrances into their subdivision, they had almost 2,000 homes and many streets which came into Spring Shadows; that a part of their maintenance fees went into maintaining esplanades which were beautiful and their monument signs were also beautiful, they were proud of their signs and other neighborhood signs in their area who showed the same pride; that she understood not wanting the signs which were eyesores to be a part of the City of Houston, however, neighborhood signs which showed they liked where they lived should be grandfathered and she asked for Council's help, if they had to pay they would not be able to keep them up. Council Members Khan, Garcia, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Holm stated that Ms. Mulrooney was such a committed civic advocate and participant and as they established policies in this and worked together on policies which in itself was a process one thing which concerned her office and many citizens was in this particular instance none knew why this issue was being addressed at this point and all of a sudden the new policy was delivered as opposed to having input; and her first question would be that they be sure and have a committee meeting and then should they do anything would it be a council action amendment to the encroachment; and Mayor White stated they would get Council action and there was nothing he was aware of and he welcomed Council's input on all these issues, he did not want to be changing things without discussion and dialogue and then start something that may be different than what came out the other end; that he did believe, however, and did not know for a fact, but did think there was an issue concerning the desire to have neighborhood signage and then an issue of whether it was legal or not, this was sort of new to him, but at some time he recalled a discussion about the fact of why did they not have new neighborhood signs naming neighborhoods and someone said Legal said it may not be legal and Public Works said that was what they were told and they were trying to clean up some things; and Council Member Holm stated that neighborhood monument markers had never been in anybody's bailiwick and to her understanding over the years was when a developer came in a part of his permit included a sign and it was the character of the neighborhood and they never permitted it and always allowed it to happen and many times the neighborhood adopted the whole area and esplanade and invested their own money in taking care of it and sometimes what they may think was an out of date ratty sign a neighborhood believed it to be the very identity of which they existed and in some cases even historic and she applauded setting standards going forward and if there were particular markers today they felt were unsafe they should address it, but they should think long and hard as state legislation allowed them bringing on premises signs into compliance and they were not doing that so she had a hard time wrapping her arms around the consequences of what they were doing to neighborhoods; and Mayor White stated that he would encourage Council Members to participate in the hearing and he felt much would be flushed out.. Council Members Khan, Garcia, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Sullivan stated that he grew up in Spring Branch and they did take a lot of pride in their monument signs; that in the Clear Lake area of his district they had a rejuvenation

of neighborhood signs, but they ran into ambiguous rules from the city as to whether or not they could rebuild or if they had to be permitted, what it would cost, where they could be placed and it was important because when developers put them up in the esplanade they were not a part of the city and then they were annexed and the sign was on city property, so it did need to go before a committee and be vetted out; and Mayor White stated that for safety if people would avoid driving on medians or if someone would say how many times did someone have to swerve out of the way and drive over a curb and get hurt running into a sign and if the answer was no one knew or none, then perhaps safety was not that big a deal, they were putting trees in the esplanade and he was sure sometime someone drunk would run into them, but they were putting them there anyway, base it on fact and not fear. Council Members Khan, Garcia, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that signs were at the gateway to the community and it was not the exception and should be encouraged; and in new subdivisions the monument signs and the maintenance and deed restrictions were built in. Council Members Khan, Garcia, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Mr. Phil Boitos, 3401 Fannin, Houston, Texas 77004 (248-506-5938) had reserved time to speak but was not present when his name was called. Council Members Khan, Holm, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Johnson moved the rules be suspended for the purpose of hearing Ms. Rashida Frank at this time, seconded by Council Member Brown. A quorum was not present and was done by consent. Council Member Lawrence absent on city business. Council Member Adams absent on personal business. Council Member Lovell out of the city on personal business. Council Members Khan, Holm, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Rashida Frank, 8230 Holliday Road, Lantana, Texas 76226 (940-300-1202) appeared and stated that she was a school teacher and read the draft amending Chapter 26 and spoke to Lillian Rambo and she wanted Council to consider passing the booting ordinance and was speaking from personal experience, on the past Sunday at the Toyota Center she experienced going to a power dance audition for the Houston Rockets and after she and several girls left the audition they found their vehicles booted and some, including herself, had paid to park, but every vehicle was immobilized and had to pay \$100 and they felt it unfair, they were given no receipts as there was no parking attendant there and they spent over three hours trying to contact people to get cash to get their vehicles, there was a phone number but only to a dispatch service and they were told the manager did not have time to speak to them so she researched and found other people experienced the same; that she came into Houston for this and now had to pay to get her car and felt it was a scam, a young man with Georgia license plates and no photo identification tag was taking their cash and credit card information and she wanted them to look into passing the ordinance as she felt citizens would be happy. Council Members Sullivan, Khan, Holm, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White thanked Ms. Frank for coming; and upon questions Ms. Frank stated that it occurred last Sunday, July 27, 2008, the lot cornered La Branch and Polk across from the Toyota Center; and Mayor White stated that while she was speaking Ms. Dillard or a representative from the City Attorney's Office he would like someone to identify the owner; and upon further questions, Ms. Frank stated that they found from police officers it was a private lot and the company name was Bootman, Incorporated dba Premiere Parking Enforce, it was on her credit card receipt; that the spaces were marked with lines and numbered and there was a very old coin box with a very small slot and she put \$5.00 but it was very difficult, above the coin box it said daily parking \$3.00 and \$5.00 nights and weekends; that they returned to the lot between 12:30 p.m. and 1:00 p.m. and every candidate's car was booted and she counted over

30 vehicles; and Mayor White stated that he was not licensed to practice law for about 15 years but would pose to Council did they still have state statutes under the heading, deceptive real estate practices; and Mr. Heilman stated that there was a chapter under the Business and Commerce called Deceptive Trade Practices Act; and Mayor White stated that there was one for Real Estate and he wanted someone within Legal to check, whether this was a consumer service or real estate transaction he was not sure; and upon questions, Ms. Frank stated that she lived north of Dallas and came today to bring it to Council's attention; and Mayor White stated to Mr. Fontaine he wanted a lawyer and some city people on line to see if they could get the people who owned the lot on line with this citizen and find out whether they were running a racket, there were only two possibilities which were she was either not telling the truth but he believed she was and if she was this was unacceptable and this was why he needed lawyers, there was a difference between doing something legally and a legal argument and they would get a new ordinance but this was illegal and he wanted to hear their account of it; and Ms. Frank stated that the man said she did not pay and she said she did, and they video certain coin boxes and some had money and some did not, but a coin box could be tampered with; and Mayor White stated that if the person did not want to speak on the phone then they should come and they would say the person's name, where he lived and that he refused to speak with them. Council Members Clutterbuck, Sullivan, Khan, Holm, Brown, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia thanked Ms. Frank for bringing the issue back to Council's attention and stated that he would appreciate the review of this, it had been about a year since there was a convention in town next to the Four Seasons on Lamar and the exact same thing happened and as they reviewed it from a Legal Department perspective he felt this was the tip of the iceberg. Council Members Clutterbuck, Sullivan, Khan, Holm, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that they could use the phone in the conference room and someone had the name and address of the owner and they would take her back to make the call; and was conversion still a common law offense in the state of Texas and was it a criminal offense; and Mr. Heilman stated that she could assert the conversion cause of action, she could assert a claim under chapter 2701 of the Business and Commerce Code and also under the Deceptive Trade Practices Act; and Mayor White stated he used to do a petition in an hour, how long would it take him to do one; and Mr. Hall stated that they would have to get someone to do it; and Mayor White stated that it was in the public interest they do this and he was also asking, if they were saying it was unlawful for them to represent this citizen then that was fine, but whatever happened to conversion; and Mr. Heilman stated that she could assert that claim and a breach of contract claim; and Ms. Tracy Calabrese stated that she was in the Legal Department and researched this and her initial thought was this was theft by conversion and she talked to the DA's Office and was told they did not disagree with her on theory but the problem was the car had not been taken away and it was a he said/she said situation and they would not accept a criminal charge on theft by conversion and so they did have an ordinance drafted to regulate them and require them to be permitted and have signage, etc. before they could operate; and Mayor White stated the odds of this was it was a criminal act and there were others which the DA did not prosecute, they identified a civil action for conversion, what about the conspiracy; and Mr. Heilman stated on a conspiracy claim they were not certain about that; and Mayor White stated that a conspiracy was an agreement to do a lawful act by an unlawful means or to accomplish an unlawful purpose by lawful means and if there was an owner and booting company then there were things to put in their petition and he felt the reason to do it was because the community was hurt so they wanted the person to bring all their records including receipts from booting, it was not an impoverished person, it was a valuable lot and he bet he could clean them up a little and he did not want to wait for the ordinance. Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Garcia stated that for things occurring now he would like directions given to the Special Operations Division because they were the ones downtown dealing with it and the officers needed to know how to collect the right information and get the right reports and he would like Chief Hurtt to give them direction and he felt they could get the grand jury to conduct a hearing on this. Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that they supposedly had video tape that Ms. Frank put the money in there after it was booted; and Ms. Frank stated that was incorrect she put her money in that morning and she told the man that and about two hours later he left and she said again she had paid could he remove the boot and he said no she had to pay the money but if her money was in the box he would refund her and when it was opened there was her money and then he showed her a video which had a box with numbers and it had no lot or box number and no date; and Mayor White stated that basically he was saying she was a liar and if he was wrong she could also sue him for liable, his guess was she would not have showed up..., but if the video showed the time and she was sneaking and putting the money in then it was a different deal, but if there was a video then he wanted to see it and he wanted her to see it with them and if she was in the wrong she could apologize to him and if he was wrong he could accept service of a lawsuit. Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Ms. Cosetta Taylor, 5126 Higgins, Houston, Texas 77033 (713-733-7112) appeared, presented information to all and pictures for viewing and stated that she was with the Sunnyside Garden Bayou Estates Civic Club and Council had been ignoring her and her community and that was why she was present; that they had bad drainage, weeds, abandoned houses and no sidewalks; that she wanted to give names in case they forgot. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated to save her some time he did have her agenda of concerns and she had been sitting quite a while and if they could work on getting her issues resolved it would be good use of her time, unless she just wanted to talk about those folks; and Ms. Taylor stated that she was determined to speak about them, the director said which way the money went; that the top of the line was Mr. Milton Simon, manager; Ms. Gordon was second in command; Mr. Art Kitter was second in command; Mr. Eric Dargen, Deputy Director and that was all in the Right of Way Department. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that the pictures were dated July 28th; and upon questions, Ms. Taylor stated that the pictures were taken very recent, since Hurricane Dolly. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Brown thanked Ms. Taylor for coming; and upon questions, Ms. Taylor stated that there were 15 subdivisions in her area, Sunnyside, Sunnyside Gardens, Old Sunnyside, Sunnyside Garden Bayou Estates, Mid Sunnyside and others; that they made ditches deeper and drains and more, they were bombarded; and Council Member Brown stated that he was appalled at the number of neighborhoods which had gone down and he did not know what they could do, but something needed to be done. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that here was what they were going to do, a couple of gentlemen were present from Public Works and they would visit with her and he wanted her in touch with the police liaison, what they could do was, she identified drainage issues and a proposed plan from 2007 and they could give her an update on that plan and if it had not moved forward they could get response as to why it had not; that they were trying to work through issues like the culverts and they could check on status of sidewalk projects and check on sewer lines; that the Public Works Department would get to the Administration a very detailed report as to where the issues were at and the police liaison could get her request and respond on the illegal dumping and get something put in place by Neighborhood Protection; that she did have in her letter police response time had been 4 to 8 hours and now it was 2 to 4 hours and that was progress, but that could be checked on also; and someone from Chief Hurtt's office would contact her. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Lon Lee Vasquez, 1704 Weber, Houston, Texas 77007 (713-864-5667) appeared and stated that the community would be judged on how fellow citizens were treated, he was going to a ballgame tonight but Douglas Hamilton could not, he was dead, he committed suicide last week, his family had not been contacted yet; that somewhere along the line Mayor White's homelessness program had failed and Officer Rodriguez outdid himself and he believed he should be looked at; that he wanted to help with the problem and would not rest until something happened, Douglas Hamilton was his friend and he failed to see the signs of suicide when he went to him for help, he would like to be assigned to someone who knew about the project and see that it did not happen again, the problem would not just go away. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Elisa Maldonado, 8414 Millicent, Houston, Texas 77093 (832-618-7761) appeared, presented information and stated that she would like her Aunt Leticia Saucedo, who was speaking on the same subject to come after her; that on January 7, 2008, they loaned their car to their aunt and a city vehicle rear ended the car causing an estimated damage of about \$3,000 and they submitted a claim April 1st and Mr. Michael Whitlock a senior claims coordinator called her on July 14th stating the claim would be denied, but if they would review the police report it clearly stated the city employee Detrick King was cited for failure to control speed and they were asking damages be covered, it was a city driver on city time and they expected fairness. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia thanked Ms. Maldonado for coming and stated that he was a little perplexed; he was looking at the police report and the police acknowledged the city vehicle was at fault and yet Legal's letter said the investigation failed to reveal any responsibility; that the Legal Department was again reviewing this; and upon questions, Mr. Heilman stated that it would be resolved by the end of the week; and Mayor Pro Tem Garcia stated that they should have answers by the end of the week and if not she should contact the city and let them know. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Sheila Sampson, 8342 Bigwood, Houston, Texas 77078 (832-885-9490) appeared at the podium with Ms. Lorna Hankins who stated that Ms. Sampson presented information to the Council and she was Lorna Hankins and proudly served as the executive director of the Sickle Cell Association of the Texas Gulf Coast and on behalf of the board, supporters, etc., she was asking for the city's intervention and assistance in securing funding and legitimizing the

association which would close as of this Friday in large part due to withdrawal of over 67% of their budget by the United Way of Greater Houston; that this organization served the community for 37 years and tens of thousands had benefited; and she asked one of their consumers with two twin baby daughters suffering from the disease to speak to them about the importance of the association and the critical importance for the city to help in solving the problem; and Ms. Sheila Sampson stated that she thought the Mayor would be here, but in his absence and the absence of other Council Members they were facing a crisis in the community, for more than 35 years the Sickle Cell Association had done a great amount of care from birth to the end of life for thousands of individuals and families affected by the disease, they had been a beacon of light in education and outreach to a community which had witnessed the disquieting growth of the disease which was one of the most common genetic diseases in the US and presently had no known cure. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that he thanked them both for coming and it sounded like a significant amount of the budget came from one source; that the city did not necessarily make allocations for these type operations and if they had not they should reach out to their congressional representatives maybe some effect could be made there; that one portion of the comments could be responded to and that was to make sure the city had a plan for Sickle Cell Anemia and someone would reach out to her from the Health Department; and Ms. Sampson stated that if the staff was going to be displaced and if they could just get space in a multi service center to work with the Health Department and get any funding; and Mayor Pro Tem Garcia stated that he would encourage a conversation with the Health Department and see where that led them, he did not want to create false expectations. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Catherine Shorter, 5955 Ridgeway Drive, Houston, Texas 77033 (713-734-3863) appeared and stated that she was from the South Park Area Civic Club and had two major concerns at the address of 5927 Van Fleet there were 20 cars across the yard and also in the back yard; that police had come out and it had been discussed in meetings but nothing happened; that they also needed dump bins from MLK and 610 to Belfort and 610 and they needed trees cut as they hindered seeing well in the street. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Garcia, Ms. Shorter stated that all the way from Belfort and MLK to Ridgeway the trees were hanging so far over the street you could not see cars coming and she called 311 weekly; and Mayor Pro Tem Garcia stated that the gentleman on the side with Public Works would visit with her at this time; and Ms. Shorter stated that on one side of Ridgeway it was District D and directly across the street was District E and where she lived the water pressure dropped so much it just dribbled; and Mayor Pro Tem Garcia stated that she would be speaking to someone in Public Works and they would see how to get it resolved. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Brown moved the rules be suspended for the purpose of hearing Mr. Travis McGee; and Mayor Pro Tem Garcia stated there was no quorum present and it would be done by consent between the two of them. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Travis McGee, 4800 Pederson, Houston, Texas 77033 (832-488-7709) appeared and stated that he was the president for the Sunnyside Garden Bayou Estates Civic Club and resident there over 35 years; that he wanted to know how long was too long for a neighborhood to go underserved and neglected; that they needed a CIP Project to include drainage, sewer and water lines, curbs and gutters with sidewalks, street reconstruction and regular routine maintenance of the drainage system; that year after year they remained at the back of the line when it came to capital improvement requests, the city wasted more money on years of temporary projects than they spent on capital improvements and they still have no one held accountable for total neglect. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that Public Works was with Ms. Taylor right now, but he believed they were from the same neighborhood; that as of late there were significant developments, about half a million was on issues he laid out, but they did need to follow-up with him and the gentleman speaking with Ms. Taylor could bring him up to speed. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Mr. McGee stated that his group was in communication with Ms. Sandra Hines, she was a good friend, and they had the same line of thinking on the issues; and Council Member Brown stated that it was not a half million dollar problem, but a much larger problem and somehow they had to find the resources to solve basic infrastructure and quality of life problems in the neighborhood; and someone needed to go to the county, commissioners court and say they were neglecting the neighborhoods, the city could not do it all. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Eric Smith, 5007 Groveton, Houston, Texas 77033 (281-450-3844) appeared and stated that he was also with the Sunnyside Garden Bayou Estates Civic Club and was present to speak about their deplorable conditions, overgrown lots, abandoned homes, etc., it severely affected their quality of life and his children could not go to the public school because they would have to walk through the weeded lots which often screamed for criminal activity; and he thought they could all agree on going after the property owners of the abandoned homes and he found one of the biggest offenders in the area was the City of Houston, the biggest weeded lot was the City of Houston's and he could not get them to cut it. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that he was causing him to relive a circumstance, he had a constituent who called before school was to start and wanted to know what could be done so he started calling and was told 30 days he called again and was told three weeks so finally he was so frustrated he and his Council staff went out and cut it themselves, he was shocked to find the City of Houston owned the lot and after recently driving by it was up five feet again and that was in part why the Mayor was trying to get new projects on the tax roll so they could get rid of such lots, they were listening and he knew the Mayor was very busy in Sunnyside, but much was going on and it was good for them to keep holding the city accountable; that Mr. Gary Norman was present and would be his direct liaison on this issue. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Brown stated that on a point of personal privilege he would ask Mr. Tom Lord be allowed to speak; and Mayor Pro Tem Garcia stated that he understood it was

important for his comments to have a broader audience and they could hold his comments for next week if he wished; and Mr. Lord stated that it was important and two would speak on their issue today. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Doug Oleary, 933 Wynnwood, Houston, Texas 77008 (281-889-5888) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Leslie Gerber, 710 Rosedale, Houston, Texas 77006 (713-807-9677) appeared, presented information and stated that she was executive director of NAMI Metropolitan Houston, an organization which did seek to improve lives of those affected by mental illness through free education programs, support and advocacy, it was of great concern that the City of Houston not regard projects of the caliber of Magnolia Glen with a citywide approach, they did support the project as it had sound management and finances available to it and the location on the freeway did not disrupt any neighborhood and it was important in a city where there were twice as many homeless individuals as there were shelters that they pay attention to good solid projects which could take them off the streets and make real change and irrational fear should not cause the city to do irrational things. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that he appreciated her being present and her comments and this was what it would take, a lot of dialogue and even though he trusted people they had to have dialogue with his community to allay their concerns and create an understanding and awareness of what they did and how well they did it; that he thought they could do better but he would not second guess Council Member Rodriguez as he was doing what his constituents wanted. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

The City Secretary stated that Ms. Gerry Vander-Lyn, 4404 Pease, Houston, Texas 77023 (713-923-7478); Ms. Lynda Greene, 1418 Preston, Houston, Texas 77002 (713-224-1418); Mr. Eugene Hamilton, 1418 Preston #614, Houston, Texas 77002 (713-471-3573); Ms. Tamara Echols, 607 Thornton, Houston, Texas 77002 (713-471-3573); Mr. Bill Oppedard, 607 Thornton, Houston, Texas 77002 (713-4713573); Mr. James Tisdal, 1418 Preston #313, Houston, Texas 77002 (832-285-6854); Mr. John Keatiang, 1418 Preston #406, Houston, Texas 77002 (832-271-6851); and Mr. Tom Lord, 2329 Bluebonnet, Houston, Texas 77030 (713-526-9470) had indicated that they would not speak and requested to be listed to speak next week. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Andrea Hinckson, 2211 Norfolk #810, Houston, Texas 77098 (713-520-3470) appeared and stated that she was director of policy and government relations for Mental Health America of Greater Houston and for several years they had worked to increase the number of permanent supportive housing units for people with mental illness, many of whom were homeless and it was an uphill battle with Magnolia Glen being the latest example; that Magnolia Glen was not a facility, it was not a drug treatment center, it was not a halfway house, not a soup kitchen, shelter, substitute for inpatient hospital care and it was not even transitional housing, Magnolia Glen was permanent housing and residents would have access to onsite support services such as case management, job training and medical care, but its primary function was housing; that some formerly homeless people would live there, but sometimes they lost sight of the fact they were human beings, they were veterans, they were people with mental

and physical disabilities, battered women who deserved opportunity to rebuild their lives and housing broke the cycle of homelessness and helplessness and hopelessness; that they were talking about the types of individuals who according to the Harris County Budget Office could cost local taxpayers \$50,000 to \$80,000 a year and it completely transformed their lives; and they wanted to work with everyone, this was a life and death situation. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Garcia stated that they did need to make progress on this and Council Member Rodriguez was just being vocal for his constituents and that was not a bad thing, but there was a very real need in the community and every neighborhood in Houston was affected by it and he would urge she continue to engage the neighbors and until they were convinced different she would not hear anything different from Council Member Rodriguez. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Council Member Brown stated that he thanked her for her eloquence and these were very affordable studio apartments and whether it was in the next ten years or so they had to build in this city perhaps 6,000 or 7,000 of the units, it was the commitment in their strategic plan otherwise they would continue to have homeless on the streets and where were those 7,000 units going to be, they needed to come together as a compassionate community, she was asking for a drop in the bucket, they were challenged and had to rise to that challenge. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Ms. Leticia Saucedo, 1214 Dunbarry, Houston, Texas 77018 (281-536-3386) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

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

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and stated that this time and this time only he would allow one question about the family business; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

Mr. Rudy Sutherland, 2202 Poco Drive, Missouri City, Texas 77489 (713-893-0716) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-407-5344) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

At 5:14 p.m. City Council recessed until 9:00 a.m., Wednesday, July 30, 2008. Council Member Johnson absent on personal business. Council Member Lawrence absent on city business. Council Member Adams absent on personal business. Council Member Lovell out of

the city on personal business. Mayor White, Council Members Johnson, Clutterbuck, Sullivan, Khan, Holm, Rodriguez, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, July 30, 2008, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Mike Sullivan, M. J. Khan, P. E., Pam Holm, 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. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Wanda Adams absent on personal business.

At 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:29 a.m. Mayor White called the meeting to order and stated that the first item on the agenda was a public hearing. Council Members Sullivan, Holm, Noriega and Green absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** on a proposal for the City of Houston to annex certain territory adjacent to I-10 and in the vicinity of Barker Cypress and Park Row in Harris County, Texas - **DISTRICT A – LAWRENCE** – was called. Council Member Sullivan absent.

The City Secretary stated that Ms. Margaret Wallace, Planning Department, would make remarks on the hearing. Council Member Green absent.

Ms. Wallace stated that on June 9, 2008, the City of Houston received a petition from the Methodist Hospital System of Houston requesting the general purpose annexation of a 73 acre tract of land generally located at the intersection of Barker Cypress and Interstate 10; that at the Council Members place is a map showing the general location, a site plan and information from the Methodist Hospital System detailing the improvements they would make to the property; that the property was currently undeveloped, there are no residents on the property; that immediately, Methodist Hospital would undertake \$1.2 million worth of infrastructure improvements, including, but not limited to land dedication and construction of a critical piece of Park Row, through a tri-party agreement with Harris County and Texas Children's hospital; contribution to the design and construction of the extension and upsizing of water and sanitary services to the Park Row right-of-way; and dedication of land to improve access to Interstate 10, as requested by Texas Department of Transportation; that at completion of the development plan, the site will include the 185 bed hospital facility, four mid-rise medical office buildings (totaling 624,000 square feet of leasable space), a two-story utilities plant and two seven story parking garages on approximately 43 acres of the site, the most northern 30 acres of the site would remain undeveloped for the foreseeable future; that currently the Harris County Appraisal District valued the entire annexation tract at \$7.7 million, that during construction, Methodist Hospital would request a property tax exemption on the 43 acres, but the remaining 30 acres would remain taxable; that upon completion, HCAD would appraise the Medical Office Buildings based on the percentage of which is leased by physicians or other for-profit entities, that historically, for a typical Methodist Hospital complex, that equated to about 70 or 80% of the total value of the building being taxable; that the Methodist Hospital System estimated that as many as 750 jobs would be created at this facility; that public safety services for the development were currently being provided by Harris County Sheriff's Department and Emergency Services District No. 47, that upon annexation, those services would be provided by the City in accordance with the Service Plan, that in the case of fire suppression, the first responder will be Harris County Fire Department, Station No. 90, which was less than 1.5 miles

from the development; that the Methodist Hospital Corporation was a nonprofit health care organization based in Houston and was affiliated with the Texas Annual Conference of the United Methodist Church; that in 2007, the Methodist Hospital System provided \$129 million worth of care to the area's indigent population, it also provided an additional \$4.4 million worth of care through local community service organizations; that this annexation would benefit the City in the following ways, increased ad valorem taxes for the City of Houston; completion of a critical segment of Park Row through the tri-party agreement between Harris County, Texas Children's' Hospital and Methodist Hospital; improved drainage facilities due to the joint participation by Methodist and their neighbors in building of retention facilities; and improved facility construction due to the hospital being built under Houston's more stringent Building Code procedures; that following the hearing the Annexation Ordinance would be presented to the City Council for the first reading on August 23, 2008 and the second reading on September 24, 2008. Council Member Sullivan absent.

The City Secretary stated that they had one public speaker. Council Member Sullivan absent.

Mr. Sidney J. Sanders, 655 Fannin St., Houston, Texas 77030 (713-441-6438) appeared and stated that he was an executive with Methodist Hospital, that they were really excited about the hospital and about coming into the City of Houston, that they thought it was good for Methodist and the City of Houston for them to be formerly part of the City. Council Member Sullivan absent.

Council Member Lawrence stated that looking at their CIP and looking at the service plan that was where she would like to see a little stronger service plan, they knew there were 73 acres out there and knew they were going to build the hospital on 30 acres, there was a little bit of concern and they had talked about office buildings there that would be receiving tax dollars but there was not anything definite, it was all trust and if they were going to act as business people they needed to have that in there as to what they expected the office buildings to be some percentage of tax dollars, some percentage of the development on the northside of Park Row, even saying for instance as far as signal lights, etc., that she had an area that HEB Bakery wanted a traffic light now and they were going to have to pay for their own light, that in the service plan they furnished the light if it was needed, that she had an area on Bingle, huge oil companies and warehouses, they want a traffic light, that it that light was to exist they were going to have to pay for it; that their CIPs over the last 10 years, from 1999, looking at a chart showing all of their CIPS, looking at the cost of living, looking at the cost of concrete, just building supplies in general, how much it had cost them, that she wanted a little bit more in that service plan because each of them had capitol improvement projects that they all wanted to go forward and every company and every entity in all of the City of Houston needed to be on equal ground and to say some of the things that they were going to do without any guarantee of tax dollars back, and yes they were going to be a great service to the residents out there, to the businesses, that was not the question, if they were not annexed they would still be a great service to the neighborhoods and business, she was just thinking of having something of insurance that they were going to get some tax dollars, that they could theoretically develop all 73 acres tax exempt, the way the service plan was written, they had what they say they were going to do and she truly believed it but as a business person she would like to see a little bit more in writing.

Mayor White stated that the purpose of this was a hearing and he had not heard of her concern until recently but would say to Methodist Hospital and Ms. Wallace and Mr. Icken that he thought that Council Member Lawrence's point was a very reasonable point, that he understood that this may not be the vehicle in order to time precisely what would be developed when but Council Member Lawrence was asking for a greater level of assurance that there would be a defined portion of the annexed area which was tax exempt and it would not

consume the whole area and he thought that was a very reasonable request, and knew that the pace of some of the development would respond in part to the market conditions and he would say in those areas just as they had some places within the ETJ that were on the other side of Katy where it would be very difficult to do services they had been fairly reasonable in realizing that if the Cit of Katy could provide those services, so that was one of the few of any things he had given to dis annex and he had encouraged people to look for opportunities between here and Katy along that Katy Freeway Corridor to see if they wanted to joint the citizens of Houston with all the services that it entailed; that this was a hearing but people ought to take Council Member Lawrence's concerns to heart and the way he would express and rephrase it, perhaps a little different, he was not asking her to agree with him, but he would have something along the line that they define or have some assurances of representations or ability to change their side of the bargain if the representations concerning the amounts that were not tax exempt change in the future. Council Member Garcia absent.

Mayor White asked Mr. Sanders if they were adjacent to the Texas Children's site and Mr. Sanders stated that they shared a common property line with them, that their plans specifically he did not remember off hand but their plans were to develop a hospice stand alone, a full service inpatient hospital there to, that he could not tell them exactly how many beds or the size of it.

After further discussion by Members of Council, Council Member Garcia moved to close the public hearing, seconded by Council Member Khan. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Sullivan and Lovell absent. MOTION 2008-0598 ADOPTED.

Mayor White recognized Council Member Clutterbuck, and Council Member Clutterbuck stated that she wanted a point of personal privilege to recognize that they had been joined today by her good friends from the Village Republican Women's Group, who were making their first trip to the City of Houston to view the City Council deliberations. Council Member Lovell absent.

Council Member Lovell moved to suspend the rules to consider the Monthly Financial Report and the Quarterly Investment Report out of order, seconded by Council Member Green. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Lovell absent. MOTION 2008-0599 ADOPTED.

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller – was called.

Mayor White recognized City Controller, Ms. Annise Parker, and Director of Finance, Ms. Michele Mitchell. Council Member Lovell absent.

Ms. Parker reviewed the Monthly Financial Report and the Quarterly Investment Report and Ms. Mitchell reviewed the Monthly Financial Report, a copy of which is on file in the City Secretary's Office for review. Council Members Lovell and Noriega absent.

Upon questions by Council Members, Ms. Mitchell stated that they were initiating a meeting to discuss the FSA; that they wanted to be sure that they were looking at ways that they could improve what they do and look at the surety risks and the FSA and how it might affect them in the future, that they would be doing that within the next 10 days; that as to the

\$10.1 million expenditure increase in the Combined Utility System, as discussed in the Fiscal Affairs Committee, they had requested all departments to prepare a five year plan, which is to be delivered to her by September 30, 2008 and to the Mayor in October and from that they would be able to do a two year budget, although they vote on one year budgets and that was so they could align their strategic goals, which she believed had not happened, which this was one of the situations that could happen from not having a good budget plan. Council Members Lawrence and Noriega absent.

After further discussion Council Member Holm stated that several months ago they spent some money to improve their audio and monitor system in the Council Chamber and she would ask that they have the manufacturer and installer come back and look at it because week after week she was having a lot of difficulty hearing and she noticed that the public was watching the monitors in order to hear, that she would encourage them to have everybody look at it while it was still fresh and see if there was not some way to enhance it, and Mayor White stated yes. Council Members Lawrence and Noriega absent.

Council Member Clutterbuck stated that she would like to have a special look at why HPD if they had a surplus at the end of the year, several million dollars to spend in the last hours of Fiscal 08 in their Fuel Fund and now showed a need for increase, that she would like to have answers for that Council Members Lawrence and Noriega.

Upon further questions by Council Members, Ms. Parker stated that as to Fannie Mae and Freddie Mac, Public Funds investments acts for the State of Texas and their own investment policy for the City of Houston defined where they could place their funds and primarily they invest in agencies and treasuries, they did have a tripe A rated investment portfolio, that it was very safe and secure, but they invested directly in Fannie Mae and Fannie Mac and they monitor on a daily basis and had a thorough review by the investment committee last week, they were not inclined to withdraw their funds even before the Federal Government backed them by making money available, that should that situation change they would react to it but they believed that they did have the full faith and credit of the United States Government behind them right now and that they were a safe investment for the City of Houston and were allowed under all of their policies. Council Member Lawrence absent.

After further discussion by Council Members, Council Member Clutterbuck moved to accept the Monthly Financial Report and the Quarter Investment, seconded by Council Member Khan. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Sullivan, Holm, Garcia, Brown, Lovell and Jones absent. MOTION 2008-0600 ADOPTED.

MAYOR'S REPORT - Summer Youth Conservation Corps

Mayor White recognized Ms. Shelia Savannah, Health Department, Ms. Yesenia Najera and Mr. Charles Johnson for a presentation. Council Members Garcia, Rodriguez, Lovell and Jones absent.

Ms. Savannah, Bureau Chief for Human Services, Department of Health and Human Services, Ms. Najera and Mr. Johnson reviewed the Summer Youth Conservation Corps with a PowerPoint Presentation, a copy of which is on file in the City Secretary's office for review. Council Members Garcia, Rodriguez, Lovell and Jones absent.

Members of Council congratulated Mayor White and Mr. Williams for a great program and hoped that it was a program that they could continue, and Mayor White stated that Council Member Johnson should hold a hearing and think of ways they could expand the program. Council Members Garcia and Lovell absent.

CONSENT AGENDA NUMBERS 2 through 33

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MS. LEAH MASTAGLIO** to Alternate Position Four of the **HOUSTON COMMISSION ON DISABILITIES**, for a term to expire July 26, 2010 – was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0601 ADOPTED.

Mayor White recognized Ms. Mastaglio and thanked her for her important service to the City. Council Members Johnson, Garcia and Lovell absent.

3. REQUEST from Mayor for confirmation of the appointment of **MR. DAVID BUSTILLOS** to Position Seventeen, of the **MILLER THEATER ADVISORY BOARD**, for an unexpired term to end April 24, 2011 – was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0602 ADOPTED.

DAMAGES - NUMBER 7

7. RECOMMENDATION from City Attorney for settlement of lawsuit styled **ARVIE JONES and NORMA JEAN JONES** v. City of Houston; in the 189th Judicial District Court, Harris County, Texas, Cause No. 2006-63638 - \$110,000.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0603 ADOPTED.

ACCEPT WORK - NUMBERS 8 through 10

8. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$61,844,733.20 and acceptance of work on contract with **CADDELL CONSTRUCTION CO., INC** for Terminal C MEP and Interior/Utility Upgrades at George Bush Intercontinental Airport/Houston (IAH), Project No. 490D, WBS A-000322-0002-4-01, A-000322-0002-4-02 6.26% over the original contract amount - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0604 ADOPTED.
9. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$15,178,540.00 and acceptance of work on contract with **VANDERLANDE INDUSTRIES, INC** for Terminal E/FIS Explosive Detection System In-Line Baggage Conveying Equipment at George Bush Intercontinental Airport/Houston (IAH), Project 612C, WBS A-000486-0006-4-01-01 7.86% over the original contract amount - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0605 ADOPTED.
10. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$6,475,232.00 and acceptance of work on contract with **MORGANTI TEXAS, INC** for Northeast Multi-Service Center, WBS D-000079-0001-4 - 4.89% over the original contract amount **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0606 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 14

13. ORDINANCE appropriating \$74,122.00 out of Equipment Acquisition Consolidated Fund for the purchase of an Electric Man-Up Stock Picker for Fire Department – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. ORDINANCE 2008-0669 ADOPTED.
- 13a. **BRIGGS EQUIPMENT** for Electric Man-Up Stock Picker for Fire Department – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0607 ADOPTED.
14. **DELL MARKETING L.P.** for Dell® computer equipment and peripheral components through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Public Health Information Network (PHIN) Portal Project - \$117,342.13 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson, Garcia and Lovell absent. MOTION 2008-0607 ADOPTED.

ORDINANCES - NUMBERS 15 through 33

15. ORDINANCE authorizing the reallocation of the amounts which may be issued for authorized purposes of the City of Houston, Texas, General Obligation Commercial Paper Notes, Series D; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0670 ADOPTED.
17. ORDINANCE approving and authorizing contract between the City of Houston and **CITY HALL FELLOWS, INC** for the Implementation of the City Hall Fellows Program with the City of Houston; providing a maximum contract amount - \$286,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0671 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City and the **UNIVERSITY OF PITTSBURGH - OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION** for a Research Agreement to perform academic research and develop a computer system to expand the City’s Real Time Outbreak Disease Surveillance (RODS) System - \$316,308.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0672 ADOPTED.
19. ORDINANCE approving and authorizing contract between the City of Houston and **DENTON, NAVARRO, ROCHA & BERNAL, P.C.** for Legal Services and Representation of the City in connection with all matters relating to the negotiation of the Collective Bargaining Agreement between the City of Houston and the Houston Professional Firefighters Association; establishing a maximum contract amount - \$115,500.00 - General Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0673 ADOPTED.
20. ORDINANCE approving and authorizing contract between the City and **TITLE DATA, INC** for Subscription Agreement: Harris County, Texas; providing a maximum contract amount \$600,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0674 ADOPTED.
21. ORDINANCE authorizing the disbursement of \$1,171,788.00 of grant funds awarded to the City by the National Oceanic & Atmospheric Administration (NOAA) Coastal Estuarine Land Conservation Program (CELP) pursuant to Ordinance #2005-895; appropriating \$10,000.00 from Fund 4012 (Parks Special Fund); and approving the execution by the City of Real Estate Purchase contracts with the **BUFFALO BAYOU PARTNERSHIP, INC., a Texas Non-Profit Corporation** and the **TRUST FOR PUBLIC LAND, A Nonprofit California Benefit Corporation**, authorized to do business in Texas as **TPL-TEXAS, INC.**, to acquire title to those certain total 8.7 acres +/- tracts of land, located in the Harris & Wilson Two League Grant A-32, Harris County, Texas - **DISTRICT H – GARCIA** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Johnson and Garcia absent.
22. ORDINANCE awarding contract to **DISCOVERY SERVICES OF TEXAS, INC** for Legal Duplicating and Litigation Services for the Legal Department; providing a maximum contract amount - 3 Years with two one-year options - \$143,351.40 - Property and

Casualty Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0675 ADOPTED.

23. ORDINANCE appropriating \$13,586,500.00 out of Airports Improvement Fund for Design/Build Construction Contract Services; and approving and authorizing Design/Build Contract to **CLARK DESIGN/BUILD, LLC** for Phase One Design and Construction of the Roof Repair, Moving Walkways and FIS Elevators in Terminal D at George Bush Intercontinental Airport/Houston; WBS A-000483-0001-4-01, Project No. 500L; setting a deadline for Clark Design/Build, LLC execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding Clark Design/Build, LLC in default if it fails to meet the deadlines; providing funding for engineering and testing services, and for contingencies, and the Civic Art Program relating to construction of the facilities financed by such funds - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0676 ADOPTED.
24. ORDINANCE approving and authorizing an Indemnity and Maintenance Agreement between the City of Houston and the **WESTCHASE DISTRICT** for Right-of-Way Improvements - **DISTRICTS F - KHAN and G - HOLM** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0677 ADOPTED.
27. ORDINANCE appropriating \$375,534.00 out of Metro Project Commercial Paper Series E Fund No. 4027 and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CLAUNCH & MILLER, INC** for Design of Gulf Bank Road Paving from Vogel Creek to West Montgomery Road, WBS N-000690-0001-3; providing funding for contingencies relating to construction of facilities financed by the Metro Project Commercial Paper Series E Fund No. 4027 - **DISTRICTS A - LAWRENCE and B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0678 ADOPTED.
28. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **SANDER ENGINEERING CORPORATION** for Design of On-Call Water Line & Sanitary Sewer Extensions throughout the City, WBS S-000700-00Q6-3, (approved by Ordinance No. 2007-0068); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0679 ADOPTED.
29. ORDINANCE appropriating \$3,542,907.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-000295-0019-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0680 ADOPTED.

30. ORDINANCE No. 2008-0655, passed first reading July 23, 2008
ORDINANCE granting to **GONZALEZ TRUCKING COMPANY, 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 - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0655 PASSED SECOND READING IN FULL.
31. ORDINANCE No. 2008-0656, passed first reading July 23, 2008
ORDINANCE granting to **JOAQUINA TRUCKING, 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 - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0656 PASSED SECOND READING IN FULL.
32. ORDINANCE No. 2008-0657, passed first reading July 23, 2008
ORDINANCE granting to **REPIPE CONSTRUCTION LTD., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0657 PASSED SECOND READING IN FULL.
33. ORDINANCE No. 2008-628, passed second reading July 23, 2008
ORDINANCE granting to **MARTIN GARZA CLEAN UP SERVICE, 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 - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Members Johnson and Garcia absent. ORDINANCE 2008-0668 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of annual payment for participation in the Galveston Bay Estuary Program projects through the Houston-Galveston Area Council - \$100,000.00 - Enterprise Fund – was presented, and tagged by Council Member Clutterbuck. Council Members Johnson and Garcia absent.

Mayor White stated that they tried to be cooperative to their fellow elected officials within the County, they would like to make sure that it was reciprocal, plus if something happened outside the city limits or the EPJ it affected them all anyway, that for that reason it was one of those things where they were doing it in cooperation with a request by a County Commissioner, that he hoped there was good dialog with the County because there were other items, and

maybe some currently pending, where they would like that same courtesy and cooperation from the County. Council Members Johnson and Garcia absent.

4. RECOMMENDATION from Director Department of Convention & Entertainment Facilities for approval of supplemental budget submitted by the **HOUSTON ARTS ALLIANCE** for the support of the Arts Community - \$2,127,528.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. MOTION 2008-0609 ADOPTED.
5. RECOMMENDATION from Director Department of Convention & Entertainment Facilities for approval of supplemental budget submitted by the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the Promotion of tourism and the solicitation of convention business \$2,535,396.00 - Enterprise Fund – was presented, and tagged by Council Member Noriega. Council Member Garcia absent.

Mayor White recognized Council Member Johnson. Council Member Garcia absent.

Council Member Johnson stated that he wanted to take a point of personal privilege and introduce Mr. Bubba Thomas, Grammy nominated drummer, that he was present with his granddaughter Tia Thomas and students Brianna Dillon and her parents Yvette and Eric Dillon; that this weekend was the International Jazz Festival and they would be playing at the Mayor's Jazz Brunch on Sunday. Council Members Clutterbuck and Garcia absent.

ACCEPT WORK

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,074,267.17 and acceptance of work on contract with **SPAWGLASS CIVIL CONSTRUCTION, INC** for Safe Sidewalk Program 02 Project, WBS N-00646H-0002-4 13.54% under the original contract amount - **DISTRICT H – GARCIA** – was presented, and tagged by Council Member Jones. Council Members Clutterbuck and Garcia absent.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,089,858.94 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION, L.P.** for 54-inch Water Line along Dolly Wright from W. Montgomery to Acres Homes Pump Station, WBS S-000900-00A9-4 - 10.42% over the original contract amount **DISTRICT B – JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. MOTION 2008-0610 ADOPTED.

ORDINANCES

16. ORDINANCE approving and authorizing contract for Professional Civic Art and Conservation Administration Services between the City of Houston and the **HOUSTON ARTS ALLIANCE** for the administration and implementation of a Civic Art Plan for the Convention & Entertainment Facilities Department; providing a maximum contract amount - \$849,600.00 - GRB Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. ORDINANCE 2008-0681 ADOPTED.
25. ORDINANCE appropriating \$1,158,701.00 out of Water & Sewer Consolidated Construction Fund as an additional appropriation and approving and authorizing first

amendment to an Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** (approved by Ordinance No. 2001-811) for Construction of Washington/Hempstead Road from 0.059 miles west of 12th Street to Washington-Katy split to IH-10, WBS S-000521-00HR-4 and R-000521-00HR-4; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and H - GARCIA** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. ORDINANCE 2008-0682 ADOPTED.

26. ORDINANCE appropriating \$253,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **POST BUCKLEY SCHUH & JARNIGAN, INC d/b/a PBS&J**, WBS N-000687-0003-3, (approved by Ordinance No. 98-1242); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICTS A - LAWRENCE and B - JOHNSON** - was presented, and tagged by Council Member Johnson. Council Member Garcia absent.

NON CONSENT AGENDA - NUMBER 34

MISCELLANEOUS

34. RECEIVE nominations for Positions 9, 10 and 11 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for two year terms – was presented.

Council Member Khan stated that he would re-nominate Dr. Suraiya Saleem for Position 10 of the Houston Archaeological and Historical Commission Board of Directors and had passed out Dr. Saleem's resume. Council Member Garcia absent.

Council Member Lovell stated that she would re-nominate Ms. Sharron Beale Leal for Position 9 of the Houston Archaeological and Historical Commission Board of Directors and had passed out Ms. Leal's resume. Council Member Garcia absent.

Council Member Brown stated that he would re-nominate Mr. J. D. Bartell for Position 11 of the Houston Archaeological and Historical Commission Board of Directors and had passed out Mr. Bartell's resume. Council Member Garcia absent.

Council Member Khan moved to close nominations for Positions 9, 10 and 11 of the Houston Archaeological and Historical Commission Board of Directors, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. MOTION 2008-0611 ADOPTED.

MATTERS HELD - NUMBERS 35 through 38

35. RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval of Goal for participation of Disadvantaged Business Enterprises in Department of Transportation/Federal Aviation Administration funded contracts from October 1, 2008 through September 30, 2009, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements – **(This was Item 5 on Agenda of July 23, 2008, TAGGED BY COUNCIL MEMBERS GARCIA and JOHNSON)** - was presented, moved by Council Member Holm, seconded by Council Member Khan. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. MOTION 2008-0612 ADOPTED.

36. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$3,640,895.56 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00A9-4 - 1.32% over the original contract amount - **(This was item 13 on Agenda of July 23, 2008, TAGGED BY COUNCIL MEMBER LAWRENCE)** - was presented, moved by Council Member Holm, seconded by Council Member Khan. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. MOTION 2008-0613 ADOPTED.
37. ORDINANCE approving and authorizing first amended and restated Administrative Guidelines for the Single Family Home Repair Program – **(This was Item 38 on Agenda of July 23, 2008, TAGGED BY COUNCIL MEMBERS GREEN and ADAMS)** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. ORDINANCE 2008-0683 ADOPTED.
38. ORDINANCE appropriating \$4,988,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **HUFF & MITCHELL, INC** for Condition Assessment of Large Diameter Water Lines, WBS S-000901-0005-4; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; G - HOLM and I – RODRIGUEZ** – **(This was Item 54 on Agenda of July 23, 2008, TAGGED BY COUNCIL MEMBERS JONES and HOLM)** – was presented. Council Member Garcia absent.

After discussion by Council Members Jones and Holm a vote was called on Item No. 38. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. ORDINANCE 2008-0684 ADOPTED.

Item received during meeting.

21. ORDINANCE authorizing the disbursement of \$1,171,788.00 of grant funds awarded to the City by the National Oceanic & Atmospheric Administration (NOAA) Coastal Estuarine Land Conservation Program (CELP) pursuant to Ordinance #2005-895; appropriating \$10,000.00 from Fund 4012 (Parks Special Fund); and approving the execution by the City of Real Estate Purchase contracts with the **BUFFALO BAYOU PARTNERSHIP, INC., a Texas Non-Profit Corporation** and the **TRUST FOR PUBLIC LAND, A Nonprofit California Benefit Corporation**, authorized to do business in Texas as **TPL-TEXAS, INC.**, to acquire title to those certain total 8.7 acres +/- tracts of land, located in the Harris & Wilson Two League Grant A-32, Harris County, Texas - **DISTRICT H – GARCIA** – was presented. All voting aye. Nays none. Council Member Adams absent on personal business. Council Member Garcia absent. ORDINANCE 2008-0685 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Lovell stated that she wanted to congratulate Ms. Susan Christian, that on Sunday she received an award from ICIS for the fine work that she did, that the work she did really added to the City. Council Member Garcia absent.

Council Member Lovell stated that yesterday she was on her way back from New Orleans

for the Zone Tournament, of which the Kyle Chapman 13 year olds took third place and did very well, that she wanted to congratulate them for never giving up. Council Members Clutterbuck, Garcia and Green absent.

Council Member Lawrence stated that what a great event it was Sunday night and last night and kudos to Susan Christian for all of her help, that 800 special events were given last year and that was three big events a week, that the creation of that particular job, how far they had come and what Susan Christian did for the City was just fabulous. Mayor White and Council Members Clutterbuck, Garcia, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Lawrence stated that she wanted to say congratulations to Council Member Rodriguez, that it was a wonderful event last night where he was honored by the Jaycees along with four other Outstanding Young Houstonians. Mayor White and Council Members Clutterbuck, Garcia, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Johnson stated that starting on Friday would be the 18th Annual Houston International Jazz Festival and he had the honor of being the chairperson for the event, that starting Friday at the Red Cat Jazz Café would be the kickoff and sponsors event, that some of the sponsors were Silver Eagle, Shell Oil and KBR was the named sponsor, the Houston Arts Alliance, Frenchy's, Comcast, Discovery Green, and Union Pacific, that he wanted to thank the many other sponsors for stepping up and doing the great work they had done; that on Saturday at Discovery Green would be Ruben Studdard, American Idol star, would be headlining and on Sunday, Hiroshima, would be the headliner, that on Sunday afternoon starting at 11:00 a.m. would be the Mayor's Jazz Brunch and they would honor some of those individuals who went the extra mile, Ms. Patricia Prathier who had been preserving history, that she would be the honoree, that he looked forward to seeing everybody out there. Mayor White and Council Members Clutterbuck, Sullivan, Garcia and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Holm stated that Ms. Sarah Schimmer had made a decision to pursue a new career and new options and as they bid her farewell on Friday they would celebrate new beginnings for her; that Amie Yancy would be assuming some of the responsibilities that Sarah had been doing. Mayor White and Council Members Clutterbuck, Sullivan, Garcia, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Brown stated that he wanted to reiterate the Mayor's group of staffers who he joined this past weekend to walk a number of blocks in Independence Heights and hand out flyers, which he displayed, that they had a lot of acceptance and it was a really good program; that last week he talked about Lakewood that was in terrible shape, that Independence Heights was a neighborhood at a tipping point, that he was at their civic club recently, that the efforts that the City was making to stabilize these neighborhoods and give them a hopeful future as the City's density changes occur was very heartening, but he would say with great respect for all that they were doing that as he walked around Independence Heights one thing they noticed was a lot of scrap tires lying all over the place and ditches that were full of trash and weeded lots, that there was a burned out building that had been there for a couple of months at least, that he noticed a lot of fences with dogs, that was a code for people who were afraid to go out in their neighborhood, that he would encourage the direction they were headed, what he would call a comprehensive neighborhood revitalization and stabilization effort. Council Members Sullivan, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Brown stated that he went out with a contractor to the Project Hope

Houses on Grandview, in Sunnyside, and thought it would be a great place to do the famous dry bed swail, that the contractor was going to go ahead and do it, that he was going to front end the demonstration himself and hopefully it would be a good test for the neighbors whose houses were going to be in the pilot program and hoped the Mayor would go out there with him when it was finished and evaluate the results. Council Members Sullivan, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Brown stated that he participated in an event of the Hispanic Chamber of Commerce where they presented their Strategic Vision Plan, that it was a really good things, that they were reminded of that because there was an editorial in the Chronicle of the growth of the Hispanic Community in Houston and the opportunities and issues that they all shared as Houston became a majority Hispanic Community. Council Members Johnson, Sullivan, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Mayor White stated that a topic for Council Member Johnson's committee might be how could they get a truck or vehicle and gloves and stuff where they would work with some of the high schools where they had the greatest amount of tires dumped, that he had a briefing on it but would say 150,000 to 200,000 tires that they pickup, could there be Kashmere, Booker T and a North Forest school, to work with those schools to have some programs where kids make some money after school and pick up these tires and turn them in for whatever the price was for a tire, that it was a good thing to do, that they ought to be working on something like that, and asked that Ms. Stein pass that along to Council Member Johnson, that he knew he was interested in these types of programs. Council Members Johnson, Sullivan, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Clutterbuck stated that this week the Tower Commission of the City of Houston met and ruled on two variances that she thought were truly a seminal point in their City's evaluation of cell towers and thought that the rulings would have national implications, that it related to a Westbury neighborhood that had two competing applications for cell towers on adjacent corners, that both applications had to go before the Tower Commission because they were close to residential areas and were requesting variance, that one of the companies owned the property that the tower was on and had decided to take down the existing tower since the lease was up and they had purchased the adjacent property, and planned to turn the northeast corner of Chimney Rock and West Bellfort into a beautiful entrance into the Westbury community; that part of their business plan was to incorporate the profit and proceeds from the lease of the tower into the redevelopment of the corner of the community; that the competing tower, which had the lease on the existing property, Crown Castle, the largest tower company in the Country, did not want to lose their opportunity to serve the area and purchased an easement on the property of a notorious slumlord in the area and wanted to put up the competing tower, meanwhile while it was all pending and the hearing was on Monday on Sunday, Crown Castle put up an 80 foot tower at the fire station, pursuant to an agreement that they had with the City of Houston to put up a tower but before they had negotiated the height or the structural integrity or the other items that were required under contract with Issa Dadoush, that it was obviously, in her opinion, an attempt to gain the system and she wanted to congratulate the Tower Commission and the citizens of Westbury and to offer thanks to her colleague Council Member Jones, who was present throughout the entire hearing and Council Members Green and Brown who submitted letters of support for the community as well as Council Member Noriega who sent staff to that meeting; that the Tower Commission, after hearing all of the evidence decided to rule in favor of the Tri Star Group, who was incorporating the concerns of the community as well as the option to redevelop a part of a beleaguered community into a business plan, that the Tower Commission sent a message to tower companies that they would give them a variance if they incorporated their tower into revitalization and redevelopment of a community, and if they were a tower company that did not maintain their property and tried to gain the system and did not follow City contracts, then they would deny their application for a variance; that on Sunday,

overnight, they put up a tower in violation of the City contract and Mr. Dadoush had issued a letter ordering them to remove the tower within two weeks because it was in violation of the City contract, that she wanted to thank her staff who worked real hard. Council Members Johnson, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Clutterbuck stated that she received a third letter of congratulations and support from a constituent, Ms. Linda Gilmore, Property Manager of the Village Place retail center along Kirby Drive, for Reytex Construction. Council Members Johnson, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Clutterbuck stated that she wanted to remind people about the City of Houston's Birthday Party on August 19, 2008, that it was going to be a fabulous event, that they would be honoring several outstanding Houstonians. Council Members Johnson, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Noriega stated that her eleven year old was at the Mason Park Summer Program, that she had been very impressed and pleased with the programming and staff and the facility, that she wanted to thank Jesse Sinuzi, Diana Soletto, Myriam Lemas, Victor Alcazar, Joe Rodriguez and Javier Gutierrez for all the ways they help, as well as Alicia Medina, who cleaned up after the kids, that she was reminded what a beautiful park Mason Park was as she drove over there every day, but the flip side of the whole experience was that she had to come downtown from another way so she had been coming down Navigation and Harrisburg, that during the Metro discussion she had quite a bit to say about the Harrisburg dogleg, and was told by Metro that it was too expensive to try to smooth that out and figure out something to do with the east west egress from the Eastside to downtown or back the other way, they had since then found some way to fix the Wheeler Project and move that, which based on what she had read in the papers was going to be within \$15 and \$25 million, but she would tell them that coming down Harrisburg and stopping dead end into the parking lot of the stadium or turning on Dowling, either way, there was not anyway to get westbound back into the City, that they had a serious problem at that end of town if they were coming from the Eastside toward the west, that she did not know what could or could not be done with Metro but it may be that they needed to look at some kind of traffic study around the stadium, that she still thought that smoothing out that dogleg with a little bit of help from Metro was the wisest and fastest thing to do but that may not be an option, but they needed to do something, particularly if they built another stadium. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Mayor White stated that to Ms. Stein to note that this was something that they continue to keep their eye on, that he wanted Council Member Noriega to know that even before her concerns it was something that he, Public Works and Metro were very aware of; that there were decisions that were made and maybe it was possible that the City of Houston played a role in the decision concerning the location and configuration of Minute Maid Park and the George R. Brown Convention Center, which had the effect of blocking, that they had one way street grids and that worked pretty well downtown; that they did have her sketches and he understood her point of was there a way to smooth it, that they would be working on it and he agreed with her that it was something very serious, that maybe there was something that could be done. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Jones stated that she wanted to tag onto what Council Member Lovell stated about the Kyle Chapman 13 year olds never giving up; that she wanted to thank Metro because the Wheeler residents never gave up and the Metro Board moved the line, that she wanted to say thank you to Metro; that she wanted to give a shout out to neighborhoods because At Large 5 believed that the City was as strong as it's weakest citizen and it's

neighborhood, so she wanted to congratulate the Westbury Square area where, to tag onto what Council Member Clutterbuck stated she hoped that it did just not go to a tower company but that it goes to anyone who wanted to develop in a neighborhood, they needed to go and speak with the neighborhood, that she thanked the Tower Commission for having the courage to listen to what the neighborhood said; that they should listen to Kingwood as well, there was a major thoroughfare hearing and they did not want the thoroughfare so she supported them because she thought that neighborhoods should get to determine their destiny, that people chose to live where they lived because they were going to raise their families there and the City should at least give some deference to them; that with Council Member Lawrence and the Planning Commission that neighborhood was able to fight hot sheet motels and the Planning Commission listened to them and she was thankful for that; that she wanted to tag onto what Council Member Clutterbuck stated about Reytec, they were wonderful and Greg Reyes did a great job and was professional and a really good contractor with the City. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Jones stated that she and her son started riding their bikes to Council on Sunday, that they ride the Columbia Tap in every morning and she noticed that there were some pretty trees along the downtown portion where the blooms were going to be pink, but as they got down into Third Ward, if there were trees which there were not very many, they were ugly, so she would like the same quality of trees, that it was much safer if they chose alternative transportation, i.e. bikes, to go down the Columbia Tab than to drive down streets because on Sunday they biked all over the City and rode down Scott Street, they were trying to get to Alameda-Genoa and Cullen and the sidewalks were poorly maintained, they were not wide, they really could not ride on the street because it was dangerous, although she would say that it went into Cloverland Park, which was wonderfully maintained and she wished all the parks looked like that, that when they came back from Alameda-Genoa and Cullen they rode down Cullen and that was dangerous as well, that with gas being what it was she would really like for them to pay attention, that she actually heard that down Scott Street there used to be a bike path, they paved over it and she had no clue why, but it was not safe. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Lovell and Green absent. (No Quorum Present)

Council Member Jones stated that there would be a townhall meeting tonight at SHAPE Center from 6:00 p.m. to 7:30 p.m. to introduce the want to be developer to the neighborhood so they could try to work out any differences, otherwise she guessed they would hear people jumping up and down at the Planning Commission meeting on Thursday; that she went to what used to be a hotel on South Main for a Veterans event and it was a wonderful event; that yesterday she had an opportunity to be on a panel for the National Bar Association, which was hosting it's annual convention at the Westin Galleria on the Supreme Court; that she would like to thank the Catholic Charities and TMO, she went to two different home celebrations, one in the Near Northside and one in Independence Heights and it was beautiful, that she met a lady who had been paying \$789 rent and bought a house and was paying a mortgage of \$549, that there were beautiful deep sinks and wonderful fixtures, so if they did not know about the houses that they were building they needed to ask because it was cheaper to pay a mortgage than it was rent; that yesterday she went to the New Grove Baptist Church, the Progressive Peaceful Union District Association 46th Annual Convention was going on and she wanted to give a shout out to Pastor Hubbard, who was the host pastor, and to Pastor Dixon, who was the moderator of that, and also Ms. Sara Schwimmer, who was wonderful and always so delightful; that she went to the funeral last Saturday of Markese De Adrian Anderson, who was six years old and drowned at an apartment complex, that he drowned; that her sister was on the Harris County Child Fatality Review Board and she asked for her to talk about it because it was really an important issue, they needed to have more regulations about no life guards at apartment pools, that she did not know, and her sister explained to her, that most of the victims at

apartment pools were Katrina victims; that her sister told her that those floaties that they buy at WalMart were not safe at all because they put them on their arm and if they were not blown up properly they slip off and when they jump into the pool they slip off, that she said they needed to have a limit on the number of people in a pool because even if there was a lifeguard if there were too many people there they would not notice so they could lose sight of a child, that they had their 24th apartment pool drowning yesterday, that there were 20 in all of 2007 and pools would not be closing for another two to three months so they needed to do a better job, that they could outreach with the American Red Cross, they go and speak to communities about pool safety, that they needed to have regulations on fence height because two and three year olds could climb over fences; that she was looking at the apartment stuff and they were going to be evicting people, the truth was that apartments had been slums for a very long time, that it was not a new phenomenon, that if they were paying \$399 a month they did not have a lot of options of where they could move to, so they were telling people that they had to be out by Monday because it was unsafe, they had got to help people move into other places, that it was not simple when they were poor, take off from their job and try to move, that she thought they needed to sue apartment complexes, that people ignore citations so hit them in the pocketbook, that all they had to do was do it one good time, that it was not social welfare it was about strengthening every person who lived in the City and most people lived in apartments and not houses. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Lovell, Noriega and Green absent. (No Quorum Present)

Mayor White stated that they had people in each of the closures, led by Juan Chavez who was now in the Housing Community Development Department, they had contracts with non profits and with social service agencies through Neighborhood Centers to offer those residents on site services of relocation, that some of them were harder to place because of some criteria that people used to let people into apartments; that if they stumble on that so far at least he thought there had been a tremendous amount of outreach, that he would say to Mr. Michel that he thought they did it on at least one where they had a law firm that was involved, that he hoped they were suing some of these, if they thought it was a good sue, that he had not looked at the tenants rights issues, but if they were subrogated to the tenants rights, and they got that from the tenant, then they ought to sue the landlord for the out of pocket, that they had been giving people usually some transitional and Michael Moore had helped him, that they had been giving it through Neighborhood Centers and non profits, they had been advancing deposits for new places and stuff like that, and if they were subrogated to the rights sue the landlords for that amount of money. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Lovell, Noriega and Green absent. (No Quorum Present)

Council Member Sullivan stated that he would like to invite all District E residents to the Kingwood townhall meeting tomorrow night, Thursday, July 31, 2008, from 6:30 p.m. to 8:00 p.m. at Woodbridge Baptist Church, 5707 Kingwood Drive, that he would like to thank the church for letting them use their facilities at no charge, that they had representatives from Public Works, General Services, Planning, Houston Police and Fire Departments and Solid Waste. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Lovell, Noriega and Green absent. (No Quorum Present)

Council Member Sullivan stated that he went to the Bureau of Vital Statistics, a City of Houston Department to get a copy of his birth certificate, the location on Stadium Drive near Reliant Park, that they were courteous, prompt and accurate in the service they provided, that two things that he saw that were also extraordinary, aside from the 2-1-1 service issue was that there was one bilingual employee going from person to person and doing a cursory review of the paperwork to make sure it was filled out properly, that kept the process moving smoothly; that second, there was a disabled gentleman who looked to be basically completely immobile and there was a City of Houston employee who went back and forth to the gentleman for every part of his transaction, very nice and courteous to that individual, which was very important, that

he wanted to let the department know that he was there and saw what they did on just an average day and he thought they exemplify what so many of their City employees do and he appreciated it. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Noriega and Green absent. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 12:02 p.m. Council Member Adams absent on personal business. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Garcia, Rodriguez, Noriega and Green absent. (No Quorum Present)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary