

City Council Chamber, City Hall, Tuesday, March 30, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 30, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Larry Schenk, General Counsel, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marta Crinejo, Assistant Agenda Director present.

At 1:36 p.m. Mayor Parker called the meeting to order and called on Council Member Gonzalez who invited members of the Houston Fire Department to the podium and stated that this was very important as it dealt with water safety, unfortunately Houston led the state in the number drowning and this they wanted to change; that they wanted awareness on good safety practices for open waterways, etc., drowning was the leading cause of injury death among children ages one through four and second leading cause of unintentional injury death in ages one to twenty-four and third leading cause for ages one to sixty-four; that most drownings were preventable through awareness, etc., and he was appreciative the Houston Fire Department took such a proactive roll on such a critical issue; and presented a Proclamation proclaiming "April Pools Day and Water Safety Awareness Month" in Houston, Texas. Ms. El Buchanan, a consultant on the team, stated that 2009 was a record year in the State of Texas with 112 children drowning and the Greater Houston Safety Water Coalition served a 13 county area which saw 32 of those drowning and already there were six confirmed for this year; and they appreciated all efforts in safety for young people. Council Members Johnson, Clutterbuck, Adams and Lovell absent.

Council Members Noriega and Jones thanked all for their efforts toward awareness of water safety. Council Members Johnson, Clutterbuck, Adams and Lovell absent.

Council Member Adams invited those with her presentation to the podium and stated first they won Back to Back State Championships, second, they were ranked number one in the nation and third, she was Council Member of the district for Yates High School; that Jack Yates Senior High School had provided thousands with leadership, scholarships and pride and was recognized and respected for its countless graduates who had made notable contributions to the arts, business, government, sports, etc., that the Lions Basketball Team now held the title of the number one high school basketball team in the nation; and because of their achievements presented them a Proclamation proclaiming today as "Jack Yates Senior High School Boys Basketball Team Day" in Houston, Texas. Council Members Sullivan and Lovell absent.

Council Members Jones, Johnson and Noriega congratulated all on their accomplishment and in making all of Houston proud. Council Members Sullivan and Lovell absent.

Council Member Pennington invited those with his presentation to the podium and stated that today he was present with his group as a part of the 100 year celebration of scouting and specifically to honor Boy Scout Troop 55 and their leaders; that Troop 55 was a volunteer educational program of the church of St. John the Devine, his church, and was open to any boys of any faith who committed to the scout oath and law which was to be trustworthy, loyal, helpful, kind, obedient, cheerful, brave, clean and reverent; and presented a Proclamation to the Troop proclaiming today as "Boy Scout Troop 55 Day" in Houston, Texas. A Spokesperson for the Troop stated that they thanked all for the recognition of Troop 55.

Council Members Sullivan, Clutterbuck, Adams, Jones and Noriega congratulated the Troop on their 100 year anniversary and thanked all for what they did.

At 2:07 p.m. Mayor Parker called on Council Member Rodriguez who led all in the prayer and pledge.

At 2:07 p.m. Mayor Parker requested the City Secretary to call the roll. All present.

Council Members Clutterbuck and Lovell moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED.

Council Member Stardig on a point of personal privilege stated that her parents and their best friends from Minnesota were present today and asked they stand to be recognized.

Mayor Parker stated that as a point of personal privilege today they acknowledged two outstanding groups of young men and she had the privilege of participating in the Shell Echo Marathon this weekend with 48 teams from around the country who participated in designing vehicles to go the furthest on the least amount of fuel and most were college engineering students, but there was a group of high school girls present from Washington state and her T-shirt of the week was from Granite Falls High School in Washington and she saluted girls for taking an interest in science and engineering and designing a killer vehicle which may not have gone the farthest or fastest but she was really glad to see them; and she thanked Shell and the 48 teams from around the country including one team from Italy who all took part in the event.

Council Member Sullivan moved the rules be suspended for the purpose of moving former Council Member Rob Todd to the top of the Speakers List, seconded by Council Member Jones. All voting aye. Nays none. MOTION 2010-0156 ADOPTED.

Mr. Rob Todd, 4265 San Felipe #605, Houston, Texas 77027 (713-439-0039) appeared and stated that he was present to speak directly on Lakewood Church; that he voted on it nine years ago and it was a very important issue as it still was and involved many; that he saw the focus on money in the article of the Houston Chronicle; and urged the Council to follow the Mayor's position of present value and support Item 38 on this weeks Agenda. Council Members Adams, Pennington and Noriega absent.

Council Member Sullivan thanked Council Member Todd for coming and continuing to follow city events. Council Member Pennington absent.

Ms. Diane Schenke, 3211 Harrisburg, Houston, Texas 77003 (713-928-9916) appeared and stated that she was president of the Greater East End Management District and the site of the proposed Dynamo Stadium was immediately outside the district boundaries and was its gateway; that the plan was for the stadium and METRO East End Rail Line to extend the redevelopment and they looked forward to it happening. Mayor Parker, Council Members Pennington, Costello and Jones absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Noriega stated that she appreciated the support from all organizations and appreciated her input. Mayor Parker, Council Members Pennington and Costello absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Michael Lambert, 709 St. Charles, Houston, Texas 77003 (832-364-6758) appeared and stated that the proposed development of the Dynamo Stadium would go forward without the assent or direct involvement of single family residents in the area; that the city failed to take diligence regarding the impact of the proposed development to the area and to objectively assess the impacts on the transportation infrastructure and mobility through and around the area and the land value. Mayor Parker, Council Members Pennington and Costello absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Rodriguez stated that Mr. Lambert should continue; and Mr. Lambert stated that it appeared the city failed to objectively assess the alternative developmental uses for the proposed stadium site and failed to demonstrate that it was maximizing the return on a public asset and urged delay of the vote. Mayor Parker, Council Members Hoang, Pennington, Costello and Lovell absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Lance LaCour, 6301 S. Stadium Lane #111, Katy, Texas 77494 (281-396-2200) appeared and stated that he was CEO of the Katy Area Economic Development Council and formally representing that organization which was a 140 member nonprofit private economic development corporation and present to express opposition to the approval of the allocation of TDHCA tax credits which was supporting and approving the construction by WP West Enterprises LLC of the Alta Harbor Project; that he was also representing informal organizations and persons opposed to the project which included the Katy Independent School District, City of Katy and the Representative of District 132 and Senator of District 17; and the Katy area offered diverse housing opportunities. Council Members Hoang, Pennington, Costello and Lovell absent.

Council Member Stardig thanked Mr. LaCour for coming and stated that she had tagged the item with the same concerns he expressed and wanted to continue conversations going forward with the ETJ they had in the area. Council Members Clutterbuck, Hoang, Pennington, Costello and Lovell absent.

Mr. A. D. Muller, 24106 Falcon Point Drive, Katy, Texas 77494 (713-818-3510) appeared and stated that he was a representative of the HOA Falcon Point Estates in Katy and present opposing the housing project to be put up by WP West Enterprises; that they were losing things in the area such as the hospital and it was putting a drain on the infrastructure; that they had support of their Senator and Representative for the area and Katy ISD; and urged the Mayor and Council to support their opposition. Council Members Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Council Member Stardig thanked Mr. Muller for coming and stated that she had five school districts in her area with Katy being one of them; that she appreciated his concerns and it was an important issue. Council Members Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Mr. Rick Lawler, 1818 Abby Aldrich, Katy, Texas 77449 (713-292-7418) appeared and stated that he was a fire commissioner in the ESD 48 which was in the area they were speaking of today and Agenda Items 36 and 37 they were night and day for what the community needed or wanted in their area; that Item 36 sat at the edge of infrastructure in the community and would lend very little to adding to the community; that no one was approached on it and he saw it as a negative; that Item 37 the community had been approached on and he saw as a positive for the community and he would urge support on both items with a no on Item 36 and a yes on Item 37. Council Members Johnson, Hoang, Pennington, Gonzalez and Lovell absent.

Council Member Stardig thanked Mr. Lawler for coming and being proactive; that they did need to hear from those in the ETJ because this would be a long-term commitment and their voices needed to be heard. Council Members Johnson, Hoang, Pennington, Gonzalez and Lovell absent.

Upon questions by Council Member Jones, Mr. Lawler stated that he was opposed to Item 36 and for Item 37 as Item 37 was centered in the community and by a new fire station; that he had no idea the project existed until public notification came through the state about two months ago and they began looking into the situation. Council Members Hoang, Pennington, Gonzalez, Rodriguez and Lovell absent.

Ms. Diane Lipton, 550 Gulf Gate Center, 77087 (713-926-3305) appeared and stated that on behalf of the board members of the Houston East End Chamber of Commerce and the entire East End Community they wanted to thank the Mayor and Council for moving forward on the Dynamo Stadium; that the entire board was in unanimous support of the item and they hoped to have it voted on positive and to move forward on it and they were extremely grateful for Mayor Parker's leadership in negotiations and her commitment to their community; and again encouraged approval as they have now taken investors on tour of the area surrounding the site looking for restaurant space, a museum complex with a boutique, hotel and open air amphitheater and such developments did hinge on the stadium and traffic it would bring. Council Members Hoang, Pennington, Gonzalez, Lovell and Jones absent.

Ms. Jimmie Canant, 6755 Shinning Sumac, Houston, Texas 77084 (281-253-2268) appeared and stated that he was president of the Maple Trace HOA and present today on behalf of their 150 resident homeowners and families in the single family housing community and they were seeking support and vote against the future development of the proposed multifamily housing development by Shining Sumac Apartments, LLC or WP West Enterprises, LLC or any other development entity connected with future multi family housing development near Sumac Avenue or FM529; that there were no buses or light rail in their area and law enforcement presence was scarce at best and their public school systems were stressed, overcrowded and understaffed with cutbacks and crumbling; that before the end of the current decade every resident in Southeast Texas would experience the most severe water crisis in the history of the country. Council Members Hoang, Pennington, Gonzalez and Lovell absent.

Upon questions by Council Member Jones, Mr. Canant stated that he did not support any development going in and impacting their ability to sustain themselves in the future; that if they were placing multifamily housing where they were taking down an existing unit it would be fine, but he had problems with vandalism and crime and water. Council Members Hoang, Pennington, Gonzalez and Lovell absent.

Upon questions by Council Member Stardig, Mr. Canant stated that he was president of his HOA and he was representing the entire community, but they had not actually brought it to the homeowners; that he did not live in the area the senior complex was going in but with the watershed problems he could not support it either. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Ms. Dirusha Dehipitiya, 24310 Falcon Point Drive, Katy, Texas 77494 (281-772-9669) appeared and stated that she was present opposing the housing project being proposed at the intersection of Katy/Ft. Bend in Grand Harbor, she was a homeowner in the Falcon Point Subdivision and like Mr. Muller said she also opposed low income housing as she thought it would reduce property values and deter future investments and amenities; that they did have little police protection. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Mr. Robert Muniz, 20610 Winlock, Katy, Texas 77450 (832-236-8286) had reserved time to speak but was not present when his name was called. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Ms. Helen Callier, P. O. Box 6115, Kingwood, Texas 77325 (281-312-9981) appeared and stated that she was president of Broad Link, LLC and on the government procurement connections conference she had points, first that she was inspired and grateful for opportunity to have received the outstanding MWBE professional services award on March 18th as it was huge for them; secondly they had volunteered for the GBC for years and as co chair of GBC 2010 she extended thanks to Mayor Parker who included them in a press conference and help set the tone; and appreciated Council Members Bradford and Gonzalez who were present as well as it sent a huge message and it was much appreciated; and appreciated what all Council Members did for small businesses in their communities. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Council Member Adams thanked Ms. Callier for coming and for doing all that she did in helping the MWBE community thrive and congratulated her on their award; and thanked Mayor Parker for allowing her to represent her that day in presenting the award. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Ms. Suhad Mahaney, 2612 Wichita, Pasadena, Texas 77502 (713-910-4910) appeared and stated that she was representing the City of Pasadena and she loved Pasadena and Houston and today was present asking the City of Houston to do a better job maintaining the roads which came into Pasadena such as on 225, Allen Genoa Road, I-45 off esplanades, they were never mowed or cleaned and debris was everywhere; that potholes were all over Allen Genoa and she would just like the City of Houston and the entrance to Pasadena to be better represented. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Ms. Evelyn Chorush, 809 Branard, Houston, Texas 77006 (713-993-0570) appeared and stated that she was present with a group of people today; that she had moved to First Montrose Commons and it was a wonderful neighborhood with historic buildings, beautiful trees, etc., but she was shocked to learn older historic homes had raw sewage spilling into the homes from toilets. Council Members Johnson, Hoang, Pennington, Gonzalez, Costello and Lovell absent.

Mr. Stephen Longmire, 603 W. Main, Houston, Texas 77006 (832-655-5657) appeared, presented information and stated that he was director of communications for First Montrose Commons existing of 31 blocks originally platted in 1873, 1907 and 1911; that their infrastructure was designed for about 300 dwelling units, but unfortunately redevelopment over ground had far exceeded anything which went on under the ground and they were supporting about 750 dwelling units on the same infrastructure; that raw sewage was frequently leaking out into backyards and the fresh water supply dated from the same time period, probably the 1930s, they had two serious fires in the past years and HFD was able to save one, but apartments could not be saved from a single strike of lightening, they tried pulling water from blocks around, there was no increase in fire hydrants; and they were asking the city to realize they could not cram denser development into old neighborhoods without first providing infrastructure to make it safe. Council Members Johnson, Sullivan, Pennington, Gonzalez, Costello and Lovell absent.

Council Member Jones thanked Mr. Longmire for coming and stated that he gave a good explanation of the infrastructure in this city, it was put in ordinary terms and she thanked him. Council Members Johnson, Sullivan, Pennington, Gonzalez, Costello and Lovell absent.

Mayor Parker stated that she hoped all Council Members had received the update from Public Works which was distributed on the current status of the projects. Council Members Johnson, Pennington, Gonzalez, Costello and Lovell absent.

Mr. Jason Ginsburg, 412 Branard, Houston, Texas 77006 (281-658-1293) appeared and stated that he was president of First Montrose Commons Neighborhood Association which

consisted of 31 blocks near the southeast corner of Montrose and in 2002 they successfully petitioned for neighborhood street reconstruction and they did it because their streets were over 80 years old and crumbling; that their broken drains created flooding and sewage leaks throughout the neighborhood and it stunk; that in 2002 they were told design for their NSR would begin in five to seven years and after seven years they found it to have been completely dropped from the city's five year CIP budget and they fought and with the help of Council Member Adams succeeded in getting their streets to the design phase but then discovered the city intended to spend six years designing them with construction to begin around 2016; that they paid taxes and went through the process and to the meetings and did not see why they had to be put on hold when other CIPs went forward; and wanted to know what they needed to do to get their streets and sewers. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Costello, Lovell and Jones absent.

Mayor Parker stated that they would be receiving new sewers, but it would take awhile for the streets; that there were two distinct projects and they recognized the health and safety issues with the very old sewer system and it was a complicated project as they were having to bring sewers in the back of the properties to the front and it would be a slow construction process, but they would be addressing the sewers by the end of this year. Council Members Stardig, Pennington, Gonzalez, Rodriguez, Costello, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Ms. Karen Hurwitz, 3937 Roseland, Houston, Texas 77006 (713-355-9158) had reserved time to speak but was not present when her name was called. Council Members Stardig, Pennington, Gonzalez, Rodriguez, Costello, Lovell, Noriega and Jones absent. (NO QUORUM PRESENT)

Mr. Phillip J. Kroph, 515 W. Main, Houston, Texas 77006 (713-598-6454) appeared and stated that he and his wife lived in First Montrose Commons and the sewer line in the 500 block of West Main at Colquitt ran in the back of the properties and in bad shape; that sewage backed up in their yards and garages and the address of 505 was the only house connected to the new line. Council Members Stardig, Pennington, Gonzalez, Rodriguez, Noriega and Jones absent.

Mr. Lance McKnight, 3900 Milam,, Houston, Texas 77006 (713-385-6186) appeared and stated that he was a resident of First Montrose Commons and his wife had a catering business there and the sewage was quite a problem for them, fortunately they were on the new system but had been taken off when the spur came through, but the city was fixing it; that another problem was frequent water outages and water was important to them; that they appreciated the sewer lines going to be fixed but the entire infrastructure was very bad; and he would appreciate their projects being funded. Council Members Stardig, Pennington, Gonzalez, Rodriguez, Noriega and Jones absent.

Mayor Parker stated that she wanted to point out the water and sewer line upgrades were paid for with one source of funds and street reconstruction with another which allowed them to move forward on one, but not the other; that Council would be considering in April water rates for the next year and funding available to do health and safety upgrades around the city so it would be in front of them soon. Council Members Stardig, Pennington, Gonzalez, Rodriguez, Noriega and Jones absent.

Ms. Joan L. Turner, 610 W. Main, Houston, Texas 77006 (713-523-2992) appeared and stated that she was from First Montrose Commons and had original clay pipes which were now collapsing; that several years ago raw sewage leaked into her neighbors backyard and the city supervisor came and said they had no idea where all the pipes were running as they were so old, they fixed the problem by tearing up the driveway; that when pipes were tested smoke came out everywhere, all pipes had leaks and the city supervisor was astounded; that they

learned a sewer line was put down the middle of the street in the 1960s but no homes were connected. Council Members Stardig, Pennington, Gonzalez, Rodriguez, Noriega and Jones absent.

Ms. Liz Nettles, 607 W. Main, Houston, Texas 77006 (713-501-1540) had reserved time to speak but was not present when her name was called. Council Members Stardig, Pennington, Gonzalez, Rodriguez, Noriega and Jones absent.

Mr. Robert Northrup, 611 W. Main, Houston, Texas 77006 (713-529-9719) appeared and stated that everyone in First Montrose Commons already told Council of their problems, but to put a face on it they had sewage in their house until city employees took the cap off and basically allowed it to flow under the back part of his house, but they did appreciate their consideration in having it repaired; that they had four feet of water in streets and would appreciate staying on the CIP; and thanked Council Member Adams for her efforts. Mayor Parker, Council Members Stardig, Pennington, Rodriguez, Noriega and Jones absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Adams thanked all from First Montrose Commons who came to share concerns today; that it was hard fought, but she knew they would be happy with the sewer part and they were back on target for street construction; that Director Marcotte said he had the money for the sewer and were putting it out for design. Council Members Stardig, Pennington, Rodriguez, Noriega and Jones absent.

Ms. Kathy Burns, 6723 Grovewood Lane, Houston, Texas 77008 (713-962-8383) had reserved time to speak but was not present when her name was called. Council Members Stardig, Pennington, Rodriguez, Noriega and Jones absent.

Ms. Joyce Boleware, 9520 Wilcrest Drive #3210, Houston, Texas 77099 (281-495-2903) had reserved time to speak but was not present when her name was called. Council Members Stardig, Pennington, Rodriguez, Noriega and Jones absent.

Ms. Carolyn Webster, 6823 Reed Road, Houston, Texas 77087 (832-563-6155) had reserved time to speak but was not present when her name was called. Council Members Stardig, Pennington, Rodriguez, Noriega and Jones absent.

Mr. Richard Latter, 5330 North Freeway, Houston, Texas 77002 (832-507-9126) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Pennington, Rodriguez, Noriega and Jones absent.

Mr. Armon Alam (refused to give address and phone number) appeared and stated that he was a homeowner in the Candlelight Trail properties; that the City of Houston had filed a case against all property owners there and on March 4, 2010, Council reversed their stance against them and dropped demand for them to pay demolition costs and legal fees, however, now they had reversed their stance again and pursuing them with a vengeance and it was underhanded to change position with so little time before the trial; that he hoped they would see the injustice and return to their policy of eight days ago and allow them to get back to their lives. Mayor Parker, Council Members Stardig, Pennington, Rodriguez, Lovell and Jones absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Linda Kumar, 9110 Tidwell, Houston, Texas 77078 (832-387-2633) appeared, presented information to Council Members and stated that she was representing Barbara Jordan Endeavors Corporation, a nonprofit corporation assisting high school students who had disabilities with scholarships; that they organized an effort to clean up a ditch at 9110 Tidwell in front of Commons of Grace Senior Apartment Homes; that their cleanup efforts were set for

April 10th which was Keep Houston Beautiful Day and they were asking the City of Houston for their support in the effort. Mayor Parker, Council Members Stardig, Pennington, Rodriguez, Lovell and Jones absent. Mayor Pro Tem Clutterbuck presiding.

Upon questions by Council Member Johnson, Ms. Kumar stated that they needed reflective vests, water and materials needed to get the work done such as garbage bags, gloves, etc., and Council Member Johnson stated that his staff member Mr. Alvin Byrd would get with them; and if they were keeping this ongoing he would suggest getting with businesses. Mayor Parker, Council Members Stardig, Clutterbuck, Pennington, Rodriguez, Lovell and Jones absent. Council Member Gonzalez presiding.

Ms. Thelma Scott, 9110 Tidwell, Houston, Texas 77078 (832-487-3848) appeared and stated that she was the activity director for Commons of Grace and Ms. Kumar was director for the Barbara Jordan Corporation and they passed out a list of items needed. Council Members Stardig, Clutterbuck, Pennington, Rodriguez, Noriega and Jones absent.

Mr. David Watson, 5422 Bentbough, Houston, Texas 77088 (713-551-6860) had reserved time to speak but was not present when his name was called. Council Members Stardig, Clutterbuck, Pennington, Rodriguez, Noriega and Jones absent.

Mr. Hung Ngo, 7234 Shaman Lane, Houston, Texas 77083 (713-581-4520) had reserved time to speak but was not present when his name was called. Council Members Stardig, Clutterbuck, Sullivan, Pennington, Rodriguez, Noriega and Jones absent.

Mr. Willie Hunter, 6722 Moss Oaks, Houston, Texas 77050 (832-242-8620) appeared and stated that he was present regarding the Code of Ordinances Chapter 10 for property located at 6320 Laura Koppe in northeast Houston; that the church was notified to comply with letters sent to get weeds cleaned up and in addition an inspection was done and the church complied and boarded the building back up, then all of a sudden the building was razed and no certification or letter was sent saying that would happen; that when he worked for the city notification was required; many buildings in the City of Houston were not razed and he felt it was discrimination for his area; that now they had to get building permits, architectural plans, etc., and who would pay for this. Council Members Stardig, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Jones absent.

Council Member Bradford stated that he did thank him for his service to the City of Houston; and upon questions, Mr. Hunter stated there was no notice to the church the demolition would occur and they had complied with all letters from the City of Houston and the city had even taken off the city notice posted on the building as they had complied; that the ordinance should be changed; and Council Member Bradford stated that there was a process which they needed to go through and his staff person Rob Jackson would speak with him. Council Members Stardig, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Jones absent.

Council Member Adams stated that she served as chair over the Neighborhood Protection and Quality of Life Committee; and upon questions, Mr. Hunter stated that the building was unoccupied one to two years, it had a tenant at one time but they moved out; and Council Member Adams stated that a member of Neighborhood Protection was present to speak with them at this time and then get back with her, they needed to see how long the building had been vacant and amendments had been made to the ordinance. Council Members Sullivan, Pennington, Rodriguez, Costello and Jones absent.

Ms. Joyce Eason, 188-1/2 Turner Drive, Houston, Texas 77076 (281-900-9083) was called and Ms. Mary Ann Moore appeared to speak in her place. Council Members Stardig, Sullivan, Pennington, Rodriguez, Costello and Jones absent.

Council Member Clutterbuck moved that the rules be suspended for the purpose of allowing Ms. Mary Ann Moore to speak for Ms. Joyce Eason, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Stardig, Sullivan, Pennington, Rodriguez, Costello and Jones absent. MOTION 2010-0157 ADOPTED.

Ms. Mary Ann Moore appeared and stated that she was an employer of Ms. Eason, who was present with her, Ms. Eason lost her mother this year and had been living in her mobile home on her property with her mother under a hardship permit; that when her mother passed away she called and asked what needed to be done and was told she would have to vacate the property and have four to five weeks to do so, but she did not have the money to do that, she was a hard worker and trying to raise her girls in a good place and they were safe were they were; and she was requesting an extension of time to convert her mobile home into a permanent dwelling and had a plan in place with a contractor, she was asking for six months to a year and only had two days left to move. Council Members Stardig, Sullivan, Pennington, Rodriguez, Costello and Jones absent.

Mayor Parker stated that one issue was Ms. Eason was granted four extensions to date and there was no apparent progress on either repair of the home or moving out of the mobile home and after four extensions they needed to see good faith efforts, but would refer her to Citizens Assistance at this time. Council Members Stardig, Sullivan, Pennington, Rodriguez, Costello and Jones absent.

Upon questions by Council Member Noriega, Mayor Parker stated that other than specific exceptions mobile homes were not allowed in the City of Houston, only temporary exceptions for health issues and disaster recovery; and Ms. Eason stated that her main home was destroyed during Hurricane Ike and still had no action from FEMA but they were looking into it;; and Council Member Noriega asked if there was a timeline regarding FEMA; and Mayor Parker stated that was why she referred her to Neighborhood Protection. Council Members Stardig, Johnson, Sullivan, Pennington, Rodriguez, Costello and Jones absent.

Council Member Adams stated that Neighborhood Centers worked closely with many offices, they received financial assistance for Ike related issues and the number was 713-667-9400 and they should ask for Maverick Welch and they could provide services. Council Members Stardig, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Jones absent.

Mr. James Southerland, 16918 Rolling Acres Drive, Houston, Texas 77396 (281-446-9008) appeared and stated that he was a retired City of Houston employee and taxpayer and wanted to address Mayor Parker on the issue concerning the raise in retired employees health insurance; that her proposal to raise their insurance was a wrong decision and he was present asking for her to reconsider that decision; that the issue was being made a political issue at the retirees expense; making a decision to raise their rates sent fear into retirees on a fixed income; that he and his wife could find a way to pay higher premiums, but others were not that blessed; that her statement last week regarding Council asking her to moderate her decision and them having to help her find the money to do so was nothing but politics; that he had Muscular Dystrophy and could have gone on disability years ago but decided to keep working, he chose to do the right thing and believe in the City of Houston to not make an extreme move of raising their insurance rate by 49%; that he would receive \$1,348.00 a month for retirement after 16 years and 11 months as Mayor White cut his retirement while he was here and you take out 25% less federal taxes and \$756.00 for health insurance and it left him a grand total of \$254.00 after 17 years of service with this city; that he contacted Council Members and was expecting a reply; that the shortfall she spoke of was a direct result of the Bill White Administration and not the fault of the retired city employees; that she was careful not to point blame but then sought out the most vulnerable group to make amends for budget

shortfalls; and urged she have compassion; that he never received a letter from Human Resources that his rates would be going up, he saw it on FOX news and they had cancelled his insurance two months ago when they lost his payment; and he was asking all to look at this again. Council Members Stardig, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Jones absent.

Council Member Adams thanked Mr. Southerland for coming and stated that this was a sensitive issue and she thanked Council Member Clutterbuck for holding a meeting on this and allowing it to be discussed; that she was made aware of the issue last Tuesday from a speaker; that she spoke yesterday with Ms. Aldridge and was told decisions were already made; that she respected Mayor Parker's leadership, but constituents had been asking why they were not informed and she saw the letter signed by this Administration and was told by Ms. Aldridge the letter was signed and it already had taken effect; and she wanted to know at what point Council Members could discuss such; that with a \$7 million savings needed they could have discussed it before it was placed on the Mayor for a decision; that Mayor Parker had said they could try and find the money, but Ms. Aldridge said it was final so if they did find money would there be adjustments; and Mayor Parker stated that the health benefits contract was already proceeding, she had made the decision and it was a direct \$7 million savings to the City of Houston and they were still facing at least a \$10 million budget deficit for this year and if Council chose to not proceed with the Lakewood sale tomorrow it would be an additional \$7 and a half million deficit for this year; that they were all in this together and she was happy to share the decision with Council and she currently had a request to the Firefighters Retirement Fund to allow the city to make a lower payment and she wanted to convey the seriousness of the budget gap being faced; that it was not that she did not understand exactly the impact it would have; and Mr. Schoonover the next speaker worked for her years and she knew why he was here, but this was about the city's bottom line and all they did at this table had a consequence and if Council wished to address the issue through a series of cost saving measures she was happy to meet them half way and go through; that the Library would be bringing a service reduction plan forward as a part of their budget and if a sufficient number of Council Members want to take this up they could go through off setting cuts to find the \$7 million; that her staff volunteered to take across the board pay cuts of 5% per person if Council would match and that was a start. Council Members Stardig, Sullivan, Pennington, Rodriguez, Lovell and Jones absent.

Council Member Clutterbuck moved that the rules be suspended for the purpose of extending time for questions of Mr. James Southerland, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Stardig, Sullivan, Pennington, Rodriguez, Lovell and Jones absent. MOTION 2010-0158 ADOPTED.

Upon questions by Council Member Bradford, Mr. Southerland stated that his wife was being denied workman's comp benefits at the present time, she was fired after being hurt with the city and he did an early retirement; that he was in the group under 65; and Council Member Bradford stated that was his concern; and upon questions, Mayor Parker stated that Council was briefed on overall increases to the plan and modifications to it dealing with things like co-pays but not the split on the plan; that they had a contractual agreement with actives, they paid 71% and the city paid 21%; the spreading out of the rest of the cost increase was left to the Mayor and she made the decision, it was not done by the White Administration; that this was a question of whether active employees were willing to cover costs for retirees; and Council Member Bradford stated it was his understanding that was how systems in healthcare plans worked, the total pool of participants shared the burden so as not to shift it to a single group; that those under 65 were really being hit hard, about 200 retirees would have the new health care premium costs consume their entire pension check and Mr. Southerland testified his would be about \$200 a month and he would have nothing and if they could revisit and allow other active employees to say no, don't shift the significant burden on those retired he would appreciate the opportunity to entertain it; and Mayor Parker stated that as they go through the

budget process...; that this was strictly a financial decision on her part and she did not think it fair to ask active employees to continue to bear the additional cost to their health benefits to pay for retirees, it was designed for each category to pay their fare share and if Council Members wanted to sit with her and work through budget issues to find the additional \$7million, etc., they could do so. Council Members Stardig, Sullivan, Pennington, Rodriguez, Lovell and Jones absent.

Mr. Steve Schoonover, 23002 N. Hampton Pines, Spring, Texas 77389 (713-304-7443) appeared and stated that he commended Mayor Parker and Council and Controller Green; that he had seen Houston grow with its ups and downs and this was one issue dear to his heart as he retired 60 days ago and was under 65 years of age and his premiums were going up from \$1,492. a month to \$1,899. a month; that each of them would be retiring one day and they should ask themselves if they could afford \$1,900. a month for medical insurance, probably not; that he chose the PPO Plan as it benefited him and he would now be forced to go with a plan which did not work for him well, HMO, he knew Mayor Parker had hard decisions, but would ask as they go forward to look at the budget deeply and do things such as consolidate departments, defer raises, sell land, reduce take home vehicles and recommended the city do more process flows where they evaluated internal controls and protect assets and make processes more efficient and gave examples including utilizing the Controller's audit staff who had experts in process flows. Council Members Stardig, Sullivan, Pennington, Rodriguez and Jones absent.

Mayor Parker thanked Mr. Schoonover for coming. Council Members Stardig, Sullivan, Pennington and Rodriguez absent.

Mr. William Beal, 5814 Overdale, Houston, Texas 77033 (713-738-3410) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Pennington and Rodriguez absent.

Mr. Jerry Babbitt, 3307 Austin, Houston, Texas 77004 (832-421-7405) appeared, presented information to Council Members and stated that he was a staff member of St. Joseph House in Midtown and present to let Council know who they were at what they did; that they were a Psychosocial Environment for people in Houston who had not had diagnosis and would like Mr. Kennedy, their director, give them specifics. Council Members Stardig, Sullivan, Pennington, Rodriguez and Noriega absent.

Council Member Clutterbuck moved that the rules be suspended for the purpose of hearing Mr. Grant Kennedy at this time, seconded by Council Member Costello. All voting aye. Nays none. Council Members Stardig, Sullivan, Pennington, Rodriguez and Noriega absent. MOTION 2010-0159 ADOPTED.

Mr. Grant Kennedy appeared and stated that he was director of St. Joseph House in Midtown and their program was a great program helping people with mental illness; that mental illness affected one in four people in the U. S. but still not well understood; that violence was associated with mental illness, but not more prevalent among people with mental illness than it was in the general population and with medication it could be managed with people living productive lives, however, those with serious mental illness were often cut off from family and friends and found themselves with no job or place to live; that their program was a community and they supplied a supportive environment where people could get involved in meaningful work daily; that it was an opportunity and resource center offering jobs in the workforce and provided a forum where members could exchange problems and solutions and their certification team called them the most inclusive clubhouse in the world and one of the strongest in terms of member leadership; that locally they worked with employees of Rice University, Fulbright and Jaworski, Walgreens, etc., who provided job placement for their members and they were next door to HCC campus and encouraged members to pursue higher education or continue their GED and they worked with the National Alliance on Mental Illness, Mental Health America and

MHMRA of Harris County; and all were welcomed to come and visit. Council Members Stardig, Sullivan, Pennington, Gonzalez, Rodriguez, Costello and Noriega absent.

Ms. Jacqlyn Ballard, 3420 Ozark, Houston, Texas 77021 (713-703-8343) appeared and stated that she was employed with the City of Houston for over 16 years and felt she had a strong vested interest in the waste of tax dollars, she wanted government to work in a cost effective and efficient manner for citizens and creating more management positions and deleting the lower classified positions was a reversed Robin Hood; that it did not take a rocket scientist to know you did not need one manager or one assistant director with one employee; that after one month she witnessed an employee jump on another after being repeatedly harassed and the employee was moved to a different location and the problem still existed the only difference was the geography and 16 years later the problem still existed which was corruption within the City of Houston at the top and for the purpose of control; that she worked in the Public Works and Engineering Director's Office under Ms. Chan and transferred after filing a complaint of corruption and moved to the Information and Technology Group and since in that group had been performing Administrative duties and processed over 50% promotions and they said they had a budget problem, she watched promotions in Human Resources with higher management and were things already existing; that she saw purchases of large screen televisions for break areas and wrote Mayor Parker during her campaign to ask her to address such issues and her letter was sent to the Office of Inspector General and then told Public Works and Engineering would investigate the issue and that was like saying they would let the person who robbed you come back and ask if you were robbed and it made no sense. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Adams thanked Ms. Ballard for coming and for her 16 years of service; that when she was elected she found she asked too many questions at budget time, but then employees came and thanked her for asking them; that they did not want to be micromanagers, but did want to look closely at the budget and this year she would be asking for them to look at travel training budgets and money spent; that she noticed this as a civilian employee and now had questions presented as to who was looking at certain situations and she had no answers, but she had seen duplication of positions without enough work to be spread around; that they did not want people losing jobs but should look at duplication of positions and find a way to streamline; that she had seen this being in her shoes and thanked her for coming; and Mayor Parker stated that if she would give her details on it they would start a workflow analysis very quickly. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Jones thanked Ms. Ballard for coming and stated she also had a number of people come with suggestions and it was amazing how ordinary employees had opinions on how to be more efficient and it needed to be looked at; that she sent something to the Mayor's Office and would get with her; and Mayor Parker stated that as she said to Council Member Adams, if she had specifics about departments she wanted looked at the Controller's Office had auditors but they also had auditors in Public Works which worked for her and she was happy to direct them. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373) appeared and stated that he was President of the United States; and continued expressing his personal opinions until his time expired. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared and stated that he was with the Houston Property Rights Association and Busses Are Better and he was present as his organization would like to see a new election of the METRO Rail Plan; that it was important for Council to realize METRO had \$160 million which it owed the City of Houston under the General Mobility Plan and held it back to build the rail system and because they did

not have that money to work with it placed them under a lot of strain as Council Members to try and decide how to conclude this years budget and prepare next years budget and they had much incentive to speak to new appointees and suggest they look at the rail plan and see if it was really justifiable; that the Mayor's Transition Committee produced a report and he hoped they had a chance to look at it. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Reverend Keith Williams, 6002 Antoine #H, Houston, Texas 77091 (713-956-1511) appeared and stated that when speaking of the Community Development Block Grant he came to speak in relation to the Antoine/DeSoto Corridor and it seemed they were now at the point where funds were about to be released; that he had a problem with public funds going to a private entity, but it was a done deal now; that people needed jobs and folks were ready today to go to work; that it was like they were invited to dinner, but then had to stand outside looking in as food was passed around. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Johnson stated that an investment was being made of about \$20 million to that area and it was certainly needed; that the area had high crime and many other problems and putting a pretty building there would not make it go away; that they had to fix the problem by creating opportunities for employment there, put money in their pockets so they would not have to turn to the criminal element; that he was going to come before but he pulled him to the side and said he spoke to the developer who made a commitment he wanted to support the community by the creation of jobs and since then the developer said they would hire who they wanted and that was problematic, but if developers wanted to come in they needed to make sure they were providing opportunities to the people who lived in the area and he would do what he could and appreciated him and those he brought for coming today. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Stardig stated that the DeSoto area was adjacent to District A and was an area needing a great deal of attention and anything she could do to support efforts in the area she would appreciate the opportunity and was astounded at the issues in such a concentrated area. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Jones stated that she too would agree with that and when allocating the CDBG funds coming directly from HUD..; that one thing that was supposed to happen was it was supposed to be Community Development and she would be curious to see, as Council Member Johnson said, how it stimulated the local economy which was an important part. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Mr. Todd Gains, 8 Greenway Plaza #600, Houston, Texas 77019 (713-439-7900) appeared and stated that he was representing the Copperfield Apartments and Grand Harbor Apartments and was present to address the feedback on the two projects today and to acknowledge strong feelings toward it; that they could probably do a better job on reaching out to some of the groups and if Council passed the Items he would pledge to do so, but he would like to note in areas like the proposed sites there was a disproportionate supply of affordable housing to service existing low wage jobs; that many did not want low wage citizens living next to them. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Jones stated that no one appearing today said his group did not reach out to them; and upon questions, Mr. Gains stated that they had reached out to local school districts and state senators and he did a search for local community groups and did not come up with much, though today they showed up. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared, presented information to Council Members and stated that she was present regarding the fee, American Recovery, and it was from the Houston Area Council and it was about the hike and bike trail, she received information from Mayor Parker saying the project was under the city but it was not it was under transportation; and their land needed to be developed. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Mr. Ken Cash, 1600 Barkers Point #225, Houston, Texas 77079 (713-444-3817) appeared, presented information and stated that he was present requesting support for Agenda Item 37, the Mason Senior Apartment Homes Project, and he thanked Council Member Stardig for meeting with them; that they had a letter of support from State Senator Hegar and State Representative Callegari and a Certificate of Compliance from the Harris County Housing Economic Development Department and support letter from Harris County Municipal MUD District Number 61 and met with the local property owner associations; and would request the Council's support. Council Members Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Jones stated that one struggle was figuring out multifamily and tax credits helped to subsidize and knew there was a lot of "not in my backyard", but she had seen some with good management help the neighborhood and seen others where management was not good and it depreciated the value of property and would like to speak with him later on what he had previously done. Council Members Johnson, Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

Council Member Stardig thanked Mr. Cash for meeting with her and stated that she thought this would be a good match based on feedback from the community and what he had represented to them; and she appreciated him listening to her questions and feedback. Council Members Johnson, Sullivan, Pennington, Rodriguez, Costello, Lovell and Noriega absent.

At 4:17 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, March 31, 2010. Council Members Johnson, Sullivan, Pennington, Rodriguez, Costello and Noriega absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, March 31, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo., Assistant Agenda Director, present.

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

At 9:02 a.m. Mayor Parker called the meeting to order.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 33

MISCELLANEOUS - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF THE METROPOLITAN TRANSIT AUTHORITY**:

- Position One - **MR. GILBERT ANDREW GARCIA**, for a term to expire 4/7/2012
- Position Two - **MR. ALLEN DALE WATSON**, for a term to expire 4/7/2012
- Position Three - **THE HONORABLE DWIGHT E. JEFFERSON**, for an unexpired term ending 5/1/2010
- Position Four - **MS. CARRIN F. PATMAN**, for a term to expire 4/7/2012
- Position Five - **MR. CHRISTOF SPIELER**, for a term to expire 4/7/2012

- was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0160 ADOPTED.

2. REQUEST from the Mayor for confirmation of the appointment of the following individuals to the **COASTAL WATER AUTHORITY'S BOARD OF DIRECTORS**:

- Position One - **MS. GITI ZARINKELK**, for a term to expire 3/31/2012
- Position Two - **MR. JOHN ODIS COBB**, for a term to expire 3/31/2012
- Position Three - **MR. F. WILLIAM OTHON**, for the remainder of an existing term to expire 3/31/2011
- Position Four - **MR. KURT F. METYKO**, for the remainder of an existing term to expire 3/31/2011

- was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0161 ADOPTED.

3. RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for Fire Station 90 - **DISTRICT A – STARDIG** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0162 ADOPTED.

DAMAGES - NUMBER 4

4. RECOMMENDATION from City Attorney for settlement of lawsuit styled **C. L. JOHNSON** v. City of Houston; in the 157th Judicial District Court of Harris County, Texas - \$90,000.00 - Property and Casualty Fund - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0163 ADOPTED.

Mayor Parker and Members of Council recognized and congratulated the new appointees to the Board of the Metropolitan Transit Authority and thanked them for their service to the City of Houston, and Mayor Parker thanked the outgoing Board Members for their service to the City of Houston.

Mayor Parker stated that while Metro was critically important to their region they also confirmed some other board members this morning and for an equally important issue that may not be as high profile and that was that they confirmed new members to the Coastal Water Authority Board of Directors. Mayor Parker and Members of the City Council recognized and congratulated the new Coastal Water Authority Board of Directors and thanked them for their service to the City of Houston.

After further discussion by Council Members, Council Member Sullivan recognized Ms Giti Zarinkelk as the first woman appointed to the Coastal Water Authority Board.

ACCEPT WORK - NUMBERS 5 through 10

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$82,527.00 and acceptance of work on contract with **INLAND**

ENVIRONMENTS, LTD., for Asbestos Abatement and Demolition at Julia Ideson Building - 6.18% over the original contract amount - **DISTRICT I - RODRIGUEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0164 ADOPTED.

6. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$643,986.00 and acceptance of work on contract with **MERIDIAN COMMERCIAL, L.P.**, for West Webster Park - 4.20% over the original contract amount - **DISTRICT D - ADAMS** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0165 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,541,893.04 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.18% over the original contract amount - **DISTRICTS A - STARDIG; D - ADAMS; E - SULLIVAN; G - PENNINGTON and H - GONZALEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0166 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,500,501.58 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.80% under the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0167 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,582,420.24 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.22% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0168 ADOPTED.

PROPERTY - NUMBER 11

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jose M. Barcena and Ysmari Barcena, for abandonment and sale of 14,941 square feet of excess Wirtcrest Lane right-of-way, located within the Hillendahl Acres Subdivision, out of the John Flowers Survey, A-269, Parcels SY10-044 and SY10-056 - **DISTRICT A - STARDIG** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0169 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 15a

12. **GILBREATH COMMUNICATIONS, INC** for the next phase of Community/Disaster Preparedness Education/Outreach Programs and Companion Marketing through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council - \$989,890.93 - Grant Fund - was presented, moved by Council Member Lovell, seconded

by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0170 ADOPTED.

13. **PEN-LINK, LTD.** for Pen-Link Hardware, Software and Installation Services for Houston Police Department - \$103,000.00 - Grant Fund - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0171 ADOPTED.
14. **MD HELICOPTERS, INC** for Professional Training Services for Police Department - \$89,250.00 Police Special Services Fund - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0172 ADOPTED.
15. ORDINANCE appropriating \$863,689.69 out of Equipment Acquisition Consolidated Fund for Purchase of Street Sweepers for Various Departments - was presented. All voting aye. Nays none. ORDINANCE 2010-0234 ADOPTED.
- 15a. **HI-WAY EQUIPMENT CO. LLC** - \$1,102,282.00 and **TYMCO, INC** - \$217,098.35 for Street Sweepers through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for Various Departments - Enterprise, Equipment Acquisition Consolidated, Stormwater and American Recovery and Reinvestment Act Funds - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0173 ADOPTED.

ORDINANCES - NUMBERS 19 through 33

19. ORDINANCE approving and authorizing contract between the City of Houston and **THE HOUSTON FOOD BANK** to provide \$1,000,000.00 in Community Development Block Grant Funds for partial funding of the acquisition of an existing warehouse facility located at and in the vicinity of 535 Port Wall Street, Houston, Texas which will serve low to moderate income families **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2010-0235 ADOPTED.
21. ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor for the Firearms Expansion Initiative; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. ORDINANCE 2010-0236 ADOPTED.
22. ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor for the Investigative First Responder Project; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. ORDINANCE 2010-0237 ADOPTED.
23. ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor for the Police Storefront Crisis Team Grant/18 Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process;

authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. ORDINANCE 2010-0238 ADOPTED.

24. ORDINANCE approving and authorizing an application to the Office of the Governor, Criminal Justice Division, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor or her designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. ORDINANCE 2010-0239 ADOPTED.
25. ORDINANCE awarding contract to **PFM ASSET MANAGEMENT, LLC** for Arbitrage Rebate Calculation Services; providing a maximum contract amount - 3 Years with two one-year options \$800,000.00 - General and Enterprise Funds - was presented. All voting aye. Nays none. ORDINANCE 2010-0240 ADOPTED.
27. ORDINANCE appropriating \$404,700.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing contract between the City of Houston and the **UNIVERSITY OF HOUSTON** for Development of Flood Information Distribution Systems - was presented. All voting aye. Nays none. ORDINANCE 2010-0241 ADOPTED.
28. ORDINANCE awarding contract to **HOYT ENTERPRISES, INC dba HOYT BREATHING AIR PRODUCTS**, for Inspection, Maintenance, Repairs & Testing on Self-contained Breathing Apparatus Units for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$826,080.00 - General, Enterprise and Stormwater Funds - was presented. All voting aye. Nays none. ORDINANCE 2010-0242 ADOPTED.
29. ORDINANCE amending Ordinance No. 2007-832 (Passed on July 7, 2007) to increase the maximum contract amount for contract between the City of Houston and **PROGRESSIVE ENVIRONMENTAL SERVICES, INC dba EAGLE-SWS (Formerly known as EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L.P.)** for Handling and Disposal of Hazardous Materials for Various Departments - \$850,996.18 - General and Enterprise Funds - was presented. All voting aye. Nays none. ORDINANCE 2010-0243 ADOPTED.
30. ORDINANCE approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Houston TranStar Center Improvements - \$295,312.50 - Greater Houston TranStar & Emergency Center Fund - was presented. All voting aye. Nays none. ORDINANCE 2010-0244 ADOPTED.
31. ORDINANCE appropriating \$250,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NORTH AMERICAN CONTROLS CORPORATION** for Intelligent Transportation Services - was presented. All voting aye. Nays none. ORDINANCE 2010-0245 ADOPTED.
32. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **LANGWOOD SUBDIVISION, SECTION 1 AND SECTION 1 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG** - was presented. All voting aye. Nays none. ORDINANCE 2010-0246 ADOPTED.

33. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **SPRINGWOOD OAKS SUBDIVISION AND ENCHANTED FOREST SUBDIVISION, SECTIONS 1 & 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG** - was presented. All voting aye. Nays none. ORDINANCE 2010-0247 ADOPTED.

Council Member Clutterbuck moved to suspend the rules to take care of some important business, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0174 ADOPTED.

Mayor Parker stated that they knew how critical the census was to the City of Houston and knew how important it was to encourage all of their citizens to fill out the census forms, that some Council Members were filling them out at the Council table and it did not take long, that there was special service from the US Postal Service to help them get their census forms into mail timely to boost those numbers. Mayor Parker and Members of the City Council handed over their completed 2010 Census forms to postal worker Ms. Sharonda Thomas, who would be taking the forms to the post office. Mayor Parker stated that they wanted everyone to complete the entire form, all the way and all the questions, that the more information the better for Houston, that tomorrow was the deadline but that did not mean the counting would stop, that what would happen if they did not send the form in was that an army of people were going to go out and knock on their door, so if they truly did not want the government knocking on their door, send the form in, that it was not a matter of race or ethnicity, it had a lot to do with where they dwell and that apartments were problematic in terms of turning in those forms so they really needed to get out into the apartment complexes and encourage everyone, that it was not about property ownership or home ownership, it was about dwelling in Houston, that they did not care where they came from or how they got here, they cared that they were here, so fill out the form, the entire form, get it into the mail tomorrow so that they would not have to knock on their door; that she wanted to thank the postal service for being with them today and appreciated everybody's participation.

Mayor Parker stated that they would go back to the consent agenda.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,581,085.11 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.45% under the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ** - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0175 ADOPTED.

PURCHASING AND TABULATION OF BIDS

16. **CONTRACT RESOURCE GROUP, LLC** - \$247,125.35, **CHALLENGE OFFICE PRODUCTS** - \$97,542.42 and **OFFICE DESIGN CONCEPTS, LLC** - \$80,507.46 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise, Building Inspection, Health Special Revenue, Grant and Equipment Acquisition

Consolidated Funds - was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck.

Council Member Noriega stated that Item No. 16 was about furniture and there was a great deal of work done with this, that Joe Finiger in particular, scrubbed the list and went through and evaluated all of the furniture requests, that they had something like 22,000 employees and sometimes they needed a chair or two, but they really worked very hard on this to make sure that there were no non essential requests, and Mayor Parker stated that she was at the Municipal Courts the other day for a tour and in several of the courtrooms the chairs had stuffing coming out of them and that was embarrassing.

A vote was called on Item No. 16. All voting aye. Nays none. MOTION 2010-0176 ADOPTED.

ORDINANCES

17. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston, **HARRIS COUNTY** and the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY** for the purpose of describing actions by the parties preliminary to the construction by the Houston Dynamo LLC. of a Public Professional Soccer Stadium on property owned by the City in Reinvestment Zone Number Fifteen, City of Houston (East Downtown TIRZ), including anticipated (1) provision of funding for certain public infrastructure improvements through the East Downtown TIRZ, (2) participation by Harris County in the East Downtown TIRZ, (3) creation by the City of two new Tax Increment Reinvestment Zones in the City, and (4) assistance by the Harris County-Houston Sports Authority in (A) negotiating a lease with the Dynamo LLC, (B) acting as project manager during construction of the stadium, and (C) acting as property manager following construction, all subject to additional actions to be taken and agreements to be negotiated among the parties - **DISTRICT I – RODRIGUEZ** – was presented. Council Member Clutterbuck absent.

After discussion Council Member Johnson stated that with respect to what they currently had in place right now was an agreement with the Houston Rockets that would have a no compete clause in place, and he asked at the committee hearing last week, in respect to what did that “no compete clause” mean, how would the deal impact the Houston Rockets and where they stood currently, that AEG, which was a 50% owner of the Houston Dynamos were concert promoters and if they were promoting currently at Toyota Center how would this negatively impact the Houston Rockets in their bottom line, how many concerts and how much money would impact the Houston Rockets, that one of the things that he did not want to happen was for this particular deal start to negatively impact the Houston Rockets in any way; that he was requesting that information because he did not want to see this negatively impact the Houston Rockets, that he would tag the item and hoped that they could get these questions answered. Council Member Clutterbuck absent.

Mayor Parker stated that there would no impact from a tag and was certainly appropriate, that she wanted to remind Council Members that there was a number of steps in this process, they were slowly moving toward a final agreement with the expectation that the bow would not be on the package until sometime in September so they had plenty of time to work through all issues but wanted to state publicly and for the record that they would meet all obligations under their non compete contract with RocketBall, they had no intention of being in violation, that whether after that non compete contract expires there may be other events at the new Dynamo Stadium, that she could not answer that question that was for other discussions, but for them as a City, and in their negotiations, they would remain in compliance with their non compete agreement; that the item had been tagged. Council Member Clutterbuck absent.

Council Member Noriega asked whether or not public funds were going to be used to build this public stadium, that she had received a number of calls and emails and noticed the comments in the Chronicle, in particular, talk about the fact that citizens who had issues with this had issues with the idea of using public funds to build another stadium, that was somewhat controversial with some of their past stadiums and it was her understanding that was not the case and wondered if Mayor Parker might clarify that. Council Member Clutterbuck absent.

Mayor Parker stated that to be very clear two years ago the City of Houston purchased the land on which the stadium would be built and that land was going to be theirs whether there was a stadium on it or not, that the previous Mayor and Council committed to do infrastructure improvements around the stadium, this new deal with Harris County brings them in as a full partner in buying out half of the land and committing to the public spaces, but the stadium itself, from the ground up, would be entirely the responsibility of the Houston Dynamo and if they wanted to put in luxury boxes they would do it and if they had a stripped down version that was what it would be, if they had cost overruns it would be on the Dynamo, their (City of Houston) responsibility was the ground, the infrastructure and the public spaces around it, the Dynamo would be responsible for moving forward with their own stadium and there was no public debt involved in this arrangement. Council Members Johnson and Clutterbuck absent.

After further discussion Mayor Parker stated that the City would not be a financial participant in the TIRZ but would certainly keep Council Member Adams apprised of every thing going on in the district and one of the things she should remind Council Members about the TIRZs was that the project plans had to come to Council to be extended so what they had to watch out for when they created TIRZs was the mission where they could create a very long term TIRZ that executes a very defined plan or they could just keep adding into the plan. Council Members Clutterbuck and Sullivan absent.

Mayor Parker stated that Item No. 17 had been tagged. Council Members Clutterbuck and Sullivan absent.

18. ORDINANCE approving and authorizing contract between the City of Houston and **A CARING SAFE PLACE, INC** to provide \$389,938.00 in Housing Opportunities for Persons With AIDS Funds to provide for the administration and operation of a Community Residence located at 1804 Carr Street, along with supportive services - **DISTRICT B – JOHNSON** – was presented, and tagged by Council Member Rodriguez. Council Member Clutterbuck absent.
20. ORDINANCE approving and authorizing contract between the City of Houston and **STOP TURNING ENTERING PRISON, INC**, providing up to \$582,901.04 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$291,450.52, for the administration and operation of a Transitional Housing Program and the provision of supportive services - **DISTRICT B - JOHNSON** – was presented, and tagged by Council Member Rodriguez. Council Member Clutterbuck absent.
26. ORDINANCE amending Ordinance No. 2009-0135 (Passed by City Council February 18, 2009) to increase the maximum contract amount for the contract between the City of Houston and **ANDREWS KURTH L.L.P.** for Legal Services and representation of the City in connection with all matters relating to Cause No. 817,512; Maguire Oil Company v. City of Houston in the County Civil Court at Law No. 4 of Harris County, Texas and Cause No. 93-55813; Maguire Oil Company v. City of Houston; in the 55th Judicial District Court of Harris County, Texas - \$123,500.00 Enterprise Fund – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0248 ADOPTED.

NON CONSENT AGENDA - NUMBERS 34

MISCELLANEOUS

34. **MOTION TO SET A DATE** not less than seven (7) days from March 31, 2010, to receive nominations for appointments to Positions One through Four of the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for the remainder of a two year term that will end December 31, 2011 – was presented.

Council Member Lovell moved to set Wednesday, April 7, 2010, to receive nominations for appointments to positions one through four of the Animal Advisory Committee Board of Directors, seconded by Council Member Clutterbuck. All voting aye. Nays none. MOTION 2010-0177 ADOPTED.

MATTERS HELD - NUMBERS 35 through 38

35. RESOLUTION supporting and approving the proposed construction by **WP West Enterprises, LLC of Alta Copperfield**, a Development for Affordable Rental Housing, located at the southwest corner of Spencer Road (FM 529) and Shining Sumac Avenue in the extra territorial jurisdiction of the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs – **(This was Item 14 on Agenda of March 24, 2010, TAGGED BY COUNCIL MEMBER STARDIG)** – was presented.

Council Member Stardig moved to refer Item No. 35 back to the administration, seconded by Council Member Adams. All voting aye. Nays none. MOTION 2010-0178 ADOPTED.

Mayor Parker stated that the administration supported that.

Council Member Jones stated that she was supportive of Council Member Stardigs' referring it back to the administration, that she thought one of the things that concerned her about this particular project was the developer not finding the people who lived there to see how that would affect them, and while some people did not believe there was ever a need for multi family, and she would respectfully disagree with that because there were a bunch of good and decent people who lived in apartments or multi family units, so that was not driving, at least for her, the referral back, that if new development was going to come in that was different than what was there then she thought the new developer had the obligation to speak with the people to see if they could work something out or give them a chance and she thought that was lacking in this, that she was asked by the developer to please let it go forward and he promised he would do something but she did not think that was the way they should operate, she thought they should make them do it at the beginning because the people who were there, who invested in that area for the quality of life they were looking for, she thought should have a say in what was going on, that she would make the same comment about the next one.

36. RESOLUTION supporting and approving the proposed construction by **WP West Enterprises, LLC of Alta Harbor**, a Development for Affordable Rental Housing, located on the northeast corner of Katy Fort Bend Road and Harbor Drive in the extra territorial jurisdiction of the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs – **(This was Item 15 on Agenda of March 24, 2010, TAGGED BY COUNCIL MEMBER STARDIG)** – was presented.

Council Member Stardig moved to refer Item No. 35 back to the administration, seconded

by Council Member Costello. All voting aye. Nays none. MOTION 2010-0178 ADOPTED.

37. RESOLUTION supporting and approving the proposed construction by **Houston Mason Senior Apartments LP of Mason Senior Apartment Homes**, a Development for Affordable Rental Housing, located on the west side of Mason Road, just north of Franz Road in the extra territorial jurisdiction of the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs – **(This was Item 16 on Agenda of March 24, 2010, TAGGED BY COUNCIL MEMBER STARDIG)** – was presented. All voting aye. Nays none. RESOLUTION 2010-0028 ADOPTED.

Council Member Jones stated that to the contrary of the other one this developer did go and speak with the residents and had brought letters of support from different factions so that was the distinction, one tried to integrate into an already existing neighborhood and the other one did not and that was why they were voting for this, that if they wanted it and they could figure out what was going on and get the State i.e. through tax credits to help them subsidize or subsidize a vast majority of the cost, that they did need low and moderate income housing, whether some people agreed with that or not, they needed it, and this was the kind of project that she thought helped them move forward, that she wanted to thank Council Member Stardig for doing her homework.

Council Member Stardig stated that she appreciated everyone's support on this, they did do their homework and research and it was not a matter of just turning down anyone who was coming for tax credit housing, it was a matter of a good match for the community and making sure, that the reason for the last one they did support was because it was for senior housing, there was a need for senior housing in that community and that community identified that and brought that to the District A office and communicated that so she wanted to share that with everyone that was the case, it was a good match for that community and they appreciated the support.

38. ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston, Seller, and **LAKWOOD CHURCH, Purchaser**, for the sale of 6.945 acres of land, together with all the improvements therein, located at 3700 Southwest Freeway, Houston, Texas, in consideration of the payment of \$7,500,000.00 to the seller by purchaser - Revenue **DISTRICT C – CLUTTERBUCK – (This was Item 40 on Agenda of March 24, 2010, TAGGED BY COUNCIL MEMBERS JONES and COSTELLO)** – was presented.

After discussion by Council Members, Council Member Adams moved to suspend the rules to hear from the appraisers to answer questions relative to Item No. 38, seconded by Council Member Clutterbuck. Council Members Sullivan and Costello voting no, balance voting aye. MOTION 2010-0180 ADOPTED.

Council Member Pennington stated that he did not understand why there would be additional risks and additional interest rates would be applied to a cash payment that was being made at the time of the closing, that it seemed to him that cash at closing there was no contingency to that and he did not understand why the additional discount percentages would be applied to that payment.

Mr. Kim M. Kobriger, Lewis Realty Advisors, stated that he was hired to appraise the property and his role was to be an objective, disinterested third party and to value the property as the market would precede it, that the real estate risk and the discount rate was always a very challenging question, but he was dealing with real estate risks and not the business risks or the investment value risks, that to come up with this number he looked at a number of different

sources and he also looked at the fact that the property currently had an encumbrance on it of at least another 54 years, that created additional risks beyond a safe risk rate, the other things that he looked at, in addition to that, was that he looked at what investors paid for properties across the Country and relied on the Corpass Report and RealtyRates.com and also his experience having been in the banking industry with some of the larger banks in the Country for almost 25 years; that they could argue a different rate for the portion that Council Member Pennington was talking about and he understood what Council Member Pennington was saying but he was asked to value the real estate and he could not separate the two out.

After further discussion by Council Members, a vote was called on Item No. 38. Council Members Pennington and Costello voting no, balance voting aye. ORDINANCE 2010-0249 ADOPTED.

Mayor Parker stated that she was going to be having a press conference in the proc room at the conclusion of the Council meeting and would give every opportunity for Council Members to go upstairs, and for the media to get up there, to announce the new Police Chief, that they were invited to attend.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Johnson stated that on Saturday he attended the Ivy League Education and Charity Ball where 18 outstanding individuals were honored for their work and service to children, families and the community in the greater City of Houston, that the organization would provide over \$10,000 in scholarships, that the deadline for the Warner Ervin Leadership Scholarship was April 12, 2010, the Xi Alpha Omega Maye F. Hutson Scholarship deadline was April 9, 2010, the Velma Dotson Math & Science Scholarship deadline was April 12, 2010, the Evelyn Ware Business Scholarship deadline was April 12, 2010, the Jewel Phillips Health & Sports/Fitness Scholarship deadline was April 12, 2010, that Betsy Johnson Law & Government Scholarship deadline was April 12, 2010 and the Jurleen Drummer Education Scholarship deadline was April 12, 2010, that for those who were interested in the scholarships could go to www.ivyleagueeducationalandcharitiesfoundation.com or call his office at 832-393-3009 to get the information, that graduation time was upon them and he knew a lot of people were going to be looking for scholarship money for their graduating students and he hoped they would take advantage of this great opportunity to get scholarships, that he wanted to thank the Ivy League Educational and Charity Foundation for their vision and foresight in providing educational opportunities for their children; that they talked about the census today and as they all filled out their census he would again encourage everyone to be a part of the census, that for those who had not filled out their census to please do so right now, it was very important, that they kind of looked at the census like voting, if they were not participating in the process then certainly they did not have a voice, and certainly if they were not counted then possibly how would they ever speak up on behalf of their community, so be a part of the process, part of the solution and not a part of the problem, that he was glad that Tom Joyner on his morning show recognized where they stood and what they needed to do to get a shot in the arm to get their census count up; that he wanted to encourage anyone who was willing to accept the challenge from District B, they would have a Good Friday Spring Fling Spring Blast at Hobert Taylor Park, that he was challenging every Council Members team to a friendly game of kickball, that the Mayor's staff was welcome as well, that they would have free food and an Easter egg hunt for the children, that it would be from 9:00 a.m. to 2:00 p.m., that it would be hosted by the Sure Thing, Inc., DARE Plus and TABSE; that he wanted to wish everybody a Happy Easter on Sunday. Council Members Sullivan, Lovell, Bradford and Jones absent.

Council Member Clutterbuck stated that she wanted to wish all of their Christian friends and neighbors a Happy Easter, and wanted to thank all of the area churches for all that they did this week and throughout the year to support their community; that they received a letter from

Fran Callahan in Old Braeswood who took the time to write a two pager letter praising Barbara Hite, of her staff, and the good people in the City Public Works Department, that the Harvard Track Team and their coaches and host families were in town for a tournament and several were staying in Old Braeswood and there was a sanitary sewer problem, similar to some of the issues in Montrose Commons and other places throughout the City where they had 70 plus year old sewer lines that tended to collapse, that in this particular time the area collapsed and there were tremendous problems and Barbara Hite and the Public Works team were able to restore it promptly so that they did not have visitors from all over the Country seeing the problems of their aging sewer system and she would thank them for all of their hard work; that she wanted to thank Director Harry Hayes, Solid Waste Department, for his hard work, that one of the Solid Waste trucks damaged a curb in front of Mr. David Hayes's house, just north of Old Braeswood and Mr. David Hayes saw the truck damage the curb and was extremely persistent in this and worked very hard to see that the City repaired the damage that they caused and she wanted to thank Mr. David Hayes for his persistence and Mr. Harry Hayes in particular for helping to assist this particular constituent, that one of the problems that happened with this was that City employees and City vehicles damage existing property and then for the next four months they ended up having complaints about this, the Solid Waste Department sent someone out to photograph the curb and they reported back and then they had people the Mayor's office and her office and the Legal Department and Public Works repeating the comment and the City policy that "sorry the City of Houston does not repair curbs", that it got to be kind of a comedy of errors and problems, that if they added up the man hours put into saying "no we do not repair curbs" it would be pretty phenomenal and yet the same time it brings to light the issue of should they not, as a City, have a policy if the City employees damage City equipment, property or whatever the answer was, that number one, they were called accountable for that, and number two, that certainly, if it related to property, that the City repair it, that she was grateful to Harry Hayes that he was able to offer a special dispensation but she disagreed with the policy that there should have been a special dispensation, especially after so many man hours were spent quantifying the amount of damage on that particular curb in order for them to say "no we do not repair the curb", that it was her hope that they could see some internal mechanisms that change the way they handle these type of problems. Council Members Sullivan, Gonzalez, Lovell, Bradford and Jones absent.

Mayor Parker stated that they were working on changing that attitude, it made her crazy as well. Council Members Sullivan, Gonzalez, Lovell, Bradford and Jones absent.

Council Member Noriega stated that yesterday the Houston Fire Department EMS Division concluded their quarterly Medical Management Conference for EMTs and paramedics, that these conferences allow the medical director and the command staff to communicate changes in protocols and to communicate updates for emergency medical services in the City of Houston, that some of the topics that they covered included the rollout of the next phase of the Tele Health Nurse Program, they also covered emerging data regarding cervical spine immobilization, that there were changes in how they were handling cervical collars, and whether someone was injured, that she thought would improve their outcomes, and then updates on the Houston Fire Department's participation in the world wide study using the ZOHL AutoPulse® for CPR, so they had several opportunities for some changes, but she would like to talk specifically about the Tele Health Nurse Program, that they had heard information in the past about their groundbreaking use of Tele Health nurses by the Houston Fire Department in selectively identified cases to facilitate individuals calling 9-1-1 on a regular bases to find the most appropriate delivery of care through local federally qualified health clinics, they sometimes call them frequent flyers, that really did not communicate their level of concerns for these folks, that access to healthcare was a topic of National relevance and this model was being observed by other communities and cities to determine if it would be of benefit to their community, that it really was groundbreaking, that beginning April 1, 2010 the EMTs and paramedics in the field would be able to refer qualifying individuals for assistance through the Tele Health Nursing

Program and they would do a thorough assessment and be able to discuss alternative options of either going to the hospital via a cab, or if it was appropriate to a clinic appointment, rather than use ambulance transport, which they had many conversations about in terms of the expense amount, that this one initiative would not resolve the issue of calls for non emergency problems but would move people from the use of the 9-1-1 system as a healthcare home to a more appropriate setting where they would be able to get the care that they needed, that this was one of several initiatives being taken by the Houston Fire Department to lower costs and reduce the use of emergency apparatus for non emergency problems, that any time they had an ambulance tied up in one of these calls they were not available for other services and these were complex problems, that each of these initiatives that the Houston Fire Department had brought forward had a positive effect on the system as a whole resulting in fewer responses that may or may not actually be emergencies and this allowed them to move forward in improving response time and reducing costs, that Dr. Persse would be at the next meeting of the Public Safety Committee to discuss necessary changes to the transport portion of the Houston City Code of Ordinances regarding ambulances and they looked forward to visiting with him about that at the next Public Safety meeting, that she just wanted to mention what they had been working on and was proud of the work that the Houston Fire Department had done in this area, it was truly groundbreaking and made a huge difference in terms of both cost and having equipment out of service. Council Members Johnson, Lovell, Bradford and Jones absent.

Mayor Parker stated that she knew Council Member Noriega had been monitoring all of that very closely. Council Members Johnson, Lovell, Bradford and Jones absent.

Council Member Adams stated that she wanted to remind everyone in the Sunnyside Community and South Union, they would be having their third community information meeting, that she wanted to thank the Sunnyside Community for last week, they had a record turnout and she wanted to thank Council Member Jones for allowing a member of her staff to come and participate, they were at Worthing High School and she wanted to thank Principal Sterling, and the Sunnyside Community leaders for coming out, that if they missed the Sunnyside Townhall, as well as their first townhall in Fort Bend it would be accessible on line in the future by way of the District D U Tube Channel, that they were recording everything they were doing and putting it on U Tube and they would be able to download it, that they could call their office for more information, that they were doing a lot of their announcements and the District D details via video as well, that if they wanted more information they could contact their office; that yesterday she wanted to thank Mayor Parker and her colleagues for participating in the Jack Yates Rally, it was a great success, that she wanted to thank the coaches, the band and the cheerleaders, that in addition every single player on the Jack Yates Team was attending a college or university next year, many on academic or athletic scholarships, that Gregory Watts, Number 15, 2009-2010 Jack Yates Salutatorian, had been accepted to Princeton University to continue his education, that she was still working on Washington, D.C. and she wanted to thank Senator Ellis for calling yesterday and saying he was going to give his input as well to see if they could make that trip happen; that the next District D Townhall meeting would be on April 8, 2010 at Texas Southern University, Barbara Jordon Mickey Leeland School of Public Policy, from 6:30 p.m. to 8:00 p.m.; that they would be having a Neighborhood Protection and Quality of Life Committee meeting on Thursday at 10:00 a.m. and she wanted to thank her co-chair for all of her continued input, that they would be talking about the environmental side of illegal dumping in the City of Houston; that they heard yesterday that there would be some changes in the Library, she had a conference call the other day with Director Lawson and some of the things that she was considering, that if her colleagues were interested in the libraries and finding out what the transition was going to be in the Library Department and how it would affect their community she would like to encourage them to make sure they attended the community meeting or send a representative; that she wanted to make sure that everybody was as excited about Resurrection Sunday as she was on this coming Sunday; that on Friday her office would be getting ready to kickoff the Bio Bags Program which would begin on April 5, 2010, that if they

needed more information about the biodegradable bags to please contact 3-1-1 and they could let them know where the bags would be sold or purchased, that they come in a variety of boxes, and she displayed a bag and stated that the City seal needed to be placed on the bags so that they knew they had the bag that they had to use to be picked up, that if they did not have the City seal the bag would not be picked up, that it was her understanding that there would be a 30 day grace period before there was any fining or anything like that and if they would like for someone to come out and talk to their community to please call the Solid Waste Management Department or call 3-1-1 and they would connect them to the appropriate personnel, but if they had additional questions they could call their office at 832-393-3001, that they purchased about \$7,000 worth of bags for their office to hand out to some of the seniors in their community and that had been going off very well. Council Members Johnson, Lovell, Bradford and Jones absent.

Council Member Hoang stated that he wanted to thank Sergeant Ramus and his officers who helped him have the Crime Patrol on the blocks and also the apartment complexes last week to make sure that the safety of District F was going to be protected, that they got a lot of response and feedback from the community that after the block walk word spread out immediately and criminals did not hang around, that when they did the block walking it was great because they had officers and his staff who spoke Vietnamese, Chinese, Spanish and English to all the groups there; that today he would participate with the Mayor, the County Judge and Commissioner Sylvia Garcia on the show about the Census 2010 on Channel 8 tonight; that he would encourage his constituents to fill out all of the forms and send them in, that he would have a movement with the Census 2010 and knocking on doors of apartment complexes, that they wanted to make sure that their constituents fill out all of the Census forms and send them in; that he appreciated the invitation from the Viet Nam Pagoda, that he and Council Members Costello and Bradford were there and it was a wonderful event. Council Members Johnson, Gonzalez, Bradford and Jones absent.

Mayor Parker stated that she wanted to thank Council Member Hoang for being proactive on the Walk for Crime at the apartments, that they had good media on it, but it was a great idea and she hoped that he continue that. Council Members Johnson, Gonzalez, Bradford and Jones absent.

Council Member Stardig stated that over the weekend she attended the Shadow Oak Civic Association Easter Party and Parade, that she wanted to thank Officer Chris Engleheart for his participation and support in being a judge at that event along with others in the community, that she wanted to thank Saint Andrews Lutheran Church on Whitey Road for their support of the event over the years and providing the Easter Egg Hunt, that she wanted to thank Donna Cullum, President of that organization and Delores Rodgers the Chair of the event; that she wanted to congratulate and thank Ann Givens from Wrenwood Subdivision for agreeing to serve on the Memorial TIRZ 17 Board, that she appreciated her willingness to serve; that she wanted to recognize the Central Division HPD for going door to door and distributing 4, 950 education pamphlets to area residence regarding burglary of motor vehicles and home burglaries; that they had a meeting tomorrow with the Neighborhood Protection and Quality of Life Committee meeting at 10:00 a.m. in Council Chamber; that she wanted to wish everyone a happy and safe Easter holiday weekend. Council Members Johnson, Clutterbuck, Hoang, Gonzalez, Noriega, Bradford and Jones absent.

Council Member Pennington stated that he wanted to thank the Mayor and Council for the great reception and interest that they took in Troop 55 yesterday; that with Mark Kirskie and his staff and some volunteers they had already walked their neighborhoods where they were undercounted; that they had the Shell Houston Open this week with most of the world's great players and thanks to the golfers, fans and the Houston Golf Association, but particularly Shell, who was sponsoring the golf this weekend; that last Friday they met with Captain M. Lentschke,

of the Westside Command, and her Lieutenant, they had a good meeting to talk about coordination of citizens efforts, that he would encourage the Mayor to encourage the new Police Chief to have direct communication with the citizens of their areas, that sometimes the Police Department, he thought, gets a little opaque and they had to go through their Public Affairs Office and he knew they would like to have direct access and certainly they had a great reception out there and he hoped that it would continue, that they also met with the Sergeant who was in charge of the 111 Constables working for different subdivisions out in District G and they met to try to coordinate with what they were doing and he was encouraged by that, that there was a proposal by the citizens to have a new storefront or a community center, that the community center would be informally staffed by HPD people and they might be able to work something out where Constables would be there and citizens and HPD would be there and he thought that would be helpful; that they were continuing to get input from the Super Neighborhoods and from the homeowners association on crime and flooding and so forth; that he had an interesting last Friday, lunch, that was hosted by the Holocaust Museum, the Director Susan Myer and the Directors of the other museums, that apparently they were so successful at Spring Break and it was hard to get into the area, that he was impressed and encouraged by what they were doing; that he would be participating with Council Member Costello on Saturday in the Fun Run at Memorial Park; that they were continuing their newsletter and people seemed to be appreciative of receiving the information so they would keep doing that; that he wanted to wish all of the Christians in the audience a Happy Easter and a solemn Easter weekend. Council Members Johnson, Hoang, Gonzalez, Noriega, Bradford and Jones absent.

Council Member Costello stated that Memorial Park was having the Four in the Park Fun Run, that it raises money for beneficial purposes and for the Memorial Park Conservancy this was one of their primary fun runs for operating expenses and he wanted to thank Luke's Locker who had done a lot of work in helping sponsor this particular event, and a woman on the board, Blaine Adams, who had done a whole lot of work over the years to bring this to fruition, that he wanted to congratulate her for that; that the Earth Day 5K was going on at Discovery Green, that it was going to benefit the Galveston Houston Association for Smog Prevention and Mothers for Clean Air; that he wanted to point out, as he said earlier when they were nominating the super board members, that engineers do a lot of work for the community, that it was a donation to the community, that Don Aviles, who was a long time owner of Aviles Engineering, that he was on the super board for 23 years and he wanted to thank him on behalf of the City and everyone else for all of his work for his service; that he wanted to thank them for nominating Allen Watson to the Metro Board. Council Members Stardig, Johnson, Hoang, Gonzalez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Rodriguez stated that he wanted to congratulate his Chief of Staff Gracie Garza and her significant other, Mr. Tony Bell, on having a beautiful baby girl, Zeana Dawnie, this past Saturday; that he wanted to congratulate his good friend and mentor, Mr. Al Luna, he welcomed his first granddaughter into the world this past week, Sophia Luna Schneider; that he wanted to thank Public Works and Engineering, especially June Chang and Oren Smith for helping their office on several constituents complaints regarding the poor work of some of their City contractors in the district over the past few months, that as they would remember there was an issue regarding a gas line in Garden Villas that was cut by a contractor doing water sewage work last month, that it took time but Public Works did go out and reconnect the gas line that the contractor cut; that on another similar incident Reliance was the contractor and they were installing new water meters and created a leak at one of their local businesses, but Public Works responded and Mr. Cruz, the owner, called their office and mentioned that Mr. Smith and Ms. Chang had a crew out there fixing it that same day, that he brought this up because he wanted to make sure that Public Works was looking at these contractors that were doing business, they were a reflection of the City and this Council and if they were doing poor jobs it really reflected poorly on the City so they needed to be mindful of what these contractors were doing in the City; that he wanted to thank Mayor Parker for literally contributing the jacket off of

her back for "Dress for Success Program", that his office was still taking in interview appropriate clothing for women to help succeed in the job interviews, that he wanted to thank Council Member Lovell for all of her help and support on this. Council Members Stardig, Johnson, Hoang, Gonzalez, Noriega, Bradford and Jones absent.

Mayor Parker asked Council Member Rodriguez how long would they be collecting suits and Council Member Rodriguez stated until the end of the week, that they were also taking in gently used shoes. Council Members Stardig, Johnson, Hoang, Gonzalez, Noriega, Bradford and Jones absent.

Council Member Sullivan stated that he would not be upstairs for the press conference, he had to rush out to Kingwood to do an interview on a wetlands issue related to his district; that he wanted to thank Council Member Rodriguez for co-chairing the Complete Count Committee when it was kicked off last year, that he knew that he and Mayor White conducted a large and well attended public open meeting at George R. Brown Convention Center; that he wanted to take strong exceptions to some comments that were made at City Council today regarding the practice of Council Members stepping out and conducting meetings and briefing behind Council, that there was a strong inference that it was wrong and illegal and he wanted to defend the practice as being long standing, that it was a convenience to the Mayor and Council liaisons and to them the Council Members to be able to step behind Council Chamber when they wanted to visit with their staff and talk about issues, that it was not illegal or wrong or shady and if anyone wanted to talk about it, Council Member or public, to let him know and they could talk about it one on one and they would be glad to convene a formal public meeting of the Ethics and City Council Governance Committee and he thought that would be the appropriate place to air out any concerns as opposed to a one sided conversation at Council that no one could defend at the time. Council Members Stardig, Johnson, Hoang, Gonzalez, Noriega, Bradford and Jones absent.

Mayor Parker stated that was in fact why they created the Council Member cloak room in the back so that they could have meetings to be briefed in progress. Council Members Johnson, Hoang, Gonzalez, Noriega, Bradford and Jones absent.

Council Member Lovell stated that they lost a great Houstonian this week in Dan Duncan and she wanted to send her condolences to his family and friends; that he was a great Houston success stories; that opening day for the Astros would be on Monday, April 5, 2010 against her childhood team the San Francisco Giants, that they were looking forward to a very successful season. Council Members Stardig, Johnson, Hoang, Gonzalez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:31 a.m. Council Members Stardig, Johnson, Hoang, Gonzalez, Costello, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary