

City Council Chamber, City Hall, Tuesday, April 27, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 27, 2010, Mayor Annise D. Parker present with Mayor Pro Tem Anne Clutterbuck presiding and with Council Members Brenda Stardig, Jarvis Johnson, Wanda Adams, Al Hoang, Oliver Pennington, Edward Gonzalez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director; present. Council Members Mike Sullivan and James G. Rodriguez absent on city business.

At 1:44 p.m. Mayor Parker stated that the only presentation today was hers and had to do with the Census and the great work done by the internal effort and by the community partners; and invited those with her presentation to the podium and; that a number of generous community partners supported the Census effort; that as of today their return response was 66% and much higher than in 2000 and it took money and volunteers and those present contributed both toward that effort; that the Census process was not over and the higher the number was the less amount of money and time the U. S. Census Bureau had to spend going door to door; that she thanked all community partners and presented Certificates of Recognition to Bank of America, Community Health Choice, Inc., The Houston Chronicle, Comcast and Yellow Cab and Texas Taxi, Inc. Council Members Johnson, Pennington, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck thanked Mayor Parker for recognizing the community volunteers and partners of the City of Houston; and stated that they thanked them for responding to the call of the City of Houston as it would pay dividends for the next decade. Council Members Johnson, Pennington, Lovell, Bradford and Jones absent.

Council Members thanked all for helping to get the word out and congratulated them on a job well done. Council Members Johnson, Pennington, Lovell, Bradford and Jones absent.

Mayor Parker stated that she would apologize as she would not be attending the Council Meeting today and to those in the audience hoping to speak to her they were having a press conference on Continental and did not know what was going to happen but they were doing their best; and asked to be excused. Council Members Johnson, Pennington, Lovell, Bradford and Jones absent.

At 1:53 p.m. Mayor Pro Tem Clutterbuck called the meeting to order and welcomed Pastor Clint Reef, Pastor of Rice Temple Baptist Church to lead all in prayer; and Mayor Pro Tem Clutterbuck led all in the pledge. Mayor Parker, Council Members Johnson, Lovell and Jones absent.

At 1:55 p.m. Mayor Pro Tem Clutterbuck requested the City Secretary call the roll. Council Members Sullivan and Rodriguez absent on city business. Mayor Parker, Council Members Lovell and Jones absent.

Council Members Costello and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Sullivan and Rodriguez absent on city business. Mayor Parker, Council Members Lovell and Jones absent. MOTION ADOPTED.

At 1:56 p.m. the City Secretary began calling the public speakers. Mayor Parker, Council Members Johnson, Lovell and Jones absent.

Ms. Jane West, 2114 Lubbock, Houston, Texas 77007 (832-721-9080) appeared, presented information and stated that she was president of Super Neighborhood 22, the Washington Avenue Coalition/Memorial Park Super Neighborhood and the community was very pleased with the decision to sell or not sell the Heights Recycling Center which would be made by the new Administration; that a Washington Advisory Group had recently been established though they had not yet had time to make recommendations; that the Mayor and others acknowledged a narrow window of opportunity to get it right on Washington Avenue and the site being considered for sale was centrally located and ideal for multi purpose development, but the proposed buyer intended to use it only for surface parking for daytime employees; that the proposed buyer had been leasing part of the site for years and a recommendation likely to be made by the Washington Avenue Advisory Group was to create a Parking Benefits District and revenues could be combined with rents received from the lease portion of the property to fund public development on the site if not immediately within the next few years; that land values in the Washington Avenue Corridor were beginning to rise and sale of an appreciated asset at today's market rates did not appear to be in the city's long-term best interest; and urged all take time to consider the long-term best interest for the city. Mayor Parker and Council Member Jones absent.

Council Member Gonzalez stated that he too had concerns and thought they were being short cited and also wanted to make sure all possibilities were explored before they engaged in an appraisal; that even Public Works mentioned how highly used the recycling center was and he was concerned about removing a successful service. Mayor Parker and Council Member Jones absent.

Council Member Pennington stated that he agreed with Council Member Gonzalez, to him selling a piece of property for another, if they were similarly situated, would probably not gain the city much cash and would take out of service a facility well used; that he and Council Member Gonzalez considered recycling a worthwhile thing in the area and would do what they could to protect them. Mayor Parker and Council Member Jones absent.

Mayor Pro Tem Clutterbuck stated that for everyone on this topic Mayor Parker wanted to be here and asked that she convey to them this was merely an action on an appraisal and a number of great ideas had come up for the use of the property including the existing use and if a decision was made to sell the property then there would be another vote to open it for a sealed bid, but no decision was made at this point. Mayor Parker and Council Member Jones absent.

Mr. Tom Dornbusch, 6110 Tyne, Houston, Texas 77007 (713-869-1185) appeared and stated that he wanted to expand on what had been said regarding the recycling center; that the site was well suited and well used by residents and businesses alike; that the Washington Avenue Corridor was an area where population was becoming denser and the densification was attributable to multi family developments which did not receive city waste services and did not now participate widely, if at all, in organized efforts to recycle; that the recycle center was in close proximity to downtown and benefited commuters on the way to and from work; that SN22 would request, if the city decided to move forward with a proposed sale, an alternative site be established within their boundaries before the sale was consummated; that efforts to relocate to another community were likely to be met with nimbi type opposition; that the curb recycling program should be expanded and include all of SN22's neighborhoods and seek cost savings by implementing a pilot program in their neighborhoods to receive waste one week and recyclables alternate weeks. Mayor Parker and Council Member Jones absent.

Upon questions by Council Member Lovell, Mr. Dornbusch stated that they had single stream recycling in super Neighborhood 22 in some areas, Cottage Grove did not have

recycling pickup at all; that Rice Military and the Old Six Ward had the single stream recycling. Mayor Parker and Council Member Jones absent.

Mr. Richard Taylor, 4328 Center, Houston, Texas 77007 (713-880-0797) had reserved time to speak but was not present when his name was called. Mayor Parker and Council Member Jones absent.

Mr. Mike Talbert, 2 Crestwood Drive, Houston, Texas 77007 (713-868-3297) appeared and stated that Crestwood Drive marked a large part of the eastern boundary of Memorial Park and he was speaking in opposition to the Memorial Park Conservancy's proposed Crestwood Drive Jogging Trail; that he opposed the proposal for several reasons and would question the need for the jogging trail; that even now the parking at Memorial Park was often congested and at times it spilled into their surrounding neighborhoods; that he also had a concern whether a study had been done to show a need for another jogging trail near Memorial Park and if there had he thought Crestwood was the wrong location and would probably interfere with garbage and recycling trucks trying to maneuver through narrow streets; and he opposed the trail as homeowners in adjacent neighborhoods had consistently opposed the jogging trail along Crestwood Drive and that was why he believed the trail was not included in the Master Plan for Memorial Park. Mayor Parker, Council Members Adams and Jones absent.

Mayor Pro Tem Clutterbuck stated that she wanted to clarify for the public that according to the Parks Department plans for this segment paralleled to Crestwood Street had not been approved by the Parks Department yet and the current design was being designed by the Memorial Park Conservancy and would require the Parks Department approval; that they were reviewing comments and concerns of residents and users and would be evaluating them; that Mr. Dan Pederson with Parks and Recreation was present and would speak with him after Council Members concluded their comments. Mayor Parker, Council Members Adams and Jones absent.

Council Member Costello stated that to inform Council he personally made the presentation to the Crestwood Neighborhood and they were gracious to listen to the proposal; that he personally said he was in favor of the project, but in light of the number of comments residents said he believed there would be much discussion and a decision may be made favorable to the neighborhood; and thanked him; that he and his family had been very generous to the Memorial Park Conservancy over the years and they appreciated it; and Mr. Talbert thanked Council Member Costello for coming to the meeting and stated that it was not the friendliest of meetings. Mayor Parker, Council Members Stardig, Adams and Jones absent.

Council Member Pennington stated that he too served on the board and was familiar with what was going on and he believed the proposed use of home and jogging were very different and needed to be carefully looked at and he had expressed his concern to the conservancy about the jogging trail without some buffering. Mayor Parker, Council Members Stardig, Adams and Jones absent.

Council Member Gonzalez stated that he did not know as much about the issue as Council Members Costello and Pennington, but he was in law enforcement and worked security for the Bayou City Arts Festival and he was in charge of security and they did have overflow capacity and it always spilled into Crestwood and he could sympathize with their situation. Mayor Parker, Council Members Stardig, Adams and Jones absent.

Mr. Robert Schaffer, 4327 Waynesboro, Houston, Texas 77035 (713-728-2021) appeared, presented information and stated that a city representative and Council Member Clutterbuck were present at one of their meetings to answer questions about a completed street resurfacing; that the project affected over 900 homes and he thanked them both for coming but was troubled

by what they were told; that neighbors complained the new surface was worse than their original road and asphalt now lapped over neighborhood curbs; that the picture showing standing water was taken 1-1/2 days after the rain; that the representative said the project which started in 2009 was to last six weeks, but it took twelve because sometimes it was so cold it made it impossible to pour asphalt; that as to the cause of the poor work Council Member Clutterbuck was going to investigate neighborhood complaints on worker inactivity, but he claimed in this case ineptitude trickled down from the top such as why schedule big jobs for the winter and why was there no quality control; that now a department was scrambling to make up six weeks lost time and the neighborhood considered their improvements a failure; and urged implementation of quality control. Mayor Parker, Council Members Stardig and Adams absent.

Mr. Audrey Pravia, 1055 Turtlewood, Houston, Texas 77072 (281-933-4547) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig and Adams absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig and Adams absent.

Reverend Leopoldo H. Mata, 14619 Leacrest Drive, Houston, Texas 77049 (281-310-4144) appeared and stated that he was present to let Council know they were having problems with properties around their church building, especially one belonging to the City of Houston which had for more than one year without proper maintenance; that things now got worse, he reported a boat in the property and nothing was done so he decided to put the boat outside the property and within two weeks received notice he did something wrong; that there were also issues attached to this and would like special attention to where they were. Mayor Parker, Council Members Stardig and Adams absent.

Mayor Pro Tem Clutterbuck stated that Mr. Norris Davis was not present but the lady present with Citizens Assistance would speak with him; and Reverend Mata stated that also important to him was there was a vacant lot with more than 10 years with no maintenance and now they had done it and he would like a record kept in case the city decided to put it for sale; that they were interested in buying it; and Mayor Pro Tem Clutterbuck stated that was outstanding and he should speak to the lady present and they would keep him on the list if the city was able to sell it. Mayor Parker, Council Members Stardig, Adams and Pennington 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. Mayor Parker, Council Members Stardig, Adams and Pennington absent.

Mr. Paul Bice, 219 Glenwood, Houston, Texas 77007 (713-516-8452) appeared and stated that he was present to speak in opposition to the Crestwood Jogging Trail being proposed by the Memorial Park Conservancy and read a Resolution passed by the Crestwood Civic Club as of April 6, 2010, directed to the Memorial Park Conservancy, its supporters and the City of Houston requesting an impact study be done regarding parking if the jogging trail was added as the Conservancy's Master Plan even stated that parking would remain a competitive and sought after resource in the park and users would try and park as close as possible regardless of open spaces in nearby lots and parking on streets in adjoining neighborhoods, etc. Mayor Parker, Council Members Stardig and Lovell absent.

Mayor Pro Tem Clutterbuck thanked Mr. Bice for coming and stated that the Council Members had a copy of the resolution. Mayor Parker, Council Members Stardig and Lovell absent.

Council Member Costello stated that the Conservancy was meeting today to decide whether they would build the Crestwood Trail and he wanted to thank the Crestwood Homeowner Association for treating him with due respect even though they did not like what he was presenting and he appreciated it. Mayor Parker, Council Members Stardig and Lovell absent.

Dr. Bob Hoekman, 19 Crestwood Drive #9, Houston, Texas 77007 (713-863-9525) appeared and stated that he was a park user about 40 years and ran the trails about 25 years and Mr. Talbert did not think there was a problem running on the trails but they were pretty crowded and at times very crowded; that not everyone in the Crestwood area were opposed to the trail and he was present representing himself and a number of neighbors and the 1,600 members of the Houston Roadrunners Association who were in favor of the trail and saw the need for it; that at this time runners and walkers used Crestwood Street and they needed a safe approach to those who were there. Mayor Parker, Council Members Stardig, Gonzalez and Lovell absent.

Council Member Pennington stated that what he just stated confirmed what he said earlier, it was a complex problem and people would come whether or not the trail was there and there may be adverse consequences to that. Mayor Parker, Council Members Stardig, Gonzalez and Lovell absent.

Council Member Jones stated that she would like to know what kind of parking studies or provisions for additional parking would the Conservancy be doing; that she would imagine right now you would park go around and end up where you parked; and upon questions, Dr. Hoekman stated that right now a few people did park on Crestwood, but most were construction workers working on the redo along Crestwood and runners who would use the trail would park away from Crestwood, really there was no interest regarding parking on Crestwood and that issue was overblown. Mayor Parker, Council Members Stardig, Lovell and Noriega absent.

Mr. Mark Fraser, 1311 Guefe Road, Houston, Texas 77008 (832-428-8311) appeared and stated that he was a runner and regarding the issue of Crestwood, the Crestwood property owners seemed to think they should have almost exclusive use of that property on the eastside of Memorial Park; that he lived in Timbergrove Manor and they had two parks and neither had their own parking and all had to park on neighborhood streets; that he was glad they had parks to go to and Memorial Park belonged to everyone in the City of Houston and he did not think someone should be able to say you could not run there and the more people the less crime. Mayor Parker, Council Members Lovell and Noriega absent.

Council Member Costello thanked Mr. Fraser for coming and stated that he had known him a long time and if anyone was interested he was a frequent contributor to Runners Tri-athlete News Magazine. Mayor Parker, Council Members Stardig, Lovell and Noriega absent.

Mr. Jeff Draper, 4517 Pine, Bellaire, Texas 77401 (713-320-3541) appeared, presented information and stated that he was a representative of Green Star North America Recycling and they recycled in the City of Houston and today were asking for an expeditious handling of a curb cut and second left turn lane into their property located at 1200 Brittmoore; that there was also a drop-off center on Brittmoore at their facility and he did get notification this morning the Engineering Department was proceeding nicely with their request and they were asking for Council's help; that their business was very supportive of the community and other businesses in the community for recycling purposes and totally dependent on how quickly trucks could get in and out of the facility and without the second entrance it would impede on their ability. Mayor Parker, Council Members Stardig, Lovell and Noriega absent.

Mayor Pro Tem Clutterbuck stated that she understood the plans were completed and their engineer had been advised to pick them up; and if he had additional questions Mr. Drabek was present and could speak with him. Mayor Parker, Council Members Stardig, Lovell and Noriega absent.

Mr. Ricardo Peduzzi, 14614 Falling Creek Drive #105, Houston, Texas 77068 (281-781-8969) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Stardig, Lovell and Noriega absent.

Ms. Patricia Martin, 5900 Selinsky Road #94, Houston, Texas 77048 (281-948-4184) appeared and stated that she was visually impaired and present representing the discarded and unwelcomed citizens in the City of Houston, those who suffered from visual impairments or were totally blind, she was in opposition of the water increase; that she heard on the news the water bills would be increased and if she did not use it then she would not be affected she did not believe; that she believed the ordinance was a violation of her civil rights; that this year there were no increases to those with government assistance, social security, of any kind and she wished Council would take into consideration that if they increased water rates it was going to affect their lives; that she waited six weeks for a \$100.00 refund and never received it and she and her daughter went hungry; that there was nothing in audio for a visually impaired or blind person, they were not treated equally and if they went up on water it was water they did not have; that she finally got her money back, but there was a minimum charge and they would be affected. Mayor Parker, Council Members Stardig and Lovell absent.

Mayor Pro Tem Clutterbuck stated that Ms. Martin made some very good points they would need to implement in the Water Department. Mayor Parker, Council Members Stardig and Lovell absent.

Council Member Gonzalez stated that he apologized if the city process had not been very supportive of her and her needs and as Mayor Pro Tem Clutterbuck stated it should be reviewed so they could be more assessable to everyone; that he was also sorry it took so long to get her refund back. Mayor Parker and Council Member Stardig absent.

Council Member Jones stated that the Mayor had asked that she look at the procedure of turning water on and shutting it off and she would ask her about refunds and if she wanted her to look at that also she would; that one thing they did was the water rate increase and was a tough subject for all and they understood it would affect many people, but the problem was they were not charging for cost of service and while water was a necessity, the City of Houston was obligated to clean it for use and it cost about \$350 million a year; that it would come before the Housing Committee and they would decide who they would be helping but they would try to resolve some of her issues. Mayor Parker, Council Members Stardig and Lovell absent.

Council Member Adams thanked Ms. Martin for coming and stated that an issue needing to be addressed was how did they address people who were visually or hearing impaired when they communicated very important decisions around the horseshoe; that she hoped Mr. Drabek and the Mayor's Office for Disabilities was listening as she wanted to see what communication, in what forms, were given to all citizens who could not see or hear; and when they made the change on the combined utility system she wanted to see what communication went out in a timely manner to let them know it would affect their lives; and wanted a meeting with the Mayor's Office for Disabilities. Mayor Parker, Council Members Stardig, Gonzalez and Jones absent.

Mr. Jimmy Lowery, 7538 Blanco Pine Drive, Humble, Texas 77346 (281-772-4484) appeared and stated that he was an employee with Continental Airlines and he was present asking for help; that he was falsely arrested last year from his residence and it took between

eight and nine months to get the issue dismissed; that once he was released and explained the situation to his employer at Continental Airlines he was on leave of absence, but once his case was dismissed he went through the rehire process and drug and customs and passed everything and got his airport city badge and his work schedule and then he got a phone call from Continental stating the Houston Airport System had a problem with his badge, it was revoked, but he had all documents stating he was falsely accused and it was dismissed; that he had worked there 15 years or so and all he wanted to do was work and take care of his family, but the Houston Airport was holding him up saying he was charged with a felony, but everything showed he had no criminal record; that he knew you could not even run a red light and go to work at the airport system; and he was requesting assistance in getting his job back. Mayor Parker, Council Members Stardig, Gonzalez and Jones absent.

Council Member Adams thanked Mr. Lowery for coming and stated that all Council Members were given letters he provided to them and to the Mayor; and upon questions, Mr. Lowery stated that he was on a leave of absence, he was never fired and he had that in writing; and Council Member Adams stated that they needed to get that information straight across the board and she already talked to Aleks about that this morning because there was conflicting information; that Shawn Clark was head of security, manager at Continental and they needed to get documentation from him and from Debbie Price, the VP or Hub Manager of Continental because they said one thing and he said another; that she asked Continental to provide Aleks and Mike with information to verify his statement because if they would say he was hired all they needed was a release of badge application, but now there was conflicting information. Mayor Parker absent.

Mayor Pro Tem Clutterbuck stated that Mr. Aleks Mraovic was present and could help him clarify and make sure it was in writing. Mayor Parker absent.

Council Member Gonzalez on a point of personal privilege stated that he wanted to recognize visitors in the audience; that one visitor was from Washington, D. C., with the League of Women Voters and another was from the local office of the League of Women Voters and they were present as an intern had been here from Columbia and it was her last day; that they came to check on the program which was a tremendous success; and he wanted to welcome all. Mayor Parker absent.

Ms. Daphania Kimble, 6310 Elkwood, Houston, Texas 77088 (281-847-0473) had reserved time to speak but was not present when her name was called. Mayor Parker absent.

Ms. Jacquelyne Doakes, 3637 Griggs road, Houston, Texas 77021 (713-796-2263) appeared and stated that she really came to speak with the Mayor who she had met at church, but she had left and she would not utilize her three minutes, but would leave information to be forwarded to her regarding the City hiring freeze and she would like to volunteer to work on a committee with her. Mayor Parker and Council Member Gonzalez 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. Mayor Parker and Council Member Gonzalez absent.

Mr. Joey Rodriguez, 1617 Fountainview Drive #141, Houston, Texas 77057 (832-582-8596) appeared and stated that he would also like to speak with the Mayor present and would be back at another time. Mayor Parker and Council Member Gonzalez absent.

Deborah Elaine Allen, P. O. Box 26352, Houston, Texas 77207-3552 (832-885-1659) appeared and stated that felonies was not the peoples fault it was Council's fault because they could not get a job; that felonies should be taken off records so they could work; and continued

expressing her personal opinions until her time expired. Mayor Parker and Council Member Gonzalez absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 had reserved time to speak but was not present when his name was called. Mayor Parker and Council Member Gonzalez absent.

Ms. Joy Leverett, 165 Zachary, Houston, Texas 77029 (713-373-9860) had reserved time to speak but was not present when her name was called. Mayor Parker and Council Member Gonzalez absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared and stated that Council Member Johnson must have called the lady on the Agenda and had her not come because her name was on the list, but people wanted the YMCA and he did not want to work with them, he did not meet with them; that they needed a meeting and had paid taxes years and needed a response, something done in their community; and wanted their YMCA building from the Parks. Mayor Parker and Council Member Gonzalez absent.

Council Member Adams on a point of personal privilege asked all HOPE representatives to stand to be recognized and thanked them for taking time from work to come and hear City Council and thanked them for their dedicated service. Mayor Parker and Council Member Gonzalez absent.

At 2:53 p.m. Mayor Pro Tem Clutterbuck stated that City Council was recessed until 9:00 a.m., Wednesday, April 28, 2010. Council Members Sullivan and Rodriguez absent on city business. Mayor Parker and Council Member Gonzalez absent. Mayor Pro Tem Clutterbuck presiding.

The Houston City Council reconvened at 9:00 a.m., Wednesday, April 28, 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 and City Attorney Nominee Mr. David M. Feldman; 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 9:08 Mayor Parker called the meeting to order and recognized Council Member Lovell for a motion. Council Member Clutterbuck absent.

Council Member Lovell moved to suspend the rules to consider Item No. 1 before the Mayor's Report, seconded by Council Member Jones. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0237 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment of **MR. MARIO C. DIAZ** as Director of the Houston Airport System – was presented, moved by Council Member Lovell, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0238 ADOPTED.

Mayor Parker stated that they had just confirmed the new Airport Director for the City of Houston and invited Mr. Mario Diaz to come forward so that they could offer their congratulations. Council Member Clutterbuck absent.

Mr. Diaz stated that he wanted to thank them for the vote of confidence that they had just taken of him, that he had enjoyed meeting each and every one of them and most importantly had appreciated the very warm welcome that he received as he arrived at the City, that he looked forward to working with them to improve the infrastructure and build a transportation network for the City of Houston and the region, that he wanted to strengthen the reputation of Houston as a can do City, but a can do City with a smile and he wanted to bold and underscore international in every conversation because it really did reflect the fabric and the feel of the wonderful City. Council Member Clutterbuck absent.

Mayor Parker and Members of Council welcomed Mr. Diaz and congratulated him on his confirmation as Director of the Houston Airport System. Council Member Clutterbuck absent.

Mayor Parker stated that this was Mr. Michel's last appearance at the Council table and Mr. Feldman's first appearance, they were here together, that she truly appreciated how much time and energy Mr. Michel had spent with Mr. Feldman in orienting him to the Legal Department and knew that they had great respect for each other and a good friendship, that Arturo would be missed and knew that he was looking forward to getting into private practice, that he was not leaving Houston and they would see him in the community and he was going to continue to be available, she knew, as Mr. Feldman had questions or wanted some history, but they all appreciated his service to the City. Council Member Clutterbuck absent.

Members of Council thanked Mr. Michel for his service to the City of Houston and wished him well on his future endeavors. Council Member Clutterbuck absent.

At 9:29 a.m. Mayor Parker stated that she would move to the Mayor's Report. Council Member Clutterbuck absent.

### **MAYOR'S REPORT** - Fiscal Year 2010 Budget Update and Fiscal Year 2011 Preview

Mayor Parker stated that this was intended to be a very brief heads up on how the budget process was going and they already knew as they entered the budget season that they were going to be faced with many tough decisions and she wanted to make sure that everybody around the table knows what they had done already and where they were headed, obviously they were not going to have a detailed budget discussion today because the budget was still being put together and it would be coming to Council in just a couple of weeks, but in order to get there she wanted to just take a moment to talk about things that had already happened, that Council Members who were the more senior Council Members were aware that there were already significant budget cuts that were done before the current 2010 Budget was adopted, there were approximately \$15 million in spending reductions by implementing a hiring freeze and reductions in supplies, services and contracts that were baked into the 2010 Budget, however that was not enough to offset some of the declines in the economy and since the 2010 Budget was adopted the City had further tightened it's belt, they had initiated a number of additional cost saving initiatives, including two mandatory reductions for City departments, savings from leaving vacant positions unfilled, savings from attrition and other items, that they had cut \$29 million in spending since the budget was adopted so between the two that was almost \$45 million in spending cuts in the last 12 months, that the budget had not dropped \$45 million and she would remind Council that there was an increase because of statutory pay increases and increase in health benefits cost and so forth so it was not a direct one for one increase in spending and then cuts but \$45 million in cuts from the 2009 Budget until today, that in fact City Council's Budgets and the City Secretary's Budget were the only budgets that were not cut further from when the budget was passed in 2010 all other City departments were offered a 1% reduction and then another .7% reduction so they had continued to cut through the year, that as they go into the 2011 budget they were going to have to take another step down in

spending, that most City Departmental Budgets would be cut 3% on top of their 2010 reductions, that all City departments would see some reduction, they were in negotiations with HFD and HPD to look at where best to cut, they would be cut, that probably each of those at 1.5%, most as she said, 3%, that City Secretary and City Council she had given a budget target of 1%, that the Solid Waste Department she had not given a budget reduction target they actually cut enough in 2010 to carryover into 2011, at the same time that they launched their major expansion of recycling, that they believed would have the affect of bringing them in line with the other departments, that in addition to the cuts that she had assigned to the City Department Directors, and when she says they were being asked to make 1%, 1.5% or 3% cuts she was leaving those to the discretion of the departments, they were going to launch a series of additional cost saving initiatives that she could not predict what the outcome would be but she could tell them that they would result in significant savings during 2011, that one would be doing a review of all fees for service, as per Ordinance 2003-474, they would be bringing that package to Council but they were going to look at direct cost for service and make sure that entities were paying their way, that they would soon begin a Fleet Maintenance and Fuel Consolidation Program, she announced it at the last directors meeting and they had been talking about it internally for some time, they were now putting together the process and the timeline for that and while she was giving it the 2011 Budget Year to happen they were going to move it as rapidly as they could without causing any disruptions in the process and she wanted to thank Ms. Mitchell and her staff for laying the groundwork for that by doing an analysis of where they do their fleet maintenance, where they had their fueling facilities, what the opportunities were for consolidation and overlap or preventing overlaps so that they could have at least a platform to have a conversation on what the full process would be, that they would very soon begin a high level IT review for the City of Houston, looking both at savings and at potentials for efficiency, that Larry Kelner had agreed to chair that effort and she had loaned executives from a number of companies here in the City of Houston, including BMC Software, and others and they were really appreciative of their willingness to help guide that IT review for the City of Houston where they do not have to go out and hire expensive consultants to do the work, they had great expertise here in the City of Houston and great corporate citizens that were willing to be involved, that she had asked their employees union, HOPE, to partner with her to identify savings ideas and they had submitted a number of ideas, that she had also reached out to Council Members and had heard from a couple of them of things that they would like to see changed in the budget and that they believed cuts were available, that she looked forward to continuing to hear those and the window of opportunity was closing because they were going to have to take the budget to print very soon so she looked forward to continuing to work on these cost saving initiatives, that if they had any questions she would be glad to try to answer them. Council Member Clutterbuck absent.

Upon questions by Council Members, Mayor Parker stated that the pay raises were contractual for all three employee groups, police, fire and municipal employees and while she had signaled to each group that depending on how the economy goes that there might be issues that had to be addressed and they were all aware of that, the budget as it stands now did not have any cuts in those pay increases, nor did it have any mandatory furloughs, they may be the last major City in America not to have a furlough and she would kind of like to hold on to that, but that meant that when they send these departments their budget targets they really had to drill down into what were their core services, what did they want to be doing, she had given every department director the authorization that if they wanted to do a complete reorganization and a reduction in force they could do that, because this was about providing their core services in the most efficient way possible, but if they did a furlough it would be citywide and would affect everybody and she would rather focus on "let's make sure we were doing the right things with the right people than the broad brush", but that was still obviously an option depending on the economic climate, that they see every indication that it was moderating but they were entering hurricane season and there were a number of other "always" issues that could come up that could throw their budget off of target and so they were trying to build enough slack into it so that

they still had furlough on the table if necessary but they were trying not to do that; that she wanted to remind Council Members that this was a process started under the previous administration and those returning Council Members had to make some hard cuts to pass the 2010 Budget, that administratively they had made further cuts since then but they would continue, that she had heard from the community that she was trying to balance the budget on the back of the library system, for example, in truth Dr. Lawson should be applauded, what she wanted to do was be the first to talk about what these budget cuts would mean and to lay them out now so that Council Members would have a heads up of what was coming, that also it gave her the opportunity to hear from them for opportunities so they had an outpouring of folks who were interested in a docent program, the Clayton Library, for example and she clearly heard from some Council Members that they thought that the cut backs in the neighborhood libraries might be better shifted to other days, that by getting things out early they had an opportunity to make adjustments that fit everybody; that particularly she was proud of HOPE, they did represent some of their lowest paid employees and they were engaged and they had regular communications, that they were not going to surprise anybody in this process, she wanted to get the information out early, she was actually very excited about the opportunities in the fleet maintenance and fuel consolidation, there was \$20 million that they spend in that area and there was potential for some significant savings, but when she gave the heads up to the department directors she told them that they could start marshalling their arguments about why their fleet had to be at the top of the list for repairs and those were just the issues that they were going to have to deal with as they moved forward, that the take home vehicle policy when she says fleet that was what she meant, that she would point out that just as they were doing with the IT Team, they envisioned putting together a sort of fleet management consulting group, they had some really large fleet operators here in the City of Houston, that she did not want to name names because they had not nailed down who was going to participate but from taxi companies to delivery services and so forth that did this every day, and in fact their new HR Director had a great deal of experience in one of those large delivery services that was a large fleet operator, so they thought they could bring together a group of loaned executives to help them work through that also. Council Member Clutterbuck absent.

At 9:46 a.m. Mayor Parker stated that they would move to the consent agenda.

### **CONSENT AGENDA NUMBERS 1 through 34**

#### **MISCELLANEOUS** - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MR. CHARLES STAVA** to Position Twelve of the **ARCHAEOLOGICAL AND HISTORICAL COMMISSION**, for a term to expire March 1, 2012 - had been pulled from the Agenda by the Administration, and was not considered. Council Member Clutterbuck absent.
3. RECOMMENDATION from Director Planning & Development for Designation of an Honorary Street Marker for **REVEREND O. C. JOHNSON, SR.** - **DISTRICT B – JOHNSON** – was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0239 ADOPTED.

#### **ACCEPT WORK** - NUMBERS 4 through 8

4. RECOMMENDATION from Interim Director Houston Airport System for approval of final contract amount of \$4,144,249.46 and acceptance of work on contract with **TJ&T ENTERPRISES, INC** for Access Control and Telecom Duct Bank construction at William P. Hobby Airport, Project No. 576A - 0.03% under the original contract amount - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Sullivan,

seconded by Council Member Noriega. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0240 ADOPTED.

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$695,630.00 and acceptance of work on contract with **AAR INCORPORATED** for Asbestos/Lead Based Paint Abatement and Interior Demolition at 1002 Washington Avenue 4.99% over the original contract amount - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Sullivan, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0241 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,595,826.97 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for 69th Street Wastewater Treatment Plant Dryer Replacement/Rehabilitation - 6.13% under the original contract amount - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Sullivan, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0242 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,627,703.55 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Westheimer to West Alabama Sewer Relocation - 3.69% over the original contract amount - **DISTRICTS C - CLUTTERBUCK and D - ADAMS** – was presented, moved by Council Member Sullivan, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0243 ADOPTED.

#### **PROPERTY - NUMBER 9**

9. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Rich Cryar, reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of an unnamed platted street, from Fitzhugh Street east to its terminus, located in the Knollwood Estates Subdivision, out of the J. L. Stanley Survey, A-700, Parcel SY10-060 - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Lovell, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Clutterbuck absent. MOTION 2010-0244 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 34**

11. RESOLUTION amending Resolution 2009-16 to correct the legal description of the First Evangelical Church and Education Building landmark and protected landmark - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. RESOLUTION 2010-0011 ADOPTED.
14. ORDINANCE approving and authorizing Lease Agreement with **HOUSTON SYMPHONY SOCIETY**, as tenant, for office space at Jones Hall - 5 Years - Revenue - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0309 ADOPTED.
15. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **TEXAS AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY FOR THE HOUSTON AUTO CRIMES TASK FORCE/19 GRANT**; 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. Council Member Clutterbuck absent. ORDINANCE 2010-0310 ADOPTED.

16. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON ESPERANZA, INC, a Nonprofit Texas Corporation**, to provide a \$2,449,929.00 Performance Based Loan of Federal "HOME" Funds to assist in the land acquisition and construction of a 140 unit Senior Residential Housing Facility, targeting low income tenants, to be located at the northwest corner of Minnesota and Almeda Genoa, of which 20 units will be restricted to floating home assisted units, which 16 units restricted to HUD high home rents and 4 units restricted to HUD low home rents for a period of 20 years - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0311 ADOPTED.
17. ORDINANCE approving and authorizing contract between the City of Houston and **FLORAL SENIOR LDG, LP** to provide a \$726,000.00 loan of Federal "HOME" Funds to assist in the acquisition and development of a 100 unit affordable housing development targeting seniors 55 and older, to be located on the northeast side of Beltway 8 and Fondren Road, of which 6 units will be restricted to floating home assisted units, with 4 units restricted to HUD high home rents and 2 units restricted to HUD low home rents - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0312 ADOPTED.
18. ORDINANCE approving and authorizing agreement between the City of Houston and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** to provide a Loan of Federal Neighborhood Stabilization Program Funds in the amount not to exceed \$595,000.00 for eligible costs in connection with the acquisition, rehabilitation and resale to income-qualified households of up to seven foreclosed homes with proceeds from sales to be returned to the City of Houston NSP Program - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0313 ADOPTED.
19. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **MACGREGOR WEST SUBDIVISION** 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. Council Member Clutterbuck absent. ORDINANCE 2010-0314 ADOPTED.
20. ORDINANCE amending Ordinance No. 2008-0617, as amended, to increase the maximum contract amount for a contract between the City of Houston and the **LAW OFFICES OF PATRICK ZUMMO** for Legal Services relating to the City's continued enforcement of the Sexually Oriented Business Ordinance - \$100,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0315 ADOPTED.
21. ORDINANCE appropriating \$350,000.00 out of Combined Utility System General Purpose Fund and approving and authorizing contract between the City of Houston and **OLSON & OLSON, L.L.P.**, for Legal Services relating to Cause No. 799233; Trail Enterprises, Inc d/b/a Wilson Oil Company, et al. v. City of Houston; in the County Civil Court at Law No. One of Harris County, Texas; establishing a maximum contract amount - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0316 ADOPTED.

23. ORDINANCE appropriating \$1,113,147.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing a Phase II Energy Savings Performance Contract between the City of Houston and **SIEMENS INDUSTRY, INC** for Implementation of Energy Conservation Measures at Solid Waste, Parks & Recreation and Health Department Facilities for the General Services Department; providing a maximum contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0317 ADOPTED.
24. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the Public Improvement Project known as the Houston Heritage Corridor Bayou Trails West Hike and Bike Project; authorizing the acquisition by donation, purchase, or eminent domain proceedings of real property interests in Easement Title into two tracts of land situated in the John Austin Survey, A-1, in Harris County, Texas; such property being more specifically situated out of Lot 10, Block 228, of W. R. Baker Addition an Unrecorded Subdivision Plat, North Side Buffalo Bayou and Lot 20, Block 43, of Allen Addition, in Houston, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0318 ADOPTED.
25. ORDINANCE appropriating \$731,372.00 out of Water & Sewer System Consolidated Construction Fund for Repair to the Lake Houston Pump Station under contract with the **COASTAL WATER AUTHORITY** (C35911, Ordinance No. 03-1137) - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0319 ADOPTED.
26. ORDINANCE appropriating \$110,000.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Negotiated Work Orders Contract between the City of Houston and **ROBERT REID CONSULTING ENGINEER, INC** for Local Drainage Project Negotiated Work Orders; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0320 ADOPTED.
27. ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SIEMENS INDUSTRY** for the Intelligent Transportation System – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0321 ADOPTED.
28. ORDINANCE appropriating \$12,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services Contract between the City of Houston and **OMEGA ENGINEERS, INC** for Various Wastewater Lift Station Improvement Projects – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0322 ADOPTED.
29. ORDINANCE appropriating \$423,500.00 out of Street & Bridge Consolidated Construction Fund, and \$265,000.00 from Contribution for Capital Projects Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Program Work Authorization Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project

management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund; and Contribution for Capital Projects Fund - **DISTRICTS A - STARDIG; D - ADAMS; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0323 ADOPTED.

30. ORDINANCE appropriating \$669,628.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SYNAGRO OF TEXAS - CDR, INC** for Solids Removal from Wastewater Facilities; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0324 ADOPTED.
33. ORDINANCE appropriating \$886,233.00 out of Parks Consolidated Construction Fund, awarding construction contract to **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Godwin Park - Phase II; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, abatement inspection and air monitoring services, Civic Art and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0325 ADOPTED.
34. ORDINANCE making a general appropriation of certain revenues of the City in support of annual budgets for Fiscal Year 2010; making additional appropriations and authorizing transfers in support of the annual budgets of the City for Fiscal Year 2010 – was presented. All voting aye. Nays none. Council Member Clutterbuck absent. ORDINANCE 2010-0326 ADOPTED.

## **CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

### **ACCEPT WORK**

6. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$5,828,056.00 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for Midwest Police Station - District 18 - 0.99% under the guaranteed maximum price - **DISTRICT F – HOANG** – was presented, moved by Council Member Lovell, seconded by Council Member Costello, and tagged by Council Member Hoang. Council Member Clutterbuck absent.

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

10. **PHILPOTT MOTORS, LTD.** for Light-Duty Cabs & Chassis with Modular Bodies through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department - \$352,557.22 - Grant Fund – was presented, moved by Council Member Lovell, seconded by Council Member Costello. Council Member Clutterbuck absent.

Council Member Noriega stated that she had suggested that she might tag the item but was not going to do that, they had questions about it and they got the information that they needed last night, but what she wanted to mention was what the information was, this was

related to bomb squad activities and what they were asking was how they were paying for all of the kinds of activities that other people borrowed from them if they go out of the City and help with some kind of public safety effort, that what she was continuing to ask was how they were being reimbursed for that, there were various areas where they had done things in collaboration where they did not have a clear agreement and they had not been paid for it, so this was just an example of just one more place, that she was going to continue to ask those questions, that she was not sure that she would catch them all but if they all did that it would be helpful and she thought about bringing it up during the Mayor's Report, she thought it was germane, but she thought she would go ahead and mention it here, that she did not have any other concerns and was not going to tag it. Council Member Clutterbuck absent.

Mayor Parker stated that was an excellent question, that inter agency cooperation was a good thing and certainly in an emergency they did not stop to ask questions, they just helped each other out but when they were providing a service on a routine basis there had to be some consideration of the cost involved. Council Member Clutterbuck absent.

Council Member Bradford stated that he wanted to remind the body that those were good comments and good concerns but in many instances, such as in this instance, the specialized units that received funding to purchase special equipment, to pay specialized training, etc., a contingency attached to receiving those funds for the equipment and training included a requirement to utilize the equipment and training on a regional effort, on a regional basis, so therefore it would be not so easy to say "okay we are going to cross bill you because part of the money you got to get the equipment was a commitment to do a regionalized training effort". Council Member Clutterbuck absent.

Council Member Noriega stated that Council Member Bradford was absolutely right, this was an example where ATF paid the overtime and that was the answer to the question that they got, that she just wanted to remind everybody that they fall into routines and she just wanted to ask that question. Council Member Clutterbuck absent.

Council Member Gonzalez stated that his colleague, Council Member Noriega, made a good point and valid point, but he wanted to offer his support for this, that he was familiar with the work done by their bomb squad, they did a tremendous job and were growing, that obviously they did assist, not only Houston proper, but also the region, they had a lot of critical infrastructure here in the City and GOD forbid they should ever be confronted with any type of major attack or anything but they wanted to make sure that they had the best people, with the necessary equipment, and obviously that equipment had to be moved so he was very supportive of this and they needed to make sure that they were maintaining that critical infrastructure that they had throughout the City and also their citizens, that he did recognize Council Member Noriega's point but this was also very important for their area. Council Member Clutterbuck absent.

A vote was called on Item No. 10. All voting aye. Nays none. MOTION 2010-0245 ADOPTED.

## **RESOLUTIONS AND ORDINANCES**

12. ORDINANCE authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series J, in an aggregate principal amount not to exceed \$125,000,000 for the purpose of funding certain authorized purposes; approving and authorizing certain officers and employees to act on behalf of the City in the selling and delivery of such notes, making certain covenants, agreements and resolving other matters incident and related to the issuance, sale, delivery and security of the notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering

Memorandum and a Dealer Agreement; and declaring an emergency - was presented. All voting aye. Nays none. ORDINANCE 2010-0327 ADOPTED.

13. ORDINANCE authorizing issuance of the City of Houston, Texas Taxable Pension Obligation Note, Series 2010; approving and delegating certain authority to the Mayor and the City Controller with regard to the note; approving a Note Purchase Agreement; approving a Paying Agent/Registrar Agreement; making other provisions regarding such note and matters incident thereto; making certain findings relating to the subject and matters incident thereto; and declaring an emergency - was presented. Council Member Rodriguez absent.

Upon questions by Council Member Sullivan, Mayor Parker stated that this was something that she was not happy about, it was part of the original budget proposal for the year and believed, as he did, that it was necessary to go forward, but this was something that she did oppose as Controller because she thought it failed to address the long term issues but they were moving to address the long term issues; that the Chair of the pension committee last year asked to have that committee rolled into Fiscal Affairs so that pension issues would still be covered appropriately under the Fiscal Affairs Committee, that the Municipal Pension was in a little bit of flux right now, they had an acting director, and she would remind Council that any changes to the pension structures would have to be negotiated individually with the three pensions. Council Member Rodriguez absent.

Council Member Clutterbuck stated that for their new colleagues and for the public that was watching the pension committee was dissolved over a year ago, about 18 months ago, and those responsibilities rolled into Budget and Fiscal Affairs Committee, which she chaired and as had been her habit they had quarterly meetings and quarterly agenda items about the pension, at which point they had Craig Mason come and have various briefings on each of their three pensions, that they had also had meetings at times other than quarterly as the need arises and certainly if anybody would like to raise those issues or have them set as an agenda item at a time other than quarterly she would be very happy to do so, that it was a very important matter and something that they all needed to keep their eyes on on a monthly basis. Council Member Rodriguez

Council Member Sullivan stated that he attended those meetings but found them to be just informational, he did not see the behind the scenes action or work going on out of the committee or from the administration at this point which truly addressed the issue, that when he was sitting there and they had the Craig Mason presentation, since he had been on Council, they were just going over bar charts and that was about it and he was looking for some real meat on this, so if it was a discussion for later he would be glad to tone it down but he thought they had to start talking about it publicly. Council Member Rodriguez absent.

Mayor Parker stated that it was quite appropriate to have the discussion here it was simply that it was not within the total control of the Mayor and Council, it was a meet and confer process and that had to come up, there was a time sequence where they were locked in with them and it was meet, confer and agree and if they did not agree it did default to the State, so with the primary underfunded being the municipal pension they were working on it and were analyzing it but was not something that they could do completely on their own. Council Member Rodriguez absent.

Council Member Pennington stated that he had some concern about this issue and met with Mr. Moncur, that they discussed a lot of issues that maybe Council Member Sullivan might be interested in, that he thought that the City's obligations for payments into all of the pension funds were fixed for the next few years, the question was whether over a long term basis those obligations that they agreed to make would make the funds whole and of course that depended

on a lot of variables what sort of return they get and how many people retire and those other things, that he found his conversation meaningful and was one reason he was not concerned about this issue today, that he thought they needed to do it, but they did need to have a dialog, that he thought the value of the funds and the returns and so forth, those tended to change, that he did not think it was something that they could do a study on and say this was what they were going to do, he thought it was something that they had to monitor and that was the reason why they at least had to have quarterly discussions on. Council Member Rodriguez absent.

Mayor Parker stated that Craig Mason was available to meet with any member of Council, that he mentioned Jim Moncur, he was the Debt Manager on her staff, he was in the Finance Department and could also go into detail on pension issues and of course Council Members had appointees, two appointees, to the municipal pension board as well, all of them were available to meet and discuss in detail. Council Member Rodriguez absent.

Council Member Adams stated that one of the things about the pension board, within the first couple of years, that was one thing she noticed they did, lay dormant, that they really did not discuss it a whole lot and she wanted to thank Council Member Clutterbuck for wanting to bring the initiative forward with the transition, that she thought it was something that they really needed to discuss because it affected a lot of people, that she wanted to compliment because Sherry Mose and her team were constantly calling and try to update them on what was going on which was a great asset to that pension board, a broader perspective of how they were operating and she wanted to encourage her colleagues to utilize those resources and would like to continue those open dialogs, and Mayor Parker stated that she would agree about Ms. Mose and her colleagues, there was a new attitude at least for communication and she appreciated that. Council Member Rodriguez absent.

Council Member Jones stated that she wanted to thank Council Member Sullivan for saying at the microphone what some of them had been saying behind the scenes, that people were encouraging them, the Council, to pay attention to this very important issue, but she wanted to encourage the entities that would be meeting and conferring with and collectively bargaining with to pay attention as well, that in her office when they knew they might have to cut budgets they talked about it; that they were all going to have to bite the bullet and she and the Mayor had a lot of discussions about the Council budget. Council Members Rodriguez and Lovell absent.

Mayor Parker stated that the reason she did not ask for a 3% cut from Council, although Council could certainly amend the budget to do that, and from City Secretary, the smallest City department, and it was salary and overhead in her department, but everybody was going to have to be part of this. Council Members Rodriguez and Lovell absent.

Council Member Hoang stated that supported the administration's decision because they were in touch times, that everybody had to tighten their belts to make sure that the City was going to grow stronger, that he supported the decision of the cut for the Council offices. Council Members Rodriguez and Lovell absent.

A vote was called on Item No. 13. All voting aye. Nays none. Council Members Rodriguez and Lovell absent. ORDINANCE 2010-0328 ADOPTED.

22. ORDINANCE awarding contract to **CAPT. KIRK'S MARINE SERVICE, INC** for Boat, Boat Motor and Boat Trailer Repair Services for Various Departments; providing a maximum contract amount 3 Years with two one-year options - \$358,230.58 - General and Enterprise Funds - was presented.

After discussion by Council Member Sullivan a vote was called on Item No. 22. All voting aye. Nays none. ORDINANCE 2010-0329 ADOPTEDL

31. ORDINANCE appropriating \$1,231,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **N. G. PAINTING, L. P.** for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; B - JOHNSON and G - PENNINGTON** - was presented. All voting aye. Nays none. ORDINANCE 2010-0330 ADOPTED.
32. ORDINANCE appropriating \$408,542.00 out of General Improvement Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal and Installation at City of Houston Police Academy Vehicle Maintenance Shop; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for materials testing, project management and construction oversight, and contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. ORDINANCE 2010-0331 ADOPTED.

**MATTERS HELD** - NUMBERS 35 through 39

35. RECOMMENDATION from Director General Services Department to appoint Michael Welch and Bill Jackson independent appraisers and Samuel Jarrett alternate appraiser to determine the fair market value of Parcel SY9-080, known as the Heights Recycling Center, located at 3602 Center Street - **DISTRICT H - GONZALEZ** – **(This was Item 6 on Agenda of April 21, 2010, TAGGED BY COUNCIL MEMBER GONZALEZ)** – was presented, moved by Council Member Sullivan, seconded by Council Member Lovell.

Upon questions by Council Members, Mayor Parker stated that they had her absolute commitment that they were not trying to sneak anything through but they could not know how many chips they could take to the table until they had an appraisal of the property, that she was aware that this was a property that had a lot of discussion in the previous administration and they were not going to close or sell this property without some place else to take the recycling program, so there were a lot of moving parts, all she was trying to figure out was what was it worth in a very hot real estate market, that they were not going to do anything with it without public notice and public discussion, that it was in Council Member Gonzalez's district and he was certainly going to be a part of that process, that this was strictly to value the property so that they could have some fruitful discussions about what was the highest and best use for that property.

After further discussion by Council Members, a vote was called on Item No. 35. Council Member Pennington voting no, balance voting aye. Council Members Adams and Noriega absent. MOTION 2010-0246 ADOPTED.

36. ORDINANCE appropriating \$64,759.12 out of Fleet/Equipment Special Revenue Fund for Purchase of Utility Vehicles for the Houston Fire Department – **(This was Item 9 on Agenda of April 21, 2010, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented. All voting aye. Nays none. Council Members Adams and Noriega absent. ORDINANCE 2010-0332 ADOPTED.

- 36a. RECOMMENDATION from Purchasing Agent to award to **PHILPOTT MOTORS LTD. d/b/a PHILPOTT FORD** - \$56,996.00 and **BABY JACK II AUTOMOTIVE LTD. d/b/a CALDWELL COUNTRY CHEVROLET** - \$64,759.12 for Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Police and Fire Departments - Supplemental Environmental Projects and Fleet/Equipment Special Revenue Funds – **(This was Item 9A on Agenda of April 21, 2010, TAGGED BY COUNCIL MEMBER SULLIVAN)** - was presented, moved by Council Member Sullivan, seconded by Council Member Jones. All voting aye. Nays none. Council Members Adams and Noriega absent. MOTION 2010-0247 ADOPTED.
37. ORDINANCE appropriating \$4,023,982.36 out of Equipment Acquisition Consolidated Fund, \$781,450.65 out of Reimbursement of Equipment/Projects Fund and \$511,908.00 out of Solid Waste Consolidated Construction Fund for Purchase of Cabs and Chassis and Refuse Bodies for Solid Waste Management Department for Roll-Off Trucks to be used to expand the Department's Neighborhood Depository and Recycling Operations at the expanded 5100 Sunbeam location and the new 9003 N. Main location – **(This was Item 11 on the Agenda of April 21, 2010, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented. All voting aye. Nays none. Council Members Adams, Rodriguez and Noriega absent. ORDINANCE 2010-0333 ADOPTED.
- 37a. MOTION by Council Member Sullivan/Seconded by Council Member Lovell to adopt recommendation from Purchasing Agent to award to **HOUSTON FREIGHTLINER/STERLING** - \$1,605,258.00, **EAST TEXAS MACK SALES, LLC d/b/a B & C BODY COMPANY** - \$154,328.00, **CHASTANG BAYOU CITY FORD** - \$990,333.00, **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$1,365,264.00 and **MCNEILUS TRUCK & MANUFACTURING** - \$1,739,096.01 for Cabs & Chassis and Refuse Bodies through the Interlocal Agreements for Cooperative Purchasing with BuyBoards and Houston-Galveston Area Council for the Solid Waste Management Department - \$536,938.00 - National Clean Diesel Accelerated Fleet Replace Program Fund – **(This was Item 11A on the Agenda of April 21, 2010, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented, All voting aye. Nays none. Council Members Adams, Rodriguez and Noriega absent. MOTION 2010-0248 ADOPTED.
38. ORDINANCE approving and authorizing contract between the City of Houston and **MARJO HOUSE INCORPORATED**, providing up to \$399,459.00 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$199,729.50, for the operation and administration of a community residence located at 1706 Gellhorn Drive, Houston, Texas, along with the provision of supportive services - **DISTRICT B - JOHNSON** – **(This was Item 18 on Agenda of April 21, 2010, TAGGED BY COUNCIL MEMBERS JOHNSON and JONES)** - was presented. Council Member Adams absent.

After discussion by Council Members, Council Member Johnson stated that one of his major concerns was that they were building a transitional living facility for people with AIDS inside of a deed restricted community, that he was under the understanding that this particular company had not obtained an occupancy permit and therefore needed to do so, that he needed to know how they planned on doing that, that he also needed to have an understanding why this particular matter did not come before any committee at all to have discussion on the matter and lastly wanted to know if there had been any discussions with the community, and moved to send this back to the administration until after the next available committee hearing or committee meeting on this particular matter.

Mayor Parker asked Council Member Johnson if he would hold that motion for just a second.

Council Member Jones stated that she was going to hold a special housing committee meeting to address this; that she hoped to set a committee next week so she would request a two week delay or refer it back to the administration in order for them to address the issues, so she would make that motion.

Mayor Parker stated that she had asked Council Member Johnson to stay his motion, and asked Council Member Jones if she believed she could put together a committee meeting next week, that Council Member Johnson's motion would then be for it to come back to Council after that committee meeting, that she would go back to Council Member Johnson's motion and asked Council Member Johnson if that was an acceptable motion and asked for a second; Council Member Lovell seconded Council Member Johnson's motion.

After further discussion Council Member Johnson stated that in the interest of wanting to get more information he agreed to do a two week delay in order to be able to get this information.

After further discussion Mayor Parker stated that she was moving to a vote on the motion to delay the item for two weeks or until after a special meeting of the Housing Committee could be held. All voting aye. Nays none. Council Member Pennington absent. MOTION 2010-0249 ADOPTED

39. ORDINANCE appropriating \$364,600.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **SMITH & COMPANY ARCHITECTS** for Fifth Ward Deluxe Theatre Renovation; providing funding for the Civic Art Program - \$285,000.00 - CDBG Fund - **DISTRICT B - JOHNSON** – **(This was Item 31 on Agenda of April 21, 2010, TAGGED BY COUNCIL MEMBER CLUTTERBUCK)** – was presented. All voting aye. Nays none. ORDINANCE 2010-0334 ADOPTED.

#### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Gonzalez stated that he would defer a little bit of his time because they had a special guest from New Orleans that he thought everyone around the Council table would like to have an opportunity to meet and they were here for a special occasion and presentation, and Mr. Landon Taylor of Council Member Clutterbuck's staff played a Happy Birthday song on saxophone for Council Member Clutterbuck, and Council Member Gonzalez stated that he felt a little bit slighted, his birthday was this past Saturday and he did not get a mariachi or a serenade or anything, that hopefully next year; that he wanted to thank the Chair of the Flooding and Drainage Committee for a great meeting yesterday out in the community, taking the committee on the road, that a lot of people were grateful that they made it accessible to them; that the Lulac Cinco de Mayo Parade would be on Saturday, May 2, 2010 from 10:30 a.m. to 5:00 p.m., also the Cinco de Mayo celebration with Northline Commons at Greater Northside Management District, there was a lot of activity going on and they had invested a lot in the community and provided a lot of jobs, that a Wal-Mart would soon hopefully be coming into the area as well, that it was Sunday, May 2, 2010 from 12:00 p.m. to 5:00 p.m. at 4400 North Freeway, that it was free and open to the public; that this weekend was the Inner Art Corridor 5th Annual Open Studio Tour on Saturday, May 1, 2010 from 3:00 p.m. to 9:00 p.m., that the tour would begin north of Washington Avenue and end south of Taylor Street exit, that it was in the newly identified art district; that he was very proud of the International Festival and all of the organizers for a job well done; that he heard a brief presentation on the efforts of the PhotoFest and he was amazed at how much work and how much of an international scope it had, that it really draws people from across the Country and world, that it started from very simple beginnings and had grown to be a powerhouse. Council Members Sullivan and Lovell absent.

Council Member Hoang stated that he wanted to thank the previous administration and Mayor Parker's administration and her leadership because they had the grand opening of the new Mid West Patrol Station, that he was happy because it was in his district and Council Member Pennington because the police would patrol some part of his district, that the district was happy because it was going to be safe for the district and especially the Harwin and Sharpstown areas, that he wanted to congratulate Captain David Williams and thank Chief McClelland for his commitment to the community outreach, that he knew that the facility, along with the officers, would be used to proactively engage their diverse communities, that this facility would hold 159 officers and civilians in the division and they also had two narcotic squads and one investigative first responder squad, that they also have the Asian investigative team there so he was very happy for the division; that in the past three weeks they had three murders in the area so he was really aware of the issue and had requested HPD to increase the patrols and urged anyone who may have any information on these murders to please contact HPD immediately and/or contact the Council office and they would work with them closely and HPD to make sure that the area was safe. Council Members Johnson, Sullivan, Gonzalez and Lovell absent.

Council Member Stardig stated that this week she spoke at the T.C. Jester Dog Park grand opening, that Representative Dwayne Bohac attended the opening and brought his little dog Titus and one of her staff members brought her puppy Lola to play in the new park, that it was a wonderful event and she would like to thank the Houston Dog Park Association, the Mayor's Office of Special Events and the Houston Parks and Recreation Department for all of their hard work on the project; that this weekend she attended the First Annual Taste of Spring Branch event organized by Memorial Assistance Ministries; that she wanted to thank the constituents in the greater Inwood area for coming to City Council Annex on Monday to voice their opinions about the construction of a cell tower near their neighborhood, that this was a great example of community involvement and she commended their interest and participation in their neighborhood and she commended the commission for their denial of the request; that last week she attended a crime prevention press conference at the Spring Branch Family Development Center, that Assistant Chief Trevino of HPD and Amy Smith with Crime Stoppers discussed the importance of the Crime Stoppers Program, as well as the awareness tips and tools that could be used to abate crime, that the press conference was held in Spanish and she wanted to thank her staff member, Lynnette Aizpurua for translating, that it was very important to her and her staff that they educate as many people as possible about the steps that could be taken to prevent crime; that on May 1 and 2, 2010, Houston's Polish Festival would be this weekend, that it would be held on the grounds of Our Lady of Czestochowa located at 1731 Blalock Drive; that she was asking everyone to participate in the District A Townhall Prevention meeting on Wednesday, May 19, 2010 at 7:00 p.m. at the Spring Branch VFW located at 1560 Foley, at the corner of Long Point and Campbell. Council Members Clutterbuck, Sullivan, Hoang and Gonzalez absent.

Council Member Pennington stated that he would like to commend the Mayor, County Judge and Governor for their work that was reported in the newspaper to keep the Continental Headquarters, or the merged airline if that occurred, in Houston, that they were important not only because of the service that they provided for the citizens but for the economic pop and the status that they give and he knew they would go all out on that and he wanted them to know that he supported whatever it was that they decided was the appropriate thing to do; that he and Council Member Hoang were happy about the Mid West Division opening, that District 18 did serve a substantial part of District G including the Galleria and substantial areas along Richmond, that the Mayor was there and spoke about community and neighborhood policing that she and he agreed on, that hopefully the Chief, who was there, heard what she had to say, as well as Captain Williams, and they looked forward to working with them, that he did think they were off to a good start and as he understood it there were about 80 participants in the positive

interaction program meeting and he thought that was a very good sign so they all looked forward to service and interaction with the Police Department at that facility; that he attended a luncheon last Friday at the West Houston Chamber of Commerce, that Dr. Richard Murray spoke and as usual he was very entertaining and provided a lot of good information, however he did not make any political prognostications, that he hoped that everybody would get out to vote; that they also attended, and Council Member Rodriguez was also there, the Italian Expo, which was hosted by Mr. and Mrs. Georgio Berlingi, that it was a first class affair and he was glad to be there, that his wife, Beverly, was of Italian and Swiss heritage so they were particularly happy to be there; that on the diversity note he also attended the Hispanic Chamber of Commerce Luncheon where the Mayor spoke last week and she noted, and what he noted, that there was great leadership in that Council with Dr. Murillo and Chair, Ms. Irma Diaz Gonzalez, was that they seemed to be very member service oriented and thought that showed from what they had to say and from the reception that they received and thought that was a great organization for Houston to have; that on a local scene he wanted to applaud his staffer, Mary Harmon, who was participating with the Habitat for Humanity this weekend, the project was "Lowe's Women Build" that it was Habitat's program for women who wanted to learn construction skills and make a difference by building homes and communities, that women at these builds had further Habitat's home building mission by helping to construct more than 1,650 homes and of course was sponsored by Lowe's and thanks to them for doing that and thanks to Mary and the others who would be doing it. Council Members Clutterbuck, Sullivan, Hoang and Gonzalez absent.

Council Member Jones stated that they had their first International Business Initiative Committee meeting in a large part due to the help of various areas under the Mayor's department, that their first three or four meetings were going to get the stake holders together and explain who everyone was and who all the players were before they get a formal plan for how they go forward; that she wanted to thank the Masons of the Fourth Degree who had their Texas Council of Deliberation on Friday, April 23, 2010, that she went and presented a proclamation on the Mayor's behalf; that she hoped that the kids at Lewis Elementary were doing well on their TAKS test, they went and had a TAKS pep rally, that she also wanted to commend the kids at Forest Brook Middle School who had their Fifth Honors Day Assembly; that she joined the American Association of University Women, they do a lot to help the political climate, mostly fight for equal rights for women, they had been around for a long time, that they were called the "AAUW"; that they had a United Communities for Disaster Preparedness locally and globally and that conference was going on at the Crown Plaza off of 610 and Kirby, that they were trying to prepare for the hurricane season and make sure they knew where their most vulnerable communities were, that she wanted to thank the Police, Fire and Health Departments for coming and being a part of that; that she wanted to the 80/20 PAC Asian American Pac Hundred Day Dinner, that it was a 100 day dinner and that was where everybody told what they had done in the first 100 days of this term; that she wanted to say Happy Birthday to Reneta Thornton, that she did a lot of work in the Third Ward Community; that she wanted to say Happy Birthday to her Mom whose birthday was on April 27, 2010; that she went to an event yesterday where Mayor Parker spoke and would like to thank the Houston Hispanic Chamber for having an event for Gilbert Garcia, the Chair of the Metro Board; that someone on Council said that they tended to fall into routines in how they did things and they were actually going to have to think outside the box, that at the MWBE Committee they had someone in the department come up and talk about how they only spend about some \$980,000, that was a lot of money, and she just wanted them to think, and thought that it was rhetorical, this week they voted on, with the exception of anything that might be tagged or delayed, \$168,317,465.54, that one of the questions that she had asked was about a contract for legal services and she wanted to know what they were paying for billable hours and they chose a law firm that was going to be paid \$300 per hour to the partners as opposed to \$500 per hour to someone else, they spend a lot of money, like Monopoly money, on a regular basis, that they had to pay attention to how they were spending money, that she did not mean to put the Mayor on the hot seat but they would be

asking tough questions but she knew that if anyone was capable of answering them, since she was reminded yesterday that she was the only Mayor that was ever on Council, the City Controller and Mayor, so she had a full grasp of money and how it moves and how to save. Council Members Hoang, Gonzalez and Lovell absent.

Mayor Parker stated that she would encourage Council Member Jones to sit with Mr. Feldman, that she believed that he intended to make sure that they do more and more work in house, they had a large law firm and they needed to upgrade their skills and use the people that they had. Council Members Hoang, Gonzalez and Lovell absent.

Council Member Costello stated that he wanted to thank his colleagues, Council Members Pennington, Stardig, Adams, Clutterbuck, Rodriguez and Gonzalez for their on the road Flooding and Drainage Committee meeting last night, that it was very well attended and very successful, that he thought there were a large number of attendees that really appreciated the fact that a committee went out to the public for an evening meeting because most people could not come to the meetings that they normally hold during the business day so he thought it was very successful; that his office, At Large 1 was teaming with Parks and Recreation for the Annual Corporate Games that would start Friday afternoon and on Saturday, that it benefitted the Parks and Recreation's program called "ASK" and that it was an educational fund that provided resources to assist young students in the pursuit of higher education or to improve their academic levels in terms of their studies, that he thought it was a great program and was real excited to be participating in that; that he was also participating on Sunday in a sprint triathlon that was sponsored by Tri Kids Camp, that it was another program through Parks and Recreation and the proceeds from this particular race, which was held at the Jewish Community Center on South Braeswood, funded what was called the "Cheap Kids Try" and it encourages young kids to have a healthy life style and helped pay for about 60 inner city students participating in a camp during the summer that was sponsored by Parks and Recreation and also proceeds from this race sponsor Meals On Wheels. Council Members Hoang, Gonzalez and Lovell absent.

Council Member Bradford stated that Council Member Bradford stated that in 2006 the SEIU, Service Employees International Union, went on strike and included rallies and parades or marches, etc., the City of Houston refused to issue several of the required permits based on restrictions related to noise, timing and location of parades and restricted access to parks, that recently the U.S. Fifth Circuit Court of Appeals determined that the Sound Ordinance's limit of two permits per 30 days per location, the Parade Ordinance's one hour limit and all of the Park Ordinance's permitting requirements were unconstitutional, that he was asking for a briefing on how the City plans to respond to this ruling and what immediate impact would this ruling have on the City's permitting process; that the second issue had to do with the fact that studies showed that mentors could make a huge difference in the life of a student, that students with mentors were 52% less likely to skip school, 46% less likely to begin using illegal drugs, were more likely to get along with their family members and peers and was one of the most effective interventions to prevent students from dropping out of school, therefore on Saturday, May 1, 2010, the Houston Ministers Against Crime, Pastor Floyd Williams, Sr. and Coordinator Robert Jefferson would be sponsoring a "Save Our Schools" rally and fest to raise awareness and provide information and to organize the voices and assistance of parents, concerned citizens, educators, local business owners and City officials to assist the Houston Ministers Against Crime in providing a reasonable and responsible solution to the drop out problem in their unacceptable schools in the south district, that the goal was to interact with at least 2,000 people at the rally and to sign up 300 mentors who would be trained by HISD, that the event would take place starting at 1:00 p.m. at Tom Bass Regional Park Performing Arts Amphitheater located at 3452 Fellows Road in southeast Houston. Council Members Hoang and Gonzalez absent.

Mayor Parker stated that she wanted the Council Member to know that they actually had a Special Events Ordinance Review Committee that had already begun work and Mr. Michel volunteered to co-chair that committee with Susan Christian, they had a number of meetings and had draft changes to the Special Events Ordinance, which would also involved parade issues in the works, that they would be bringing it forward as rapidly as they could and if Mr. Michel had anything to add, and Mr. Michel stated that he thought that was a good summary and Mr. Feldman would brief the Council Member on any questions that he had, and Mayor Parker stated that Mr. Michel would continue as a volunteer private citizen, but Mr. Feldman would be happy to brief them. Council Members Hoang, Gonzalez and Lovell absent.

Mayor Parker stated that Ms. Christians' father died suddenly on Sunday and they would extend their sympathies to her. Council Members Hoang, Gonzalez and Lovell absent.

Council Member Rodriguez stated that AEG and the Houston Dynamo would like to invite residents and stakeholders and representatives of community organizations to attend an informative session on the Dynamo Soccer Stadium, that representatives from Populs, the lead architect and ICON Venue Group, the project manager, would join Oliver Luck and Tom Davis of the City of Houston for an informative session, that the session would focus on getting input from stakeholders and various organizations on things that should be considered as they begin the design process of the stadium, that the Dynamo wanted to share the same goals with the City and the goal was to build a fantastic facility for EDO and for additional growth in the area, so they looked forward to having some input from Council Members and residents and stakeholders in the community, that it was an Informative Session, Wednesday, May 5, 2010, Cinco de Mayo, at the University of Houston Alumni Center, 3100 Cullen, Room 2001, from 3:30 p.m. to 5:00 p.m. Council Members Hoang, Gonzalez and Lovell absent.

Council Member Sullivan stated that the conversation about the Special Events Ordinance was an item that he had mentioned to her during the transition meetings that they had, and Mayor Parker stated that yes, and they began putting it together then and they were also aware of possible legal issues, and Council Member Sullivan asked if he could be included he still had some ideas that he had not put on paper because he was waiting for the call, that he would be glad to contribute his free time as well as Arturo's. Council Members Hoang, Gonzalez and Lovell absent.

Council Member Sullivan further stated that they had a townhall meeting in District E last night in the Clear Lake area at University of Houston Clear Lake, that he wanted to thank the City of Houston employees who attended and answered questions; that Council Member Pennington mentioned the press conference yesterday with respect to Continental Airlines, that he wanted to thank the Mayor for being there and taking the lead on that, that he thought it was important for them all to know that the Mayor, County Judge Emmett, Council Member Rodriguez, as well as Senator Rodney Ellis and representatives from the Governors' Economic Development Department and Senator's Cornyn and Hutchison's office, as well as GHP Chair Pat Oxford, that he thought they made every pitch possible that was allowed by law; that last week was National Crime Victim's Rights Week and he wanted to thank Andy Khan for putting the ceremony on the steps of City Hall and for securing proclamations for all of the organizations that he recognized, there were about 20 organizations there; that last night they stopped by Fire Station No. 94 and he wanted to thank the A Shift for their hospitality; that he wanted to invite his colleagues to the National Day of Prayer Service on the steps of City Hall, that it was next Thursday, May 6, 2010, at 12:00 p.m., that it would be hosted by Grace Community Church. Council Members Hoang, Gonzalez, Noriega and Jones absent.

Mayor Parker stated that she would point out that Representative Coleman had sent a letter to the press conference as well on behalf of Speaker of the House Joe Strauss, they were

also in support, that they had to have the Lieutenant Governor and the Speaker in order to make available any of Governor Perry's economic development funds, so they were all on board as well. Council Members Hoang, Gonzalez, Noriega and Jones absent.

Council Member Lovell stated that a past employee of the City of Houston Citizens Assistance, Claudia Vasquez, was in the audience, that as they knew she left them and went to Neighborhood Centers; that she wanted to report what happened at the Neighborhood Centers this year at tax season, that the total number of tax return prepared were 2,279, net federal refunds claimed were about \$33 million, that the gross federal refunds claimed were \$35 million, which was money that stayed here in the City and was spent in the City, that the number of active volunteers was 511 people and the number of volunteer hours were 16,586 hours, that she wanted to thank those volunteers, that the number of tax centers were 20 and the top three producing centers were Baker Ripley, Cleveland Ripley and Ripley House, that she wanted to thank Neighborhood Centers for their efforts; that she wanted to give condolences to Susan Christian, whose father died this weekend; that they were all holding their breath waiting on the Continental United merger if it was going to happen, that she wanted to thank the Mayor for her efforts, that first of all she thought they were all emotionally attached to Continental because this was their hometown, but second, if the merger did happen it was not just what would happen to employees jobs that would move or be lost, but also their philanthropic involvement in the City, that she hoped that whatever comes out of the merger, whoever that was, that the involvement would remain the same because at this point in time it was very important and to lose that would just be another blow; that tomorrow she would represent the City of Houston and welcome the attendees to the Power of Transit: Learning from Peer Regions, that it was a conference hosted by the Houston Galveston Area Council, they would have executives from transit agencies from around the Nation, that the moderator was a research scientist from the Texas Transportation Institute, which was the largest university affiliated transportation research agency in the United States, that the institute member was Texas A&M University System, that as they knew transit and transportation issues were very important to their region; that she wanted to remind people that the Galveston Historic Home Tour would begin Saturday, May 1, 2010 and continue on May 2, 2010, May 8 and May 9, 2010, that for those who had not remembered that was Mothers Day so mark it on their calendar, that it was a wonderful tour but Galveston was still recovering from Ike and would appreciate their involvement; that she wanted to say farewell to their intern, Mr. Cargo, that he was leaving their At Large office, that he was a Senior at the University of Houston and majoring in Political Science and participates in the Intern Program through the Center for Public Policy, of which all of them had benefitted from that fine center, that they would wish him the best in the future. Council Members Clutterbuck, Sullivan, Hoang, Rodriguez, Bradford and Jones absent.

Council Member Johnson stated that they would be having a townhall meeting tonight at the Acres Homes Multi Service Center, from 6:00 p.m. to 8:00 p.m. as they talked about many of the issues that face District B, that he appreciated the Mayor agreeing to be at the townhall meeting tonight; that he wanted to congratulate Mayor Parker for her leadership on the Continental/United merger, that he hoped that they as a City and then as a State could do all that they could to make sure that Continental keeps their offices in the City of Houston, that it would be a blow if they lose 1,000 jobs; that on April 30, 2010, Secretary of Education Duncun would participate in many City of Houston events, in particular some that would happen in District B, that at 12:30 p.m. Secretary Duncun would participate in a Community Education Forum at the Harris County Department of Education at 6300 Irvington Boulevard, that it would then be a part of the YES Prep Senior Signing Day which would take place at Rice University at 4:00 p.m. and at 5:30 p.m. Secretary Duncun would be talking to Supervisor Terry Greer at Sam Houston Elementary as they talk about education in the City of Houston; that on May 1, 2010 the Syphilis Elimination Advisory Council would be hosting events in District B to share vital information with their young people on how to avoid contacting this very fast spreading disease, that the events would take place on Saturday and in order for them to take advantage of all of

the computers, bicycles and gift cards they had to come to two events, the first would take place at the Forest Brook Middle School, from 9:00 a.m. to 1:00 p.m. and then they could trek to the Kashmere Multi Service Center, from 10:00 a.m. to 2:00 p.m. in order to register to receive all of the gifts, that he hoped everybody could be a part of the Youth Health Expo 2010, sponsored by SEAC; that the TASK tests started yesterday and many of the children were taking the tests and he wished good luck to all of them; that yesterday he, Council Members Stardig, Hoang and Clutterbuck went to the Shanghai Texas China Friendly Relations, that it was a great event and Governor Perry and Yao Ming were there, that they gave a lot of great statistics that demonstrated the amount of export and import that they did with China and China only lagged third behind many of their bordering countries, Mexico and Canada, that at the event he ran into Jim Austin, who was over the International Festival and he wanted to congratulate him and the festival committee, that they had a great event over the weekend; that he wanted to say to Arturo Michel thank you for all of the work he had put in at the City, that he certainly would be missed, that he appreciated all of the work that he had done and good luck to him in his private endeavors. Council Members Sullivan, Hoang, Rodriguez, Bradford and Jones absent.

Council Member Clutterbuck stated that she too wanted to add her congratulations and thanks to Arturo Michel; that she wanted to thank Mayor Parker for the presentation that she made today about the Council budget and as they go forward with the discussions about managing their abundance or about how to find the savings, that she was in the second week now about offering up a budgetary savings suggestion and hoped to do so once a week during the pop off time during the Council comment time and this week's suggestion was related to Public Works, that she had some photographs that were very difficult to see because they were in black and white, but were taken by a gentlemen in a neighborhood in District C and they reflected what a number of people throughout the City experience, and she displayed the photos, and stated that they there were digging a hole, and there was a man in a hard hat sleeping on a barrier, a man in a hard hat sleeping on the curb and in the truck one was in the cab and also asleep, so it was a three crew group asleep, and Mayor Parker asked if it was a City crew, and Council Member Clutterbuck stated that it was a City crew, that it was not uncommon, and she had three thoughts on this, that first, she did not want to know who these people were, and Mayor Parker stated that yes they did, and Council Member Clutterbuck stated that Mayor Parker probably did but she would say that going forward this was a warning that they would take their names and if they were asleep on the job that was a danger to them and to the people operating around their work crew, that if they were so tired that they had to fall asleep on their break time that was a problem, secondly, if they were falling asleep because they were bored that was a problem, that her suggestion was that they have an extremely serious look, from the outside in, at the very lowest level of exactly why they put people on a job, what the hours were, what the union contract required in terms of break time, whether or not the union contract specified that it was unacceptable to sleep on the job and any requirements that they had internally at Public Works about how many people they put on a job, that if there was not enough work to be done by the four men in a truck on a crew then they had too many people on the job, that their highest expense in any of the operations that they did was personnel and if they were putting too many people on any particular job, whether it was at Parks or Public Works, no matter where it was, it was a problem, that this particular job was tremendously snake bit and she looked forward to dealing with the Director of Public Works about it to address the specific problems, that one of the main concerns was that the big hole that they were digging was on a newly, re-laid, over surface street, that they had serious problems in the way they were spending money and doing things and she looked forward to working with her on that, that was budget idea number 2 for week number 2; that she wanted to applaud Council Member Costello for taking the Flooding and Drainage Committee on the road last night, that it was outstanding and she looked forward to attending more meetings; that this weekend she went to three things over the weekend in the City of Houston that were free or very low cost, Miller Outdoor Theater, Discovery Green, the Used Book Sale at the Houston Public Library which was at the George R. Brown Convention Center and the International

Festival. Council Members Sullivan, Rodriguez, Bradford and Jones absent.

Council Member Noriega stated that she wanted to congratulate her colleagues at the County for taking a step forward in terms of having a public defenders office, that when she goes out and talks to communities about public safety and about particularly dealing with the Houston Police Department what was important to many communities was how safe, fair and just the process was after the Police Department gets involved, so having a public defenders office as part of the County's catchers mitt that gets the offenders or people who were arrested or whoever they were, that after the Houston Police Department was involved when the County takes over and the prosecution looks at the criminal justice system, having some kind of support for folks who could not afford their own defense was a real step forward, she thought, for this area, that their County Judge talked about it this morning and he said it was about justice, that the question that folks were asked when they were in the criminal justice system should be "did or didn't you do it" not "do or don't you have money", so she just wanted to congratulate the County on that and wanted to point out that this was another area where they had a piece of it and there had been real progress, that she wanted to commit again to the public that not only were they about keeping them safe but were about keeping that process fair. Council Members Sullivan, Rodriguez, Bradford and Jones absent.

Council Member Adams stated that she respected Council Member Clutterbuck's comment about the City of Houston employees but when they looked at the photos, the City of Houston takes pride in making sure that all of the City vehicles were marked, and the trucks that were in the photos were not marked with the City vehicle seals, therefore these were contractors that were working with the City of Houston, so they wanted to make sure if they make any corrections that these were City of Houston employees, that these were contractors that were on the job, that the vehicles they were in were unmarked so they needed to make sure that they investigate things and make sure before they accuse the City of Houston employees of any type of falsification on the job, that she would like for the Mayor to really look at this and investigate this because this was serious because it was the quality of life of individuals or employees who were in jeopardy or could lose their job if they were falsely accused, that they should look very closely at this, the vehicles were not marked with a City of Houston seal, all of their vehicles were marked, all of the backhoes were marked, that these backhoes and trucks that they were in were not marked, so it was a City of Houston employee versus a contractor, that they should double check and make sure, that citizens who report things because they see somebody sleep, of which they could be resting from the sun, they do not know, but they should make sure that they were City of Houston employees, that yes, they needed to let Director Marcotte know; that everybody knew how sensitive she was when it came to City of Houston employees, especially with the salaries that they make, that they should look at the trucks that the Solid Waste workers work in without air conditioning in 100 degree weather, that they do not improve the quality of life of their own employees, that they need to look at the ones who dig ditches everyday, going through sewer lines, and paying them \$10 per hour, that they should look for stuff to improve the quality of life of their employees versus looking at things that can down them and make them get fired if it was not accurate and current information concerning the employees, that she thought they needed to look at this as a whole to protect their employees instead of looking at photos that were not accurate and clear. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

Mayor Parker stated that no one would take any action against a City employee without full evidence, that she would actually make reference to the fact that a City employee happened to litter when she was standing behind him, that he not only littered but threw something into a storm drain and they had words on the side of the street the other day, that she took these kind of allegations seriously and it would be investigated. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Adams further stated that she wanted to thank her staff because they had a hard and tough first several months in the District D office; that she wanted to thank Pastor Allen and Council Member Costello for their renew message to the South Park Community, that they drove the community in advance and had the chance to look at District D as a whole, from the highest to lowest economic value in their district and she appreciated that looked at streets where there was no drainage at all; that she wanted to thank the South Park Community for participating in meeting number 6; that meeting number 7 would be in the Neartown Montrose area this coming Thursday, from 6:30 p.m. to 8:00 p.m. at the Montrose Counseling Center at 401 Bernard Street; that the Leaders Recognition Dinner was on May 13, 2010, for more information they could call her office; that they were transitioning from townhall to cleanup and she wanted to thank New Hope Worldwide, a faith based organization in Houston, for partnering with their office to look at efforts in District D to improve the clean up efforts, especially for some of the blighted communities, that on May 15, 2010, in the South Park Community, area 237. they were going to remove blight in the area, cut vacant lots and cleanup again, that on June 26, 2010, they would be in the Third Ward Community doing another community cleanup, for more information they could call her office at 832-393-3001; that she wanted to applaud Carnegie Vanguard and Kipp Academy which were named among the best schools in the Country by US News report of top high schools, that Carnegie was moving into a new facility in District D in the fall of 2011; that the University of Houston students would be starting a new Hispanic newspaper, that the Venture Newspaper would offer news, entertainment and sports, the Spanish section would be called "El Poso", that they would be bringing a diverse paper to the campus and hoping to bring awareness to the issues impacting Latinos in their community, that the student on-line paper had been nominated for an award and were one of the finalist for the New On-Line News Organization Award for the Associated Collegiate Press; that Mayor Parker was going to lose one of her best drivers, Virgil Radliff, was retiring from the Houston Police Department; that they had a reception on Monday celebrating African American achievements, that Who's Who in Black Houston, the fourth edition, focused on education and she wanted to thank Dr. John M. Rudley, President of Texas Southern University and Dr. George C. Wright, President of Prairie View A&M University, that she and Council Member Johnson were featured in the book and she wanted to thank Phyllis Bailey for her recognition; that they had their first Super Neighborhood Alliance meeting and knew that they were coming to meet with Mayor Parker in May and she wanted to thank the Mayor because they had a lot of ideas, that they wanted to get back to where they used to be when they first started, they wanted to be able to have the empowerment back in their communities, that the Mayor provided a list of her top priorities and she shared that with them, that she wanted to thank Mayor Parker because she knew that she was really looking at this as being one of her visions to be able to improve Super Neighborhoods. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

There being no further business before Council, the City Council adjourned at 11:38 a.m. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

---

Anna Russell, City Secretary