

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

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

At 1:38 p.m. Mayor Parker called the meeting to order and stated that she would begin the meeting with a presentation today with Council Member Sullivan who stated that he was eager to announce the recreation of the Clear Lake Super Neighborhood Council who was present today; that he wanted to salute them for being willing to look beyond their neighborhood borders and satisfying all requirements and urged them to continue relationships with ongoing Council Members to achieve their goals; recognized their liaison, and presented them a Proclamation declaring the resurrection of the Clear Lake Super Neighborhood Council and recognize the new council board and welcome all to their duties. Council Members Clutterbuck, Adams and Rodriguez absent.

Council Member Sullivan stated that he wanted to also recognize the Planning Department for the work they did in pulling all this together. Council Members Clutterbuck, Adams and Rodriguez absent.

Council Member Stardig congratulated all on their being reinstated and their commitment to the City of Houston. Council Members Clutterbuck, Adams and Rodriguez absent.

Council Member Hoang invited Council Member Jones to join him in his presentation and stated that it was his pleasure to invite Mr. Rushan Gao and his wife to the podium and stated that at the age of 88 Mr. Gao had won dozens of medals for his remarkable athletic skills and a dominant force at table tennis among ages 80 and over and won numerous gold medals since the year 2005; and Council Member Jones stated that Mr. Gao won three gold medals in every game for five years at the World Senior Games since 2005 and set a historic record; and presented him a Proclamation recognizing and saluting Mr. Gao for his commitment to serve as a role model and a source of pride for all seniors. Council Member Hoang stated that next year Mr. Gao would be 90 years old. Mr. Gao stated that he was excited to be present and receive such acknowledgment from the Mayor of the City of Houston; that he brought numerous medals to Houston and urged all to exercise for long life. Council Members Clutterbuck, Adams and Rodriguez absent.

Council Member Adams stated that she was excited to present the Bravo Awards which recognized exemplary work of employees and invited Ms. Brenda Davis of the Health and Human Services Department, Mr. Carl Davis of the Planning and Development Department, Mr. Al Needham of the Library Department and Ms. Carolyn Paige of the Health and Human Services Department to the podium and presented each with a Bravo Award recognizing them for going above and beyond their job description, often volunteering to help their communities on their own time and without compensation. Council Member Clutterbuck absent.

Council Members Rodriguez, Bradford, Jones and Lovell thanked Council Member Adams for honoring city employees and thanked employees for their exemplary and voluntary works.

At 2:04 p.m. Council Member Sullivan led all in the prayer and pledge. Council Members

Lovell absent.

At 2:05 p.m. Mayor Parker requested the City Secretary to call the roll. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business.

Council Members Jones and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION ADOPTED.

Council Member Bradford on a point of personal privilege stated that he wanted to recognize Mr. David Jackson who was present and was a Boy Scout in Troop 212 and also his nephew; and thanked him for coming.

Council Member Jones moved the rules be suspended for the purpose of adding Mr. Larry Wallace and Mr. Kenneth Gray to the three minute Agenda Speakers List, seconded by Council Member Costello. All voting aye. Nays none. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. Council Member Lovell absent. MOTION 2010-0546 ADOPTED.

Council Member Rodriguez moved the rules be suspended for the purpose of hearing Ms. Sylvia Gonzales at the top of the three minute Non-Agenda Speakers List, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. Council Member Lovell absent. MOTION 2010-0547 ADOPTED.

At 2:08 p.m. The City Secretary began calling the public speakers. Council Member Lovell absent.

Ms. Lauren Barrash, 5535 Memorial #F202, Houston, Texas 77007 (713-863-9283) appeared and stated that she was founder of The Wave, Houston's first jitney service in 15 years, and thanked all for allowing them to work through an ordinance written sometime ago and she did support those changes. Council Members Lovell and Jones absent.

Mayor Parker thanked Ms. Barrash for working with them under a very old ordinance and helping craft an ordinance which would work in other parts of the city. Council Members Lovell and Jones absent.

Council Member Clutterbuck thanked Ms. Barrash for starting the jitney program; that she did struggle with the issue of capacity and increasing it to nine, it was her thought perhaps the market should determine; and upon questions, Ms. Barrash stated that this had a lot to do with education of the public, many did not know what a jitney was and they needed to know the function so they could know whether a cab, jitney, etc. would be best for them; that vehicles holding more people would cause them to have less on the street, but all transportation options needed clear definition.

Council Member Costello stated that he had the same problem, minimizing the number of passengers, he did not agree it had an issue with congestion or public safety and thought the market should dictate the size of the vehicle; that with a larger van you might wait to fill it and with a smaller vehicle they could take off; that he was not in favor of the change on number of passengers; and Ms. Barrash stated that they were operating on a fixed route so they continued to move on picking up as many as they could, you could not wait until it was full because they may have many get off at the next stop.

Council Member Lovell moved the rules be suspended for the purpose of extending the time for questions of Ms. Lauren Barrash, seconded by Council Member Costello. All voting aye. Nays none. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0548 ADOPTED.

Council Member Lovell stated that she was proud of what she had done; that the jitney ordinance was on the Agenda this week and now they were starting a "green" vehicle ordinance for different transportation which did not fit in any ordinance but was in the streets and their target was the middle of September to get this done; and Mayor Parker stated that the horse and carriage would also be in the "green" vehicles ordinance. Council Member Adams absent.

Mr. Larry Wallace, who was previously added to the Speakers List, appeared and stated that he was Director of Operations for Oce Business Services and currently ran Image Solutions downstairs, for the past six years, prior to them running it they were losing money and now the city was able to bring money into the general fund; that today he was present asking for a fair opportunity to renew their contract; that recently misinformation was provided, but the city should keep them as a vendor because of their cost management, improved technology and flexibility on printing; and asked to have opportunity to show why their contract should be renewed. Council Member Adams absent.

Mr. Kenneth Gray, who was previously added to the Speakers List, appeared and stated that he and Mr. Wallace were requesting a forum before Council Members or someone appointed to see the issues they were going through and proposals put in place to modify the Image Solution Center and bring technology up to today's standards and keep the work on site. Council Member Adams absent.

Upon questions by Council Member Pennington, Mr. Gray stated that they were able to present their presentation this morning, but he did not believe they would consider it. Council Member Adams absent.

Mr. Jim Leder, 2031 Arlington, Houston, Texas 77008 (713-876-9910) appeared and stated that he was present regarding the proposed Heights Historic South District to be ruled on next week and the HPO amendment; that the South District did not have 51% support of its residents and since the time of the petition process many residents did not agree with the new ordinance and he was requesting Council communicate what the future intentions of the HHC would be going forward with the creation of new districts. Council Member Adams absent.

Council Member Lovell stated that they spoke a number of times and this evening would be their first big meeting at Houston Community College at 6:00 p.m. and changes in the ordinance would be explained; that if people did want to re-decide there was a process in place, this would be fair for everyone and going forward the new historic districts would be the same as it was now, by self determination, but the process would not be petitioning by neighbors, but instead the city would come to the neighborhood and explain and information would be sent to households, an official hearing would be held and cards like a ballot would be sent to homes for people to agree or disagree and the threshold was raised from 51% to 67% and she looked forward to seeing all at the meetings. Council Member Stardig absent.

Ms. Claudine Wood, P. O. Box 2342, Houston, Texas 77253 (281-236-5426) appeared and stated that she was left in the world today as a United States assumed owner; she had a lot of paperwork at her home and space programming and secret service in the area; and continued expressing her personal opinions until her time expired. Council Member Stardig absent.

Ms. Sylvia Gonzales, 10102 Elm Knoll Trail, Houston, Texas 77064 (832-283-5752) appeared, presented information and stated that she was the National Vice President for the Southwest for LULAC and she and the Mayor previously met about having representation on some of the Boards and today she was imploring the Mayor and Council to allow Ms. Janice Longoria to be reappointed to sit on the Board of the Port of Houston as she was a great asset and it was their only Hispanic seat on the Port of Houston. Council Member Stardig absent.

Council Member Rodriguez thanked Ms. Gonzales for coming and the work she did in the community; that he too agreed with her sentiments and supported Ms. Longoria and hoped to keep her. Council Member Stardig absent.

Council Member Jones commended Ms. Gonzales on her recent appointment as National Vice President for the Southwest at LULAC and stated that Ms. Gonzales always paid attention to issues affecting the Hispanic community and she paid attention to that. Council Member Stardig absent.

Council Member Hoang thanked Ms. Gonzales for coming and proposing Ms. Longoria be kept on the Port Authority; that she was Hispanic but also a person of integrity with an impressive biography and also thought she was the person for this. Council Member Stardig absent.

Ms. Deborah Allen, P. O. Box 263252, Houston, Texas 77207 (832-885-1659) had reserved time to speak but was not present when her name was called. Council Member Stardig absent.

Minister Joe Angel Lopez, 13334 Wells River, Houston, Texas 77041 (832-891-2724) had reserved time to speak but was not present when his name was called. Council Members Stardig and Sullivan absent.

Mr. W. W. Fisher, 5638 Irish Hill, Houston, Texas 77053 (281-438-4039) had reserved time to speak but was not present when his name was called. Council Members Stardig and Sullivan absent.

Mr. Josh Verde, 610 W. Clay #4, Houston, Texas 77019 (713-382-4061) appeared and stated that he was present voicing concerns about the proposed Walmart construction on Yale as he and many others were opposed to it in the proposed area; that they were opposed to more traffic, increased crime, etc., and the most important point of opposition was residents lived there because they wanted a certain type of neighborhood and certain type of neighborhood structure for their families and a large "box" store changed the makeup and feel; and would like a committee or discussion where they could control the impact construction would have. Council Member Sullivan absent.

Upon questions by Council Member Jones, Mr. Verde stated that there was a statistic which associated an increase crime rate with large parking lots around stores such as Walmart; and Council Member Jones stated that she would like that information. Council Members Sullivan, Rodriguez and Jones absent.

Council Member Pennington stated that a number of groups were looking at this; and upon questions, Mr. Verde stated that he was with the Face Book Group and they were open to discussion on alternatives; that such a large store was drastic and brought changes they did not want. Council Members Adams, Sullivan, Rodriguez and Jones absent.

Upon questions by Council Member Stardig, Mr. Verde stated that he was not representing anyone in the process, but would love getting a group together to seek out anyone

interested in entering the area; and Council Member Stardig stated that she had the same concerns throughout her district, but they could not dictate to landowners who their tenants would be. Council Members Adams, Sullivan, Rodriguez and Jones absent.

Mayor Parker stated that Council Member Gonzalez who represented the area was not present today, but she wanted to let all know that the agreement with Wal-Mart was just last week she believed and it was still early on in the due diligence phase and she and the Council Member were working to put together an Advisory Committee of immediately impacted residential and commercial interests; that there was nothing in any ordinances which would have any bearing on who the tenant was and perhaps advisable for the neighborhood to put less attention on who the tenant was and on what they may want to see the tenant do. Council Members Adams, Sullivan and Rodriguez absent.

Ms. Marlene McCourt, 3913 Barnes, Houston, Texas 77009 (281-888-7343) appeared and stated that she was also opposing the Walmart in their neighborhood; that Magnolia Grove four years ago was a scary neighborhood and not safe to walk in, but now four years later you could walk all over the neighborhood and they were proud of it, but the change came with their efforts and small businesses and now were gaining national recognition; that one concern was all the traffic and their small streets. Council Members Adams, Sullivan, Rodriguez and Bradford absent.

Council Member Clutterbuck thanked all who came today fighting for their neighborhood; that the city was limited in what they could do, but it was her experience in working within the framework of ordinances and regulations they were able to affect change and responsible development; that she would commit to work with them and make sure they understood their perspectives, but to add hope not all Walmarts were the same, one at Hillcroft and South Braewood she would encourage them to go to as it looked more like a central market; that things could be done to fit the neighborhood and urged all to talk to them and allow them to create something neighborhood friendly. Council Members Adams, Sullivan and Bradford absent.

Upon questions by Council Member Jones, Ms. McCourt stated that they had a Target and she did not hate Walmart, but the one at Dunvale had many police calls and their streets were narrow; that they researched studies on crime and would send her information and Walmart was being sued for not having security in their parking lots. Mayor Parker, Council Members Adams, Sullivan and Bradford absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Anne Baumgardner, 507 Highland, Houston, Texas 77009 (713-868-1574) appeared and stated that she and her husband owned businesses in the Heights and they lived there; that they were pro development and moved there because it was charming, but they were opposed to "big box" development; that anything causing street widening, etc., was a change to their quality of life and affected their property values, safety of their children, etc., that they lived there and Council as their representatives should help them with their community. Council Members Sullivan and Hoang absent.

Mr. Dolan Smith, 518 Harvard, Houston, Texas 77007 (713-882-3263) appeared and stated that previous factories which had been there for years did not have the traffic flow Walmart would have; that the city was spending millions on the White Oak Mitigation Pond Project at the very location in order to mitigate an infrequent 100 year flood event and the irony was the Mayor and Council would pay Walmart with tax abatement funds to choke off the same location causing the same problem they were attempting to resolve; and instead of a "big box" store they would prefer smaller businesses. Council Members Sullivan and Hoang absent.

Council Member Lovell stated that the detention ponds which were to be there have been moved further out because they found it was contaminated and they could not dig down any

further so it would be moved closer to T C Jester. Council Members Adams, Sullivan and Hoang absent.

Mayor Parker stated that she was not aware of any tax abatements requested for that site, they had requested a standard infrastructure reimbursement which was that if a developer builds the infrastructure, the streets and so forth, to city standards and then the city took them over they had opportunity to recoup their costs; and upon questions, Mr. Smith stated that he read off a report which he did not have with him; that he wondered if an environmental impact study would be done and when would the public be allowed to see it; and Mayor Parker stated that she did not know of an environmental impact study, they were doing a traffic analysis and a whole range of neighborhood impact analysis and would pull together a group of stakeholders to see their concerns were addressed. Council Members Adams, Sullivan and Hoang absent.

Council Member Jones stated that with the Ashby High Rise the traffic impact changed the quality of the neighborhoods and by the time all hit the fan permits had been issued and money had been spent and she wanted due diligence to make sure they knew the true impacts so they could engage in smart planned development as she believed they did tend to trump residents with development and she hoped to be a part of the process. Council Members Adams, Sullivan and Hoang absent.

Mayor Parker stated to be clear, the so-called Ashby High Rise was granted permits and somewhat altered but not to the satisfaction of the neighborhood and much of it had to do with traffic impact; that they chose not to proceed, but did have their permits; and Council Member Jones stated that she knew that but did not think the permits should have been granted in the first place. Council Members Adams, Sullivan and Hoang absent.

Ms. April Wilson, 1166 Bonner, Houston, Texas 77007 (713-409-1286) appeared and stated that she was also opposing the potential development of Walmart, she resided directly behind the proposed property and was concerned more about a big mega development and not who was there, it brought up safety issues, flooding and noise and light pollution; that north bound traffic would not have proper site visibility to turn into the site and the proposed development was drastically higher than Yale Street itself and a grade impact analysis was warranted and the area did tend to flood during torrential rain; that Walmart did tend to have very tall lights and that would certainly impact residents and there could be traffic all hours of the night; that the quiet zone was just implemented and it would be a tragedy to replace train noise with semi noise, etc., that they did want the area to flourish but with a smart friendly development; and urged all be taken into consideration. Council Members Sullivan and Hoang absent.

Ms. Eileen Reed, 1315 Cortlandt, Houston, Texas 77088 (713-861-1919) appeared and stated that she was an 18 year resident of the Houston Heights, former business woman and former senior executive at Houston's leading economic development organization; that she too was a major advocate for business both large and small and she believed the site should be developed and a revenue generating asset, but the proposed "big box" retailer was not the right way; that quality of life in their neighborhood would be jeopardized with a project of such size and would create major problems; that she was happy a tax abatement was not asked for as yet, but Walmart did have a custom of asking for them; that research studies indicated when a Walmart went to an area primarily served by small businesses many of them were gone within months or years and the jobs and taxes went with them. Council Members Sullivan, Hoang and Rodriguez absent.

Upon questions by Council Member Jones, Mayor Parker stated that there was nothing in ordinances to allow the city to stop certain commercial places; that they were in the draft stages of a density and development ordinance prompted by problems with the Ashby High Rise and

focusing on things like traffic impact, but whatever entity going into the site today would be under existing ordinances; that she owned a retail bookstore for 10 years and Barnes and Noble and Book Stop could sell their books cheaper than she could buy them wholesale and she no longer had a retail bookstore. Council Members Sullivan, Hoang, Pennington and Rodriguez absent.

Mr. Nicholas Urbano, 4421 Koehler, Houston, Texas 77007 (832-754-5648) appeared and stated that he was present to bring to everyone's attention the work of neighbors against Walmart entering their community; that the city was now in negotiations directly and what they were negotiating for was their question with no answers; that if any developer asked something of their city government then they also asked it of the citizens and the citizens should have a voice in the process and not treated as an after thought; and requested the city allow discussions to be disclosed to the community in full before any agreements were made; and thanked Council Member Gonzalez for reaching out and challenged the others to do the same; and asked all those present opposing to stand to be recognized. Council Members Sullivan, Pennington and Rodriguez absent.

Upon questions by Council Member Jones, Mayor Parker stated that there was a standard policy to which any developer may apply and they could not treat them differently because of someone they may lease or sell property to whether they wanted to build something in the discussed area or her area; that there were incentives to be offered for going to certain underdeveloped areas of town and that was the original rationale for tax increment reinvestment zones, but this group was asking for nothing so far that was not standard; and Mr. Urbano stated that if they were asking for anything citizens contributed to such as revenues, taxes, etc., that was information they would like; and Mayor Parker stated that she indicated at least twice today a citizens group would be put together to help identify stakeholder issues and how best to address them, not to stop the project but to make sure they did attempt to negotiate mitigations to potential neighborhood impacts. Council Members Sullivan, Pennington and Rodriguez absent.

Council Member Stardig stated that she appreciated all coming today and expressing their views; that this had been an issue across the city many years and it was citizens responsibility to educate themselves and she was glad they were present and it was important they stay involved. Council Members Sullivan, Pennington and Rodriguez absent.

Mr. Leopoldo H. Mata, 14619 Leacrest Drive, Houston, Texas 77049 (281-458-9473) appeared, presented information and stated that he was Pastor of Casa Del Alfarero Church for the last 23 years and present as a soccer coach to see if the city could help him achieve his goals; that he had a permit to use a certain field and for some reason facing teams and trying to convince them he had a permit; that he contacted park rangers but never received a good response so called the Houston Police Department; that the opinion of the officer was it was a civil case and they had no jurisdiction and he would appreciate help on trying to use his permit and be able to use the field and also that there should be supervision of those taking care of the park as it was getting bad; that around them he saw fields with great maintenance. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Mayor Parker stated that Mr. Dan Pederson with the Parks and Recreation Department was present and would speak with him at this time; that there were no areas where they said one field deserved better treatment than another but were many areas where neighborhoods adopted their sports fields and policed them regular basis to see they were cleaned, etc., and police officers were not normally called on to enforce park rules and if a permit was displayed and persons did not leave he should have a contact number for park rangers and Mr. Pederson can have park rangers arranged to assist. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Council Member Lovell stated that having been involved in starting a Little League where they faced some problems he brought to their attention today, they adopted a field and gave so many hours to help clean and the Constable's Office was a great resource on certain type matters and could respond much quicker than a Houston Police Department and suggested contacting Constables and have people organized. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Ms. Shirley Gibson, 2010 Mandel Court, Houston, Texas 77007 (832-2882385) appeared and stated that she was speaking for the League of Women Voters and they were against term limits, but the commission working on term limits came up with two four year terms rather than two three year terms which allowed all to be in office longer without campaigning and prevented expensive elections and they were for the proposal. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Mr. Kishor Madrasi, 6009 North Freeway, Houston, Texas 77076 (713-695-1777) appeared, presented information and stated that he was present because the Water Department had done him wrong, they lost or misplaced his applications in 2008 at the Guest Motel located at 6009 North Freeway relating to a water leak from pipes behind their building into the city storm drain; that they purchased hot water pipes from North Side Plumbing and produced the bill and repair bill of the plumbers and the leakage application, after receiving his leak adjustment application in 2008 the Water Department did nothing and they needed to find that application and make it right; and continued discussing his leakage, adjustment and late fees as shown in the information he presented until his time expired. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Mayor Parker stated that she had voluminous information on his problem and generally it was residential property owners they tried to work with and focus on keeping water flowing and not large operations, but she had evidence they were working with him to determine the cause of the high water bills and he indicated multiple repairs but no reduction in the use of water; that Mr. Roberto Medina with Public Works was present and could speak with him, but until he indicated he repaired a leak and the consumption went down it was not a leak issue it was a consumption issue and they expected him to make good on his bills. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Ms. Ifiok Agusta, 17210 Quiet Covey, Missouri City, Texas 77489 (469-774-2694) had reserved time to speak but was not present when her name was called. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Mr. Ahnad Solomon, 14855 Memorial Drive, Houston, Texas 77079 (281-827-8337) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Pastor James Nash, 8418 Colonial Lane, Houston, Texas 77051 (713-725-1664) appeared and stated that he was a member of the Houston Ministers Against Crime and present to address an issue concerning the policy on pursuit of a citizen by police; that they were concerned for men and women who protect and a large criminal element traveled at night; that policy was told to them they could travel to a lighted area where they felt safe and secure and his deep concern was what was the distance a citizen could travel without being charged with evading arrest, there should be specific language; that many females worked late and if pursued by an officer many times they panicked and he wanted all to know they could go to a safe haven, a lighted area, and not be charged with evading arrest so today they were addressing the pursuit policy and he wanted all to know if an officer was in pursuit of you then

you should turn on your safety lights and proceed to a safe area; that they were also concerned about the mileage. Council Members Sullivan, Pennington, Rodriguez and Jones absent.

Mayor Parker stated that Pastor Nash raised an excellent issue and you should turn your hazard lights on, turn your dome light on and slow down to acknowledge you know the officer's behind you and do all to let him know you were seeking to comply, but ultimately it fell to the officer's discretion and District Attorney if there was a problem. Council Members Stardig, Sullivan, Pennington and Rodriguez absent.

Council Member Jones stated that the governing body that controlled criminal laws was the State Legislature and in the Criminal Code evading a police officer with a motor vehicle was defined by the State Legislature was a felony, there was no indication of how far, it was absolutely discretionary and some officers did not stop for that because it was so subjective; and would suggest he speak with the State Legislature; that individual officers had their own discretion and what the Mayor said may show your intent not to evade but there was no silver bullet on that one, it depended on the officer at the time. Council Members Stardig, Clutterbuck, Sullivan, Pennington and Rodriguez absent. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Pastor Nash stated that he had many reports especially from females where some police officers stopped them, took them to another area and indicated for a sexual favor they would not take them to jail; that they wanted officers to stop people and be able to question them, but did not want to see harassment of citizens. Council Members Stardig, Clutterbuck, Sullivan and Rodriguez absent.

Pastor Robert Jefferson, 15233 Cullen Boulevard, Houston, Texas 77047 (713-734-0275) appeared and stated that he was with the Houston Ministers Against Crime and today they were present as there needed to be a clear cut policy from the Council on what they wanted the police to do; that when they stopped someone they knew who was in the car and they were trained by the Police Department to turn on the dome light and flashers and drive to a slow place, but did it work; that if they did that would they be charged with a felony and have their career ruined because they followed what they said to do; that there should be a definitive policy as it was unfair to be told to do something and then get a felony. Council Members Stardig, Sullivan, Rodriguez and Jones absent.

Mayor Parker stated that she knew they would not be talking about any particular incident and hypothetically and respectfully the dome lights and flashers should be turned on, you should slow down and do all you can to indicate you were attempting to comply but it was still within the discretion of the police officer as to whether they asked the DA to bring charges. Council Members Stardig, Sullivan, Rodriguez and Jones absent.

Council Member Clutterbuck stated that she appreciated Pastor Nash and Pastor Jefferson's leadership in the community and speaking out on this; that she had children about to drive and she tells them the same as everyone else, when you see a police car behind you pull over, you must pull over and pull over quickly, you must let the officer know you saw them and honored and respected them and that was the only message she thought could be given to the public or serious problems would ensue; that it was a safe perspective for citizens and officers; and Pastor Jefferson stated that she was saying something different than what the Mayor said; and Council Member Clutterbuck stated it was not inconsistent with what she said, you must pull over, the law said you must pull over at a safe location and let the officer know you see him, acknowledge him, it was essential. Council Members Stardig, Adams, Sullivan, Rodriguez and Jones absent. (NO QUORUM PRESENT)

Ms. Estell Jimenez, 2534 Chestnut Mills, Houston, Texas 77067 (713-572-7893) appeared and with a translator stated that she owned her own mobile taco stand on Edgebrook and she

has never had government assistance since coming to this country, she had always worked for everything and been a good citizen; that she participates in the PTA at school also and now she was seeing with sadness how individuals like herself with small businesses were being attacked; that she fought for officers to be nicer to those with taco stands in Council before and now she was a victim of what she fought for; that four police officers reported to her business and she was an honest person, they could check her record, but they were at her business over 1-1/2 hours mocking the business; that to inspect a mobile taco stand there was only need for one police officer. Council Members Stardig, Sullivan, Rodriguez and Jones absent.

Mayor Parker stated that they wanted to make sure Health Codes were enforced but not in a way to intimidate the business owner and if she had particular complaints on the number of officers or the way she was treated she should visit with Lieutenant Gallier who was present at this time and would encourage her to make a formal complaint; that it was a waste of time and money to have more than one officer, she agreed with that and Lieutenant Gallier could determine who was there; and Ms. Jimenez stated that she feared three police officers at one time at her taco stand would send the message she was not legal; and Mayor Parker stated that they should determine through the department why so many were there. Council Members Stardig, Sullivan, Rodriguez, Lovell, Bradford and Jones absent. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Ms. Jimenez stated that her citations were for multiple things, for one week she was not open because a worker was in the hospital and she had to close it and she was also given a citation for not having all commissary receipts, but they were tiny and got lost easily; and Council Member Adams stated that usually when an inspector and officer went together it was complaint driven or they were making sure all taco stands were complying with all rules and regulations, some were coming up without proper decals, etc., and she wanted it on record they were there because they were following Health Department rules and wanted that clear if that was the case; and Ms. Jimenez stated that the citations were also for her to report different days and different times instead of all at one time making it inconvenient; and Mayor Parker stated that multiple dates for court could be problematic and encouraged her to visit with Lieutenant Gallier. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Mr. Christobal Hinojosa, 8210 Bauman, Houston, Texas 77022 (832-921-8873) appeared and stated that several years ago they had the problem with police officers making harassment over the mobile units and on the 26th of last month it happened again; that his complaint was not that the tickets were given, but because some times when officers were supposed to give respect to each and every resident of the city was not doing it; that in the past they were accused of hiding drugs, etc., and it was a very racial thing and part of the racial profiling they were suffering at this time; that the particular issue with this vendor was the use of intimidation; that an officer's mission was to protect each and every citizen in this country and if given different functions they would not perform any correctly; that he was told to complain in Internal Affairs and with the campaign developed against undocumented people most would be afraid to go complain because they felt they could be deported. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Council Member Jones stated that she hoped officers were not saying racist things, but the only way to vet it would be if an Internal Affairs report was filed; that regardless whether the taco stand should be cited or not officers should act in a professional manner and the only way to police it was for citizens to let them know so it could be checked, but if that was happening she was ashamed. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Mr. Theodore Johnson, 3318 Cornell, Houston, Texas 77022 (713-868-5801) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Ms. Amal Kugnar, 118 N. Woodstock Circle Drive, The Woodlands, Texas (77381 (281-731-0697) had reserved time to speak but was not present when her name was called. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Ms. Cheryl Authy, 18203 Westfield, Houston, Texas 77090 (832-277-2944) appeared, presented information to Council Members and stated that she thanked all for allowing her to tell her story, she was a mother who loved her son and was not present for legal advise but she was locked out of the justice system and wanted to tell her story; that her son was paralyzed in an auto accident in 2000 and died at home and died on August 19, 2006 after being placed in custody of Probate Court II; that Probate Court II after settlement was paid to his attorney set up a special trust with the settlement and appointed five guardians, three attorneys and specialized medical management and he died within seven months of neglect in their care and she had not heard from anyone; that her inheritance was taken away and a bar named Bimbos was claiming ownership by adverse possession; that she tried to obtain her inheritance for about 34 years and none of her petitions had reached the courts dockets; that she knew they were not legal advisers, but thanked all for letting her get it off her chest. Council Members Stardig, Sullivan, Rodriguez and Lovell 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. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Ms. Latasha Williams, 7711 Wayfair Lane, Houston, Texas 77075 (713-731-0381) had reserved time to speak but was not present when his name was called. Council Members Stardig, Sullivan, Rodriguez and Lovell absent.

Ms. Barbarann Lacourse, 6363 Beverly Hills, Houston, Texas 77057 (832-880-2010) appeared and stated that she was trying to find out what was happening with her case with HPD; that she had a paper from the Mayor and Council that they wanted notarized with people who saw her go into the Grand Maul seizure at the YMCA and it was over two months ago and she had received no information and it was now close to two years and she wanted her compensation and an apology from HPD. Mayor Parker, Council Members Stardig, Sullivan, Rodriguez and Lovell absent. Mayor Pro Tem Clutterbuck presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Clutterbuck thanked Ms. Lacourse for appearing again and stated that she had taken a lot of time coming to Council repeatedly and it was her understanding that last time she was present she met with the Mayor's Office of Citizens Affairs and instructed on how to file a claim; and Ms. Lacourse stated that Legal Aid refused to help when it was HPD; that she was sent papers and they were notarized; and Council Member Clutterbuck stated that she knew that was notarized but they needed a claim filed; and Mr. Heilman, Assistant City Attorney, stated that in this case the citizen had filed a claim against the City of Houston and the Legal Department was investigating the underlying facts and she had raised certain allegations they disagreed with and there was a dispute to those underlying facts and based on what was reviewed the claim was going to be denied based on governmental immunity; that she would receive correspondence to that effect and if so desired she could pursue it through litigation. Council Members Stardig, Sullivan and Rodriguez absent.

Ms. Lacourse asked why she was being denied; and Mayor Parker stated that she could speak to Mr. Heilman, but other speakers were to be heard at this time. Council Members Stardig, Sullivan and Rodriguez absent.

Mr. Paul Kubosh, 1619 Lubbock, Houston, 77007 (713-632-6006) appeared and stated that he was present regarding changes at the Houston Municipal Courts, since 1994 when he began practicing the policy had been when you set a case for trial the defendant had to show up at the time set for trial and the police officers were under subpoena by the court to be there at 8:00 a.m., but recently the Chief of Police, apparently at the request of the City Attorney, had said police were to ignore the 8:00 a.m. subpoena and be there at 1:00 p.m. and it put all to a standstill; that judges were not allowed to call officers to see if they were ready and on some cases citizens had to sit there from 8:00 a.m. to 1:00 p.m. to even find out if the officer was present and by then they were so angry, they waited 5 hours, and cases were grinding to a halt; that he did not think it good policy to allow someone in the adversarial process, the City Attorney, to be able to tell judges they would not be there at 8:00 a.m. as they required, but do it at 1:00 p.m. and if he did something like that he would be brought before the State Bar; that the officers and citizens were angry; that when citizens showed up if they did not see the officer they expected certain things and they were going to be upset and urged officers honor the 8:00 a.m. subpoena. Council Members Stardig, Sullivan and Rodriguez absent.

Mayor Parker stated that she heard loudly and clearly from Council that they wanted a more efficient and effective Municipal Court and maximize the use of officers time while in court and get them back on the street as rapidly as possible and she completely supported the Chief's position in working with the City Attorney, it maximizes the time of the officer and cut down on overtime and allowed officers to return to productivity as rapidly as possible, but appreciated his concerns and looked forward to hearing from the Chief Judge if she had concerns along the same lines. Council Members Sullivan and Rodriguez absent.

Council Member Jones stated that normally she and the Mayor were on the same side, but she would have to respectfully disagree; that she received a call this morning from a gentleman who was set for 8:00 a.m. and when you were subpoenaed you were supposed to be there or she could order someone to go and get you and to instruct someone to disregard the subpoena was contemptible; and if it was a matter of saving the city money or hard working citizens money; that this morning the man came in like he was supposed and told officers would not be there until 1:00 p.m. and he already missed all his work in the morning and if he could get to work by 1:00 he could get a half a day in, but now had to wait for the officer, but if he was not there by 8:00 a warrant would have been issued; that this was problematic, she did not think the city had the right to make people miss work and lose money to save itself money; and if officers were allowed to disregard lawful subpoenas then she did not think they should be revoking peoples warrants if they showed up late; that it absolutely favored the prosecution and that would never happen in State District Courts or Federal Courts, you did not get to disregard subpoenas; and Mayor Parker stated that she would like the City Attorney to respond to her; and Council Member Jones stated absolutely, but did he practice criminal law; and Mr. Heilman stated that he did not, but to elaborate as Mr. Kubosh was familiar with generally speaking jury trials in the Municipal Court System started around 1:00 p.m. and there were a number of preliminary issues performed prior to that time and currently they had a number of subpoenas in the system and they were trying to address an issue that the subpoenas were in the system so anything issued for 8:00 a.m. and 10:30 a.m. they had requested officers subject to the subpoena be there at 1:00 p.m.; that going forward subpoenas issued by the Prosecutors Office would have 1:00 p.m. on the subpoena; and Council Member Jones stated that if it was a waste of police officers time to be there at 8:00 a.m. why would it not be a waste of citizens time to be there at 8:00 a.m. if they were not starting until 1:00 p.m.; and Mr. Heilman stated that the subpoenas were issued from the Prosecutors Office and they were attempting to address an issue with the personnel there testifying and felt this was an appropriate approach to address the issue; and Council Member Jones stated that in her respectful opinion Legal needed to get someone who practiced criminal law to make sure they were paying attention to the Constitution; and Mr. Heilman stated that he respected her comment but he wanted to

emphasize they were subpoenas issued by the Prosecutors Office. Council Member Rodriguez absent.

Council Member Bradford moved the rules be suspended for the purpose of extending the time for questions of Mr. Kubosh, seconded by Council Member Jones. All voting aye. Nays none. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. Council Member Rodriguez absent. MOTION 2010-0549 ADOPTED.

Mayor Parker stated that it was not an issue the Chief Judge had raised at all, it was a subpoena from the prosecution and designed to maximize officers time and it was not that citizens sat there and nothing happened as there were a number of proceedings which went on through the course of the morning, but trials did not start until the afternoon. Council Member Rodriguez absent.

Council Member Pennington stated that he thought they were subpoenas issued by the court and was going to agree with Council Member Jones, but he was sympathetic to having citizens there in the morning and officers not come until 1:00 p.m.; that if this was transition it was a cost they needed to bare; that if a citizen was going to trial, if the court was ready to go to trial and a citizen was asked to appear at 8:00 a.m. they were entitled to proceed and they needed to have police there for the appointed time of trial; and Mayor Parker stated that officers were there for time of trial; that they were moving through a number of changes in the Municipal Court and Council Members would be seeing them come forward, but she would be happy to ask the chair of the Public Safety Committee for a report; and Mr. Kubosh stated that they talked of stakeholders and if a number of changes were coming through, the clerks office was good and the new presiding judge was gracious and great, but for new changes it worried him because they were not involved in anything other than what the clerks were doing with the computer system; that he could not issue a subpoena and this was not the way to be more efficient and it was just wrong. Council Member Rodriguez absent.

Council Member Bradford stated that he would go on record saying it as his opinion subpoenas were orders of the court and did not see how an attorney on either side of the isle had authority to instruct a material witness to disregard the order in that subpoena; that it was not logic to have one witness or defendant show up at 8:00 a.m. knowing nothing could be done in the way of due process because the material witness would not be there until 1:00 p.m., it made no sense and he did not understand the process and if changes were taking place officers called by the dozen saying they were not involved in the process of changes and the majority bargaining agent, the HPOU, was not involved in changes and if Mr. Heilman as the City Attorney represented here he would suggest he work with the HPOU and find they were very amicable and helpful in trying to resolve some issues with police officers; that lawyers practicing in the court 25 and 30 years were not involved in the process and he was concerned they started out trying to address the issue of officers being in Municipal Court at a time when they were not being utilized, but many officers were not just sitting there, they were doing other things such as consulting with lawyers. Council Members Hoang and Rodriguez absent.

Council Member Jones moved that the rules be suspended for the purpose of extending the time for questions of Mr. Kubosh, seconded by Council Member Bradford. A vote was not called as enough Council Members were not present to vote to suspend the rules. Council Member Bradford stated that it was shutdown on point of order and well taken. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Bradford stated that on a point of order there were 10 in the room; and Mayor Parker stated someone was not there when she made the count. Council Members Hoang, Rodriguez and Jones absent.

Ms. Kathleen Powell, 1224 Columbia, Houston, Texas 77008 (713-862-5355) appeared and stated that she was a homeowner in the Heights East District, a realtor and cofounder of Responsible Historic Preservation for Houston, an advocate group interested in reasonable and sensible historic preservation, they were requesting Council develop a clear formal plan to repetition the historic districts and delay any vote on pending Heights South District application; that at the last weeks City Planning Commission it was clear to them the whole process had serious flaws and they expressed concern on a variety of issues such as lack of notice and education on changes and requested a workshop for education before they had a vote on such issues in the future and if the Planning Commission was not educated about the issue imagine how the homeowners felt; many would not attend meetings because of jobs, classes, etc. for their children; that they asked to meet with Council Members to express their concerns and give ideas; that many wanted their names removed from the petition and property withdrawn; and a formal petition was needed. Council Members Adams, Hoang and Rodriguez absent.

Council Member Lovell stated that she went through a lot of issues and the current petition pending on the South District, which was going through the process, came under the existing rules and she understood there were challenges and there was a process by which that could happen and come through Council and Council would have to vote whether to make it historic district or not and that was a separate issue; that meetings to be held would be in all districts and at different times and there was open Council Meetings like today; that built into the whole process a procedure was put in by which if people wanted to re-decide what they originally decided, change their mind, they would have opportunity to do so; that they may wind up with some districts being happy and some having serious discussions and maybe if there was no clear consensus they would send cards out to every person and allow them to vote again and that was the fairest process; and Mayor Parker stated that to be absolutely clear it did not matter what happened that South Heights would come in under the existing ordinance and treated like any existing historic district under the existing historic ordinance and every district one by one would have opportunity to go into the new preservation ordinance, they would not just be shifted over; and Ms. Powell stated that if there was a process to take names off the petition at this point many wanted to do so; and Mayor Parker stated that there was no such process. Council Members Adams, Hoang, Rodriguez and Jones absent.

Ms. Jerrie McGahan, 1643 Arlington, Houston, Texas 77008 (713-890-2535) had reserved time to speak but was not present when her name was called. Council Members Adams, Hoang, Rodriguez and Jones absent.

Mr. Bill Gottfried, 1447 Tulane, Houston, Texas 77008 (713-299-0653) appeared and stated that he was a resident of the Houston Heights District West in a 1904 home and he was opposing the process underway regarding the proposed Houston Heights South District Program and echoing comments earlier; that residents of the current Heights districts already designated historic were misled during the petition drive years ago regarding the petitions goals and objectives, it was presented to them by a historic commission member and already had "yes" we support the designation of the historic Heights and checked and they were opposed to ballot stuffing and they believed a new vote on the historic district designation was mandatory and they believed it was time to repetition the existing Houston Heights districts, a new vote taken and have honesty in the process implemented. Council Members Adams, Hoang and Rodriguez absent.

Upon questions by Council Member Lovell, Mr. Gottfried stated that the presentation made to them three years ago was about the 90 day cooling off period for renovations, upgrades, but

since new procedures were implemented and they were subject to it; and Council Member Lovell stated that ordinances were changed, it happens, it was not a matter of misleading anyone but they decided to move further in their preservation efforts and they would be given opportunity; that there would be no more petitioning and believed holding hearings and giving a card they could check and send back made it a pure and transparent process. Council Members Adams, Sullivan, Hoang and Rodriguez absent.

Upon questions by Council Member Stardig, Mayor Parker stated that his point was addressed by Council Member Lovell which was that ordinances were changed on a regular basis and there was no promise the ordinance you regulate under today you would operate under in the future. Council Members Adams, Sullivan, Hoang and Rodriguez absent.

Upon questions by Council Member Pennington, Mayor Parker stated that there would be a mail out to affected property owners; and Council Member Lovell stated that information would be sent directly to the property owner explaining. Council Members Adams, Sullivan, Hoang and Rodriguez absent.

Mr. Bill Baldwin, 205 Bayland Avenue, Houston, Texas 77009 (713-862-1600) appeared and stated that he had emailed all comments to Council Members but would like a repetition for many reasons, he had a thorough understanding of the proposed ordinance and it came out eight days ago; that he had a hearing on his historic home Saturday and while there were a number of public hearings there was really one for everyone and one for the district so you had two opportunities to attend a hearing over Summer when many families were on vacation; that ballot language said those who returned the cards would be counted and average response of a mail out was 2%, this was serious and urged serious consideration of a repetition requiring 67% of all property owners and not just those returning the ballot or card; and all were concerned about the South Heights application. Council Members Adams, Sullivan, Hoang and Rodriguez absent.

Mayor Parker stated that South Heights would be under the current ordinance which was what they signed up for. Council Members Adams, Sullivan, Hoang and Rodriguez absent.

Council Member Pennington stated that relating to procedural issues how would votes be initiated; and Council Member Lovell stated that they were not going to petition; that a ballot would be mailed out and the procedure was going out and talking to property owners in the districts and if it was clear they wanted opportunity to change their mind they would have it, a card would be mailed to their home, but the issue on the low percentage they talked about and they may put in the ordinance a certain amount of cards had to be sent in before the 67% kicked in and they were looking at that option legally, but any city official elected did not have to reach a certain amount of voters; and Council Member Pennington stated that it seemed ballots would only be mailed to existing historic districts who wanted reconsideration of their status; and Council Member Lovell stated yes and it would be the process for new districts; and Mayor Parker stated that she would ask when the final ordinance was out of the public review process there would be plenty of Council opportunity to pick it apart. Council Members Adams, Sullivan, Hoang and Rodriguez absent.

Council Member Costello stated that in the interest of time he would defer until the public hearing process, but would say the way the draft ordinance was written it was unacceptable and to allow for one person to decide for a petition submittal to allow for a 67% of the respondents which usually by mail was a significantly low percentage to create a district was unacceptable and also in the draft ordinance there was no provision for a revote for a district; and Mayor Parker stated that there was a conversion process. Council Members Adams, Sullivan, Hoang and Rodriguez absent.

Ms. Mary Wassef, 1127 Winston, Houston, Texas 77009 (713-398-8719) appeared and stated that she was a homeowner in North Norhill and realtor in the Heights, the last time she was present she was trying to stop the moratorium for the historic districts and now the new ordinance was out and she was requesting Council Members seriously look at it, if passed it would likely mean that all Council Members would have historic districts; that 67% of votes would determine an entire neighborhood and in her neighborhood the city was imposing the ordinance in addition to their deed restrictions though no one signed for the ordinance in north or east Norhill nor asked to; and urged all to look at the far reaching affect of this ordinance and how it may affect their districts. Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Jones stated that she would ditto what Council Member Costello said the present form was unacceptable, how could a renter decide the character of her house; that at least with a petition you could verify who someone was; that if they were going to affect peoples real property rights they needed to make real sure the person was a part of the process of their property; that this was Texas, a property rights state, she was concerned and wanted to see the discussion rather than someone decide what was not going to work. Council Members Sullivan, Hoang and Rodriguez absent.

Mayor Parker stated that before bad information was disseminated there was nothing unclear about the property owner rather than a tenant signing and it worked for mail ballots in the State of Texas and should work for this as well. Council Members Sullivan, Hoang and Rodriguez absent.

Council Member Lovell stated that with this ordinance they promised much discussion and she listened about concerns of a small percentage of cards being returned and thought it valid and they were finding out legally if they could do it; that ordinances rarely stayed the same because people did have good ideas and were listened to and again it was property owners and not renters and it was not so that one person could apply as Planning would sit with them and make sure they had support in the new districts because it was taxpayer money and it would be by self determination, neighbors would decide the block boundary, property owners, not one person; and they were holding hearings and this should be a stronger process with more participation. Council Members Sullivan, Hoang, Rodriguez and Bradford absent.

Dr. Debra Britton, 784 Davidson, Houston, Texas 77091 (713-305-6097) appeared and stated that she was representing Acres Home, District B, that she was present regarding heavy dumping at the 5500 block of Beal and she just received word that the situation would be taken care of tomorrow. Council Members Sullivan, Hoang, Rodriguez and Bradford absent.

Ms. Vivian Savoy, 8516 Parkett, Houston, Texas 77028 (713-530-0056) appeared and stated that she never experienced anything like today and had to come to Council; that she was at the Municipal Court and called all news stations and emailed all Council districts; that she was to be in court by 8:00 a.m. and had proof she had taken care of it and then told by the judge that her docket was about 200 citizens and there were cases resolved, but then she said officers were not to be in court until 1:00 p.m. or after and this was the end of the month for her and she was an accountant and today was perfect to clear this; that she was enraged, they were dismissed for lunch and told to come back at 1:30 p.m. and there were so many Hispanic men there who should be working and mothers who had children and she told her employer it would be half a day; that this made no ethical or intellectual or political séance. Council Members Sullivan, Hoang, Rodriguez and Bradford absent.

Council Member Jones stated that this deal worked out between the defense bar and City Attorneys, a few lawyers had probably 90% to 95% of the Municipal Court docket and they resolved cases because they did not want to go to trial and if they did it would effectively shut down the Municipal Court so the system sort of worked, but though the city needed to save

money they were affecting citizens money and they should be on the side of the citizens and believed there were unintended consequences and hoped this would be revisited. Council Members Sullivan, Hoang, Rodriguez and Bradford absent.

Upon questions by Council Member Adams, Ms. Savoy stated that she wondered how Council would feel if they went to their meeting and had to wait five hours until the public came; it was a level of respect and you had to respect the law and she raised a doctor and a pilot, she was responsible and felt Council should be responsible; that she sat here hours to speak and it was her choice and it did not bother her, but she did not choose to go to court and wait for hours to resolve something, she was ready to do her part and if policies needed changed it should be coherent and not be a madhouse; that she held judges at the highest and one should not have to sit and babysit for five hours, it was disrespectful to the law, to education and officers were to be there at 1:30 p.m. and they were not on time and then her case had been reset. Council Members Sullivan, Hoang, Rodriguez and Bradford absent.

Upon questions by Council Member Adams, Mayor Parker stated that as each person came up they did not immediately go into trial; that judges tried to get through all their docket and then start trials and commonly they were after lunch and that would not have changed with this policy. Council Members Stardig, Sullivan, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

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. Council Members Stardig, Sullivan, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) had reserved time to speak but was not present when her name was called. Council Members Stardig, Sullivan, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

At 5:12 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, July 28, 2010. Council Members Johnson and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. Council Members Stardig, Sullivan, Hoang, Rodriguez and Bradford absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m., Wednesday, July 28, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Oliver Pennington, James G. Rodriguez, Stephen C. Costello, Sue Lovell, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David M. Feldman, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director present. Council Members Jarvis Johnson, Al Hoang and Melissa Noriega absent on personal business. Council Member Edward Gonzalez out of the city on city business.

At 8:24 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:10 Mayor Parker called the meeting to order. Council Member Jones absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 60

MISCELLANEOUS - NUMBERS 1 through 4

1. REQUEST from Mayor for confirmation of the appointment of **MR. DANIEL W. KRUEGER, P.E.**, as Director of the Public Works & Engineering Department – was

presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0550 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **MILLER THEATER ADVISORY BOARD**:
 - Position One - **MS. SUSAN YOUNG**, appointment, for a term to expire 4/24/2014
 - Position Four - **MR. STEVEN W. WALLACE**, appointment, for a term to expire 4/24/2013
 - Position Five - **MS. GWENDOLYN J. SAMPLES**, reappointment, for a term to expire 4/24/2014
 - Position Six - **MS. JUNE DEADRICK**, reappointment, for a term to expire 4/24/2014
 - Position Eight - **MR. ALLEN W. UECKERT**, reappointment, for a term to expire 4/24/2014
 - Position Thirteen - **MS. GRACE OLIVARES HERNANDEZ**, reappointment, for a term to expire 4/24/2014
 - Position Twenty - **MS. CATHERINE C. BROCK**, reappointment, for a term to expire 4/24/2014

– was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0551 ADOPTED.

3. RECOMMENDATION from Director Municipal Courts Administration for supplemental allocation for payment of FY2011 time and materials costs to **COURTVIEW JUSTICE SOLUTIONS** \$904,996.00 - Municipal Courts Technology Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0552 ADOPTED.
4. RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval of Goal for participation of Disadvantaged Business Enterprises in U. S. Department of Transportation/Federal Aviation Administration funded contracts from October 1, 2010 through September 30, 2013, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0553 ADOPTED.

DAMAGES - NUMBER 5

5. RECOMMENDATION from City Attorney for settlement of lawsuit styled **TIMOTEO SALDIERNA, MARIA RODRIGUEZ SALDIERNA, AURORA CORTEZ, Individually and as Next Friend of JESSICA RODRIGUEZ and MARIO RODRIGUEZ Minors vs. City of Houston and Natalie Renee Tidwell**; in the 281st Judicial District Court of Harris County, Texas, Cause No. 2008-48112 \$142,500.00 - Property and Casualty Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0554 ADOPTED.

ACCEPT WORK - NUMBERS 6 through 10

6. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$221,821.00 and acceptance of work on contract with **PEMCO, INC** for Underground Storage Tank Remediation, Removal and Installation at Fire Station 18 and Fire Station 42 - 15.56% under the original contract amount - **DISTRICTS B - JOHNSON and I - RODRIGUEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0555 ADOPTED.
7. RECOMMENDATION from Interim Director Department of Public Works & Engineering for approval of final contract amount of \$9,611,013.44 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Cook Road paving Improvements from Bissonnet Road to Bellaire Boulevard - 3.87% under the original contract amount - **DISTRICT F - HOANG** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0556 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,575,640.76 and acceptance of work on contract with **NORTH HOUSTON POLE LINE, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.97% over the original contract amount - **DISTRICTS B - JOHNSON; D - ADAMS; G - PENNINGTON and H - GONZALEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0557 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,643,993.86 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 4.61% over the original contract amount - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0558 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,331,364.31 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 3.58% under the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; E - SULLIVAN and I - RODRIGUEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0559 ADOPTED.

Mayor Parker stated that they had just confirmed the new Director of the Public Works Department, Mr. Dan Krueger, and invited Mr. Krueger to the podium, that she knew he was very familiar with the City of Houston, that he had worked with them previously and was glad that they were able to lure him away from that other City north of them and was very excited to

have him back working for the Public Works Department, that she knew that his peers in the Public Works Department who were present to support him today were excited to have him on board, that she was quite confident that their projects were in good hands and was very glad that he accepted the offer. Council Member Jones absent.

Mr. Dan Krueger stated that it was great to be back in Houston, that he wanted to thank Mayor Parker for affording him the opportunity and for having the trust and confidence by bestowing the responsibilities of the department and its missions, broad as they were, and he looked forward to fulfilling that and working with the exceptional leadership team that she had assembled in the administration in discharging those duties, and to the Council he would thank them for the trust and confidence in the vote that they had rendered in confirming him and looked forward to leading the department to fulfill under the guidance and direction of the body, that services were being very effectively delivered and responsive to their constituency and their fellow citizens of this great City; that he would like to introduce and recognize two important people in his life, first, his wife Cathy and their daughter, Mary, they were glad to be in Houston, that Mary was kind of the advance party, she had already been in Houston as a student in the Medical Center, and he and Cathy would get relocated just as soon as they could and they looked forward to making Houston again their home, and certainly he would say that he would not be standing here today without the great love and support that Cathy had given him all of these years, that he was thankful and pleased that she could be here today with him; that he would like to thank and recognize all of the deputies and key personnel from the Public Works Department, folks who render great service to the City everyday with the other employees of the department, that he looked forward to working with them again and leading the department to even better things in the future, that they were ready to get back to work and would depart to do that and would pledge to them his very best efforts in meeting the City's infrastructure needs and being responsive to the citizens of Houston and always executing the stewardship effectively and wisely as he could, the significant and precious resources that were extended to them to render those services.

Mayor Parker and Members of Council congratulated Mr. Krueger on his appointment as Director of the Public Works and Engineering Department, and Mayor Parker stated that it was worth saying that he was inheriting a good department and appreciated the hard work and service that Mr. Mike Marcotte gave and thanked Mr. Dan Melendez for acting as Director for the brief period, that this was not a problem, troubled or broken department, that it was a good department and knew that Mr. Krueger intended to make it a great department and thanked him for coming on board.

Mayor Parker stated that they also confirmed some Members of the Miller Theater Advisory Board and asked that they come forward to the podium, and Mayor Parker and Members of Council congratulated and thanked the new appointees for their service to the City.

Council Member Sullivan moved to suspend the rules to consider Item Numbers 25 and 26 out of order at this time, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0560 ADOPTED.

25. **ORDINANCE AMENDING ARTICLE VI OF CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the regulation of jitneys; prescribing operating standards for jitneys; declaring certain conduct to be unlawful and providing a penalty therefor; containing findings and other provisions related to the foregoing subject; providing an effective date; providing for severability – was presented, and tagged by Council Members Bradford, Rodriguez and Sullivan.

26. **ORDINANCE AMENDING ARTICLE II AND ARTICLE IV OF CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to taxicabs and sightseeing and charter services, concerning corrections to inadvertent inconsistencies regarding the regulation of taxicabs; and addressing inadvertent omissions regarding regulatory controls concerning sightseeing and charter services as a result of previous omnibus amendments effecting the repeal of the City's regulation of suburban buses; containing findings and other provisions related to the foregoing subject; providing an effective date; providing for severability – was presented, and tagged by Council Members Sullivan and Rodriguez.

PROPERTY - NUMBERS 12 through 15

12. RECOMMENDATION from Interim Director General Services Department to appoint Kim M. Kobriger and Gerald A. Teel, independent appraisers and Carl B. Raia, Jr. alternate appraiser to determine the fair market value in connection with the sale of approximately 2.30 acres of land and improvements located at 3300 and 3400 Main Street, Parcel SY7-127 - **DISTRICT D – ADAMS** – was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0561 ADOPTED.
13. RECOMMENDATION from Interim Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ali Tabboush of the Interfield Group, on behalf of John P. Havens and Theresa A. Havens, for abandonment and sale of a ±6,592-square-foot unspecified easement, in exchange for the conveyance to the City of a ±7,725-square-foot storm sewer easement, all located within Tract E, River Oaks Homewoods Addition, Parcels SY10-065 and LY1-045 - **DISTRICT G - PENNINGTON** – was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0562 ADOPTED.
14. RECOMMENDATION from Interim Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, for abandonment and sale of Arcadia Street, from Quitman Street north to its terminus, a 6-foot-wide unspecified easement within Block 1, and a variable-width unspecified easement within Block 2, in exchange for the conveyance to the City of a ±5.49-foot-wide right-of-way easement for the widening of Abernathy Street, all located in the Arcadia Place Subdivision, within North Side Buffalo Bayou, out of the Harris & Wilson Survey, and a right of entry for Houston Independent School District, Parcels SY10-067A through C and AY10-222 - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0563 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-043, located in the 9700 block of Maxroy Street, owned by Chad R. Green, Sr. for the **ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT from Little York to West Gulf Bank - DISTRICT B - JOHNSON** – was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0564 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 16 through 22

16. **CELLESTIS, INC** for QuantiFERON-TB Gold in Test Tube Products for Houston Department of Health & Human Services - \$333,070.00 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0565 ADOPTED.
17. **VECTOR AEROSPACE HELICOPTER SERVICES, INC** for Turbine Engine Replacement Parts, Overhaul/Exchange and Repair Services for the Police Department \$5,124,715.00 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0566 ADOPTED.
18. **HELMART, INC** for Main Rotor Hub Assembly Overhaul/exchange 369E for the Police Department - \$697,500.00 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0567 ADOPTED.
20. **GLOBE ELECTRIC SUPPLY COMPANY, INC** for Clarifier Spur Gear Drive Assemblies and Speed Reducer Gearboxes for Department of Public Works & Engineering - \$342,058.00 Enterprise Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0568 ADOPTED.
21. **AMEND MOTION #2007-39, 1/10/07, TO INCREASE** spending authority from \$1,956,892.00 to \$2,446,115.00, for Chemical, Hydrofluorosilicic Acid for Department of Public Works & Engineering, awarded to **PENCCO, INC** - \$489,223.00 - Enterprise Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0569 ADOPTED.
22. **GARTEK TECHNOLOGIES, INC** for Software Maintenance for the Integrated Land Management System for Department of Public Works & Engineering - \$100,000.00 - Building Inspection Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0570 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 23 through 60

23. RESOLUTION amending Resolution No. 2010-33 approving and authorizing the nomination of **TYSON REFRIGERATED PROCESSED MEATS, INC** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. RESOLUTION 2010-0046 ADOPTED.

24. RESOLUTION designating certain property within the City of Houston as a historic landmark (Casa a la Punta - 3223 Chevy Chase Drive) - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. RESOLUTION 2010-0047 ADOPTED.
27. ORDINANCE consenting to the addition of 0.5600 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23** of Harris County, Texas, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0587 ADOPTED.
28. ORDINANCE consenting to the addition of 3.855 acres of land to **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0588 ADOPTED.
29. ORDINANCE consenting to the addition of 63.4308 acres of land to **NORTH BELT UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0589 ADOPTED.
30. ORDINANCE consenting to the addition of 91.8768 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0590 ADOPTED.
31. ORDINANCE consenting to the addition of 2.021 acres of land to **TIMBER LANE UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0591 ADOPTED.
33. ORDINANCE approving and authorizing Professional Services Agreement between the City of Houston and **CENTRAL HOUSTON CIVIC IMPROVEMENT, INC** for a George R. Brown Convention Center Master Plan; providing a maximum contract amount - \$159,500.00 - Enterprise Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0592 ADOPTED.
34. ORDINANCE approving and authorizing contract between the City and **HOUSTON COUNCIL ON ALCOHOLISM AND DRUG ABUSE, d/b/a THE COUNCIL ON ALCOHOL AND DRUGS HOUSTON** for support services for substance abuse prevention education, intervention, assessment, treatment and training; providing a maximum contract amount - \$700,000.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0593 ADOPTED.
37. ORDINANCE approving and authorizing first amendment to Loan Agreement between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** authorized by Ordinance Number 2010-0458 to increase the maximum loan amount from \$875,000.00 to

\$1,215,000.00 and to increase the number of homes to be acquired, rehabilitated and/or demolished/rebuilt and resold to income-qualified households from at least eleven foreclosed homes to at least fifteen foreclosed homes - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0594 ADOPTED.

39. ORDINANCE appropriating \$100,000.00 out of TIRZ Affordable Housing Fund (Fund 2409) for payment of multi-family housing project related expenses that cannot be paid by or are disallowed by federal funding sources – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0595 ADOPTED.
40. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Texas Parks and Wildlife Department Target Range Grant Program, administered by the Texas Parks and Wildlife Department, for the creation of an Archery Range at Lake Houston Wilderness Park; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0596 ADOPTED.
41. ORDINANCE approving the issuance of \$2,500,000 of bonds by the Greater Sharpstown Management District - **DISTRICTS C - CLUTTERBUCK; F - HOANG and G - PENNINGTON** - had been pulled from the Agenda by the Administration, and was not considered.
42. ORDINANCE appropriating \$3,500,000.00 out of Dangerous Building Consolidated Fund for the abatement of dangerous buildings; authorizing reimbursement of the General Fund for expenditures for the abatement of dangerous buildings – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0597 ADOPTED.
45. ORDINANCE amending Ordinance No. 2007-730 (Passed on June 20, 2007) to increase the maximum contract amount for contract between the City of Houston and **AIR PRODUCTS AND CHEMICALS, INC** for Operation and Maintenance of the Oxygen Plant for Public Works & Engineering Department - \$2,123,100.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0598 ADOPTED.
46. ORDINANCE awarding contract to **DRIVE TRAIN SERVICES, INC** for Automatic Transmission Repair/Exchange Services for Various Departments; providing a maximum contract amount 3 Years with two one-year options - \$3,425,210.00 - General and Fleet Management Funds – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0599 ADOPTED.
47. ORDINANCE appropriating \$20,000.00 out of Woodlands Regional Participation Fund; approving and authorizing an Advance Funding Agreement between the City of Houston

and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of Museum District/Main Street Corridor Improvement Project – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0600 ADOPTED.

48. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 18.592 acres commonly known as 6712 Telean Street, Houston, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0601 ADOPTED.
49. ORDINANCE appropriating \$6,859.58 out of Parks Consolidated Construction Fund for Purchase of Furniture for Godwin Park Community Center - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0602 ADOPTED.
50. ORDINANCE appropriating \$8,113.35 out of Solid Waste Consolidated Construction Fund for issuance of a purchase order to **INLAND ENVIRONMENTS, LTD.** for Asbestos and Lead Abatement at 9003 North Main Administration Building - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0603 ADOPTED.
52. ORDINANCE appropriating \$25,928.37 out of Parks Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to construction contract (Approved by Ordinance No. 2009-1320) between the City of Houston and **APACHE SERVICES, INC** for Eastwood and Cliff Tuttle Parks; providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0604 ADOPTED.
53. ORDINANCE amending Ordinance No. 2008-455 to establish a maximum contract amount; approving and authorizing second amendment to Professional Landscape Architectural Task Order Contract between the City and **CLARK CONDON ASSOCIATES, INC** for the Moody Park Community Center Renovations - \$500,000.00 - Grant Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0605 ADOPTED.
56. ORDINANCE approving and authorizing Professional Architectural Services Contract between the City of Houston and **BAILEY ARCHITECTS, INC** for Relocation of Historical Houses and Locomotive Engine 982 - \$110,000.00 - Enterprise Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0606 ADOPTED.
57. ORDINANCE appropriating \$733,335.00 out of Parks Consolidated Construction Fund awarding construction contract to **TIMES CONSTRUCTION, INC** for Marian Park; 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 materials testing services, construction management services, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0607 ADOPTED.

58. ORDINANCE appropriating \$1,266,020.00 out of Parks Consolidated Construction Fund; awarding construction contract to **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Stuebner Airline Park and Metropolitan Multi-Service Center Adaptive Recreation Trail; 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 materials testing services, construction management services, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Texas Parks & Wildlife Department \$100,000.00 - Grant Funds - **DISTRICTS B - JOHNSON and D - ADAMS** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0608 ADOPTED.
59. ORDINANCE No. 2010-0583, passed first reading on July 14, 2010
ORDINANCE amending Ordinance No. 2010-0482 relating to Water and Wastewater Impact Fees to correct certain clerical errors; and containing findings and other provisions relating to the foregoing subject - **SECOND AND FINAL READING** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0583 ADOPTED SECOND AND FINAL READING IN FULL.
60. ORDINANCE granting to **V.F. WASTE SERVICES, INC dba V.F. TRASH SERVICE, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0609 PASSED FIRST READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PROPERTY

11. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court; in connection with eminent domain proceeding styled City of Houston v. Hiki Corporation, A Texas Corporation, et al., Cause No.951,771; for acquisition of Parcel AY8-126; for **HOMESTEAD ROAD GRADE SEPARATION PROJECT (Ley Road - Firnat) - DISTRICT B – JOHNSON** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Costello, and tagged by Council Member Jones.

PURCHASING AND TABULATION OF BIDS

19. **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal at 1700 East Crosstimbers Street for Department of Public Works & Engineering - \$71,912.50 - Stormwater Fund - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. MOTION 2010-0571 ADOPTED.

RESOLUTIONS AND ORDINANCES

32. ORDINANCE relating to the Retail Electric Rates of CenterPoint Energy Houston Electric, LLC within the City of Houston, Texas; suspending for ninety days the effective date of new rates; maintaining current rates in effect – was presented.

Council Member Sullivan stated that he would like clarification for the public on this item, that if voting for it was voting no, in other words they did want to give the City an opportunity to exercise their right to protest the proposed rate increase, and Mayor Parker stated that voting for this allowed the City to act in the rate case and they believed it was in the best interest of the consumers.

A vote was called on Item No. 32. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0610 ADOPTED.

35. ORDINANCE amending Ordinance No. 2009-689 to increase the maximum contract amounts for contracts between the City and 1) **HEIGHTS HEARING AIDS, LLC** and 2) **MPJ AUDIOLOGY CONSULTANT, LLC** for Elderly Services provided through the Harris County Area Agency on Aging - \$900,000.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0611 ADOPTED.
36. ORDINANCE amending City of Houston Ordinance No. 2008-1051, passed on November 19, 2008, as previously amended by City of Houston Ordinance No. 2009-1275, pertaining to the addition of a grant application for the Neighborhood Stabilization Program under the 2008 Consolidated Action Plan, to permit certain low to moderate income requirements to be satisfied through both single family homeownership projects and multi-family rental projects, to align program activities and to include land-banking as a potential activity - **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS; E - SULLIVAN; H - PENNINGTON and I – RODRIGUEZ** – was presented, and tagged by Council Member Stardig.
38. ORDINANCE approving and authorizing a first amendment to Loan Agreement between the City of Houston and **TEJANO CENTER FOR COMMUNITY CONCERNS** authorized by Ordinance Number 2010-0307 to increase the maximum loan amount from \$595,000.00 to \$935,000.00 and to increase the number of homes to be acquired, rehabilitated and/or demolished/rebuilt and resold to income-qualified households from up to seven foreclosed homes to at least eleven foreclosed homes and to increase the portion of loan proceeds which may be allocated to allowed project delivery costs - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0612 ADOPTED.
43. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Printing, Copying,

Scanning and On-site Copy Shop Management Services for City Departments; providing a maximum contract amount 5 Years with 5 one-year options - \$7,557,460.00 - Central Services Revolving Fund – was presented, and tagged by Council Members Jones and Bradford.

44. ORDINANCE appropriating \$20,774.13 out of Fire Consolidated Construction Fund for Emergency Remediation and Cleanup of Diesel Fuel for General Services Department **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0613 ADOPTED.
51. ORDINANCE appropriating \$5,300,000.00 out of Police Consolidated Construction Fund and \$1,617,600.00 out of Fondren Police Station Fund Series E; awarding construction contract to **SPAW GLASS CONSTRUCTION CORPORATION** for Houston Police Department Fondren Police Station—District 17; approving and authorizing issuance of purchase orders to **CONTRACT RESOURCE GROUP, L.L.C.** for purchase of Systems Furniture, **THE CORNER OFFICE, LLC** for purchase of Non-Systems Furniture, and various vendors for purchase of IT/Telephones/Computers; 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, Civic Art Program, Access-Intercom and CCTV Systems, Systems and Non-Systems Furniture, IT/Telephones/Computers, Fitness Equipment and contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund, the Fondren Police Station Fund Series E, and the Federal Government Grant Fund - \$500,000.00 - Grant Fund - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member Gonzalez out of the city on city business. ORDINANCE 2010-0614 ADOPTED.
54. ORDINANCE appropriating \$49,970.00 out of Street & Bridge Consolidate Construction Fund as an additional appropriation for Professional Roofing Consultant Services Contract for Task Order Contract between the City of Houston and **BUILDING ENVELOPE CONSULTANTS, LLC** for Various City Departments; amending Ordinance No. 2008-0890 to increase the maximum contract amount - **DISTRICT I – RODRIGUEZ** – was presented, and tagged by Council Member Jones.
55. ORDINANCE appropriating \$1,280,260.00 out of Police Consolidated Construction Fund and \$460,259.00 out of Street & Bridge Consolidated Construction Fund for Job Order Contract for Roof Repair/Replacement Services for Houston Police Department Southeast Command Center and the Public Works & Engineering Department McCarty Maintenance Facility under an existing citywide contract with **CHARTER ROOFING COMPANY, INC** (Approved by Ordinance No. 2008-0891) - **DISTRICTS E - SULLIVAN and I – RODRIGUEZ** – was presented, and tagged by Council Member Jones.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Clutterbuck stated that they had been working very hard on the celebration of the 174th Birthday of the City of Houston, that the birthday party was coming up in August and hoped that everyone would plan on attending; that she wanted to welcome Major League Soccer to the City of Houston, that probably the largest soccer event in the Country was being held in Houston, Texas, that it was an opportunity to showcase Houston to the rest of the Country and the world, that she went to an event last night where she met a couple of Houstonians who were in charge of the lighting and sound system but everyone else was from out of town, and everyone to a person, people who were from everywhere throughout the

Country were praising Houston and talking about the amazing hospitality that they had, that yesterday they had a soccer game, with a lot of athletes from various different professions not just soccer, at Discovery Green and then tonight at Reliant Park would be the Major League Soccer All Star Game, that following that there would be an event that would benefit Habitat for Humanity through Brian Ching's charity. Council Members Stardig and Jones absent.

Council Member Adams stated that she wanted to congratulate the Midtown Community, tonight they would be celebrating their 10th Anniversary at Julie's Bistro, 3722 Main Street, that it would begin at 5:30 p.m.; that on Thursday, July 29, 2010 there would be a Historic Preservation Ordinance public meeting, at Saint Stephens Church, next to the Haven Center Building beginning at 6:00 p.m.; that on September 3, 2010 District D would have a Family Night Out and was partnering with Miller Outdoor Theater, Magic 102 and other media partners at 8:00 p.m. for a movie night; that Extreme Makeover was in Houston this week remodeling a home and she was proud to say that the home they chose was located in the South Union Community, that on Saturday, July 24, 2010 a local Houston family was selected by Extreme Makeover Home Edition to receive a new home, that Eric and Elaine Johnson, and their five daughters, had dedicated their lives to helping their neighborhoods, their one bedroom home located in the South Union area of Houston was damaged beyond repair by Hurricane Ike, their selfless acts of kindness were reported to Extreme Makeover Home Edition Team, who partnered with HHN Homes to construct a new home for their deserving family, that construction for the home started on Monday, July 26, 2010 and would continue 24 hours a day until the home is completed, that an estimated 2,000 volunteers would be working on this project, the Johnson Family would return from vacation in Paris, France on Saturday, July 31, 2010, to view the "move the bus" of their new home, that the City of Houston, under the leadership of Mayor Annise Parker and Chief Development Officer, Mr. Andy Icken, had partnered with Extreme Makeover Home Edition to make the family's dream come true, that she wanted to thank a couple of people she wanted to thank for all of their hard work in keeping this such a great secret, the City of Houston under the leadership of Mayor Parker, the Mayor's Office of Special Events, Susan Christian, Ricardo Magdaleno, Stephanie Kiouses, Sustainability/Environment – Laura Spanjian, HPD Special Operations, Assistant Chief Vicki King, Captain Jon Zera, Lieutenant Matt May, Sergeant Mark Bailey, Neighborhood Protection, Assistant Chief Mark Curran, Montecella Flaniken, LaConni Mitchell, Public Works and Engineering, Code Enforcement – Mark Loethen, Right Of Way Maintenance and Bridge, Jim Tarr, Miguel Garcia, Traffic and Transportation, Richard Smith, HFD, Inspector Joe Leggio, Solid Waste Management, Alyce Coffey, Legal Department, Gary Dzierlenga, and General Services Gabriel Mussio. Council Member Jones absent.

Mayor Parker stated that it was always important to acknowledge City employees. Council Member Jones absent.

Council Member Stardig stated that District A was hosting a townhall meeting tonight at Woodhaven Baptist Deaf Church at 7:00 p.m., that Solid Waste Director Harry Hayes would present information on possible changes and expansion of the City of Houston's Recycling Program, that residents would also learn how they could be active and support their local fire stations through the City's Adopt a Fire Station; that a second townhall meeting covering the same things would be held on Tuesday, August 10, 2010 at Oak Forest Elementary School at 7:00 p.m. Council Member Jones absent.

Council Member Pennington stated that last week he met with the presidents of their five super neighborhoods in District G to discuss interaction with HPD and crime prevention generally, that the issues ranged from the desire to establish a storefront at Wilcrest and Briarforest, which had been a particular strong crime center, that proliferation of panhandlers in the district, gaining better access to mapable real time statistics, acquiring more patrols in the district and move away from call center police strategy to neighborhood or community policing

that might see the increase of bike patrols in the area with a high concentration of apartment and commercial enterprises, that the big movement was to try to coordinate the acceptance of volunteer efforts by the people involved in the super neighborhoods and the property owners associations and security, plus all of the patrols that they employed out there, that he saw the Chief last week at the ceremony honoring the flag and mentioned that he would be sending something to the Chief and he seemed to be very receptive to that; that on Friday he attended the ceremony chaired by Council Member Sullivan on the front steps of City Hall welcoming the United States Flag, that it was a very moving ceremony and the flag was a reminder of the many sacrifices made by the men and women in uniform and the Police and Fire Departments, that since the United States Honor Flag flew over the recovery effort shortly after "911" the flag had traveled the Nation and had become an important symbol of sacrifice and service of the Nation's military, law enforcement officers and firefighters; that last week he attended the Chase Bank Business Loan for Hire Program; that he met with Dr. Persse and Chief Dupont about the frequent flyer issue and he would be sending a memo the Mayor's office and thought there was a possibility of saving a substantial amount of money by paying more attention to that program and also providing better health services to their citizens; that he wanted to commend the thirty seven members of the Student Conversation Association who spend the month of July hard at work improving Memorial Park, that he wanted to praise the students and their leaders, Jamie Ford and Susie Colhain for such hard work during their summer vacation to help improve one of the City's parks; that on the Historic Ordinance, he was beginning his review of that, that he met with the Director of Planning last week and was very concerned that they investigate the possible implications of this ordinance, that he knew that was one of the reasons the public hearings were being held and hoped that Council had a chance to review all of the possibilities, that he hoped they would look at the specifics of the effects on the neighborhoods before they enact something, that he was inclined to vote for it, that as many of them knew his wife was the first President of the Harris County Preservation Alliance when it broke away from the Heritage Society and he thought there were benefits, but there were some downsides as well. Council Member Jones absent.

Mayor Parker stated that she wanted to thank Council Member Pennington for volunteering to work on issues of coordination of public safety between the super neighborhoods and the citizens groups and the issue of privately operated security cameras and how they could better integrate those into their system, that it was great that he latched onto that and wanted to step up on it. Council Member Jones absent.

Council Member Bradford stated that the Texas Crime Prevention Association recently presented the Greenspoint District with an Outstanding Crime Prevention Business Award at it's conference, that the Greenspoint District also won this award in 2008, that the recent recipient was a result of activity that occurred in 2009, that the award highlighted several successful district oriented programs that sought to reduce crime and improve community involvement, they included high visibility patrol squads, an increased interaction between police and citizens, a partnership with the Harris County Sheriffs Office aimed a reducing and preventing auto thefts, an off duty special operations program utilizing Harris County Deputies, Houston Police Officers, HISD, Aldine and Metro Police collaboratively, a Graffiti Abatement Program, Auto Theft Recovery Cars, being utilized by police and private security officers in the area, crime prevention strategy surveys issued to businesses and multi family communities so congratulations to the Greenspoint District for having received the award for last year; that he wanted to give a big thanks to Ms. Paige Elberger, who was an honor student at the University of Texas, had served this summer in his office as an intern and this was her last week, that he wanted to say thanks for volunteering to work in his office this summer and hoped the experience and been rewarding and beneficial. Council Member Jones absent.

Council Member Rodriguez stated that they passed Item No. 42, the appropriation of \$3.5 million out of the Dangerous Building Consolidated Fund for the abatement of dangerous

buildings and presented Mayor Parker a gift of appreciation from the Reveille Park Place Civic Club, a renovated brick from a recently demolished complex in their area, 7400 Park Place, that it signified the symbolic renovation that Mayor Parker helped make possible, that his office and the Mayor's office had received one and the card said "Your leadership and ability to get things done are an inspiration to us all as we continually strive to cleanup our community, that it was signed by the Board of the Reveille Park Civic Club. Council Member Jones absent.

Mayor Parker stated that was the property that she understood Eleanor Tinsley first started trying to take down and it took a long time, that she was glad to work with him in getting it down. Council Member Jones absent.

Council Member Sullivan stated that this past weekend there was a tragic traffic accident in the north part of their area where an Atascocita Volunteer Fire Department firefighter was killed by an alleged drunk driver, that Gregory Hundell was a firefighter and Harris County Sheriff's Office Detention Officer, his funeral was at Humble First Assembly of God Church and graveside service at Rosewood Cemetery in Humble, that the family had requested that all public service fire, police and EMS personnel were welcomed to attend the service; that the Houston Police Department Mounted Patrol Class No. 20 welcomed three new officers into their unit, Officers Rebecca Gunderson, Horace Mann, Jerardo Alanez, along with their mounts. Figgy, Rey and Vincent, that they completed their eight week extensive mounted training class and graduated to the streets, that he wanted to congratulate the three officers, it was a very nice ceremony at Discovery Green; that the U.S. Honor Flag Ceremony was held at the steps of City Hall last week, that he wanted to thank Council Member Pennington for coming, and thank HPD Chief McClellan for speaking as well HFD Acting Chief Rick Flanagan and Humble ISD Board of Trustee Member Dan Hughberty who drove from the Humble/Kingwood area, that the flag had been all over the Country and reminded them of what their public safety personnel and the military goes through and they also recognized Command Staff Sergeant Pasqual Castro who retired after 28 years of service at Ellington, that he wanted to thank the Mayor's Office of Special Events for assisting with the setup and the logistics, Greg Griffin was the point of contact; that the International Protocol Office called and asked if he could meet with a Kenyan City Council Members, Council Member Moriaso, that it was quite an experience to list to some of the problems that they faced, budget, sanitation and crime. Council Members Stardig and Jones absent.

Council Member Lovell stated that last night they had their first public meeting to roll out the Historic Preservation Ordinance, it was held at the Houston Community College in the auditorium and wanted to thank the Planning Department for all of their hard work, that it was a good meeting, they had taken some of the ideas and folded them into the ordinance; that on Thursday at Saint Stephens Episcopal Church at 1805 Alabama, from 6:00 p.m. to 8:00 p.m. they would have a meeting with specific Historic Districts; that they would have a Development and Regulatory Affairs Committee meeting on Wednesday, August 4, 2010 in the Council Chamber, that staff from the Planning and Development Department and ARA would present information on the possible elimination of the Parking Commission and the transfer of some of the commission functions to the Planning Commission; that they would have a TIA Committee meeting on August 10, 2010, that the new Interim Director and CEO of Metro George Greanias would introduce himself and make a presentation on the progress of the light rail lines; that Ashley Montiel was in the audience and this was her last day in their office, that she came from the Houston A Plus Challenge, an Extern, that she would be returning to her job as a second grade teacher at Lyons Elementary, that she had been a great asset to their office. Council Members Stardig and Jones absent.

Mayor Parker stated that she wanted take a moment to correct something that she said at the public session yesterday, and an apology to Council Member Costello, that he asked a question about transitioning the historic neighborhoods from their current status unto the

proposed new ordinance and she indicated that the transition plan was part of the ordinance, that it was in written form, it was an administrative policy, it was not in the ordinance, so she did want to send him back to reread the ordinance to find it, that she misspoke, that they had not published that piece yet because Council Member Lovell had indicated that she did not want to put it in writing because once they put it in writing people think that it was done and they were still in the public hearing process, but very clearly for everyone watching, their intent was that each of the existing historic neighborhoods there would be a similar process to what was being done in the creation of a new historic district and each one would be individually transitioned so that everybody would have full public notice, but she wanted to correct what she said yesterday. Council Members Star, Sullivan and Jones absent.

Council Member Clutterbuck stated that they had passed Item No. 51, the long awaited letting of construction funds and awarding the construction contract to a company to be able to build the District 17 Police Station; that Nancy Brainerd, the head of the City Hall Fellows Program was in the audience and asked the City Hall Fellows present, Ms. Mercedes Sanchez, Rachel O'Shields and Elizabeth Wilkins and Ted Wieber to stand and be recognized, that all of the fellows worked at the City of Houston doing the kinds of jobs that they were unable to do just by lack of resources for various departments, that the program was a part of a national foundation that awarded these kind of fellowships to various municipalities and county's and trying to encourage public service, that unfortunately they were not going to be able to have City Hall Fellows this coming year and it was her hope that they would be able to find the money to do so and to find the money from private sources, that she knew that the Houston Endowment was eager to help fund it. Council Members Stardig, Sullivan, Rodriguez, Bradford and Rodriguez absent. (NO QUORUM PRESENT)

Mayor Parker stated that she wanted to add her thanks, that they did great work, that it was a painful decision on her part to say that she could not devote the City matching funds, which last year were to the tune of about \$250,000 to that program, but was certainly committed to trying to raise private sector money to keep some of the fellows in the future. Council Members Stardig, Sullivan, Rodriguez, Bradford and Rodriguez absent. (NO QUORUM PRESENT)

Council Member Adams stated that today they would be having the Neighborhood Protection and Quality of Life Committee meeting, that Director Hayes would be presenting some proposals about recycling going citywide, that it would be at 2:00 p.m. in the City Hall Chamber; that she wanted to thank the City employees for everything they were doing with Extreme Makeover because it was her understanding that they had been working really hard, night and day, that she wanted to say congratulations to all of them for a job well done, that all of the volunteers, team members, corporate sponsors, producers of Extreme Makeover Home Edition and the generosity of all of their volunteers who worked together to make Houston shine on a national scale, that the address is 3613 Good Hope Street in Houston, Texas; that she wanted to congratulate Susan Christian who had been with the City of Houston for 25 years; that she wanted to say to the ladies of Delta Sigma Theta that she looked forward to their safe travel to New Orleans to celebrate their national conference. Council Members Stardig, Sullivan, Rodriguez, Bradford and Rodriguez absent. (NO QUORUM PRESENT)

Mayor Parker stated that Susan Christian just celebrate a major milestone birthday; that she wanted to thank an intern for serving in her communications office, Julian Rogan, who had been doing great work, that she wanted to thank her and wish her God speed as well. Council Members Stardig, Sullivan, Rodriguez, Bradford and Rodriguez absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 10:04 a.m. Council Members Johnson, Hoang and Noriega absent on personal business. Council Member

Gonzalez out of the city on city business. Council Members Stardig, Sullivan, Rodriguez, Bradford and Rodriguez absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary