

City Council Chamber, City Hall, Tuesday, October 16, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 16, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega and Ronald C. Green and; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present. Council Member Michael Berry absent.

At 1:46 p.m. Mayor White called the meeting to order and stated that Council Member Green would begin presentations. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado and Lovell absent. (NO QUORUM PRESENT)

Council Member Green stated that today there was a very special person present and invited Ms. Robbie Juanita Sepolen to the podium; Council Member Green stated that Ms. Sepolen was 105 years old, born August 7, 1902; and presented her a Proclamation proclaiming October 16, 2007, as "Robbie Juanita Sepolen Day" in Houston, Texas; and Ms. Sepolen stated that she was just happy that in this day and time she was glad to express she had someone to listen to her. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado and Lovell absent.

Council Member Noriega stated that when she was her age she hoped to be as beautiful and elegant as she; she was definitely a role model. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado and Lovell absent.

Council Member Edwards thanked Ms. Sepolen for being who she was and for being of service to the community as long as she had. Council Members Johnson, Clutterbuck, Wiseman, Holm and Alvarado absent.

Mayor White stated that this was the last of the Hispanic Heritage Awards and they were lucky to have today Mr. Fernando Cisneroz and invited him to the podium; Mayor White stated today they were recognizing him for an outstanding contribution to the City of Houston; that since 1985 he had been a strong educational advocate; and he was instrumental in getting support for the first SPARK Park and because of that and other accomplishments presented him a Proclamation proclaiming October 16, 2007, as "Fernando Cisneroz Day" in Houston, Texas; and Mr. Cisneroz thanked all for the recognition and honor. Council Members Johnson, Clutterbuck, Wiseman, Holm, Alvarado and Green absent.

Council Members thanked Mr. Cisneroz for his hard work and congratulated him on his recognition. Council Members Clutterbuck, Edwards, Wiseman, Holm, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that it was important to recognize important initiatives and invited Mr. John Strange and Ms. Cherry Evans with the Gulf Coast Chapter of the Leukemia/Lymphoma Society to the podium; and Council Member Garcia stated that Leukemia and Lymphoma were killers in the community, blood related cancers currently afflicted more than 700,000 Americans with an estimated 110,000 new cases diagnosed yearly and would kill in comparison as many as in the City of Victoria this year; and all needed to be done to help this; and presented Mr. Strange a Proclamation proclaiming this month as "Leukemia and Lymphoma Awareness Month" in Houston, Texas and thanked them for what they did to raise awareness. Mr. Strange stated that he was proud to say this was the fourth year under Mayor White's tenure and three under Mayor Brown they had been here and the Proclamation may seem like a small thing, but it created awareness and for anyone needing help Ms. Evans who

was with him was in patient services and did things other chapters did not do; and Ms. Evans stated that this was seven years in a row they had been in Council and due to the awareness they were now the leading chapter out of 68 chapters nationwide as far as patient financial aid and patient services and very proud of it. Council Members Clutterbuck, Wiseman, Holm, Alvarado and Green absent.

Mayor White stated that he wanted to acknowledge special people in the room, the citizens for whom they work in the future were young people and they were lucky to have great people in the Mayor's Youth Council; and asked that all stand to be recognized and thanked them for their services. Council Members Wiseman, Holm, Alvarado and Green absent.

At 2:08 p. m. Council Member Edwards lead all in the prayer and pledge. Council Members Wiseman and Alvarado absent.

At 2:11 p.m. the City Secretary called the roll. Council Member Berry absent. Council Members Wiseman and Alvarado absent.

Council Members Khan and Garcia moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Berry absent. Council Members Wiseman, Holm and Alvarado absent. MOTION ADOPTED.

Council Member Lawrence moved the rules be suspended for the purpose of hearing Mr. Tom Bazan at the top of the Non-Agenda 3 minute speakers, seconded by Council Member Khan. Council Member Edwards voting no. Balance voting aye. Council Member Berry absent. Council Members Wiseman, Holm and Alvarado absent. MOTION 2007-1023 ADOPTED.

Council Member Clutterbuck stated that on a point of personal privilege she wanted to wish Council Member Brown a happy birthday; and Council Member Brown stated that he enjoyed serving on Council; that they were doing great things for the people of Houston and he was humbly glad to be a part of it and it made him feel younger. Council Member Holm absent.

Council Members wished Council Member Brown a happy birthday and sang Happy Birthday to him. Council Member Holm absent.

Council Member Brown stated that on a point of personal privilege he wanted to recognize a group of students from KIPP Academy who were present today and asked they stand to be recognized. Council Member Holm absent

At 2:16 p.m. the City Secretary began calling the public speakers. Council Member Holm absent.

Mr. Charles Maynard, 5 Houston Center, Houston, Texas 77010 (713-752-8613) appeared and stated that he was present to speak on behalf of three property owners who objected to the imposition of minimum lot size in the 2300 block of Wordsworth Boulevard; that it would not serve the intended purpose, they weren't consulted and did not think it was done appropriately; that the previous ordinance had a mathematical formula to insure a proposed block have some uniformity, but it eliminated the requirement and now could be applied to any block no matter what the lot size and these lots ranged from 3,500 to 13,000 square feet; that his clients owned lots with two duplexes on them and if the minimum lot size was imposed they would be regulated to perpetuating the rental unit duplexes forever and not be able to divide the property for single family and that would enhance the neighborhood; that at the hearing no owners spoke in favor of and three spoke against it. Council Members Johnson and Holm absent.

Upon questions by Council Member Clutterbuck, Mr. Maynard stated that he believed this was an inappropriate application of the ordinance and it could be applied to anywhere in the city no matter what the size lot was; and the commission did not consider the mandate of the court. Council Members Johnson and Holm absent.

Mr. Tom Anderson, P. O. Box 56066, Houston, Texas 77256 (281-236-9254) appeared and stated that he was present as he thought government should have a fair and open process and a hearing be a hearing and he felt having attended the commission hearing it was more of an exercise than understanding of facts; and he would ask that process be revisited so citizens felt they did have opportunity to address issues. Council Members Johnson and Holm absent.

Mayor White stated that in observation when they tried to establish rules to find the right balance between continuity and change through the minimum lot size ordinance, which was here before the present members were, the more you did to make something predictable and proceed by petition it was almost like a formula and it had some merits with less subjectivity and more predictability for participants, but also had less discretion by a planning commission and they were trying to find the right balance; that he did hear it would keep duplexes and not allow single family and he would ask Ms. Gafrick and those in the Planning and Legal Departments who were following this if it was the case to explain why it was the case, it was not the intention to preserve duplexes over single family within the same lot size. Council Members Johnson and Holm absent.

Council Member Clutterbuck stated that the Mayor summed it up well and she planned to call applicants today; and Mr. Anderson stated that the hearing was the check and balance when it worked properly. Council Members Johnson, Wiseman, Holm and Lovell absent.

Upon questions by Council Member Brown, Mr. Anderson stated that his lots were 8,400 feet each and some were small, some larger, he felt the mechanical result of the formula resulted in a somewhat arbitrary size which did not respond to what was there or most suitable; that he would like to have the option to divide into two lots if he wanted. Council Members Wiseman, Holm and Lovell absent.

Ms. Cathy Blum, 1931 Sunset Blvd., Houston, Texas 77005 (713-942-6813) appeared and stated that she was present as homeowner and real estate agent and wanted to speak on the Ashby High Rise; that three agents were present with her and asked them to stand and be recognized; and also standing with them today was the entire company of Greenwood King, all three offices, every person including owners had signed the petition she had with her; that they were about protecting neighborhoods, it was the most money their clients ever spent at one time, the 55 story facility in Tanglewood as an example was when selling the average price per square foot was \$383.00 and for Fieldwood Street the price was \$279.00 and that was \$105.00 per square foot difference and a loss of property value; that she understood many on Council supported their opposition and urged they do what was possible to stop it; that an ordinance should pass to protect all neighborhoods, they had power to make a difference and asked the development be derailed. Council Members Wiseman absent.

Mayor White suggested she turn her petition in. Council Member Wiseman absent.

Council Member Brown stated that he supported what she did; and upon questions, Ms. Blum stated that they could even do retail with the property, people might enjoy walking there, but they could develop townhomes or 10 to 15 luxury homes; that people knew you could not bring 500 cars to a two lane street and it not be a major effect to that street and those around it. Council Members Wiseman and Lovell absent.

Council Member Edwards stated that this was going on all over and she did not know if a traffic impact study could halt development and she wanted to know if there was anything Council could do; and Mayor White stated that he believed they could pass an ordinance which would condition granting or not granting certain permits with an excessive amount of traffic being dumped on a two lane street and part would be to define a category in advance, such as a number of units, people did seek high rise permits near major employment centers and most wanted to build them on major thoroughfares or do things to mitigate traffic impact such as a street closure between buildings; that he did not know what these people were thinking, but proximity to traffic signals and size of street, expected density, etc., and something was being worked on and it would not take two years to get an ordinance. Council Members Wiseman, Lovell, Noriega and Alvarado absent.

Council Member Lawrence stated that there had been many high rises recently and had anyone taken the property value around it to see how it was affected; and Ms. Blum stated that she had shown the value dropped \$105.00 a foot; that this was not a residential high rise but the 55 story San Felipe Tower and she would be happy to leave the study of Tanglewood with her; and Council Member Lawrence stated more than one example would be helpful in making a case. Council Members Wiseman, Alvarado, Lovell and Green absent.

Council Member Garcia stated that last time he held a TIA Committee Meeting a report on what was proposed for the traffic impact analysis ordinance was provided, but they had not heard anything recently and would like an update; and Mayor White stated that they were dealing with two separate issues, first was the number of cars during peak hours exiting from a curb cut onto a two lane street; and second, was a report by the Planning Commission and recommendations that they consider access management planning in the future and on that it would be a slower process; that there was a tendency to underestimate the amount of work that would go into doing something where you had a built infrastructure to begin with, but they would not wait to address dumping onto a two lane; and Council Member Garcia stated that he and Mayor White had discussions on the Inner Loop Condos and he wanted to make sure that project received the same scrutiny; and Mayor White stated that it had; that they were trying to do something with a congestion impact, no one wanted others driving in front of their house. Council Members Edwards, Wiseman and Green absent.

Council Member Holm stated this was an opportunity and she appreciated the information being presented and Mayor White clarifying; that learning to coexist in mixed use living was the key to success and they wanted to set good policy to enable good growth and development without destroying integrity of neighborhoods. Council Members Edwards, Wiseman and Garcia absent.

Council Member Lovell stated that many months ago they started talking about doing traffic impact; that new vertical suburbs were on existing streets and horizontal would allow you to build new ones; that they needed to look at permitting and in these particular instances look at the whole site plan first and see how it would impact the neighborhood and it was a great opportunity to manage and shape neighborhoods. Council Members Edwards, Wiseman, Khan and Holm absent.

Council Member Brown stated that density was not the best economic use of a piece of property; that on his street there were ten lots and eight houses, low density but significant property value; and upon questions, Ms. Blum stated who would want to live in an area where you competed with 287 neighbors getting out into a two lane street; and Council Member Brown stated that he believed the Administration and or Council had the power to delay the permitting process and to require a site plan submission and limit development which would result adverse

impacts on residents of an area; and they should limit the number of unrestricted plats. Council Members Edwards, Wiseman, Khan and Holm absent.

Mayor White stated that he would not debate but he did not entirely agree with the inner play between that provision of the law and the charter but did think they had opportunity to address the issue of too many cars dumping onto a street. Council Members Edwards, Wiseman, Khan and Holm absent.

Council Member Johnson stated that there were other speakers and he would reserve his comments until after the next speaker. Council Members Edwards, Wiseman, Khan and Holm absent.

Council Member Garcia moved the rules be suspended for the purpose of hearing Mr. Robert Weston, Mr. Jim Schriver, Mr. Randall Raimond and Ms. Elsie Abrams at the top of the Non-Agenda 3 minute speakers, seconded by Council Member Khan. Council Member Holm voting no. Balance voting aye. Council Member Berry absent. Council Members Edwards and Wiseman absent. MOTION 2007-1024 ADOPTED.

Ms. Thad Lueders, 1727 North Blvd., Houston, Texas 77098 (713-523-6764) appeared and stated that she was asking Council to creatively use existing ordinances to fight this inappropriate plan for a high rise on Ashby, a very small single residence street which people parked on all the time; that over the years she watched small neighborhoods be threatened by such development and was told it was inevitable, but she did not believe it and thought Council had the power to stop irresponsible and destructive over development nor did she think sound, profitable development came at the expense of existing infrastructure and environment.. Council Members Edwards and Wiseman absent.

Council Member Johnson stated that he appreciated them coming to Council and he was not familiar with their area but was sure their District Council Member was and he would follow that Council Member's lead so their voice could be heard; that he did not think it would stop this development but did think development should be the will of the people and thought there should be equity across the board when it came to development in this city. Council Members Wiseman, Alvarado and Lovell absent.

Council Member Lawrence stated that there were many more questions such as the 32 acres on Minimax where one high rise on a two lane street would be 320 residents and that was just one-third of the 32 acres and then more development and all wanted the communities gated and this was a chance to really look at traffic impact on a street and where gated communities should be, there needed to be much input and should have much discussion with developers. Council Members Wiseman, Alvarado and Lovell absent.

Mr. Chris Seger, 4522 Evanhoe, Houston, Texas 77027 (713-805-7892) appeared, presented information and stated that he was present to discuss Richmond Avenue; that METRO on Thursday would announce their preferred alternative for building rail and that it would go from the Wheeler Street Station to Cummins Lane, using all of Richmond, and under that 2.6 miles of Richmond lied a 66-inch water line which the rail would completely cover making access to the line difficult to repair and monitor and make it more susceptible to corrosion and when the pipeline failed it would not leak but burst; that in 2006 the City under the Mayor's letterhead requested a study on the consequences of the pipeline and rail being built over it; and the study said "The construction of the new light rail system on Richmond will place the rails over the existing 66-inch transmission line. This will have major impacts on the operation and maintenance and threaten the longevity of the existing 66-inch water transmission line. The existing transmission line is a major source of supply to the west side of the City.

Placement of the new rail line over the line will prevent access to maintain and repair this line. The existing transmission line is constructed of prestressed concrete cylinder pipe. This pipe is subject to catastrophic failures due to corrosion deterioration caused by stray electric currents that will likely be present in the new rail system.” Council Members Wiseman, Garcia, Alvarado and Lovell absent.

Council Member Clutterbuck stated that this issue was again an extremely difficult and disturbing one and he brought real data commissioned by the city; that she asked Mr. Marcotte for his material and spoke with METRO today and their comment was it was basically a miscalculation and the stray current was no more than a nine volt battery. Council Members Wiseman, Garcia, Alvarado and Lovell absent.

Council Member Holm stated that she too appreciated the information; that when information came forward it deserved to be looked at and she too noticed Mr. Marcotte's comments; that she had contacted Public Works about the work the city solicited from LAN and at that time it was they stood behind those findings and she too spoke with METRO today and they said they did their own analysis and there was no validity in this and she would request the Council receive good information for their decisions and would like Mr. Marcotte to bring that information; and in comparing these lines it had to be apples for apples and this particular one had issues needing to be examined and again asked that Council Members be provided with the analysis LAN came up with and with METRO information and evaluate the history of this same type of structure under the rails of other cities; and Mayor White stated that he had been a witness and participated in very technical discussions over a period of 12 to 18 months on the interplay between the 66-inch line and METRO rail, different configurations and he would agree they would go through all this. Council Members Wiseman, Garcia, Alvarado and Green absent.

Council Member Edwards stated that she wanted to know how they could have a reconciliation between the two different reports; and Mayor White stated that they could have a briefing or a committee hearing meeting or he could just jump forward; that if in this city or New York or Chicago, etc., a rupture in a water line the speed at which you would attack the rupture and what you would bring back up but it would not be pleasant and the history of ruptures in the 66-inch line was something he asked for as well as things you can send through the line and on rare occasions lines such as this broke and when they did the reaction of water professionals was don't build anything over a water line, but dense cities did and had to respond and you had to determine frequencies and alternatives; and Council Member Edwards stated that a 66-inch water line break on Richmond would be catastrophic and at some point in time she had to believe what people trained had to say or else she could not believe them on anything, where was the benchmark for credibility; and Mayor White stated that Council Member Holm stated this was not the first city dealing with density of infrastructure and we should compare apples to apples; and Council Member Edwards suggested a public meeting and as quickly as possible. Council Members Johnson, Wiseman, Garcia and Green absent.

Council Member Clutterbuck stated that she saw a pipe fail on Clay at Cullen about a year ago or so and saw it go up and it was something to see and she wanted to know how big that pipe was; and Mayor White stated that he would get the information. Council Members Johnson, Wiseman, Garcia and Green absent.

Council Member Clutterbuck stated that she too would like to encourage a committee of a whole on this chaired by the Mayor and all of them as colleagues were under a duty to examine this and the issues, the way she experienced it was several Council Members were interested but did tend to defer to the opinion of the District Council Member of who the line would run through and this was an issue of grave significance and important to them as a process to have

an open meeting and to have Mr. Segar and Mr. Richardson and Ms. Scarborough come speak during a public session was an inadequate time to address such serious issues and those were serious allegations brought out in a study commissioned by the city and did need to be heard by every member of this body; and Mayor White stated very good. Council Members Lawrence, Johnson, Wiseman, Garcia and Green absent.

Council Member Holm stated that she did applaud and commend both of those suggestions; that she believed this city needed the right transportation options but also wanted it addressed properly and while she was concerned about a catastrophic failure of the line she was even more concerned with constructing something which would undermine the credibility of the present structure and if this was the right route and the water line needed to be rerouted then they needed to invest in proactively rerouting the water line the proper way and to knowingly take information and just discount it instead of taking the appropriate actions to make things work satisfactorily and this needed much more time. Council Members Lawrence, Johnson, Wiseman, Garcia, Brown and Green absent.

Upon questions by Council Member Edwards, Council Member Holm stated that Public Works in her opinion was standing behind the report issued and METRO was discounting the issue, but she had not talked to Mr. Marcotte and she did not want the report discounted. Council Members Lawrence, Johnson, Wiseman, Garcia, Brown and Green absent.

Ms. Suzanne Poole, P. O. Box 1035, Missouri City, Texas 77489 (281-438-5427) appeared and stated that she was speaking on behalf of the wrecker industry and today she had questions on the police auto tow service agreement, it was currently being amended to comply with the department of TxDOT being an authority to licensing and regulation which they had been working on the local level, but there were numerous changes in the agreement they found inappropriate or questionable and it was very confusing and the industry had no input; that they would ask the Auto Dealer's Authority give them time to look at it and see if they could distinguish more meaningful sentences within it; that they were also concerned the lines for the zones would possibly be redrawn and there were rumors Ms. Rash's storage lot would be closed because of the Hardy Toll Road extension and she had bought property in another zone and she was asking the lines to be redrawn so her storage lot could be encompassed and they would consider that preferential treatment of anyone and they would like input on redrafting the lines somewhere along the lines of police districts so they could respond more appropriately; that they asked before if there was a federal ruling the judge put against any city ordinance or contract that it would be honored in place of the city and she was hoping they could do that now and they would be back in court November 26, 2007, and expected more rulings on federal law precedence at that time. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Brown and Green absent. (NO QUORUM PRESENT)

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Brown and Green absent. (NO QUORUM PRESENT)

Mr. Robert Weston, 3301 Morrison, Houston, Texas 77009 (713-816-0444) appeared, presented information and stated that he was president of the I-45 Coalition, a nonprofit volunteer group concerned about I-45, and they had support from people and organizations from Downtown to Greenspoint and beyond, Houstonians in general were concerned and asked those present with him to stand to be recognized. Mr. Weston stated that they formed ten years ago and they were interested in getting TxDOT and METRO to start talking together on mobility solutions; that in 2005 TxDOT released a report they wanted four managed lanes put on I-45 and they got more involved and had three major goals, no additional right-of-way should be taken, do not affect quality of life, look at alternative modes of transportation and one great

alternative was a tunnel from Beltway 8 North all the way through Downtown to the Highway 59/288 split and after much discussion with TxDOT they had considered putting the four managed lanes in a tunnel and it was being evaluated now, but they wanted TxDOT to consider 12 lanes underground and under I-45; that he realized this was not a city project nor city dollars, but it was their city and they needed the Mayor and Council's support to tell TxDOT to make a tunnel happen; that they did say they could do a tunnel but needed the city's support and they sent all their offices a highway engineer, Gonzalo Camacho, had created and they were sending a copy around now with an executive summary which detailed benefits. Council Members Lawrence, Johnson, Wiseman, Holm, Brown and Green absent.

Mayor White stated that he talked to Council Member Garcia and read the entire original engineering study and raised certain issues; that they went to the HGAC meeting and adopted certain language and he thought the work of the group looked at who would benefit or not and it made people focus on instead of expansion, adding to the HOV capacity so the first thing he would say people who said you could not have an impact were wrong when they got involved early in the study. Council Members Lawrence, Wiseman, Holm, Brown and Green absent.

Council Member Garcia thanked all for coming and stated that he appreciated their work and their challenge in causing them to be creative as they dealt with challenges they heard and a lot of it was tied into the philosophical concept of a tunnel in the City of Houston; and upon questions, Mr. Weston stated that studies were done, Gonzalo Camacho brought in a tunnel engineering group and local people who looked at the soil conditions and there were no restrictions as far as putting in a tunnel; that on cost figures, TxDOT's proposal to put in three HOV lanes were estimated at \$2.1 billion and the net effect was general traffic lanes would increase in speed by three miles an hour, they would be going 35 mph after \$2.1 billion was put into infrastructure and roadways and for the tunnel the estimate would be \$3.1 billion for TxDOT's three lanes and building a highway would take 10 years to build and a tunnel could be built in 5 years and by the end of the project TxDOT's part would be \$297 million a mile for their highway and the tunnel was \$312 million a mile, a 5% difference by the time cars were on the road, TxDOT stated they were looking at their four lanes on either I-45, Hardy or in a tunnel and they wanted TxDOT to put 12 lanes in a tunnel, for the same money they could put in 12 lanes, 5% more than it cost to put in 3 lanes; and Council Member Garcia stated that he hoped they would challenge systems to give an issue like this serious consideration and he thought it would require the will of this body and they had his support. Council Members Wiseman, Holm, Alvarado, Brown and Green absent.

Council Member Lovell stated that having gone through the same situation in her neighborhood with 59 which took much time and effort they stayed organized and fought and now had a wonderful bridge and a beautiful corridor; and urged them to be steadfast and also talk with state senators and state representatives and congressional people; and they did have her support. Council Members Wiseman, Holm, Alvarado, Brown and Green absent.

Mr. Jim Schriver, 1808 Lubbock, Houston, Texas 77007 (713-882-1831) appeared, presented information and stated that he served on the board of directors as chair of the Transportation Committee and a founding board member of I-45 Coalition and today they were present with vital information and a request; that he was asking for unanimous consent that the white paper, "Future Development of Transportation Corridors-Alternative Design for I-45, Houston, Texas" be entered in the record as part of today's proceedings and be kept on file in the Mayor and Council Members offices for future reference; that Houston's economy was strong and the gross area product of Houston was exceeded only by the gross domestic product of only 28 countries in the world and Houston could afford a premium transportation concept and they were talking of the I-45 Parkway being that solution; some of the advantages were that tunnels provided free flow of traffic at 55 to 65 mph, double TxDOT's alternative, I-45 served as

a primary evacuation route and in severe weather tunnels would serve to safely evacuate the city and both of the twin tunnels could easily convert to contra flow doubling the capacity to exit the city; that tunnels could be built in 5 years or fewer without interfering with existing traffic and they eliminated freeway noise pollution and were engineered not to flood, the Washburn Tunnel was built over 50 years ago and never flooded; that the tunnels could generate revenue from tolls and no additional right-of-way was required; air within the tunnel system was constantly purified by electrostatic filtration which eliminated over 90% of toxic airborne particulate matter from the air; that Mayor White came with a promise to keep Houston moving and they were seeking his energetic endorsement of the I-45 Parkway to accomplish his goal. Mayor White, Council Members Lawrence, Wiseman, Holm, Alvarado, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Shriver stated that they presented this concept to dozens of neighborhood organizations, businesses and civic groups all along the corridor and they received no opposition and in fact the Houston Property Rights Association headed by Barry Klein gave them a resolution of support; and Council Member Edwards encouraged him to pull his state representatives and state senators in with them; that her experience with TxDOT was they did not listen well to communities and even with City Hall backing them their state representatives had to be on the front lines to get real hearing of what was being done and being said; and she would like them to present this at the City's Transportation Committee Meeting so they could have thorough discussion. Mayor White, Council Members Lawrence, Wiseman, Holm, Alvarado and Green absent. Council Member Khan presiding.

Council Member Garcia stated that there were emissions on the freeway and concerns to the community; and upon questions, Mr. Schriver stated that the tunnel provided an electrostatic filtration of the air and it had a 90% reduction in the removal of suspended toxic particulates as it came back into the air; and you did not think about breathing the toxic particulates but when you inhaled them they went into the lung and traveled to the heart or the brain and could cause stroke, heart attacks and other serious medical conditions and quality of life also had quality of health. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Alvarado and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Brown stated that he applauded the group, it was very important to continue what they were doing; and upon questions, Mr. Schriver stated that TxDOT had two scoping meetings which were public engagement and of which they cancelled, one in 2005 and one in 2006, and at every attempt they made to acquire information from TxDOT they were told there was none or they refused to give it and within a short period of time they would like a resolution of support signed by the Mayor and Council Members who agreed so they could move forward on the project; and Council Member Brown stated that a friendly but firm message needed to be sent to TxDOT saying they did not want anymore Katy Freeway expansions in the City of Houston, it could not tolerate it, and he felt the first step was to get TxDOT to commit to an alternative solution to the all surface revision expansion of I-45 and many good solutions were being developed in other cities; and they had his support. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Lovell stated that they would probably not get a resolution quickly, but there was a process and the Transportation Infrastructure and Aviation Committee would be a good vehicle to have a meeting on this and they could ask TxDOT if they would like to attend or it could be a Quality of Life Meeting, but this was a really important corridor because it was the way people came into the city from the airport and at a committee there could be a full airing and it could be ongoing dialogue and then from there a resolution could go from the committee

to Council; that they needed to keep up the good work and talk to their state representatives. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Alvarado and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Randall Raimond, 1315 Goliad, Houston, Texas 77077 (713-222-0122) appeared and stated that he was with the I-45 Coalition and to summarize TxDOT was planning on reconstructing I-45 and adding just 3 additional HOV lanes at a cost of \$2.1 billion and after that there would still be traffic congestion from I-10 through Houston to the 288/59 split and logically after that they would look at reconstruction of the Pierce Elevated and if they spent \$2.1 billion doing 3 HOV lanes how much would it cost to construct the Pierce Elevated; that the tunnel project was \$3.1 billion and would not only cost less but double capacity of the I-45 corridor and the cost came with inclusions of all benefits Mr. Shriver just spoke of; that clearly there was a tremendous cost advantage and a favorable environmental impact for the tunnel project which made for an easy decision for their request; that if they did not demonstrate to TxDOT the concern of how their plans would affect this city then TxDOT would do what they would do and in the past they were not imaginative; and today they were urging Council's support for the tunnel project by signing a letter to TxDOT challenging them to seriously investigate the I-45 Parkway and tunnel concept. Mayor White, Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Edwards suggested their group write a letter for Council Members to sign either collectively or individually to get it off and over with; and would again suggest they seriously engage their state representatives from Woodlands to Seabrook if that was where it went and from the 1960 area all the way throughout; that her interaction with TxDOT as a Council Member and taxpayer had been very unproductive and TxDOT had been put into a position where they believed they had no accountability or responsibility to the community who paid their salary; and they should also investigate federal dollars in this; and she did not see how they came to their conclusions but they should also bring in their state senators and congress and check federal dollars on the freeways, they were going to need more weight than City Council; and if they got a letter to her she would sign it. Mayor White, Council Members Wiseman, Holm, Garcia, Lovell and Green absent. Council Member Khan presiding.

Ms. Elsie Abrams, 9514 McNeil Road #205, Austin, Texas 78758 (877-623-7462) appeared and stated that she was with Motor Carrier Express Services and she dealt in the permitting business for 10 years now and did have a contract with TxDOT; that she was present on the proposed trucking resolution for imposing fees; that she understood they were in the process of changing the proposal, hopefully, to reduce the fees; that she was not totally against fees for the trucking industry, but to disagree with the amount; that fees should be a reasonable amount and she wondered if they had checked with other cities and states on their fees; that some of her customers were so upset with the high fees they did not want to do business here anymore; that people would windup paying \$3.00 just for a bottle of water; that she brought a list of fees some cities had around the country. Mayor White, Council Members Wiseman, Holm, Garcia, Lovell and Green absent. Council Member Khan presiding.

Upon questions by Council Member Clutterbuck, Ms. Abrams stated that she was a member of the American Trucking Association, SCRA, AGC, TMTA, she dealt with every part and aspect of the trucking industry; and Council Member Clutterbuck stated that Council Member Garcia was chairman of the committee handling this and she would be sure he added her to the stakeholder list, they were holding meetings and deliberation on this and was postponed because of such concerns and she had raised important issues. Mayor White, Council Members Wiseman, Holm, Garcia, Lovell and Green absent. Council Member Khan presiding.

Council Member Clutterbuck moved the rules be suspended for the purpose of adding Ms. Martha Wong to the list of speakers, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. Council Members Wiseman, Holm, Garcia, Lovell and Green absent. MOTION 2007-1025 ADOPTED.

Ms. Martha Wong, who was added to the speakers list, appeared and stated that she was present to thank Council Member Edwards on her idea of having an open forum on specifically the water line under Richmond; that she wanted to remind Council their number one concern as an elected official was to provide for the safety of citizens and when looking at the water line they needed to think of that; that the water line brought water to her and she was being a bit selfish in this manner, but did hope they would take time to ask for the special meeting so they could investigate and look thoroughly at the report, it was very serious. Council Members Edwards, Wiseman, Holm, Garcia, Lovell and Green absent.

Ms. Brenda Hickman-Smith, 1001 Pinemont #127, Houston, Texas 77018 (832 883-3117) appeared and stated that she was a Katrina survivor who had been in Houston 11 months and had been denied FEMA assistance for her two grandchildren and she was trying to figure out how to get assistance; that she just finished Houston College and was now at GCCSA taking money management at University Park and tomorrow she would go to court to be evicted with her grandchildren and it was her second time; that she also had scoliosis and schizophrenia and she needed help. Council Members Edwards, Wiseman, Khan, Holm, Garcia, Lovell and Green absent. (NO QUORUM PRESENT)

Mayor White stated that Mr. Palmer could discuss her issues with her and was present at this time. Council Members Edwards, Wiseman, Khan, Holm, Garcia, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Johnson moved to call Ms. Leversie Shields out of order, seconded by Council Member Alvarado, a quorum was not present and a vote was not recorded. Council Member Berry absent. Council Members Edwards, Wiseman, Khan, Holm, Garcia, Lovell and Green absent. (NO QUORUM PRESENT)

Ms. Leversie Shields, 3909 LeBadie Lane, Houston, Texas 77026 (713-673-7190) appeared and stated that she was present regarding a letter she was sent stating HUD denied her help; that it had been approved since 2005 and everything they wanted her to do she had done, she had been running and running and was 83 years old and tired of running; and now she wanted the Mayor and Council to help, she had lead paint in her house and she had papers saying she was approved for help. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Johnson stated that the situation was Ms. Shields was approved by the Housing Department to rehab her house and when they redrew lines on the flood plain she was drawn in and that prohibited her from getting her necessary repairs; that they had begun the process of prepping but not yet entered into contract, it was in definite need and HUD said no homes in the flood plain could be repaired and he was looking for leadership. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Lovell and Green absent. (NO QUORUM PRESENT)

Mayor White stated that in response HUD has rules that don't make any sense and a lot of the city was in the flood plain including the Medical Center and HUD said they could not improve Independence Heights because they could not prove they could not do it somewhere else; and Ms. Shields stated that she was there 35 years and never flooded; and Mayor White stated that

he thought HUD was unjust and wrong, but the federal government in prior administrations said do it and then they wanted the money back, but he would work to find out a solution to this, but he wanted to find out from Henry Hadnot as he would know, and on the lead paint every year they had lead paint remediation and said to Mr. Palmer he should coordinate with the Health Department on the lead paint remediation, but he did not want to solve one person's problem if others were in the same situation; that he was telling Council now that 2,000 people were on the backlist for the home repair program and they were knocking it out as fast as they could and the federal government said if everything was not done exactly as they said then the next Mayor would have to pay it back with interest; and Council Member Johnson stated he would like someone to also check into the insurance because if some residents did have insurance they would not necessarily need to be kicked off because they were in the flood way, it was conveyed to him as such but he wanted it in writing; and Mayor White stated that he did not think insurance had anything to do with it but would check. Council Members Wiseman, Khan, Holm, Garcia, Lovell and Green absent.

Upon questions by Council Member Edwards, Ms. Shields stated that she had fire insurance, not flood insurance; and Council Member Edwards stated that she talked with Mr. Palmer and because she was already approved if the amount was around \$4,000 they may be able to get some private help; and moved to hear Mr. Daniels at this time, and Mayor White stated with no objections Mr. Daniels should come to the podium. Council Members Wiseman, Khan, Holm, Garcia, Lovell and Green absent.

Mr. Ray Daniels appeared and stated that he was Administrative Supervisor for the Single Family Home Repair Program and the insurance was not a mitigating factor; that they had an eight step program which environmental specialist informed the department they had to go through now; and Ms. Shields was correct she was approved until they got to the environmental clearance; and Council Member Edwards stated that she would like Mr. Daniels to speak with her and they could try and get private donations for her house. Council Members Wiseman, Khan, Holm, Garcia, Lovell and Green absent.

Mayor White stated that there was a grant from Rebuild Houston and he introduced Mr. Hadnot to Rebuild Houston people and he did not know dialogue between the two; and upon questions, Mr. Daniels stated that Ms. Shields was in the 100 year flood plain and as for the eight steps one was if the proposed action could not be conducted in one of the locations then no further compliance was required, which was if you could not do it in one area...; that the environmental specialist said it was in the 100 year flood plain; and Mayor White stated had they asked for their interpretation as for as home repair, what that said to him was show the activity you were doing could not be done somewhere else, and if he owned a house you could not repair it somewhere else because it was where it was so if he got with HUD who made the call that if a house was in the floodplain it could not be repaired despite the fact the house was in the floodplain and could not be repaired anywhere else; and Mr. Daniels stated that the city's environmental specialist made that call; and Mayor White stated that Mr. Fontaine did some good because an environmental specialist in Neighborhood Protection said they could not demolish more than one house per block per year and they found out that was not true; and he needed answers on this. Council Members Johnson, Wiseman, Khan, Holm, Garcia, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Gloria Holmes, 3560 Dixie Drive, Houston, Texas 77021 (713-741-7331) had reserved time to speak but was not present when her name was called. Council Members Johnson, Wiseman, Holm, Garcia, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) appeared and stated that she was the president of Precinct 239 Neighborhood Civic Club and present

concerning a dangerous lot needing to be cut, it was about as tall as the Chambers here and children went to school and parks and got lost in there and it was unnecessary, it was at 8027 Belgard at Vasser Road; that they also had grass on Vasser Road where children went to school and city chemical trucks came and sprayed instead of cutting it; that all were concerned because when it rained the chemicals would run into peoples yards and the elderly did not want any help in dying; that she was trying to get someone to look at those chemicals as the grass was over ten feet and now it was all brown and they wanted an environmental crew out there right away. Mayor White, Council Members Johnson, Wiseman, Holm, Garcia, Brown, Lovell, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she had a memo the lot would be mowed later in this week and did not speak to any chemicals; that Mr. Norman was present and he could speak with her; and upon questions, Mr. Norman stated that would be Mr. Eric Darden; and Ms. Edwards stated that she would like Mr. Darden to get with her and let her know what was sprayed and get the information to Ms. Randle. Mayor White, Council Members Johnson, Wiseman, Holm, Garcia, Lovell and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Ralph Sikes, 3401 Roseland, Houston, Texas 77006 (713-621-2360) appeared and stated that he was present to speak on an economic justice issue; that there were several articles in the Houston Chronicle about a dispute between the State Comptroller's Office and Harris County Appraisal District and the Comptroller found the commercial property under appraised, Mr. Bettencourt who sat on the HCAD Board said no such under appraisal existed and what was lacking in the report was specific information on what commercial properties were actually selling at their appraisal values and he did research and found 700 Louisiana a prominent 55 story Downtown building reported sold in August 2007 for \$370,000,000. and was appraised at \$175,000,000.; 919 Milam another Downtown building reported sold in August for \$105,000,000 and was appraised at \$42,000,000.; Five Houston Center was sold at the end of 2005 for \$166,000,000. and the year after was appraised for \$90,000,000. and other comparable buildings were similarly appraised and suggested they too were significantly under appraised and many had only risen 6% over six years, how many homeowners could say their appraisal only rose 6% in 6 years; that one of the underlying factors which contributed to this was the value HCAD set for the land component, Merlin Manor Apartments at 1717 Bissonnet had its land component valued at \$20.00 a square foot and the property immediately behind was valued at \$59.00 a square foot and the end result of the inequity was residential property owners shouldered a disproportionate share of the tax burden, especially those in lower incomes with homes under \$150,000. and almost at 100% market appraisal; and while the city did not control HCAD appraisal process or the state laws governing it and all Council Members had the power of their pulpit and knew officials who did have control and set procedures and he was asking they be aware and talk to them about the fact this needed to change; and he owned a small commercial building in Greenway Plaza and estimated it to be appraised at two-thirds its market value and his residential properties were all between 90% and 100% of their appraisal value. Mayor White, Council Members Johnson, Wiseman, Holm, Garcia, Lovell and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she was overwhelmed and overjoyed he made those statements; that the Mayor had brought that up to Mr. Bettencourt as to the under appraisal of commercial properties and she believed it had been taken care of, but was not sure; that Council had been aware of it and she did not understand the language to explain it, but he might check with Mr. Bettencourt as to where it stood. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Brown thanked Mr. Sikes for coming and stated that he and others had to hire an attorney every year to get their appraisal down and then had to pay the attorney a percentage of that and it happened year after year so it created a industry and something needed to be done; that the tax base needed to be built on high quality development and not artificial increased in appraisals. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. An Thien Vo, 611 Dairy Ashford, Houston, Texas 77079 (832-275-5465) appeared, presented information for Council Members and stated that she was informed the recommendation from the Regulatory and Services Division in the Finance and Administration Department would soon appear before Council to move forward with a distribution of 211 taxicab medallions and it would recommend the city disqualify all new applicants from applying and urged the city to scrutinize the ramifications of those recommendations as in their business there were two different and separate industries, the owners of medallions and the drivers who leased the medallion vehicle and drove the public; that owners received a medallion at \$400. per year and they were allowed to lease them for any price they so chose and the current market price was \$40,000. each, however, the ultimate owner of the medallion was the city and that could be seen as government subsidizing businesses; that government was made by the people for the people and had authority to mandate ideals and there was nothing idealistic about exploitation; and urged they stop legislating for business monopoly in the City of Houston. Mayor White, Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Assane Dindienj, 2747 Briargrove Drive #369, Houston, Texas 77057 (832-893-8301) appeared and stated that he was speaking on behalf of taxicab drivers of Houston and the possible badging they were going through; that he felt they were breaking federal laws when they denied them to use public restrooms around Houston; and for example someone had a problem with the law previously and was rehabilitated and now they could not work at the airport and any driver had to work at the airport to guarantee the money needed; and he did not think badging a driver was necessary and he was asking for help. Mayor White, Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Ms. Gayle Perkins, 7403 Theisswood, Spring, Texas 77379 (281-923-1746 appeared and stated that she was a taxi driver and also present because of the badging, they needed Council to seriously work with them; that they were regular people and now they were making them criminal or on the street; that she could not be badged and many who had been driving for 15 or 20 years could not be badged because of crimes now considered felonies; that theoretically they were badged they had their taxi license and drivers license and went through a serious seven year background check and badging at the airport was a smokescreen for racial profiling and it would put many out of work. Mayor White, Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Robert McLain, 2246 Richmond Avenue, Houston, Texas 77098 (713-875-9349) appeared and stated that he was a small business owner on Richmond Avenue and voted for the 2003 referendum supporting the light rail plan for Houston; that he was very heartened to hear this Council shared the same alarm and concern he and many others did who read the Lockwood, Andrews and Newnam Report regarding the risk it presented to the 66-inch water line under Richmond Avenue; that words such as catastrophic, crater, bursting, etc., was without question clear they highly recommended against the rail down Richmond; and he was requesting the Mayor and Council make a formal request to METRO to delay the announcement

of the preferred alternative this Thursday; that he was heartened to hear they would conduct an investigation and would ask it be a meeting where citizens could also attend and would request Council looking for a means to provide more oversight of METRO, this was just one more incident of METRO being determined to accomplish their agenda regardless of facts and issues; and he wondered why it was up to citizens to say this was a risk to them. Mayor White, Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Noriega and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Lovell thanked Mr. McLain for coming and stated that she did not remember them recommending the line not go down Richmond, but to deal with the water line and if it was not safe to go over the water line when who paid to move it and the discussion did need to take place. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Clutterbuck thanked Mr. McLain for coming and for his hard work and stated that if it was not for him and his neighbors they would not be hearing this. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Brown stated that he would second what Council Member Clutterbuck said and whether it was a high rise or where to put the rail he thought it would be helpful if they had adopted a comprehensive plan which said these are the policies and this was how the rail would be expanded, etc., to sort all out ahead of time and in a public forum. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated this was for the Administration but she wanted to know if there was a waterline on Westpark or another alternate rail line; and Council Member Khan stated that inquiry would be passed to the Administration; and Council Member Edwards stated that it would be another trip to the Wizard Oz to believe...; it would be seriously disappointing to believe engineers would consciously deceive people and she would like to know if there were waterlines under any other alternative streets; and would like that added to the list of questions. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr/Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. John Juanopulos, 2207 Eastex Freeway, Houston, Texas 77026 (713-227-5207) appeared and stated that he was self employed and owned J & A Paint and Body Shop and Wrecker Service located at 2207 Eastex Freeway and approximately 1-1/2 weeks ago the Houston Auto Dealers came to his place of business and handed him a new contract, but he already had a contract with the City of Houston and the new agreement was okay and he had no problem but two small paragraphs said they could not go outside their zone so if someone broke down in the northeast and wanted to go to the southwest with the new contract it destroyed their ability and the citizens ability to exercise their right of taking the vehicle wherever they wanted and it meant they had to stop in a zone and call HPD and ask if they could go further; that HPD had a 24-hour hotline and they had to wait and get approval before they could take the vehicle to their house and how could that be possible; and it also said no citizen would be charged anything more than \$134.00 to go anywhere in Houston and that was inappropriate; that their insurance was \$1,200 to \$1,400 a year and \$134.50 to go 40 miles was

a small amount of money plus they would have to stop after 20 miles and get permission, since when did citizens not have the right to go where they wanted; and in addition he was told yesterday if he did not sign the contract by the end of this week he would lose his existing contract and did not think that to be right. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Khan stated that he brought up a very important issue and they were paying attention and the validity of his concerns would be looked into, but in the meantime, Lt. Gallier with HPD was present and he should visit with him and he could share information and his issues would be looked at. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Brown, Alvarado and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Mr. Gordon Washington, 10222 Valencia, Houston, Texas 77013 (713-825-9507) appeared and stated that the taxi driver was not a security threat to the airport system; that he observed numerous box car trucks without being stopped or monitored drive to or under the garage within feet of passengers, etc., and they were so large they could even get stuck and had to wait to be escorted out and that could be a security threat; and why should the driver be badged when they were already licensed by the City of Houston; that there were also numerous abandoned houses hidden by high weeds around the fence of Intercontinental airport and surrounding the runway was a fence with tall weeds, trees, etc., and a person could be concealed while they cut the fence to gain access to the airfield and plane; that the driver was not a threat and that was how they made a living for their family. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Brown and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Brown and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

At 5:20 p.m. City Council recessed until 6:00 p.m. when they would conduct the public hearing on the proposed tax rate. Council Member Berry absent. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Brown and Green absent. Council Member Khan presiding. (NO QUORUM PRESENT)

At 6:10 p.m. Mayor White reconvened the meeting of the City Council for a public hearing. Mr. Arturo Michel, City Attorney and Mr. Dan Doherty, Senior Assistant City Attorney present. Council Member Berry absent. Council Members Wiseman, Holm, Garcia, Alvarado, Brown and Green absent.

HEARING - 6:00 P.M.

1. **PUBLIC HEARING** on the proposal to establish a tax rate of \$.64375/\$100 of value for Tax Year 2007 – was called. Council Members Wiseman, Holm, Garcia, Alvarado, Brown and Green absent.

Mr. Tom Nixon, 10497 Town and Country Way, Houston, Texas 77024 (713-871-1001) appeared and stated that unlike many of the people that they would hear from this evening he was actually for tax cuts, that since he owned a home in Houston he had seen his property tax rates go up and up and the amount that he paid each year went up and he would like to express his support for a tax cut, more than a symbolic cut since appraisals seemed to be going up each

year, that taxpayers deserved something more substantial than something one eighth of a cent would accumulate, that he believed it was possible to stop it if wasteful spending was really attacked and he realized that he only worked for the Police Department but just in that one department alone he saw millions of dollars wasted over the course of years and it would be possible to give taxpayers more than just a symbolic tax cut if wasteful spending was cut and actually controlled and that was what he would like to see happen, that he believed that right now the tax rate was .645, that something along the lines of .6 or .57 would be more appropriate and that way they could give taxpayers in the City a cut more appropriate or more in line with what Harris County was giving those of them who were paying taxes in Harris County. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

Mayor White stated that he wanted to thank Mr. Nixon for appearing before them today and at the beginning did he say unlike some of the people that may appear, and Mr. Nixon stated that there were a lot of people who supported tax increases and he had heard from them himself when he was out campaigning that wanted to see higher property taxes, and Mayor White stated that he wanted to make sure that he was saying that unlike other people who may appear before them today he wanted a tax cut, and Mr. Nixon stated that he supported tax cuts and wanted controlled spending and tax cuts, and Mayor White stated that he was sure Mr. Hotze appreciated that. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

Mr. Bruce Hotze, 5219 Shady River, Houston, Texas 77056 (713-663-1831) appeared and displayed a chart and stated that once again they were caught in the truth in taxation and he knew that they thought that if they cut the tax rate that they were cutting taxes, well that was not the truth, taxes would go up higher in the next year, that property values had gone up, homeowners were in trouble, many homes were being foreclosed on because their interest rates were going up and their taxes were going up, that he thought he read that the average HISD homeowner nine years ago their taxes were \$600 and today they were \$1,800 and he would say the same thing probably applied to the City of Houston, although he had not seen those numbers, but they probably had gone up three times in nine years and he thought it was time, that as they knew he and the Mayor were battling in court and whether the taxpayer bill of rights would win, that he had won the first round and he thought they would apply it sometime, but they would see, that the City had really not grown so great, 25% since 1983, and long term debt was up 428%, revenues were up 243% and CPI and population was only 109%, so the government was growing way out of control, long term debt was growing way out of control, when would it stop, when would they give property owners relief, they should give them relief, they should not have people in the Third Ward, they should not have a Beluah Sheppard who said that she had three other lots in her neighborhood that she could not afford to pay the taxes on, that she told her kids, that she was a Black lady, they all knew Beluah Shepard, that she said she could not afford to pay the taxes and her children, she offered them the property and they said they could not afford to pay the taxes ether, that was how come many of these neighborhoods, old Black neighborhoods, that should stay Black were not going to stay Black because developers were coming in and taking their property away, that it was not a good enough answer to say sell their home and move into an old age home, that was not a good enough answer, that property owners had very serious problems and he urged them to really call for a real tax decrease, that Proposition 1 gave no tax relief to the voters, that the Mayor said that it would, that it had not, that he had not given the money back, that there was probably \$15 million in excess of Prop 1 that he said there was no vehicle to give it back, well he could make a vehicle and give it back, that he thought it was dishonest to go on and tell the voters that if they had the Proposition 1 it was going to save them taxes, that it had not, that he had not lived up to the spirit of it and because there was no way to give it back they just pile it in and put it back on, so there was money that needed to be returned from Proposition 1 and he urged

them to do it, that he urged them to cut the tax rate and urged them to tighten the belts around here. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

Mayor White stated that he wanted to thank Mr. Hotze for appearing before them and asked if there was anything he wanted to change in the statement he just made before them, and Mr. Hotze stated no. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

The City Secretary stated that Mr. Jeff Dailey was present and understood that he wanted to be heard. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

Mr. Jeff Dailey appeared and displayed the same chart as Mr. Hotze and stated that he would echo some of what Bruce had said, that he had his own charts that he had been showing for years showing on a revenue basis but essentially showed the same thing, the City government, as well as other State and local governments had exploded in the last 25 years and essentially with the same mission, they have not changed the objective, that what they were trying to achieve why did it cost almost two and a half times more after they adjusted for inflation population to do that, that he thought the citizens deserved a huge break, that one thing he would like to point out was that there was a lot of blame on the Appraisal District, they should not be blamed, they were just trying to find a current value of their homes, that it was the City Council sitting at the Council table when the appraisals go up 10%, which was the maximum for homes by law, when they go up 10% their taxes go up 10% so by doing nothing they had raised taxes, so it seemed to him that maybe some honesty, if they lowered the tax rate by 10% as the appraisals go up 10% then they were even, and if they wanted to take it to the public and spend more than that, if there was a compelling reason to do that it seemed to him that the right ethical thing to do would say that they were in favor of increasing their taxes by 5% or 10%, that he thought they did need to reconsider whether they were going out and saying they cut taxes a third of a cent or a quarter cent and he thought it was somewhat disingenuous, that he thought the starting point needed to be even for the homeowner, that he was very concerned about the homeowner, and then from that there was a compelling reason but he wondered if any of them, did they campaign on the basis that if they elected them they would raise their property taxes 10% and he did not think any of them did that, that he thought that was in effect by not lowering it the same amount that was what effectively had happened, so he would like to put the responsibility where it belonged, which was in this room, that he would like for them to step up and say yes they were responsible and if they firmly believed it should be raised he thought they should make their case to the public and not hide behind the Appraisal District, that he was very concerned about the taxpayers of the City and concerned about the lower income people, and was concerned about the retired people that had no increase in their revenue or a limited increase and they had to live with these tremendous increases in their taxes, that it had come to a point that instead of owning a home, and homeownership was one of the most sacred ideas that they had in the Country, but it was being torn apart by the excessive taxes, which instead of owning a home, many people were just renting their homes from the various governmental entities including the City.

Mayor White asked Mr. Dailey if there was any particular statement made that he wanted to change or were there any particular statement which he disagreed with that Mr. Hotze made and Mr. Dailey stated absolutely not, that he was comfortable with what Mr. Hotze said and what he said, and Mayor White asked if he had heard Mr. Hotze's statement here, and Mr. Dailey stated absolutely, and Mayor White asked if he agreed with what Mr. Hotze said during the statement and Mr. Dailey stated that was correct, and Mayor White stated that he wanted to thank him. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

The City Secretary stated that she was required to announce that the vote to adopt a property tax rate for the City of Houston for 2007 would be considered at the City Council meeting to be conducted in City Council Chamber, Second Floor, City Hall, 901 Bagby, on November 7, 2007, convening at 9:00 a.m. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

Council Member Lovell moved to close the public hearing, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent. MOTION 2007-1026 ADOPTED.

At 6:19 p.m. City Council recessed until 9:00 a.m., Wednesday, October 17, 2007. Council Member Berry absent. Council Members Wiseman, Garcia, Alvarado, Brown and Green absent.

City Council Chamber, City Hall, Wednesday, October 17, 2007

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, October 17, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega and Ronald C. Green; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member M. J. Khan, P. E. out of the city on city business. Council Member Michael Berry absent.

At 8:21 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:25 a.m. Mayor White called the meeting to order. Council Members Johnson, Wiseman, Garcia and Green absent.

MAYOR'S REPORT - Julia Ideson Building

Mayor White stated that there were two topics for the Mayor's Report, that the first was on the Julia Idelson Building and invited the Chairman of the Julia Idelson Partners, Ms. Phoebe Tudor and her colleague Ms. Monnette Facil to the podium and recognized them for a presentation. Council Members Johnson, Wiseman, Garcia and Green absent.

Ms. Tudor stated that they had a kickoff event last night at the building and the Mayor was present and they had a wonderful roomful of people, that they had been working a while to get it setup and they were ready to start their fund raising component; that the building was built in 1926 and was the main library for the City for 50 years until the time that they began to build the Jones Library and at that time the archives were formed and had been stored in that building since then, that it was not built to be an archive and so the archival storage facilities were not what they should be, they needed climate, light and humidity control, the types of things to consider whenever they considered valuable archives of any type, that the archives were the main resource for the history of the City, that the plan was to build a wing in the back of the building, which was in the original plan, that it would allow them to restore the public areas of the library to their original grandeur and it would be much more accessible and useable by the public because it would no longer be limited to researchers, that the original reading room would be restored and open to the public, that they were also planning an outdoor reading room which would be beautifully landscaped behind the building. Council Members Johnson, Edwards, Garcia and Green absent.

Council Members thanked Mayor White, Ms. Tudor and Ms. Facil for the update on the renovation of the library. Council Members Johnson, Wiseman, Holm and Lovell absent.

Mayor White stated that he wanted to invite to the podium civic leaders of long standing, many years in the community, Adele and Dan Hedges, that they had a vision that they could build a house that did not consume electricity and a modest footprint, that there was a model of it outside the Council Chamber. Council Members Johnson and Holm absent.

Mr. and Mrs. Hedges and their architects, Joseph Houston Adams and Gail Hood Adams, of Adams Architects reviewed the plan and construction of their new home, Houston's First Self-Sufficient Solar House, a copy of which is in the City Secretary's office for review. Council Members Holm, Garcia, Lovell and Noriega absent.

Mayor White and Members of Council thanked Mr. and Mrs. Hedges for the review of their solar home presentation. Council Members Holm, Garcia, Lovell and Noriega absent.

At 10:11 a.m. Mayor White stated that they would move to the consent agenda. Council Members Holm, Garcia, Lovell and Noriega absent.

CONSENT AGENDA NUMBERS 2 through 41A

MISCELLANEOUS – NUMBER 5

5. RECOMMENDATION from Director Department of Convention & Entertainment Facilities for the designation of a residential parking permit area and related parking regulations in the Super Neighborhood of University Place - **DISTRICT C – CLUTTERBUCK** - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Holm, Lovell, Noriega and Green absent. MOTION 2007-1027 ADOPTED.

ACCEPT WORK - NUMBERS 7 through 10

7. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$526,919.00 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Hermann Park Electrical Upgrade, WBS F-504D05-0011-4 - 4.96% over the original contract amount - **DISTRICT D - EDWARDS** - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1028 ADOPTED.
8. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$7,565,731.00 and acceptance of work on contract with **SPAWGLASS CONSTRUCTION CORPORATION** for Westside Command Station Repair Project, WBS G-000020-0005-4 - 5.74% under the original contract amount - **DISTRICT G - HOLM** - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1029 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$821,147.84 and acceptance of work on contract with

TJ & T ENTERPRISES, INC for Local Drainage Improvement Projects: Ruiz Street Storm Sewer Outfall Replacement and Regg Drive Ditch Rehabilitation, WBS M-000126-00S6-4 - 1.13% over the original contract amount - **DISTRICTS D - EDWARDS and H - GARCIA** - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1030 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,437,053.66 and acceptance of work on contract with **HUFF & MITCHELL, INC** for Garden Villas Storm Sewer Improvements, WBS M-000226-0001-4 - 2% under the original contract amount - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1031 ADOPTED.

PROPERTY - NUMBER 11

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert C. Orr, Jr. and Paul J. Dobrowski, for abandonment and sale of a 15-foot wide alley from Fowler Street to Parker Street, between Lots 1 through 6 and 7 through 12, Block 44, in the Brunner Addition, Parcel SY8-014 **DISTRICT H - GARCIA** - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1032 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 15

12. **FISHER SCIENTIFIC** for RIT Group Search System Kits for Fire Department - \$78,841.00 - Grant Fund - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1033 ADOPTED.
13. **METRO FIRE APPARATUS** for Large Capacity Positive Pressure Ventilation Device for Fire Department - \$82,200.79 - Grant Fund - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1034 ADOPTED.
14. **AMEND MOTION #2006-977, 10/24/06, TO PURCHASE** additional Perennial Rye Grass Seed for Parks & Recreation Department, awarded to **PRO ALLIANCE** - \$58,716.00 - General and Parks Special Revenue Funds - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1035 ADOPTED.
15. **LAWRENCE MARSHALL DEALERSHIPS** for Automotive, Caterpillar Diesel Replacement Parts and Repair Services for Various Departments - \$504,671.00 - General and Fleet Management Funds - was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan

out of the city on city business. Council Member Berry absent. Council Members Lovell, Noriega and Green absent. MOTION 2007-1036 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item Numbers 6, 30 and 4 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lawrence, Noriega and Green absent. MOTION 2007-1037 ADOPTED.

6. RECOMMENDATION from Director Department of Convention & Entertainment Facilities to amend the parking regulations to extend the residential parking permit hours for an existing permit area in the Super Neighborhood of Midtown - **DISTRICT D – EDWARDS** – was presented, moved by Council Member Alvarado, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lawrence, Edwards, Noriega and Green absent. MOTION 2007-1038 ADOPTED.
30. ORDINANCE appropriating \$740,693.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Interlocal Agreement among the City of Houston, Reinvestment Zone Number Two, and the Midtown Redevelopment Authority for the Parker District Project, WBS S-000521-00VZ-4 - R-000521-00VZ-4 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lawrence, Edwards, Noriega and Green absent. ORDINANCE 2007-1146 ADOPTED.
4. REQUEST from Mayor for confirmation of the appointment of **MS. MEG A. OSWALD** as Full-Time **MUNICIPAL COURT JUDGE** for a two year term - was presented, moved by Council Member Wiseman, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lawrence, Edwards, Noriega and Green absent. MOTION 2007-1039 ADOPTED.

Mayor White and Council Members Wiseman and Green congratulated Ms. Oswald on her appointment and thanked her for her service to the City of Houston. Council Members Edwards, Holm, Garcia and Brown absent.

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 41A

18. ORDINANCE **AMENDING SECTION 18-103 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Electronic Filing of Campaign Finance Reports to correct a Scrivener's Error – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1147 ADOPTED.
20. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of the Former Scarsdale Municipal Utility District Wastewater Treatment Plant, 12047 Ryewater Drive and the adjacent 15 to 30 foot wide access easement extending south to Ryewater Drive (Parcels S95-050A and S95-050B), located in the August Whitlock Survey, A-795, Houston, Harris County, Texas, containing an aggregate of 51,407 square feet of land, more or less; vacating and abandoning said tracts of land to the Lutheran Education Association of Houston, sole abutting owner, in consideration of owner's payment of \$51,407.00 and other consideration to the City - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member

Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1148 ADOPTED.

21. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Excess fee-owned right-of-way located at 4200 North Freeway, (Parcel SY7-031), being out of Lot 38, Block 2 of the Pine Grove Addition, Houston, Harris County, Texas, containing 3,103 square feet of land, more or less; vacating and abandoning said tract of land to James Coney Island, Inc., abutting owner, in consideration of owner's payment of \$27,927.00 and other consideration to the City - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1149 ADOPTED.
22. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Prospect Avenue Street right of way from Fannin Street to San Jacinto Street, containing an aggregate of 0.287 acre, more or less, Parcels SY7-039 and SY7-063, located in the MacGregor and DeMeritt's Southmore Addition, Section 2, J. Christy Survey, A-212, Houston, Harris County, Texas; vacating and abandoning said tracts of land to Saint Paul's United Methodist Church and Grayco Lui Museum Investment 2006 LP, abutting owners, in consideration of each owner's payment of \$268,750.00 and other consideration to the City - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1150 ADOPTED.
25. ORDINANCE consenting to the addition of 29.270 acres of land to **NEW CANEY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district; consenting to the partial transfer of Certificates of Convenience and Necessity Nos. 12894 and 20859 for the land to the New Caney Municipal Utility District's Certificates of Convenience and Necessity Nos. 11969 and 20575 in connection therewith – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1151 ADOPTED.
27. ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1152 ADOPTED.
29. ORDINANCE approving and authorizing second amendment to Lease Agreement between **INLAND AMERICAN RETAIL MANAGEMENT, LLC**, a Delaware Limited Liability Company, as landlord, and the City of Houston, Texas, as tenant, for 3,090 square feet of leased space at 11430 Interstate 10 East, Suite 340, Houston, Harris County, Texas, at a monthly rental of \$3,090.00 from November 1, 2007 through October 31, 2008 and at a monthly rental of \$3,862.50 from November 1, 2008 through October 31, 2013, for the Women, Infants and Children (WIC) Program of the Health and Human Services Department - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1153 ADOPTED.

37. ORDINANCE appropriating \$3,853,274.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-0105-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1154 ADOPTED.
38. ORDINANCE appropriating \$3,797,956.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-0106-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1155 ADOPTED.
39. ORDINANCE awarding construction contract to **THE GONZALEZ GROUP, LP** for Renovation of Kashmere Multi-Service Center, WBS H-000053-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, air quality monitoring, construction management, and contingencies relating to construction of facilities financed out of the Federal Government-Grants Fund - \$3,053,000.00 CDBG Fund - **DISTRICT B – JOHNSON** - had been pulled from the Agenda by the Administration, and was not considered. Council Members Johnson, Edwards and Holm absent.
40. ORDINANCE appropriating \$53,835.00 out of Street & Bridge Consolidated Construction Fund, \$235,448.00 out of Fire Consolidated Construction Fund, \$674,919.00 out of Parks Consolidated Construction Fund, \$129,079.00 out of Solid Waste Consolidated Construction Fund, \$325,351.00 out of Police Consolidated Construction Fund, \$421,425.00 out of Public Library Consolidated Construction Fund, \$16,673.00 out of Public Health Consolidated Construction Fund, \$402,478.00 out of General Improvements Consolidated Construction Fund and \$181,116.00 out of the PWE_W & S System Consolidated Construction Fund for Project Management Costs – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Johnson, Edwards and Holm absent. ORDINANCE 2007-1156 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

2. ORDINANCE **AMENDING SECTION 16-63 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to appointment and confirmation of Adjudication Hearing Officers for Parking and Other Violations – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Brown absent. ORDINANCE 2007-1157 ADOPTED.

2a. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to serve as **ADJUDICATION HEARING OFFICERS**, for two year terms:

MR. MANUEL BARRERA.	-	Full-Time
MR. A. ROBERT HINOJOSA	-	Full-Time
MR. JOSE LOPEZ II	-	Part-Time
MS. BEVERLY A. SPENCER	-	Part-Time
MR. DON R. BYRNES	-	Part-Time
MR. GERARDO CANTU	-	Part-Time
MS. SYLVIA G. CASTILLO	-	Part-Time
MR. JOHN PAUL BARNICH	-	Part-Time

- was presented, moved by Council Member Garcia, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Brown absent. MOTION 2007-1040 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of **MR. JOHN PAUL BARNICH**, Part-Time to serve as **ADJUDICATION HEARING OFFICER** for the Photographic Traffic Signal Enforcement Program for a two year term – was presented, moved by Council Member Lovell, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Brown absent. MOTION 2007-1041 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 16 through 41A

16. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds (Regency Park Apartments) Series 2007 and approving the Official Statement with respect to such bonds – was presented. Council Member Brown absent.

Council Member Wiseman stated that she would tag the item on behalf of members of the community and community leaders, that there had been much discussion at the Council table with respect to development that was not only consistent with the community but creating some sort of a burden on the community; that they had heard from the Pasadena Independent School District who had voiced their opposition to the project because as it was so much of the development that had been occurring in the southeast side had been in the Pasadena Independent School District, that it was development that the City, through the Developer Participation Agreements that they had been fueling, that was causing a strain on the school district and they had asked that they not support the item, that she had heard from other elected officials at different levels from the area who had voiced their objection as well, as well as the South Ellington Chamber, they had also voiced their opposition, that she would ask consideration next from her colleagues of the opposition that was being voiced, that it was a strong opposition throughout the community and she would be happy to share and forward to them any of the written concerns that she had received and would be receiving. Council Member Brown absent.

Mayor White stated that Item No. 16 was tagged by Council Member Wiseman. Council Member Brown absent.

17. **ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Metal Recycling Entities, Secondhand Metal Dealers, and Secondhand Dealers; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented, and tagged by Council Member Wiseman. Council Member Brown absent.

After discussion by Council Members, Council Member Green stated that he would also tag Item no. 17.

19. **ORDINANCE AMENDING THE CITY OF HOUSTON FIRE CODE** relating to requirements for atrium buildings; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented, and tagged by Council Member Wiseman.
23. **ORDINANCE** appropriating \$400,000.00 out of TIRZ Affordable Housing Fund 2409 and adopting Administrative Guidelines for the Workforce Housing Downpayment Assistance Program to assist persons earning from 80% to 110% of area median income to purchase new affordable housing in areas selected by the Mayor for revitalization – was presented, and tagged by Council Member Wiseman.
24. **ORDINANCE** approving and authorizing an agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** to provide \$50,000.00 in Federal Home Investment Partnerships (“HOME”) Funds to cover operating expenses associated with the development of a 57 unit single room occupancy complex located at 1414 Congress **DISTRICT I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. **ORDINANCE 2007-1158 ADOPTED.**
26. **ORDINANCE** authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under Election Services and Translation Agreements in connection with the City of Houston General and Run-Off Elections to be held in 2007; authorizing the payment of certain costs of such election - Not to exceed \$300,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. **ORDINANCE 2007-1159 ADOPTED.**
28. **ORDINANCE** approving and authorizing first amendment to contract between the City of Houston and **GULF COAST CONCESSIONS AND CATERING** for Food and Beverage Concessions at Brock Park Golf Course and Sharpstown Park Golf Course - Revenue - **DISTRICTS B - JOHNSON and F - KHAN** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. **ORDINANCE 2007-1160 ADOPTED.**
31. **ORDINANCE** approving the issuance of Bonds and Notes by the Memorial City Redevelopment Authority - **DISTRICTS A - LAWRENCE and G – HOLM** – was presented, and tagged by Council Member Holm.
32. **ORDINANCE** appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing agreement for Professional Architectural Services between the City of

Houston and **OSBORN & VANE ARCHITECTS, INC** for Miscellaneous Projects with the Houston Airport System; Proj. No. 615C; WBS A-000138-0016-3-01 - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. ORDINANCE 2007-1161 ADOPTED.

33. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing agreement for Professional Engineering Services between the City of Houston and **CONCEPT ENGINEERS, INC** for Miscellaneous Projects with the Houston Airport System; Proj. No. 615J; WBS A-000138-0017-3-01 - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. ORDINANCE 2007-1162 ADOPTED.
34. ORDINANCE appropriating \$976,000.00 out of Houston Airport System Consolidated 2001 Non AMT Construction Fund and approving and authorizing Amendment No. 1 to Professional Engineering Services Contract between the City of Houston and **RATNALA & BAHL, INC** for Extension of Taxiway “NC” from Taxiway “NG” to Taxiway “NJ” at George Bush Intercontinental Airport/Houston (Project No. 575; WBS A-000397-0001-3-01-01) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. ORDINANCE 2007-1163 ADOPTED.
35. ORDINANCE appropriating \$1,893,656.15 out of Street & Bridge Consolidated Construction Fund; awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Program-E2, WBS N-00610A-00E2-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - JOHNSON and I - ALVARADO** – was presented.

Council Member Lawrence stated that she truly appreciated the sidewalk program as it was started in the Lanier administration, that her biggest problem in her district, Antoine and West Little York and Bingle all had sidewalks and in some places the weeds were over 10 feet tall, that right now they had a wonderful man that was heading it up and it was not his fault but when they were not given the money and supply it was a problem because the kids that walked down Antoine to Clifton had to walk out on the street because the weeds were so high, that she appreciated the Mayor's concern and hopefully Director Marcotte could do something about it and really look at it because major thoroughfares having those kind of weeds was ridiculous, that she was not going to tag the item but questioned why they put sidewalks in and then let 10 feet of weeds grow so the kids could not walk on the sidewalks.

Mayor White stated that Ms. Stein had also communicated that there had been communication directly from him to Director Marcotte, that they were trying to cost out and the timing of two cuts versus three cuts versus four cuts.

Council Member Brown stated that he stated about a year ago related to a missing sidewalk on Corporate Drive going south to Bellaire that forced senior complex residents to actually walk in a busy street to get down to the beauty parlor or whatever it was they were going to in Bellaire, that he had sent a request in to the Public Works Department, that it was about 500 feet of sidewalk, to go in there and put that 500 feet of sidewalk in, that he had gotten

a letter back saying it would be one and a half to two years before it could even be considered so his question was how do they prioritize the sidewalks, what was the criteria, that he would like to request a map showing where sidewalks were and where sidewalks were not, say by Council district in the City, that the map was in preparation but it would be a very useful tool to figure out where the priorities were because they could see around schools where sidewalks were missing or around senior complexes, that those two could possibly be some of the priorities that they had, that he thought it was a good idea that the General Services Department should have an in house sidewalk construction crew.

Mayor White stated to Mr. Gary Norman, Public Works Department, that on the second point it was something that he had discussed with Director Marcotte and thought it was something that they ought to consider for the reasons that were articulated by Council Member Brown and he agreed that there were some design considerations but thought it was a legitimate issue why they should not have some capability that was in house and then they would just benchmark their cost, in house versus outside, quality and everything else and see how it turns out; and Council Member Brown stated that just as an ancillary of that he also suggested recently that rather than have builders who were doing individual homes putting in just a little piece of sidewalk that did not connect to anything that they could pay about \$800 or \$900 into a sidewalk fund and when the whole block was ready to have a sidewalk then a complete sidewalk could be put in for that block face, that would make sense to him.

Mayor White stated that on the first issue he hoped there was good communications between Public Works, that he had seen the criteria and it did include near schools, that he had challenged his colleagues on Council to help him look at what their criteria was, that he was not saying that he would agree, but to tell him how they thought those criteria's should be altered, that they did have criteria, if somebody says they did not have criteria they just did not know the criteria, so they could have a meaningful discussion.

Council Member Clutterbuck stated that HISD put in the new Pilgrim Elementary and Middle School in the middle of a commercial area and they put sidewalks on their property and they did not understand why there was a concern that the children had to walk in the middle of the street through an industrial area and past a swingers club and flea market because there were not any sidewalks, so they had some sidewalks lined up but they were not going to be able to be built for another 18 months and it was extremely difficult to have to explain that, that they were just sidewalks and she thought sometimes they could probably do it a little bit quicker, and Mayor White asked Mr. Norman to use one of those as a case study, and was there some way that they could accelerate and do alternative procurement with design build or call it something else so they would not bring down the wrath of every engineer in the City, or do something in house, that 20 years ago they did more in house design capabilities in Public Works and he thought that this would be a good way to start, that he would like a report from Director Marcotte, to walk through one of these projects and what the timeline was. Council Member Wiseman absent.

A vote was called on Item No. 35. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Wiseman absent. ORDINANCE 2007-1164 ADOPTED.

36. ORDINANCE appropriating \$839,437.92 out of Street & Bridge Consolidated Construction Fund; awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Program-E3, WBS N-00610A-00E3-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies

relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS F - KHAN and G - HOLM** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Wiseman absent. ORDINANCE 2007-1165 ADOPTED.

41. ORDINANCE authorizing the creation of Reimbursement of Equipment/Projects Fund; appropriating \$973,558.00 out of Reimbursement of Equipment/Projects Fund and \$1,935,797.00 out of Equipment Acquisition Consolidated Fund for Purchase of Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments - \$2,756,239.00 - Equipment Acquisition Consolidated, Enterprise, Stormwater, Grant and Revenue Funds – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Wiseman absent. ORDINANCE 2007-1166 ADOPTED.
- 41a. **PHILPOTT MOTORS, LTD.** - \$4,430,822.00 and **PFPP, L.P. d/b/a PLANET DODGE** - \$1,234,772.00 for Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments – was presented, moved by Council Member Alvarado, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Wiseman absent. MOTION 2007-1042 ADOPTED.

MATTERS HELD - NUMBERS 42 and 43

42. ORDINANCE establishing the north and south sides of the 2300 block of Wordsworth Boulevard within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C – CLUTTERBUCK – (This was Item 40 on Agenda of October 3, 2007, POSTPONED BY MOTION #2007-985)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Wiseman absent. ORDINANCE 2007-1167 ADOPTED.
43. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of the remaining portion of a 12-foot-wide alley adjacent to Lots 5 through 9, Block 3, located within the Settegast and Dodge Addition, comprising Parcel Numbers SY5-069 and SY6-033, and of the 12-foot-wide alley, along the east property line of Lot 12, Block 1, located within the Courtyards at Lillian, comprising Parcel Number SY6-034, vacating and abandoning (i) Parcel Number SY5-069 to UR Properties I, L.P., the abutting owner, in consideration of its payment of \$53,130.00 and other consideration to the City, (ii) Parcel Number SY6-033 to Steve Houck, the abutting owner, in consideration of the payment of \$10,500.00, and other consideration to the City, and (iii) Parcel Number SY6-034 to Paul John Siwek and wife, Georgianna Liesz Siwek, the abutting owners, in consideration of the payment of \$44,520.00, and other consideration to the City - **DISTRICT H – GARCIA – (This was Item 19 on Agenda of October 10, 2007, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on city business. Council Member Berry absent. Council Member Wiseman absent. ORDINANCE 2007-1168 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Green stated that the next Fiscal Affairs Committee meeting would be on Tuesday, October 30, 2007 in the Council Chamber at 10:00 a.m. Council Member Wiseman absent.

Council Member Brown stated that he wanted to continue his discussion of the issues related to the re-urbanization of the American city, in particular the City of Houston, Texas, that this week Metro would announce the final alignment for the University line and other alignments for the expansion of the existing main line rail system, that they had to have a first class light rail system, vastly expanded from what they had now if they were going to be a first class city. Council Members Lawrence, Johnson and Wiseman absent.

Mayor White stated that the debate over rapid transit had been around Houston for decades and there was more of a consensus now than ever, that on the University line he would like to make three points, one, that there was about 10 miles on the line and of that there was wide spread consensus and had been that for a while, that the controversy had always concerned either one or two miles in the middle, that the public deserved to be heard and were in many public meetings with the ridership and cost considerations; that number two, the success or failure of the University line did affect the lines in all parts of the City because the FTA was doing what it should do and was taking into account the total ridership on the system additions, that it was not just a local issue, it was an issue that was in every Congressional district and almost every City Council District was affected; that number three, there was a gentleman who came to Council and testified against the rail configuration that was a proponent of taking the rail line from Richmond to Westpark and if they looked at Metro's original plan and Mr. Seager's plan it looked like Mr. Seager's plan that was presented at a meeting on August 11, 2005, but they had seen it before and would see it again. Council Members Lawrence, Johnson and Wiseman absent.

Council Member Brown stated that he wanted to comment about the Ashby high rise, whereas the rail system may be a case of not in their backyard, people just did not want any change, that in the case of the Ashby high rise there were legitimate concerns about in appropriate and in compatible development that had been proposed in the South Hampton area and as many of them had said at the Council table it was a condition that existed in many neighborhoods across the City and he was very pleased that the administration and the City Council were committed to a new program that of regulations and ordinances that would better protect their neighborhoods. Council Members Lawrence, Johnson and Wiseman absent.

Council Member Noriega stated that she wanted to congratulate the General Services Department for their continuing efforts to create new methods for the City to provide better facilities at a reduced cost, that out at the Hiram Clarke area there was a ground breaking ceremony for the South Post Oak Multi Service Center and the Vincent Neighborhood Library and she met with Ms. Harris and some of her group and was very impressed with how hard they were working and what they were doing, that it was the beginning of a planned pilot project to combine different City facilities at one site to control cost and thought it was a powerful way to get some synergy. Mayor White and Council Members Lawrence, Johnson and Lovell absent. Mayor Pro Tem Alvarado presiding.

Council Member Noriega stated that in the Gulfton area the police and clergy team had been working with the police, the clergy, apartment managers, school folks and City officials to combat crime, that crime was not just about having police visibility, it was also about a neighborhood combining together to make things better and have a net that surrounds the children and the folks in the neighborhoods, that the program was building a positive relationship between the police and the community and focused on developing adult and youth programs such as computer training and a youth soccer league in that area, that she wanted to commend both of the groups. Mayor White and Council Members Lawrence, Johnson and Lovell absent. Mayor Pro Tem Alvarado presiding.

Council Member Wiseman stated that there had been a lot of discussion about police officers and the need for additional officers in certain areas of the City, that they had seen an increase in crime in the Kingwood area, that it was important that they make sure that they see an increase in police officers in that area, that they needed additional officers now that they were seeing additional crime, so assistance from the Mayor in that regard would be appreciated. Mayor White and Council Members Lawrence, Johnson and Noriega absent. Mayor Pro Tem Alvarado presiding.

Council Member Wiseman stated that development and what the current standards allowed, that her fellow colleagues had been voicing in the way of opposition for certain development, that the high rise that had attracted so much attention and had given the City Council reason for pause and an opportunity to revisit what they currently allowed and did not allow, that was a prime example of the fact that they should give consideration when any development was causing heartache and heartburn for any community in the City. Council Members Lawrence, Johnson and Noriega absent.

Council Member Clutterbuck stated that they had some visitors in the Council Chamber, that it was the second annual student exchange between the Sister Cities of Houston and Leipzig, Germany, that three Houston area students traveled to Leipzig for two weeks in the summer and three Leipzig students were spending their two week fall break in Houston, and asked that they stand and be recognized, and stated that she had a proclamation for each of the visitors. Council Members Lawrence and Green absent.

Council Member Johnson stated that on Saturday, October 20, 2007 he would be hosting the State of the District Breakfast at the Gumbalya's Restaurant, 5519 Caplan Street, across from LBJ Hospital, that it would be from 8:30 a.m. to 10:00 a.m. Council Members Lawrence, Clutterbuck, Wiseman and Green absent.

Council Member Johnson stated that on October 21, 2007 at 5:00 p.m. he would be the Chair of the Black United Fund of Texas Annual Gala, that it was the 20th year of celebrating, that it would be at the George R. Brown Convention Center. Council Members Lawrence, Clutterbuck, Wiseman, Alvarado and Green absent.

Council Member Johnson stated that over the weekend they wanted to make sure that everybody understood what was going on in the Acres Homes Community, they had another community walk, it was a walk for life, they talked about the communities coming together to make sure that they were becoming more participatory in the success of their neighborhoods, that later in the day there was a cleanup, that it was something that they would continue to do in the Acres Homes Community, that they would be back out on October 27, 2007 doing another walk as well as a community cleanup and health screenings. Council Members Lawrence, Clutterbuck, Wiseman, Alvarado and Green absent.

Council Member Lovell stated that she to would be anxiously awaiting Metro's announcement of the University line, that she wanted to thank her neighbors, the Richmond Rail Organization, who were concerned about the organized mis-information that was being put out there and came together to make sure that the facts got out and to get consensus amongst the neighbors as to the support for the rail, that she wanted to commend them for what they had done. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Alvarado, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she was also looking forward to tomorrow's announcement, that she was pretty confident that they had civic leaders, as well as community

leaders who were putting the best foot forward. Council Members Lawrence, Johnson, Wiseman, Alvarado, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to congratulate the Houston Museum of Natural Science on the excellent showing of the Lucy Exhibit and the wonderful response that they were getting from all over the City and the Country. Council Members Lawrence, Johnson, Wiseman, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that the Flooding and Drainage Stakeholder Committee would be meeting in the evening from 6:00 p.m. to 8:00 p.m. at 900 Bagby in the large conference room, that it would be a discussion regarding Chapter 19, that they would not be discussing the current lawsuits that were being placed against the City. Council Members Lawrence, Johnson, Wiseman, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she also wanted to congratulate Vivian Harris and the folks in the Hiram Clarke area, that when she first ran for office one of their concerns was the multi service center for that area, that she wanted to thank Mr. Dadoush, that when they talked to him about combining facilities, the Vincent Library as well as the multi service center, what kind of advantage would that be for the taxpayer dollars and also for the use of the facility, that Mr. Dadoush and his staff had been awesome and Mr. Williams in the Health Department had been gracious in pulling it together. Council Members Lawrence, Johnson, Wiseman, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to make a disclaimer, that she had no relatives running in any race in the City of Houston, that she wanted to encourage people to vote, that early voting would start on October 22, 2007. Council Members Lawrence, Johnson, Wiseman, Alvarado, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that yesterday at the public session she made a statement that she thought Houston was at a crossroads, that they had some awesome opportunities and some really hard challenges, that it was going to take a full partnership of the community and elected officials to make it, that she would like to see a celebration of the diversity at City Hall. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to once again be an advocate for the Houston Hope areas and the Good Neighborhood Program, that if there was some kind of way to get the City employees involved in that program, that she knew Mayor White was working on it, that she knew there were a lot of things they had to work on but if they could keep the Houston employees at the top of list of how they could get them involved in the Good Neighbor Program and the down payment assistance. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to thank the Dona Tere Mexican Restaurant who hosted the Council breakfast, that they were located at 9908 Beechnut. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that yesterday in the Houston Chronicle there was a story about Sergeant Rico Garcia who had done a phenomenal job on a very dangerous and complex investigation, that he wanted to congratulate him for a great job. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that tomorrow the Aid to Victims of Domestic Violence would be having their fund raiser and wanted to thank Mary and Tony Greicelly for hosting in their beautiful home in River Oaks. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that tomorrow would be the Houston Galveston Area Council's Regional Safety Conference and would be held at the University of Houston Hilton, that they were bringing in a guest speaker from the Federal Insurance Association. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that on Friday, The Woodland Heights would be hosting their 100 year Anniversary Gala; that on Friday would also mark the 27th Annual Hispanic Officer of the Year Luncheon; that on Saturday the Houston Fire Department would be having an awards event to recognize their brave men and women in the fire service in Houston. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to thank Mayor White for inviting the couple who were building the fascinating solar home, and asked what could they do to further encourage the kind of development. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor White stated that deserved a more thorough answer, but three or four things would be that right now they had an expedited permit approval process for LEAD certified buildings, that there had been an explosion of LEAD certified commercial and they needed some of that expertise on the residential desk, that he would defer to Public Works and Mr. Icken; that second, they ought to explore, and would ask Mr. Norman and Mr. Eugster to help, if there were some things they could do for those people, that already their water rates were heavily biased toward the low volume users, that for somebody who was almost practically off of the water system perhaps they could consider something; that third, there were some States who had offered some credits for solar panels, that there were big federal tax incentives for a lot of these devices for more modest income houses, that they did publicize those by Citizens.net but he would ask Mr. Eugster to pull those things together and they would take a look at it. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that last night he had the opportunity to meet with the North Lindale Civic Association and he wanted to thank them, that they had some new leadership and they had some issues that they wanted him to address with the Mayor and at some point he would like to visit and go over the items with him. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Holm stated that she wanted to recognize Grace Presbyterian Church, which was on the beltway just north of Westheimer for their work in the community, that it was in the heart of District G and continued to be under the leadership of their Senior Minister Doug Ferguson, that on Sunday night, October 21, 2007 they were having a service to recognize the value and importance and their role and to support the City of Houston, the service would be from 5:30 p.m. to 6:30 p.m., that many of the department heads had been invited. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Holm stated that she wanted to talk about a parking situation, that there was subdivision in West Houston called Briar Grove, that it had been under a reconstruction project for about 6 years and they had gotten numerous reports in the last two to three weeks that a parking officer was going through their neighborhood and citing cars that were parked in the wrong direction, that she believed in rules but was not sure that was the best use of their time and energy or sending the best messages when they had such critical issues that they would be going into a neighborhood just looking for violations, that hopefully she would hear from somebody shortly as to why that was their philosophy, who was doing it and why they were doing it. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Holm stated that there would be an announcement by Metro tomorrow, that she believed that they needed transportation options in the City, that Metro was designed to design, build and maintain the transit system, that when they elected the board they empowered them to make the decisions for them, to do the research and make the decisions for it, which required a lot of responsibility and accountability, that it should not be a political decision or based solely on the getting of federal dollars and it should be backed up with really good information, that she was concerned about the outcome and reiterated again with Metro the lack of communication that she had personally felt from her district, that she reiterated three questions that she thought were important, that first she really wanted to know statistically who was projected to ride the University line in particular, that she wanted to know from the bus routes and where they projected the people were coming from and were going; that second, she would like to know where they anticipated the ridership was coming and going, what were the key points; and the third that concerned her greatly was how were they going to mitigate the mobility, that she wanted the information. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor White stated that there were three particular questions that Council Member Holm posed, that on number one and two, they had requested a briefing before, but it would be a good idea for somebody to brief Council Member Holm on one and two, that he, Council Members Holm, Clutterbuck and Edwards had come up with some set of principles that had to do with left turn lanes and minimizing impact on traffic and also addressed strategies to deal with construction, disruption and the like, that he sat at a meeting a year ago where one by one those criteria were discussed and what had been done on each of the three configurations that they were looking at in the University Corridor, that she needed to be briefed on that; that on number one, the way that people did projections was by using some modeling and he believed that it would be the case that Metro management would also have their judgments but that the type of modeling that they could do for FTA was based on what HGAC had done; that one of the reasons for the models was to draw from experience of surveys and the experience in other cities; that they would get that information to her; that on the third, yesterday Council Member Clutterbuck raised the issue of having a committee as a whole, that there would be a time that was on the other side of Metro's decision so they were not spinning their wheels as an elected body with broad responsibilities where there would be a consent agreement for the right-of-ways, that he would take up Council Member Clutterbuck's suggestion and have that hearing as a whole, that they would work and see if it could be done in November. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she wanted to congratulate Arch Bishop Daniel N. DiNardo who was elevated to become a Cardinal, that it was quite an honor for the Houston Community, especially the Roman Catholic Community, that there were 23 individuals named and only two American's, that Arch Bishop DiNardo becomes the first Roman Catholic Arch Bishop in Texas to be elevated to Cardinal, that it would happen at the Vatican sometime next

month. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:45 a.m. Council Member Khan out of the city on city business. Council Member Berry absent. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Brown, Noriega and Green absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary