

City Council Chamber, City Hall, Tuesday, October 21, 2008

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 21, 2008, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Pam Holm, Adrian Garcia, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney, Ms. Connie Acosta, Senior Assistant City Attorney, Division Chief; Ms. Claudia Vasquez, Director, Citizens Assistance, Ms. Debra Dillard, Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member M. J. Khan, P. E. out of the city on business.

At 2:05 p.m. Mayor White called the meeting to order and stated that they would begin with Council presentations and called on Council Member Adams for the first presentation. Council Members Lawrence, Johnson, Holm, Rodriguez, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Council Member Adams stated that it was a proud moment to give the Bravo Awards to City of Houston employees, that the Bravo Award was the City's highest recognition program for City employees and presented quarterly, that it recognized employees who had given extraordinary service to the City and their community, that employees who receive go above and beyond their job description and volunteer to help their communities without compensation, and recognized Mr. Julio "Ritchie" Enriquez, a firefighter and EMT and Ms. Mary Owens, Housing Department, and presented them with the Bravo Award. Council Members Lawrence, Johnson, Holm, Rodriguez, Lovell, Noriega and Green absent. (NO QUORUM PRESENT)

Mayor White recognized Chief Durden, Houston Police Department, for the next presentation. Council Members Lawrence, Johnson, Rodriguez and Noriega absent.

Chief Durden stated that the Houston Police Department was privileged on a number of occasions to give honor to citizens who saved lives of other citizens, that they were also privileged to give honor to police officers who save the lives of citizens during the their of duty; that on this day they had the honor and privilege of honoring a Council Member for her efforts in saving the life of a citizen in Houston, that the citizen was present in Council, along with several of her family members; that today the Houston Police Department would like to recognize Council Member Jolanda Jones, and after reading the citation, presented Council Member Jones with the City of Houston Life Saving Award for saving the life of, along with two other individuals, Ms. Megan Kaplan. Council Members Lawrence, Johnson, Rodriguez and Noriega absent.

Council Member Jones introduced Ms. Megan Kaplan and her mother, Ms. Cara Kaplan, and Mrs. Kaplan stated that the three good Samaritans, who did not know each other or her child, put themselves in danger to get her daughter out of the car and for that she would be eternally grateful; that Jolanda and Geo were now a part of their family; that she was a Special Education Department Chair at Crocket Middle School and some of her kids made their own awards for Council Member Jones and her son in recognition of their bravery, and she presented Council Member Jones with the awards and invited her to visit the class. Council Members Lawrence, Johnson, Rodriguez and Noriega absent.

Council Members Garcia and Lovell thanked Council Member Jones for her and her son, Giovanni's quick thinking and bravery. Council Members Johnson, Rodriguez and Noriega.

Mayor White recognized Council Member Sullivan for a point of personal privilege. Council Members Johnson and Noriega absent.

Council Member Sullivan stated that there were a group of constituents in the audience and asked that they stand and be recognized, that they were from the Lone Star College in Kingwood, the Academy of Life Long Learners, that he wanted to welcome them and tell them that they appreciate what they did for their community and for their interest in City government. Council Members Johnson and Noriega absent.

At 2:24 p.m. Mayor White recognized Council Member Garcia for the prayer and pledge of allegiance, and Council Member Garcia invited Mr. Rick Martinez, the Praise Minister for the Bethel Community Church to lead them in prayer, and Mr. Andres "Gunny" Ortiz, former marine, to lead them in the pledge of allegiance. Council Members Noriega and Jones absent.

At 2:26 Mayor White requested the City Secretary to call the roll. Council Member Khan out of the city on business. Council Members Noriega and Jones absent.

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

At 2:27 Mayor White requested the City Secretary to call the list of speakers. Council Members Noriega and Jones absent.

Ms. Mary Morgan, 1222 Wildfire, Houston, Texas 77002 (713-933-3579) had reserved time to speak, but was not present when her name was called. Council Members Lawrence, Noriega and Jones absent.

Ms. Deborah Allen, 12000 MLK, No. 2058, Houston, Texas 77048 (832-292-5203) appeared and voiced her personal opinions until her time expired. Council Members Lawrence, Noriega and Jones absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and voiced his personal opinions until his time expired and stated that there seemed to be some rumors that he and Mayor White were incompatible, which were totally untrue, and asked Mayor White if he could have the honor of shaking his hand. Council Members Lawrence, Sullivan and Noriega absent.

Mayor White stated that he appreciated Mr. Beal appearing at Council, and in order that they not set a precedent with others he would not shake hands during the public session because they had many speakers, but he had never refused to shake anybody's hand in public, at a reception, or otherwise. Council Members Lawrence, Sullivan and Noriega absent.

Ms. Eugenia Brown, 14250 Kimberley, No. 3214, Houston, Texas 77079 appeared and stated that she was present to represent the Kingston Club Apartments because they were trying to find out from the City Council if they could help them; that they were having light bills that were \$2,194.00 and they did not know who the provider was and they were being told by the management of the apartment complex that Mayor Bill White had issued an order that if they complained again they were to be immediately evicted within 24 hours, that they needed assistance from them and they were not asking for a handout, they were asking that they help with their light bills because they could not afford them; that lights had been turned off, that CenterPoint had been out and did not know who the provider was because they could not find the provider; that this was her first City Council meeting, that she was from New Orleans and had made this her home and she needed help and asked if they could help them at the Kingston Club Apartments. Council Members Lawrence, Sullivan, Brown and Noriega absent.

Mayor White stated that he did not know what the apartment manager said and one thing he learned in his job was that there may be two sides to the story, that if anybody did say that the Mayor said they had to be evicted then the person was a liar, that he thought citizens knew better. Council Members Lawrence and Brown absent.

Upon questions by Mayor White, Ms. Brown stated that they were not "all bills paid", they pay them but did not know the providers, they got two bills, one called Houston Plan Energy and she had a copy that says they were not the provider, then they got a bill, and she had a copy, that was an excessive amount, that they were trying to become self sufficient and were on the DHAP Program, but how could they be self sufficient when they were trying to pay the bills and nobody knew who the provider was; that First Choice would not give her service because they said they could not find 14250 Kimberly on the map; that it was the same with CenterPoint and Reliant; that she moved there when DHAP took over on February 16, 2008. Council Members Lawrence and Brown absent.

Mayor White asked Ms. Dillard to get a copy of the documents that Ms. Brown had with her, that he was trying to figure out if it was Harris County Housing Authority or the Houston Housing Authority; that Ms. Dillard or somebody could help Ms. Brown while she was present, and stated to Ms. Dillard and Ms. Connie Acosta, Legal Department, that there was something called the Disaster Housing Assistance Program and the vast majority of those cases were managed by the Harris County Housing Authority, they did not report to the City Council, that some were with the Houston Housing Authority, who they did have responsibility for and they could make them responsive. Council Members Lawrence and Brown absent.

After further discussion, Mayor White stated that they were doing two things, that he would say that it was the policy of the City of Houston for a person like Ms. Brown, who had a job and a skill, that right now they had some people who did not have houses in Galveston, and it was their turn; that the other thing was if there was a scam going on, the worst of all, they were going to get after them and he wanted a report on that; and he asked Ms. Brown if she had the ability to move and Ms. Brown stated no, and Mayor White stated that he was pursuing this because there was a thing or two that he had heard, that it was true that he had been saying some things about DHAP, they were in a shoving match, and they were going to see what was true and what was not true; and that they may have to keep a little outside counsel busy because he wanted to get to the bottom of it, and he asked Ms. Brown to visit with the folks from Citizens Assistance; that he wanted detailed notes dictated out and to give it to the Legal Department; that he was not saying that he believed everything that Ms. Brown was saying, but would say that they would find out what the truth was and what was going on, and Mayor White requested that Mr. Buddy Grantham be called to help as he was a problem solver. Council Members Lawrence and Brown absent.

Ms. Cotina Marcelin, 14250 Kimberley, No. 3214, Houston, Texas 77079 indicated from the audience that she would not speak at this time. Council Members Lawrence and Brown absent.

Mr. Marvin Holmes, 3211 McIlhenny, Houston, Texas 77004 (832-206-9383) appeared and stated that he was present because he had a landlord who did not want to fix nothing in his house, that he had a tree in his backyard that he had not cut down and he always wanted his rent on time but did not want to fix anything, that he called 3-1-1 and Neighborhood Protection for help, that he tried to call them back today but no one answered the phone, that he tried on several occasions to try and call Council Member Gonzales' office but nobody answered the phone so that was why he was present, to see if he could get some help; that he would appreciate someone from the City Council to come out to his home and he would show them what was really going on, that he and his fiancé were tired of the landlord not fixing anything but he always wanted his rent on time. Council Members Brown and Lovell absent.

Mayor White stated to Mr. Grantham that Ms. Claudia Vasquez and Ms. Eugenia Brown went to the back and they could use his assistance, that he wanted Mr. Grantham and his staff to do a thorough job, that he wanted to find everything that was happening. Council Members Brown and Lovell absent.

Mr. Holmes further stated that they had some apartments in the back that really needed some rebuilding, that they were in terrible condition, that FEMA came out to their home and told them that the landlord was a slumlord. Council Members Brown and Lovell absent.

Council Member Rodriguez stated that Mr. Holmes was probably referring to Council Member Rodriguez because Jeannette De Los Santos from his office did speak with him on a couple of occasions, and they were going to go out to his neighborhood and take a look at it, that they were working with CAO on this but thought the absentee landlords and slumlords were a big problem, that he would like to work with him to get it resolved. Council Members Garcia, Brown and Lovell absent.

Mr. Shane Rhodes, 8111 Long Point Rd., Houston, Texas 77055 (713-582-8074) appeared and stated that he was present on behalf of himself and his father, who were owners of Rhodes Auto Sales in Spring Branch, that he was also on the Board of Directors of the Houston Independent Auto Dealers Association and the Texas Independent Auto Dealers Association; that it had come to their attention as car dealers that the Quality of Life Committee had considered a ban on attention getting devices, banners, streamers, inflatable's and balloons, that on behalf of the car dealers in Houston they felt that these items, these marketing devices were effective for their business; that nationwide automobile dealers were known for this type of advertising, that it was almost like the McDonald's arches, people associated these with car dealerships, that their showroom was outside, it was not inside, so they marketed their products outside, that a car lot, if it just looked like a Wal-Mart parking lot and if they went to buy a car it would not be as near as exciting and easy to market their products; that if they were not effective dealers would not use them, that he hoped they had his handout about attention getting devices; that on the back there was a survey from Woodlands Financial, which was a company that finances cars that were sold at independent dealers, that in 2006 they interviewed 2,000 of their customers and in the survey they asked why did they last buy and 47% said they were driving by, so the attention getting devices were very important to their market strategy because that was what their customers did respond to; that if dealers in the City got banned it would put them at a competitive disadvantage to dealers in Harris County, that they were only a few blocks away from the County limits; that small dealerships did not have the ability to buy \$100,000 signs and buy multi million dollar pieces of property on freeways that new car dealers could, so these type marketing strategies were effective for small business people; that their dealership employs 24 people and pays over \$25,000 in sales tax every single month; that most car dealers were concerned with aesthetics of the City but they did not believe that a well kept dealership with attention getting devices were causing a blight on the City, that there were many small, ugly businesses out there and many of them operated on a cash only basis and probably paid very little sales tax, that he had included a couple of pictures close by his dealership and with the attention getting devices and inflatable's that they felt did not look like a blight, that some of them may disagree but his customers did not, that they sell about 70 cars per month. Council Members Clutterbuck, Sullivan, Garcia and Brown absent.

Upon questions by Council Members, Mr. Rhodes stated that all attention getting devices were all pieces of a puzzle that made their business look better and he knew from his personal experience that the dealers who used these type of devices most aggressively were the ones who were more successful; that as far as neighborhoods, he understood, and their Board of Directors, their members and some of the vendors would be glad to sit down with the people who were looking to change the laws and see if they could come to something that worked for

all of them; that uneven enforcement was a giant problem; that he thought that the aggressiveness of the advertisement did work and gets people in and for a small dealership it made it look more professional as opposed to a little gas station that did not have anything, that it made their business look more substantial, and Council Member Green stated that he wanted to follow up with Mr. Rhodes and get a little more information on some of the compromises that eventually would be had. Council Members Sullivan and Noriega absent.

Mr. Bobby Rich, 8001 W. Tidwell, No. 2005, Houston, Texas 77040 (713-862-1673) had reserved time to speak but was not present when his name was called. Council Members Sullivan and Noriega absent.

Mr. Richard Freeman, 121 Riggs Rd., Houston, Texas 77022 (no phone) appeared and stated that it seemed like he could not get anywhere with the Metro bus company but a hard fall and he had been issued a medical device (which he displayed) and x-rays but he could not put it on without going out there and letting them do it, that he had a large hernia in the pit of his stomach and a lot of operations, that he had a Rodney King beating before it was fashionable, that he had been in a lot of therapy, that the last storm that hit did quite a bit of damage around where he lived, that it ruined two pecan tree crops and tangerines, that after going through the court system three times; that he got cited and a big sign hung on his fence where Mayor White ran for election the first time, that they had a good Mayor; that he was present because he was threatened with a lien put on the place where he resides; that he was going to ask for a second with Council Member Garcia after the bell. Council Members Lawrence, Johnson and Holm absent.

Mayor White asked Mr. Freeman if he had anything in writing he could share it with Ms. Dillard, Citizens Assistance, because he read every note. Council Members Lawrence, Johnson and Holm absent.

Mr. Tim Campbell, 715 Valentine Way, Houston, Texas 77019 (713-739-7576) appeared and stated that he lived in an apartment which was part of the Historic Oaks of Allen Parkway Village; that he was working with the support of a growing handful of senior citizens who had diminished vision or diminished ability to walk and his concern this year was to try to clean up West Dallas, that he lived in a \$22 million, HUD, Houston Housing Authority project, which was a model for the nation, but the backside of their community was treated as if they were still in the Old Fourth Ward and Neighborhood Protection was not doing it's work, that what prompted him to come to Council was that yesterday he called 3-1-1 and tried to get a tracking number for some complaints that he had been working on for some months without a tracking number and the young man who answered the phone refused to give him a tracking number, first because it was a Neighborhood Protection issues, second, because they were busy with Hurricane Ike, and he could understand delays because of Hurricane Ike but he could not understand a 3-1-1 operator telling a citizen that they were not giving tracking numbers for complaints about dangerous sidewalks, that someone from the Mayor's office had contacted him and someone from Council Member Rodriguez's office had contacted him; that he just wanted to let them know why he was on the agenda today and to say it was effective he got a lot of phone calls from various departments and thought they were moving in the right direction, but would still would ask for better training for 3-1-1. Council Members Lawrence, Johnson and Holm absent.

Council Member Rodriguez stated that he was sorry that happened to him and wanted to apologize because that was not how their 3-1-1 operators dealt with their constituents, that they would work with him to resolve the issue; that off line they could talk about who it was and they would get it to the Mayor's office. Council Members Lawrence, Johnson and Holm absent.

Ms. Jorgetta Williams, Post Office Box 42505, Houston, Texas 77242 (713-314-7546) had reserved time to speak, but was not present when her name was called. Council Members

Lawrence, Johnson and Holm absent.

Reverend James Nash, 8418 Colonial Ln., Houston, Texas 77051 (713-725-1664) had reserved time to speak, but was not present when his name was called. Council Members Lawrence, Johnson and Holm absent.

Mr. Trent Williams, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) had reserved time to speak, but was not present when his name was called. Council Members Lawrence, Johnson and Holm absent.

Ms. Cara Kaplan, 12031 Nova Dr., Houston, Texas 77077 (281-634-6688) appeared at the time of Council presentations. Council Members Lawrence, Johnson and Holm absent.

Mr. Vivek Goel, 8450 Cambridge, Houston, Texas 77054 (713-240-9981) appeared and stated that he wanted to talk about what Hurricane Ike had done to some of the Houstonians, that in his case his garage was completely flooded and he had no power for two weeks, and did not have water for a few days, that it cause some physical discomfort, but more than the physical discomfort it brought emotional discomfort that was hard to deal with in such challenging times, that he wanted to inform them of the Out of Living Foundation which was funded by the world renowned humanitarian Sri Sri Ravi Shankar, called Health and Happiness at the end of October, that he would be coming to Houston on October 30, 31 and November 1, 2008 and conducted the program for stress relief, that he wanted to invite the City Council and the Mayor and all Houstonians. Council Members Lawrence, Johnson and Holm absent.

Mayor White asked Mr. Goel if he had something in writing to give to each of the Council Members and Mr. Goel stated that he would do that. Council Members Lawrence, Johnson and Holm absent.

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

Mr. Ester King, 2640 Prospect, Houston, Texas 77004 (713-521-0384) appeared and stated that he was present along with and as a member of the Council Elders of Institute from SHAPE Community Center, that they were present in support of the African American police officers who found themselves dealing with a policy passed down by the Chief concerning facial hair, that his own involvement with trying to work with others to help bring the Houston Police Department into the 21st Century began in 1967, that the Houston Police Department was the poster child for what a police department of a major metropolitan City should not be, the fact that the police department was in a City that was probably the most diverse major city in the Country; that Black and Brown officers had to file suit, he thought, resulting in the first African American above the position of patrolman in 1974, that women had to fight, that he said all of this was that the specter of the City joining with the Chief to fight the officers was a sad situation at a time when the Houston Police Department needed more members, that potential cadets were looking at this feeling if they had to fight so hard inside why would they want to go into that. Council Members Johnson and Holm absent.

Upon questions by Council Members, Mr. King stated that he got invitations all the time to speak on college campuses and speak before young people and many times the conversation turns toward the Police Department and many do express a concern and in general the tone, as he had interacted with many young people at Prairie View and TSU was that the Police Department of Houston would be further down on the list of employment opportunities that they would seek. Council Members Lawrence and Holm absent.

Mayor White stated that the Police Department did revise its policy as contained in a Houston Police circular October 15, 2008 and he asked if they could get copies for all Council Members and he thought there was an ongoing mediation, and Mr. Michel stated yes, that there were continuing talks and continuing revisions to find a way to resolve it and in fact there was a meeting on Monday that they were optimistic they would be able to come to some resolution. Council Members Lawrence and Holm absent.

Mr. Deloyde Parker, 3815 Live Oak, Houston, Texas 77004 (713-521-0641) appeared and stated that the last time he spoke before Council on this matter they were told there would be mediation or see if they could have some discussion to see if the matter could be resolved, that it was his first time hearing any discussion or any report on mediation today, what was the result of the mediation, that they felt that the community should have been told what were the results of the mediation or what was happening in the mediation and that had not been happening, that he thought it was the responsibility of the leadership to let them know; that he had been running the SHAPE for 40 years as of June 1, 2009 and during that time they had many students doing their internship in Criminal Justice from TSU, U of H and HCC and several of those students had expressed an interest in becoming members of the Houston Police Department and of those seven, four of them had shaving problems and after hearing and reading about it they were kind of reluctant about going forward because they thought they may not get anywhere with it, that they had a shortage of police officers so the thought it was foolish to put any more impediments or blocks in the way of getting other police officers so they needed to consider that, that he had the names of those students and they would be glad to share what their reservations were now. Council Members Lawrence, Sullivan, Holm and Lovell absent.

Mayor White stated that he encouraged anybody who was interested in becoming an HPD officer. Council Members Lawrence, Sullivan, Holm and Lovell absent.

After further discussion Mayor White stated that there had been meetings started within two weeks of that last Council session and knew that part of the results of the reflection of the command staff and others on the issue, under Chief Hurtt's leadership, but a very diverse command staff, was reflected in the memo that was dated October 15, 2008, that the next meeting of the legal counsel was on Monday. Council Members Lawrence, Sullivan, Holm, Rodriguez and Lovell absent.

Mrs. Francis Hill, Post Office Box 88279, Houston, Texas (832-563-4244) appeared and stated that she was sick and tired of discrimination in the Police Department, that if they would hire people who lived in the community and loved the community and if the community knew the policemen the community would be respected. Council Members Lawrence, Sullivan, Holm and Rodriguez absent.

Council Member Johnson stated that after reading the memo it said that officers may be reassigned but would be precluded from working in certain areas, that he wanted to know what those areas were. Council Members Lawrence, Sullivan, Holm and Rodriguez absent.

Mayor White stated that the policy had been around since before 1980, the ban on facial hair, and he was sure that people were aware of the fact; that the second issue, and he thought it was the last time they talked about it, out of 5,100 classified officers there were four or five where there was an issue that had come up about it and they heard from most of that group and one of the concerns that they expressed was the issue of the ability to wear the uniform at an off duty job and for those individuals he thought the policy would address that; that he thought they were meeting about the individual cases, to work through the individual cases and concerns of the individual while also complying with some of the grant requirements and national standards, concerning the seal on the face, they did not want anybody to feel that a large category of people were excluded or that it was a new rule concerning facial hair or that the policies

concerning facial hair only applied to one particular group. Council Members Lawrence, Sullivan, Holm and Rodriguez absent.

Mrs. Delores Smith, 4502 White Rock, Houston, Texas 77004 (713-752-0313) appeared and stated that they in the African American Community wanted the Mayor to know that they did not appreciate the way the African American officers in the Police Department had been treated in regards to the facial hair issue; that the City should not have the most racist and discriminatory policy in the Country for African American officers; that it was shocking that the cities of New York, Philadelphia, Chicago, Detroit, Los Angeles, San Francisco, Atlanta and Washington, D.C., all did not discriminate against Black police officers in this fashion, that the United States Military does not have a racist and discriminatory policy for African American males like the Police Department did; that Mayor White should not hide behind a lie, it was not a safety issue, they all knew the men had passed the same gas mask test that every other officer passed; that the African American community called to Mayor White to eliminate the racist policy that had only taken African American officers out of uniform and they ask him today to end the policy. Council Members Lawrence, Johnson, Sullivan, Holm and Rodriguez absent.

Mayor White stated that one thing he was told, and he would check, was that their policy was no more restrictive than other big cities and they looked at what the policies within the other big cities were so she had some information that they may not have concerning the policies, the facial hair and implementation in these other cities, that he would tell them that the report he got back was that their policy was no more restrictive than some of the other major cities but he would look into it. Council Members Lawrence, Johnson, Sullivan, Holm and Rodriguez absent.

Council Member Jones stated that they needed people to fill their cadet classes, they needed more officers on the street and they needed people from the neighborhoods to potentially help police those neighborhoods, they needed trust between law enforcement and the community, so she was still at a point where she thought safety was a pretext and did not think there had been any conclusive proof that there was a problem with suction, that it did not just discriminate against African Americans, that Council Member Khan talked about people who could not cut their hair because of their religion and this would necessarily preclude them as well. Mayor White and Council Members Lawrence, Sullivan, Holm, Rodriguez and Lovell absent. Mayor Pro Tem Garcia presiding.

Mr. Robert Waugh, 2215 Truxillo, Houston, Texas 77004 (713-752-0313) had reserved time to speak, but was not present when his name was called. Mayor White and Council Members Lawrence, Sullivan, Holm, Rodriguez and Lovell absent. Mayor Pro Tem Garcia presiding.

Mrs. Rosemary Faulk, 7938 Jutland, Houston, Texas 77033 (713-731-2068) had reserved time to speak, but was not present when her name was called. Mayor White and Council Members Lawrence, Sullivan, Holm, Rodriguez and Lovell absent. Mayor Pro Tem Garcia presiding.

Mrs. Elaine Tennerd, 5120 Sawyer, No. 2, Houston, Texas 77004 (713-281-4160) appeared and stated that her name was Queen Mother Elaine Tennerd and she was present to address an issue that really ought not to be an issue, that they knew that because of Ike the whole world had been looking at their City and it was an injustice to African American males who suffer with a condition that 80% of African American males suffer with, that it was a long name and she could not pronounce it but it did exist, that they had a condition on the skin that when they shaved they break out, that it was so severe with some that they could not be cured; that as African Americans they knew injustice when they saw it, they were aware of it; that if these men felt they had been discriminated against then they had been. Mayor White and Council Members Lawrence, Sullivan, Holm, Rodriguez and Brown absent. Mayor Pro Tem

Garcia presiding.

Council Member Noriega stated that what she found to be the great concern here was Ms. Tennerd's last statement, "that they know injustice when we see it and this was an injustice", so she would ask that they revisit it and perhaps look at the larger theme that had come through, to have pillars of the community come to talk to the City Council about injustice, discrimination and the Civil Rights Act puts it in a light that she found very concerning and would ask the administration to perhaps look at what they were and were not doing in terms of their relationship with the community that the speakers represent. Mayor White and Council Members Sullivan, Holm, Rodriguez, Green and Jones absent. Mayor Pro Tem Garcia presiding.

Mrs. Barbara Marshall, 1820 Wentworth, Houston, Texas 77004 (713-529-0474) appeared and stated that at one time, as a young girl, she hated Houston because of the Police Department, because so much of what they did was negative, that she was just giving them that as a background because her grandson goes to the High School for Criminal Justice and Law Enforcement, that the kink in the hair, that protects them from the heat, just curls back in the skin follicle and the issue was truly blood, that no matter what they may use they were scraping and attacking their skin at a level that was a lot lower than what shaving could do, that was the main point she wanted to make. Mayor White and Council Members Sullivan, Holm, Rodriguez and Jones absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that he was curious, that New York had a very diverse police force and would like to ask Chief Hurtt or have someone in his administration to get him a copy of the NYPD Facial Hair Policy as it related to this issue. Mayor White and Council Members Sullivan, Holm, Rodriguez and Jones absent. Mayor Pro Tem Garcia presiding.

Mrs. Blanche Brown, 3401 Dunvale, No. 2401, Houston, Texas 77063 (713-529-0477) appeared and stated that she had the opportunity to see one of the officer shave and after he shaved blood ran down his face, that they had all passed the gasmask test so why was it that they were out of uniform; that as much crime as there was in Houston they needed every police officer as they could get. Mayor White and Council Members Sullivan, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mrs. Mattie Walker Perry, 3816 Live Oak, Houston, Texas 77004 (713-521-0629) appeared and stated that the African Americans in their community wanted Mayor White to understand that they were not present just because of the Black officers and the shaving situation, they came to speak to Mayor White and the City Council about the unfairness and bad treatment that they were receiving from the Houston Police Department; that it was about the Houston Police Department, since 2005, they created a grand order that had not made the City any safer, that it was about the Houston Police Department creating a discriminatory and racist policy; that there were young men at Texas Southern University, Prairie View, A&M, Gramblin University, Southern University and the University of Houston who had this condition, that the condition affected up to 80% of the African American male population, that they were highly intelligent young males who wanted to become police officers; that the African American community wanted to know if Mayor White would let the racist policy be the legacy that he would leave the City of Houston. Mayor White and Council Members Sullivan, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Council Member Lawrence stated that she saw all of the people coming to Council to talk about the shaving policy and there was no ordinance coming forward so why did they come to Council, and Ms. Perry stated to voice her itinerary and to give the Police Department a chance to prove themselves. Mayor White and Council Members Sullivan, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mr. Warren J. Smith, 2922 South Bartell, Houston, Texas 77063 (713-664-6595) appeared and stated that in the course of human destiny their lives seemingly were guided by an unseen hand moving surely and steadily along some definite course, that digressions may detour life's fare like rocks in a channel of a mighty river, but surely and steadily with hope and desire and if determination the being moves on. Mayor White and Council Members Sullivan, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mr. Dalton Parish, 4000 Watonga, Houston, Texas 77092 (832-888-0927) appeared and stated that Mr. Smith was a 92 year old elder who was an inspiration; that injustice and inequality, no matter when or where, was wrong no matter what the situation may be, to Mayor White and Members of the City Council at this time when policemen had so many other very important duties to perform what benefit was it to anyone, policemen and Houston citizens alike, what benefit was it to the police and the City to press this clearly unnecessary issue, that there were far to many problems of street crime, home safety and countless other matters that dealt with citizen safety and other real issues for the Police Department to deal with rather than being bogged down with this needless matter, that it did not help the City at all, nor did it help the stability of the Houston Police Department. Mayor White and Council Members Sullivan, Holm, Noriega, Green and Jones absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that he wanted to thank everyone for coming down on this issue; that number one, this was a policy that Chief Hurtt had devised, based on some discussion, that it was not an ordinance; that number two, the train wreck seemed to be where 9/11, September 11, emergency preparedness priorities and uniform dress had coincided, that he thought they had heard a lot from every one present and he had asked a question about what New York, who was very diverse, had learned over the years and would give them some feedback when he gets that information; that he noticed that Mr. Smith, the previous speaker, wore a World War II Veterans cap and thanked him for his service, and thanked Mr. Parker for his leadership. Mayor White and Council Members Sullivan, Holm, Green and Jones absent. Mayor Pro Tem Garcia presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-407-5344) appeared and stated that he maintained a court conviction case for City Hall, that his was above the FBI and he was a witness to the case, and continued to voice his personal opinions until his time expired. Mayor White and Council Members Sullivan, Holm, Green and Jones absent. Mayor Pro Tem Garcia presiding.

Ms. Nia Colbert, 6333 Chimney Rock Rd., No. 132, Houston, Texas 77081 (713-830-5444) had reserved time to speak but was not present when her name was called. Mayor White and Council Members Sullivan, Holm, Green and Jones absent. Mayor Pro Tem Garcia presiding.

Mr. Leo Pines, Jr., 2505 Fannin, Houston, Texas (no phone) had reserved time to speak, but was not present when his name was called. Mayor White and Council Members Sullivan, Holm, Green and Jones absent. Mayor Pro Tem Garcia presiding.

Mr. Dallas Foster, 20922 Twisted Leaf, Cypress, Texas 77433 (713-213-5265) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Sullivan, Holm, Green and Jones absent. Mayor Pro Tem Garcia presiding.

At 4:27 p.m. The City Council recessed until 9:00 a.m., Wednesday, October 22, 2008. Council Member Khan out of the city on business. Mayor White and Council Members Sullivan, Holm, Green and Jones absent. Mayor Pro Tem Garcia presiding.

The Houston City Council reconvened at 9:00 a.m. Wednesday, October 22, 2008, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Pam Holm, Adrian Garcia, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member M. J. Khan, P. E. out of the city on business.

At 8:30 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 a.m. Mayor White called the meeting to order and stated that the first order of business was a public hearing. Council Member Brown absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** to determine just and reasonable Retail Water and Sewer Rates of **SOUTHERN WATER CORPORATION** within the City of Houston - **DISTRICT B – JOHNSON - RECESSED BY MOTION #2008-760** – was called. Council Member Brown absent.

The City Secretary stated that the hearing was one that was recessed last Wednesday.

The Public Hearing was recorded by Julie M. Silhan, Court Reporter.

Mayor White recognized Council Member Clutterbuck for a point of personal privilege. Council Members Holm, Garcia, Brown and Jones absent.

Council Member Clutterbuck stated that she wanted to acknowledge three students visiting from the City of Leipzig, Germany, that they were exchange students participating in the City of Houston Sister City Program and asked that they stand and be recognized. Council Members Holm, Garcia, Brown and Jones absent.

Council Member Johnson moved to close the public hearing, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Khan out of the city on business. Council Members Holm, Garcia, Brown and Jones absent. MOTION 2008-0775 ADOPTED.

MAYOR'S REPORT

Mayor White stated that they would move to the consent agenda. Council Members Holm, Garcia, Brown and Jones absent.

Council Member Noriega moved to suspend the rules to consider Item No. 41 out of order, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Khan out of the city on business. Council Members Holm, Garcia, Brown and Jones absent. MOTION 2008-0776 ADOPTED.

41. ORDINANCE approving and authorizing Interlocal Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Registration holds on vehicles with 1) Outstanding penalty for Photographic Traffic Signal Enforcement System Violations (a.k.a the Red Light Camera System), and/or 2) Outstanding warrants for failure to appear or failure to pay a fine for traffic moving violations; providing a maximum contract amount - \$340,000.00 General and DARLEP Funds – **(This was Item 23 on**

Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, HOLM, KHAN, LAWRENCE and JONES) – was presented.

Council Member Noriega moved postpone Item No. 41 until November 19, 2008, seconded by Council Member Sullivan. All voting aye. Nays none. Council Member Khan out of the city on business. Council Members Garcia and Jones absent. MOTION 2008-0777 ADOPTED.

CONSENT AGENDA NUMBERS 2 through 34

MISCELLANEOUS - NUMBER 2

2. RECOMMENDATION from City Attorney to allocate an additional \$120,000.00 to contract for litigation support services between the City of Houston and **BECK, REDDEN & SECREST, L.L.P.** in Civil Action No. 920297 filed in the County Civil Court at Law No. 1, Harris County, Texas entitled Southwestern Bell Telephone, L.P. d/b/a AT&T Texas vs. The City of Houston - CIP Salary Recovery Fund – was presented, moved by Council Member Garcia, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0778 ADOPTED.

DAMAGES - NUMBER 3

3. RECOMMENDATION from City Attorney for settlement of lawsuit styled **JESSICA FISKE** vs. City of Houston and Ronald Revis; in the 61st Judicial District Court of Harris County, Texas; Cause No. 2007-30232 - \$165,000.00 - Property and Casualty Fund – was presented, moved by Council Member Garcia, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0779 ADOPTED.

ACCEPT WORK - NUMBER 4

4. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$7,092,061.06 and acceptance of work on contract with **EAS CONTRACTING, L.P.**, for Miscellaneous Airfield Lighting Improvements, Generators and Generator Buildings at Ellington Field; Project No. 588, WBS A-000428-0001-4-01 - 7.947% over the original contract amount **DISTRICT E - SULLIVAN** – was presented, moved by Council Member Garcia, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0780 ADOPTED.

PROPERTY - NUMBER 5

5. RECOMMENDATION from Director General Services Department to appoint Stephen D. Duplantis and Gerald A. Teel, independent appraisers, in connection with the sale of 19.756 acres of land located on Lockwood Drive at Buffalo Bayou (former North Side Sewer Treatment Site) **DISTRICTS H - GARCIA and I - RODRIGUEZ** – was presented, moved by Council Member Garcia, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0781 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 12

6. **SANOPI PASTEUR, INC** for Yellow Fever Vaccine from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing

Program for the Health & Human Services Department - \$72,192.00 - Health Special Revenue Fund – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. MOTION 2008-0782 ADOPTED.

7. ORDINANCE appropriating \$83,664.00 out of Limited Use Roadway & Mobility Capital Fund for the Purchase and Installation of a Playground Equipment for the Super Neighborhood Action Plan (SNAP) Project - Bordersville Park Playground, WBS F-000719-0001-4 - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. ORDINANCE 2008-0926 ADOPTED.
- 7a. **GAMETIME** through the U.S. Communities Government Purchasing Alliance for Super Neighborhood Action Plan (SNAP) Project - Bordersville Park Playground for Parks & Recreation Department – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. MOTION 2008-0783 ADOPTED.
8. ORDINANCE appropriating \$433,109.72 out of Limited Use Roadway & Mobility Capital Fund for Construction of Walking Trails and Installation of Site Furnishings and Playground Equipment for the Super Neighborhood Action Plan (SNAP) Park Trail Projects, WBS F-000719-0002-4 **DISTRICTS B - JOHNSON; D - ADAMS and E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. ORDINANCE 2008-0927 ADOPTED.
- 8a. **ALL PLAY, INC** through the Texas Local Government Purchasing Cooperative for Super Neighborhood Action Plan (SNAP) Park Trail Projects for Parks & Recreation Department – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. MOTION 2008-0784 ADOPTED.
9. **SHI GOVERNMENT SOLUTIONS, INC** for Maintenance and Support Agreement for Novell Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Houston Police Department - \$415,631.40 - General Fund – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. MOTION 2008-0785 ADOPTED.
10. **PHILPOTT MOTORS, LTD.**, for Automobiles and Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC) for Department of Public Works & Engineering \$357,661.36 - Building Inspection Fund – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. MOTION 2008-0786 ADOPTED.
12. **PHILIP RECLAMATION SERVICES, HOUSTON, INC** for spending authority for Household Hazardous Waste Collection, Transportation and Disposal Services through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC) for Various Departments - \$1,625,000.00 - Storm Water Fund – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White absent. MOTION 2008-0787 ADOPTED.

13. RESOLUTION supporting the City of Houston's participation in a Waiver request of Local Match Participation to the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** to waive local match participation for the Federal Off-System Bridge Program administered by TxDOT **DISTRICTS A - LAWRENCE; B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. RESOLUTION 2008-0030 ADOPTED.
21. ORDINANCE approving and authorizing an agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**, and the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY** to finance certain public infrastructure improvements - **DISTRICT I - RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered. Mayor White and Council Member Lawrence absent.
25. ORDINANCE appropriating and transferring \$300,000.00 from the Hurricane Katrina Aid & Recovery Fund to the General Fund Fund Balance; appropriating and transferring \$300,000.00 from the General Fund Fund Balance to the Housing & Community Development Department's General Fund Expenditure Budget to fund relocation services for residents of apartment and condominium projects that are ordered vacated by the Building Official – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0928 ADOPTED.
26. ORDINANCE changing the name of **YORKTOWN PLACE** to **MILAN ESTATES - DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0929 ADOPTED.
27. ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on a proposed Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 503** involving the Towne Lake Management District; and on a proposal for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such district in Harris County; a proposal for the City of Houston to impose the City of Houston's Sales and Use Tax in such territory; providing for the publication of notice of such hearings; containing other provisions relating to the foregoing subject; providing for severability - **HEARING DATES - 9:00 A.M. - WEDNESDAY - NOVEMBER 5 and 12, 2008** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0930 ADOPTED.
28. ORDINANCE amending Ordinance No. 2003-802 as amended, to increase the maximum contract amount to contract 4600000767 (C55275) between the City of Houston and **HOUMA ARMATURE WORKS HOUSTON, LLC (formerly known as TOTAL POWER SYSTEMS, INC)** for Pump, Submersible-Large Repair Services for the Public Works and Engineering Department \$700,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0931 ADOPTED.
30. ORDINANCE appropriating \$3,598,010.00 out of Police Consolidated Construction Fund, approving and authorizing first amendment to Construction Management-at-Risk Contract (approved by Ordinance No. 2007-1359) between the City of Houston and **GILBANE**

BUILDING COMPANY for the construction of the HPD Qualification Pistol Range, WBS G-000088-0003-4; providing funding for engineering and testing services, Civic Art Program, Target System and contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0932 ADOPTED.

32. ORDINANCE appropriating \$519,422.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, WBS R-000266-0126-4; 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 business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0933 ADOPTED.
33. ORDINANCE appropriating \$3,100,581.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-000295-0020-4; 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 business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0934 ADOPTED.
34. ORDINANCE appropriating \$483,922.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES, GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, WBS R-000295-0021-4; 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 business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0935 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

11. **AZTECA SYSTEMS, INC** for Software Application and Maintenance Support Services for the Workorder Management System (Citywork) for Department of Public Works & Engineering \$110,000.00 - Enterprise Fund – was presented, and tagged by Council Member Jones. Mayor White and Council Member Lawrence absent.

RESOLUTIONS AND ORDINANCES

14. ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2008 – was presented. All voting aye. Nays none.

Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. ORDINANCE 2008-0936 ADOPTED.

- 14a. RECOMMENDATION from Director Finance that Council adopt a motion in conformance with the requirements of Section 26.05(b) of the Texas Tax Code – was presented. Mayor White and Council Member Lawrence absent.

Council Member Johnson presented the following written motion: “that property taxes be increased by the adoption of a tax rate of \$.63875 per \$100 of value”. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Member Lawrence absent. MOTION 2008-0788 ADOPTED.

15. ORDINANCE appropriating \$2,879,890.00 out of Police Consolidated Construction Fund and approving and authorizing a System Procurement Agreement between the City of Houston and **MOTOROLA, INC** for the Public Safety Radio System Project; authorizing the expenditure of grant funds in the amount of \$12,993,456.00; providing a maximum contract amount - was presented. Mayor White and Council Member Lawrence absent.

Council Member Holm stated that she was still wrestling with some of the funding mechanisms and the appropriations and where they were so she would tag the item; and Council Member Clutterbuck stated that she would add her tag to the item. Mayor White and Council Member Lawrence absent.

- 15a. ORDINANCE appropriating \$773,181.98 out of Police Consolidated Construction Fund and approving and authorizing Lease Agreement between the City of Houston and **2550 NORTH LOOP WEST LP**, for the Lease of Office Space at 2550 North Loop West relating to the Public Safety Radio System Project; providing a maximum contract amount – was presented, and tagged by Council Members Holm and Clutterbuck. Mayor White and Council Member Lawrence absent.

- 15b. ORDINANCE appropriating \$100,000.00 out of Police Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **MILLER & VAN EATON, P.L.L.C.** for Legal Services relating to the Public Safety Radio System Project; providing a maximum contract amount – was presented, and tagged by Council Member Holm. Mayor White and Council Member Lawrence absent.

- 15c. ORDINANCE appropriating \$137,877.34 out of Police Consolidated Construction Fund for Purchase of Furniture, Information Technology Equipment and Security Equipment for the Public Safety Radio System Project – was presented, and tagged by Council Member Holm. Mayor White and Council Member Lawrence absent.

- 15d. **CONTRACT RESOURCE GROUP, LLC** for Office Furniture from the State of Texas Procurement and Support Services Contract for the Information Technology Department - \$80,991.54 – was presented, and tagged by Council Member Holm. Mayor White and Council Member Lawrence absent.

16. ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services related to Tourism and Economic Development Programs on behalf of the Convention and Entertainment Facilities Department and Houston Airport System; providing a maximum contract amount - 3 Years \$300,000.00 - Enterprise Funds – was presented. Mayor White and Council Member Lawrence absent.

After discussion by Council Members, Council Member Sullivan stated that Mr. Bob

Mitchell, President of BAHEP, Bay Area Houston Economic Partnership, was present in the audience, and he appreciated what Mr. Mitchell and the membership did for the region. Mayor White and Council Members Lawrence and Johnson absent.

A vote was called on Item No. 16. All voting aye. Nays none. Council Member Khan out of the city on business. Mayor White and Council Members Lawrence and Johnson absent. ORDINANCE 2008-0937 ADOPTED.

17. ORDINANCE approving and authorizing contract between the City of Houston and the **TEJANO CENTER FOR COMMUNITY CONCERNS, INC** to provide \$500,000.00 in Community Development Block Grant Funds for Renovation/Expansion of the Raul Yzaguirre School for Success located at 2950 Broadway Blvd - **DISTRICT I – RODRIGUEZ** – was presented. Mayor White and Council Members Lawrence and Johnson absent.

After discussion by Council Members. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Johnson absent. ORDINANCE 2008-0938 ADOPTED.

18. ORDINANCE approving and authorizing an agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER FIVE, CITY OF HOUSTON, TEXAS (MEMORIAL HEIGHTS ZONE)**, and the **MEMORIAL HEIGHTS REDEVELOPMENT AUTHORITY** to finance certain public infrastructure improvements - **DISTRICTS A - LAWRENCE; D - ADAMS; G - HOLM and H – GARCIA** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Johnson absent. ORDINANCE 2008-0939 ADOPTED.

19. ORDINANCE approving and authorizing an agreement between the City of Houston, Texas, and **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE)** to finance certain public infrastructure improvements - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Johnson absent. ORDINANCE 2008-0940 ADOPTED.

20. ORDINANCE approving and authorizing an agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)**, and the **OLD SIX WARD REDEVELOPMENT AUTHORITY** to finance certain public infrastructure improvements - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Johnson absent. ORDINANCE 2008-0941 ADOPTED.

22. ORDINANCE approving and authorizing contract between the City and **MAXIMUS FINANCIAL SERVICES, INC** for Cost Allocation Plan Services for the Department of Finance; providing a maximum contract amount - 3 years with two one-year options - \$298,461.00 - General Fund – was presented, and tagged by Council Member Jones. Council Member Johnson absent.

23. ORDINANCE approving and authorizing contract between the City of Houston and **SABINE AND MORRISON, RANDAL R. MORRISON**, Attorney at Law, for Legal Services relating to Sign Regulation and Public Forum Issues; establishing a maximum contract amount - \$200,000.00 Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Johnson absent. ORDINANCE 2008-0942 ADOPTED.

24. ORDINANCE approving and authorizing contract between the City of Houston and **CAMPBELL & CHADWICK, P.C.** for Expert Witness Services, providing a maximum contract amount \$95,000.00 - Property and Casualty Fund – was presented. Council Member Jones voting no, balance voting aye. Council Member Khan out of the city on business. Council Members Johnson and Rodriguez absent. ORDINANCE 2008-0943 ADOPTED.
- 25-1. ORDINANCE making certain findings and providing assurances to the United States of America in connection with any removal by the City of disaster-generated debris from private property in the public interest – was presented.

Council Member Lawrence stated that they were making some allowance, it was her understanding, to protect FEMA on private property and asked why did they not include the City of Houston in the ordinance so if Solid Waste went on private property, and Mr. Michel stated that what they were doing in this order was trying to address FEMA requirements to be able to obtain debris in certain instances where it may be in the backyard or much further, and thought the issue that came up at Council last week about being able it made no sense to force people to continue to push debris on the streets so that it was contiguous, that he spoke with the Director of Solid Waste and they did haul all of that, that this item would be for other, perhaps limbs in the backyard where they may have seniors or disabled people, that these were the requirements that FEMA asks them to do in order to be eligible for federal reimbursement, that as part of that they also make the finding that this was a disaster and it was in the public interest to remove it, so he thought that this would cover them independent of FEMA from what the City needed to do, that it provides that finding that it was in the public interest to remove the information, that he thought the language they had now was sufficient, and Mayor White asked Mr. Michel if he could get a more formal response going forward, did they need additional legal protection for their own City employees, and he thought there had been some discussion, that Mr. Hayes stated, with various people about this very issue, that the idea was that City employees were immune but he should check on that, and Mr. Michel stated that they would show it was either adequate or they would come forth with a new ordinance that would strengthen the immunities that their employees had and the City also, that they would do that right away and if there was a need for an ordinance they would have it next week. Council Members Johnson and Clutterbuck absent.

A vote was called on Item No. 25-1. All voting aye. Nays none. Council Member Khan out of the city on business. Council Members Johnson and Clutterbuck absent. ORDINANCE 2008-0944 ADOPTED.

29. ORDINANCE appropriating \$2,000,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 2 to Contract between the City of Houston and **HNTB CORPORATION** for On-Call Planning Services with the Houston Airport System, WBS A-000368-0002-3-01 - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. Council Members Johnson and Clutterbuck absent.

After discussion by Council Member Brown a vote was called on Item No. 29. All voting aye. Nays none. Council Member Khan out of the city on business. ORDINANCE 2008-0945 ADOPTED.

31. ORDINANCE appropriating \$375,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **COBB FENDLEY & ASSOCIATES, INC** for Technical Assistance for Interagency Project Reviews (approved by Ordinance No. 07-0028), WBS N-000668-0011-3; providing funding for contingencies relating to construction of facilities

financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; D - ADAMS; G - HOLM; H - GARCIA and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. ORDINANCE 2008-0946 ADOPTED.

NON CONSENT AGENDA - NUMBERS 35 through 38

MISCELLANEOUS

35. MOTION to set a date not less than seven (7) days from October 22, 2008 to receive nominations for Position 7 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two-year term – was presented.

Council Member Garcia moved to set Wednesday, October 29, 2008 to receive nominations for Position 7 on the Port of Houston Authority of Harris County, seconded by Council Member Rodriguez.

Council Member Adams requested that they attached the attendance records of the nominees to their resumes for all future appointments.

A vote was called on Council Member Garcia's motion to set a date to receive nominations. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0789 ADOPTED.

36. MOTION to set a date not less than seven (7) days from October 22, 2008 to receive nominations for Position 10 on the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two-year unexpired term that will end on March 1, 2010 – was presented.

Council Member Garcia moved to set Wednesday, October 29, 2008 to receive nominations for Position 10 on the Houston Archaeological and Historical Commission Board of Directors, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0790 ADOPTED.

37. **SET A HEARING DATE** regarding amendments to the Project and Financing Plan for **TAX INCREMENT REINVESTMENT ZONE NUMBER NINETEEN (UPPER KIRBY ZONE) DISTRICTS C - CLUTTERBUCK and G – HOLM - SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - OCTOBER 29, 2008** – was presented.

Council Member Garcia moved to set 9:00 a.m. Wednesday, October 29, 2008 for a hearing regarding amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Nineteen (Upper Kirby Zone), seconded by Council Member Lovell. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0791 ADOPTED.

PURCHASING AND TABULATION OF BIDS

38. RECOMMENDATION from Purchasing Agent to make the following awards for Safety Equipment and Supplies for Various Departments - \$2,475,189.56 - General and Enterprise Funds:
- SECURITY SAFETY & SUPPLY, INC** - \$52,289.97
 - SAFETY SUPPLY, INC Bid I** - \$170,081.25
 - SAFETY SUPPLY, INC Bid II** - \$1,637,793.62

GLOBE ELECTRIC CO., INC - \$350,000.00
ADVANCED RESCUE SYSTEMS - \$265,000.00

COUNCIL DRAW LOTS

GROUP I, Item No. 34 (earplugs), due to receiving identical bids from **SAFETY SUPPLY, INC Bid II** and **SECURITY SAFETY & SUPPLY, INC** in the amount of \$24.72

- was presented, and Council Member Holm, drew Security Safety & Supply, and Council Member Garcia moved approval of the recommendation, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0792 ADOPTED.

MATTERS HELD - NUMBERS 39 through 45

39. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering to amend the Planning Commission recommendation for "Kirby 1" segment by reclassifying Kirby Drive between the Southwest Freeway and Bissonnet Street as a 95-foot-right-of-way principal thoroughfare – **(This was Item 3 on Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. MOTION 2008-0793 ADOPTED.

39-a. Motion by Council Member Sullivan/Seconded by Council Member Khan to refer back to the administration the Mills Branch application, Parts 1 through 4 of Item 39B below:
Note: Question was divided on 10/15/08 – **(TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented.

After discussion by Council Member Brown, Mayor White stated that he agreed with Council Member Brown that they had to be good partners with the Planning Commission and Montgomery County and it very well could be that after some review of this that they would ask the Planning Commission to take further action on it, that it was true that it had been the policy of the administration and would continue to be the policy of the administration that whether it be the Mayor or other elected officials, including City Council Members, that they would not relinquish right-of-ways and public rights that were created by a thoroughfare plan, that was a public right of long standing, and the Council Members had been a great advocates of planning and look out and know what people were thinking about in the future, that a major thoroughfare plan was an example of that, that in this case it was very unusual in certain respects, number one, they were not dealing with a relinquishment of a right that was in a long standing planning document, but instead they were dealing with people actually redrawing the thoroughfare which had been in the long term plan of the thoroughfare plan, so they were not dealing with somebody asking them to relinquish a right that the public had in order to prevent traffic in one area of the City or another; that number two, the administration and the staff of the Planning Commission took the position that the proposed change was not appropriate, that there were a lot of brains on the Planning Commission and they deeply respected the service of everybody on the Planning Commission and he would say that nobody was deciding the fate of it by the action today, it was only to reconsider; number three, this was apparently the topic of some lobbying by a County Commissioner in Montgomery County, that if he was going to discourage Members of the City Council from calling Members of the Planning Commission to try to influence a decision concerning relinquishment of a right-of-way then it was hard for him to understand the views of somebody, who was an elected official outside the city limits, would have more weight than some of theirs, that he restrains himself from lobbying individual

Members of the Planning Commission about individual items, he does not take offense at that restraint and neither should any Commissioner in Montgomery County.

After further discussion a vote was called on Item No. 39-a. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Holm absent. MOTION 2008-0794 ADOPTED.

39-b. MOTION by Council Member Khan/Seconded by Council Member Garcia that the recommendation of the Director of the Planning and Development Department, relative to amendments to the 2007 Major Thoroughfare and Freeway Plan, be adopted, and amendments to the 2007 Major Thoroughfare and Freeway Plan (MTFP) are hereby approved by the City Council and authority is hereby given to publish the 2008 Major Thoroughfare and Freeway Plan in map form as amended by Motion Numbers 2008-0793 and 2008-0794 – **(This was Item 3A on Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBER RODRIGUEZ)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Holm absent. MOTION 2008-0795 ADOPTED AS AMENDED

40. ORDINANCE **AMENDING SECTION 105 OF THE CITY OF HOUSTON FIRE CODE**, relating to Permit Fees; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability – **(This was Item 14 on Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Holm absent. ORDINANCE 2008-0947 ADOPTED.

42. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Texas Parks & Wildlife Department (TPWD) Urban Outdoor Recreation Grant Program, administered by the State of Texas, to support the Sylvester Turner Park Phase III Improvement Project; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT A - LAWRENCE** – **(This was Item 28 on Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Holm absent. ORDINANCE 2008-0948 ADOPTED.

43. ORDINANCE approving and authorizing agreement between the City of Houston and **JPMORGAN CHASE, N. A.** for Check Processing, Validation and Imaging Services for the Municipal Courts Administration Department - **DISTRICT H – GARCIA** – **(This was Item 29 on Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBERS KHAN and GARCIA)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Holm absent. ORDINANCE 2008-0949 ADOPTED.

44. ORDINANCE relating to the Retail Electric Rates of **ENTERGY TEXAS, INC** within the City of Houston, Texas; approving a settlement agreement relating to an increase in Entergy Texas, Inc's rates - **DISTRICT E - SULLIVAN** – **(This was Item 30 on Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBER BROWN)** – was presented. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Holm absent. ORDINANCE 2008-0950 ADOPTED.

45. ORDINANCE approving and authorizing agreement between the City of Houston and **MCGLINCHEY STAFFORD, P.L.L.C.** for Legal Services relating to Cause No. 2008-51588; City of Houston v. Candlelight Condo Investments, LLC et al.; in the 270th Judicial

District Court of Harris County, Texas; providing a maximum contract amount - \$320,000.00 - Property and Casualty Fund - **DISTRICT B - JOHNSON – (This was Item 31 on Agenda of October 15, 2008, TAGGED BY COUNCIL MEMBER GREEN)** – was presented.

Council Member Green stated that he believed this was a tool they could use more frequently with great result, but he thought, and he spoke with Mr. Michel, City Attorney, that they needed to build capacity within the Legal Department for these types of things, that just in today's agenda they probably had \$500,000 in outside legal work, but he did not think they could have an expert in every field, but thought things that would become tools that they could use over and over again they probably needed to make the investment in the Legal Department to get them staffed up, whether it was a couple of attorney's who could do this type of work along with paralegals, but he thought that although they may be getting good services from McGlinchey Stafford he did believe any time they had outside Counsel it may slow up the process a little bit more, so his suggestion was that for the next budget cycle that they really look at beefing up and make some long term commitments to the Legal Department.

Mayor White stated that he agreed with Council Member Green, that they would not wait until Mr. Michel, Ms. Taylor and others, that this sentiment had been expressed both publicly and privately to him by various Members of City Council, people representing a broad consensus of the Members of City Council, that they did authorize, a couple of months ago, a plan that allowed them to be a little bit more competitive during the current fiscal year, with a recommendation for next fiscal year as well, within the Legal Department, and asked Mr. Michel if they needed to get somebody who had tried cases to judgment, that they did not need to be big cases, that he thought they could use a few more of those and it would save some legal fees, and Mr. Michel stated that the had hired two such people recently and he agreed with Council Member Green and Mayor White's sentiments and that was exactly what they were doing right now.

A vote was called on Item No. 45. All voting aye. Nays none. Council Member Khan out of the city on business. Council Member Holm absent. ORDINANCE 2008-0951 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Jones stated that the survivor challenge was this weekend and the whole thing was to raise money for the Buffalo Bayou Partnership and the U'jana Conley Foundation for SIDS and would encourage them to come out; that her staffer, Ms. Michele Phillips attended the Women Contractor Association's reception and it was a wonderful event; that she attended the Green Gala at the River Oaks Country Club which was fabulous; that on behalf of Mayor White she read a proclamation at the Dominica 30th Independence Day Celebration and the Office of Protocol was wonderful; that she wanted to wish a Happy Birthday to her staffer E. B. Allen, that she was really valuable to their office; that they attended the House of Blues grand opening that it was a wonderful event and she thought it would have a positive impact. Council Members Garcia, Rodriguez, Noriega and Green absent.

Council Member Sullivan stated that the District E office was still receiving compliments about debris removal and the performance of the City and all of it's employees post Hurricane Ike, that he wanted to compliment everyone who had a hand in getting them to that milestone date of October 18; that he wanted to thank the Houston Parks and Recreation Department and Clark Condon and Associates for their work on a proposed Master Plan for Sylvan Rodriguez Park, that they were going to have a public meeting tomorrow night at the University of Houston Clear Lake at 6:30 p.m. and the public was invited, that they would roll out the Master Plan and receive public input. Council Members Garcia, Rodriguez, Noriega, Green and Jones absent.

Council Member Lovell stated that on October 23, 2008 they would be having a TIA Committee meeting, that there would be a presentation and consideration of a proposed Airport Compatible Land Use Regulations and maps for George Bush Intercontinental, Hobby and Ellington Airports and also amendments to the International Building Code and Residential Building Codes; that yesterday they were proud of the Houston Parks and Recreation Department who was granted accreditation status from the National Parks and Recreation Association CAPRA Accreditation Program, that it was a gold standards that Parks and Recreation Departments across the Country strive for and out of the 10 largest cities Houston was the only one who applied for it and it was granted; that Yellow Cab was partnering with Vote Now Houston to provide free rides, up to \$25 each way to and from polling places, if they were interested they could call 713-428-5880; that October 24, 2008 was Acupuncture and Oriental Medicine Day; that she wanted to say thank you to Francisco Castillo who was on the Mayor's Youth Council. Council Members Clutterbuck, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that she wanted to say thank you to everyone on Council, that they raised \$820 for the bowl-a-rama, that they had a number of people participate who were not made up of Council teams, they were just trying to work for CMC; that she wanted to announce the winners, that Council Member Rodriguez's team, "Dudes Where's My Ball" and the non Council team that won was the Fire Department, "Pipes and Hoses", that City Council had raised \$7,513.00 and their goal was \$10,000; that the auction was wide open to anybody, not just City employees, that they could go to www.HoustonCMC.org; that on Thursday they would be having a Regulations Development and Neighborhood Protection meeting at 2:00 p.m. in the Council Chamber. Council Members Clutterbuck, Sullivan, Garcia, Rodriguez, Brown, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Johnson stated that on October 23, 2008 at the Houston Airport Systems he would be hosting a Proximity to Opportunity where they would be pairing subcontractors with prime contractors as they look at the expansion program of Terminal B a \$1.2 billion new expansion program, that if there were any contractors out there who wanted to participate in the program they could call his office at 832-393-3009; that on Saturday at the Acres Homes Multi Service Center he would be hosting a State of the District address for District B beginning at 8:30 a.m. where they would highlight all of the success of District B. Council Members Clutterbuck, Sullivan, Rodriguez, Noriega, Green and Jones absent.

Council Member Garcia stated that this weekend they had the Bayou City Art Festival, that their City was visited by the Society of Traveling Writers, that they commented that they could not believe it was the same City that they were watching on the news because of Hurricane Ike; that they were impressed with the City; that he wanted to thank John Kuo and Aldo Razani with Public Works, they had the meeting for the North Main Reconstruction Project, that if they had any questions on the schedule of the reconstruction to call his office so they could give them the right information; that he wanted to thank the Denver Harbor Community for not relaxing and were getting ready to start the next Denver Harbor CERT Class, which would start today and would be held at the Denver Harbor Multi Service Center at 6:00 p.m., and he wanted to thank Andres "Gunny" Ortiz for his leadership in that regard; that the Fire Museum was presenting it's Fire Fest 2008 on Saturday from 10:00 a.m. to 5:00 p.m., that it was free admission and would be held at the Val Jahnke Training Facility at 8030 Braniff, off of Telephone Road, that he wanted to thank the Houston Firefighters for risking their lives and helping to keep Houston safe. Council Members Johnson, Clutterbuck, Sullivan, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that he had an opportunity to speak before the First Montrose Commons Civic Club, which was the area bounded by Richmond, West Alabama, Montrose and Spur 527, that it was 300 homes and clearly defined by major streets, that it was

a beautiful, walkable and memorable place like many neighborhoods in Houston but was slowly being destroyed by haphazard irresponsible development; that the home owners were applying for historic district designation, which was going very slowly, that he shared the concern of the citizens for what they saw as the destruction of their traditional neighborhood, so what could the City do; they had not met with anybody from the Planning Department; the historic designation should proceed and hopefully they could work on having that extended waiting period for demolition, it was an important new addition to the Historic Preservation Ordinance; a discussion should take place with HISD right now regarding the future use of the HSPVA site because they were going to move; and a workshop could be convened to discuss the creation of a planned district, a traditional neighborhood district which they really needed with development guidelines contained in a pattern book, similar to what they did in the Old Sixth Ward; that he intended to speak with Marlene to see if they could help these folks. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that there were mechanisms by which individuals who wished to improve restrictions on the development of their property could do so, the tension was when somebody who was a resident did not want the restrictions that their neighbor wanted on their property imposed on their property, so mediating that conflict of rights as well as continuity and change in a way that also meets a market demand was one of the hardest tasks they came into. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that she wanted to commend Mayor White for meeting with Matten Elementary After School Program and answering their questions, that it was a great After School Program; that she wanted to thank her staff for participating in the Rebuilding Together Houston event this past Saturday, that the home being repaired was in the South Union Community so she wanted to thank them for stepping up; that she wanted to thank Dr. Ed Montgomery and Minister Sandra Montgomery of the Abundant Life Cathedral Church, that she was a finalist for the "You Women in the Now Award" for women just doing great things in the community, that she was one of their honorees on Saturday; and also the New Beginnings Church, for allowing her to receive their prestigious award of the "2008 Woman of Distinction and Community Service Award" that they provided to her on Saturday; that she wanted to give kudos to Christopher Banks of her staff for helping the Near Town Association in the Montrose area for putting together a Near Town Association Development Forum, that she wanted to thank Council Members Brown and Lovell for their presence on Saturday, they had over 50 community leaders present, that they came up with many ideas on how to work with the density in their community with the rail coming, that she wanted to thank the Planning Department for their assistance; that last night she presented a proclamation to Dr. Reverend Marcus Cosby, who was honored for the opening of the Wheeler Avenue Christian Academy, they would begin their school year from pre K to third grade; that last Friday she served as "Principal for a Day" at Sequin Elementary School, that she had the opportunity to shadow Principal Angie Miranda and it was a great experience; that she wanted to congratulate the South Park Community for the two parks that would be receiving playground equipment, Saint Lo Park and South Crest Park; that today at 2:00 p.m. they would have a Hurricane Ike Debris Removal Committee meeting; that McGregor Park opened and they had a lot of top of the line exercise equipment and they put her to a challenge and starting next week it was going to be Fitness with Council Member Adams beginning at 5:00 a.m., that they were going to workout and run, that it was to highlight McGregor Park; that she was asking them to come to the first floor of the City Hall Annex and help her raise funds for the Heroes Program. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Garcia, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:54 a.m. Council Member Khan out of the city on business. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Garcia, Rodriguez, Noriega, Green and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary