

City Council Chamber, City Hall, Tuesday, November 17, 2009

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, November 17, 2009, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Edward Gonzalez, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director present. Council Member Anne Clutterbuck out of the city on city business.

At 1:59 p.m. Vice Mayor Pro Tem Lovell called the meeting to order and stated that Council Member Gonzalez would begin presentations. Mayor White, Council Members Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Rodriguez, Brown and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Gonzalez stated that the Planning and Development Department established the Neighborhood Leadership Institute in 1996 and it had become extremely popular with community organizers citywide, part of what made it so successful was talking with those who knew how to get things done; that now over 300 community leaders had graduated and former Council Member Ada Edwards kicked off this years Neighborhood Leadership Institute which was knowledgeable and informative and acknowledged staff of Council Members Johnson and Adams who participated and invited Council Member Adams to acknowledge graduates of this years class who were present and Council Member Adams presented a Proclamation to the 11th graduating Class and proclaimed today as "Neighborhood Leadership Institute Day" in Houston, Texas. Mayor White, Council Members Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that it was an honor to present an award for HERO, an acronym for Houston Employee Relief Organization, and invited those present involved in this to the podium; that in the Fall 2007 Mayor White came up with an idea and it was created in November with \$10,000 the City of Houston raised at the City of Houston Birthday Bash, it was a 501(c)3 organization which gave assistance to survivors of any municipal employee killed while doing his or her job, providing them financial assistance to help defray costs associated with funeral and family needs and granting funds for continued education of dependent children and the organization was patterned after the 100 Club; that her husband, Bob Lawrence, headed the first group and in one month an employee was sadly killed, Harold Norwood, and 14 employees had been killed in the past 20 years while at work; that HERO demonstrated how much the city valued employees loved ones; and presented a Proclamation proclaiming today as "HERO Day, Houston Employees Relief Organization Day" in Houston, Texas; and Mayor White thanked Mr. Lawrence and all connected to the organization. Council Members Sullivan, Khan, Holm and Jones absent.

Mr. Harry Hayes, Director of Solid Waste, stated that he was fortunate to serve as the first tournament chairman for the HERO event and presented more than \$76,000 to the fund; and again Houston was first in having a 100 Fund for municipal employees; and thanked Mayor White for helping Houston to be a World Class City. Mr. Lawrence introduced members of the board. Council Members Sullivan, Khan, Holm, Rodriguez and Jones absent.

Council Member Noriega thanked all for making this a priority and all employees who had to head out and work when things were bad and others were hunkering down in their homes. Council Members Sullivan, Khan, Holm and Rodriguez absent.

Council Member Lovell stated that there were City Hall employees who got together and jumped out of an airplane on Veterans Day and they called themselves the "City Hollers"; that they were scared and anxious but encouraged one another and 30 jumped as a team and William Paul was the first one out and city employees conquered their fears and just did it and that was why they were excellent employees; a "City Holler" autographed T-shirt and official memory book was presented to Mayor White. Council Members Sullivan, Holm and Jones absent.

Council Members Lawrence, Khan, Rodriguez, Adams, Gonzalez and Jones congratulated all on their accomplishment. Council Members Sullivan and Holm absent.

At 2:34 p.m. Council Member Johnson called on Council Member Jones who invited Pastor Elmo Johnson with Rose of Sharon Missionary Baptist Church to lead all in prayer and Council Member Jones led in the pledge of allegiance. Mayor White and Council Member Brown absent. Vice Mayor Pro Tem Lovell presiding.

At 2:36 p.m. Vice Mayor Pro Tem Lovell requested the City Secretary call the roll. Council Member Clutterbuck out of the city on city business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Council Members Khan and Rodriguez moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Mayor White and Council Member Green absent. Vice Mayor Pro Tem Lovell presiding. MOTION ADOPTED.

At 2:37 p.m. Vice Mayor Pro Tem Lovell requested the City Secretary to begin calling public speakers. Mayor White and Council Member Green absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Charles Foster, 600 Travis #2000, Houston, Texas 77002 (713-335-3904) appeared with someone at the podium; and the City Secretary stated that under the Rules of Council only one person was allowed at the podium; and Mr. Foster asked for consent for his co-chair to stand with him. Mayor White and Council Member Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Noriega moved the rules be suspended for the purpose of allowing Mr. David Jones to remain at the podium with Mr. Charles Foster, seconded by Council Member Khan. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Mayor White and Council Member Green absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0825 ADOPTED.

Mr. Charles Foster stated that he and Mr. David Jones co-chaired the James Baker Statue Coordinating Committee and were present with a gift, Houston citizens raised money to give to the city as well as a proposal to change the name of the Common to Baker Common in a part of Sesquicentennial Park with the basis being great cities had great art; and this statue recognized four generations of Bakers. Mayor White and Council Member Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Khan stated that Mr. Foster should continue; and Mr. Foster stated that the Baker's grandfather was instrumental in bringing the railroad to the City of Houston; and thanked the Mayor's Office, and all who were instrumental in this project; and Council Member Khan stated that all should support the program whole heartedly and they had done well in supporting Houston's heroes. Council Member Green absent.

Council Member Lovell stated that he spent much time getting money for statues in the City of Houston and she was so pleased; that also James Baker's grandmother was actually the one who started what was now Ripley House and they had deep roots in this city, they had given a lot. Council Member Green absent.

Council Member Holm thanked all involved in the project for bringing recognition to Houston and part of why Houston was the city it was, was because of the Baker family. Council Member Green absent.

Mayor White thanked all and stated that he would support the project as a public official and as a private citizen, this was part of the history of this city. Council Member Green absent.

Ms. Deborah Shafto, 7260 Santa Fe, Houston, Texas 77061 (713-641-2815) appeared and stated that she was one who had to collect many signatures to run for Council and it was not easy, they had much interference from HPD and they were assured by the chair, Pro Tem, that actions would be taken within the department, but today she was requesting a letter which could be duplicated, signed by the Mayor, stating they had the right to collect signatures in all areas of the city as they were free speech areas. Council Member Green absent.

Mayor White stated to the Legal Department that he believed there were policy decisions and they should be compliant with the constitution, it was not proper in his public meetings to deliberate what they should be around the Council table, however, it was customary to have an appropriate and reasonable place for restrictions as they did in Aviation and other facilities. Council Members Noriega, Brown, Lovell and Green absent.

Council Member Jones stated that to review Ms. Shafto wanted a letter in hand in case there was a misunderstanding and law enforcement tried to stop her she could show them that letter; and Ms. Shafto stated that was correct, she did not want a confrontation with police; and Council Member Jones stated that she would try and follow up. Council Members Brown, Lovell, Noriega and Green absent.

Ms. Ada Edwards, P. O. Box 1564, Houston, Texas 77251 (832-393-0977) had reserved time to speak and Council Member Adams moved the rules be suspended for the purpose of allowing Ms. Maureen Haver to speak in place of Ms. Ada Edwards, seconded by Council Member Khan. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Members Brown, Lovell, Noriega and Green absent.

Ms. Maureen Haver who appeared, presented information and stated that she was with Texans Together and present at the request of Ms. Ada Edwards who wanted her to share with Council a project they were working on in partnership with the Health and Human Services Department and she wanted to thank Council Member Khan for his support of the project, he was there at kickoff and thanked Council Member Jones who was there in Alief supporting their efforts; that the Apartments as Communities Project was important and she would be asking for Council's continued support; that they started in Alief whose neighborhood had the highest crime rate and over 40% taking place in apartment complex premises; that they were working to help families in transition and converted a three bedroom apartment into a resource center and children went daily to get help with homework and had a computer lab and they were connecting parents with stabilizing social services and bringing services to the apartments; and urged Council Members to help support by introducing them to other organizations who could help with support or entering into a formal partnership, this would help prevent crime and increase education. Council Members Brown, Lovell, Noriega and Green absent.

Council Member Jones stated she supported them as she had two family members killed on the southwest side and a friend murdered and Texans Together did not use the life they

were born into to define who they were as adults. Council Members Gonzalez, Rodriguez, Lovell and Noriega and absent.

Council Member Khan expressed a special thanks to Director Williams who was a wonderful person, involved in the community and supported such projects and he thanked all involved in the project; and upon questions, Ms. Haver stated that they identified top needs and concerns of residents and then outfitted the resource center through soliciting donations and had a children's library now and they wanted to scale this and take it to other neighborhoods with high crime. Council Members Gonzalez, Rodriguez, Lovell and Noriega and absent.

Upon questions by Council Member Brown, Ms. Haver stated that Texans Together had been around 2-1/2 years and she was the first director of programming and brought the structure from the ground up with support of Fred Lewis their founder and president who was based in Austin. Council Members Lawrence, Johnson, Sullivan, Rodriguez, Lovell and Noriega absent.

Mayor White stated that Genesis was work Mr. Butler had done in the community bases all across the world, he was sharing experience and Ada Edwards had devoted much time and attention; that here they were creating a neighborhood they could scale up and everyone would be better off if they considered themselves a community and not a bunch of people living in the same place. Council Members Lawrence, Johnson, Sullivan, Lovell and Noriega absent.

Upon questions by Council Member Brown, Mayor White stated that Randy had an idea and was able to raise funds and Ada had a lifetime of experience and this was not a half baked idea and Maureen was present as they wanted Council Members to understand a seed had been planted and was growing and it would be up to others beside his office and those he enlisted to keep it growing; and Ms. Haver urged all Council Members to follow up with her to be sure they had collaboration from the private and public sectors. Council Members Lawrence, Johnson, Sullivan, Lovell and Noriega absent.

Council Member Adams thanked Ms. Haver for coming and stated that she was glad the Health Department was partnering, in the Sunnyside Area they had the same type program with Jean Gabriel, producer and host of TBN, who was in several apartment complexes and had raised her own support and every summer she partnered with local churches for summer youth programs and she and Jean should meet. Council Members Lawrence, Johnson, Sullivan and Lovell absent.

Council Member Jones stated that in the 2009 budget she requested an amendment to give Texans Together \$15,000; and Ms. Haver stated that had been withdrawn. Council Members Lawrence, Johnson, Sullivan and Lovell absent.

Mr. Don Cook, 7954 Glenheath, Houston, Texas 77061 (713-705-5594) appeared and stated that there was confusion as he only wanted one minute to speak, but he thanked Ms. Shafto who already spoke on his topic which was that in August he was given a citation while petitioning to file for At Large, Position 1 which was now dismissed, but he was still concerned about policies of free speech in the City of Houston; that last time he was present two pledges were made, one concerning police training in the matter and the other for possible revision of Parks regulations in clarification; that apparently there was no resolve as he had understood he would be contacted. Council Members Lawrence, Johnson, Sullivan and Lovell absent.

Mayor White stated that he gave direction to the Legal Department to develop policies within the Parks and Recreation Department which would be compliant with the Constitution regarding a reasonable time and place and it was not customary there be a formal letter, but he would give instruction that upon adoption there be a place for all citizens to see on the website

of the Parks and Recreation Department and then all citizens would have access to the same information and be able to download it. Council Members Lawrence, Johnson, Sullivan and Lovell absent.

Ms. Deborah Elaine Allen, P. O. Box 26325, Houston, Texas 77207 (832-292-5203) appeared and stated that people with felonies were people who never grew up yet; that the Bible said when an adult put away foolish and childish things; that criminals should be set free if time served or paid bond it should be erased off records, they should not be held accountable if they paid their dues; and continued expressing her personal opinions until her time expired. Mayor White, Council Members Lawrence, Johnson and Sullivan absent. Vice Mayor Pro Tem Lovell presiding.

Vice Mayor Pro Tem Lovell stated that Lt. Gallier was present and any questions having to do with the Houston Police Department he could answer for her. Mayor White, Council Members Lawrence, Johnson and Sullivan absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Sammie Jones, no address given (no phone number given) appeared and stated that he had three complaints against three departments, one was Citizens Assistance on Remington and Cullen Boulevard, he had been there three times and given misinformation about the office; that signs pointed to office space behind Harris County Probation and he was told the office was closed and out of the building but there were still signs needing to come down and it led into a confrontation between him and them as he knew the office was still there; that he then went to El Franco Lee's Office and asked for him to investigate the situation and give him assurance if he went back he would not be harassed; that his second complaint was against HPD, he sat in Council and was harassed by police and his comb and some money were not returned to him and neither was a document he printed at the library regarding comments a U. S. Congressman had made. Mayor White, Council Members Lawrence, Johnson, Sullivan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams stated that CAO was the reason she sat at the Council today, it was where she started, Ms. Solis did a wonderful job but he was correct they were hardly at that office because they were in the field; that she commended them for their work and when she was there she encouraged constituents who wanted to see her was to call the number posted and ask Ms. Solis for an appointment with her. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Jones stated that he did not know exactly how much money he had, some dollars and some change, but it was not given back; that he did not know who arrested him but they were in squad cars, he had not filed complaint; and Council Member Jones stated that if that happened he should file a complaint so it could be investigated. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Rubie Dixon, 5105 Airline Drive, Houston, Texas 77002 (713-691-0191) appeared and stated that Houston was the number one accessible city in America thanks to Mayor White and it was a legacy to build upon, they wanted to get better and better each year; that recently she spoke on interpreters for the deaf community and it was still important and she spoke on transportation the disabled desperately depended upon, but today she was present because during time of disaster or hurricane they wanted to be sure Houston had forms of transportation for them, recently they started the 211 Plan and she wanted to implement the 211 Plus Plan for individuals in their homes who could not survive without electricity and concerning METRO lift transportation she spoke with Mr. Jackson recently and he would be at a meeting tomorrow as

their guest speaker, he assured them METRO wanted to work with the community and solve important issues they were confronted with such as the 1010 policy, etc. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Ms. Dixon for coming and for all that she did in leading the way for persons with disabilities and Mr. Steven Brown was present with METRO and could meet her at her seat to discuss what they wanted to do; that she too wanted to know the plans to help those in need in the midst of disaster; and upon questions, Ms. Dixon stated that the 211 number was down for awhile and she believed they needed to talk on such issues and come up with a system reliable in such times. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Michael Champion, 6 Burress, Houston, Texas 77022 (713-691-1721) appeared and stated that he agreed with Ms. Dixon and what he wanted was METRO kept consumers on the bus very late trying to get picked up and the city needed to make sure that they could get picked up on time and they should not have to sit on the bus 2 to 4 hours and Art Jackson should be over all of METRO like Jim Lawson was. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that Mr. Brown with METRO was present and would speak with Ms. Dixon and him at this time. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that if people needed METRO Lift they were constituents with special needs and she did not understand why anyone would have to wait 2 or 3 hours on a bus, it was not dignified, and she would like to be a part of this and wanted to be notified of the meeting so she or a staff person could attend. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams stated that Mr. Jeff Anderson, Director of the Mayor's Office, People with Disabilities, was present and when he got opportunity to meet with METRO on issues of disaster preparedness and how they were working with the disabled community she would like him to give all Council Members an update. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Janet Hollman, 12106 Silver Creek Drive, Houston, Texas 77070 (832-295-5377) appeared, presented information and stated that she was one of the Candlelight Trail homeowners who paid the \$8,000.00 and this was her way of putting a face of someone who paid to Council; that she accepted the settlement because the city would have financially ruined her and she had to get the money from their 401K to pay this and it had been saved to help take care of their down syndrome son; that they had two units and in Texas it was community property and you could not sue the husband and then the wife, but the city sued them for \$716,000.00 and it was sad there was no formula, lawsuits had different days, there was no consistency; that she was so upset they had to pay when the crooks walked free, it was a real injustice and she hoped they would find a way of doing better business in the future. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she wanted Legal to explain, she discussed Candlelight Trail before and could not understand why they went after people trying to live the American dream and not go after those who were bad; and Mr. Michel stated that he knew Council's sentiments were to go after the bad actors and not punish others and they were trying to do that and people who paid their money the city had not cashed the cashier checks as they were trying to find a way to get this resolved and he could explain in more detail to Council Member Jones after the session; that he did think they could find a way to address this; and Council Member Jones stated that she felt they needed to figure how to give back the money with great haste. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Noriega stated that she was with Council Member Jones on this, people have talked with them about this week in and week out and being snidely whiplash did not work for her and it was one thing to have an injustice done, but she did not want it to be them, it was not okay. Mayor White, Council Members Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Martha Gordon, 4141 Barberrry Drive, Houston, Texas 77051 (713-733-9351) appeared and stated that she managed the Kings Row Apartments in Sunnyside, they were Section 8 low income housing, and she was present to see if they could get more police visibility and better response time. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Ms. Gordon for coming; and stated that recently something happened at Kings Row and was on the news, the fight was actually though with someone who did not live on the property; that she had been proactive in making sure such people involved in it who were living there were evicted from the units; that Council Member Noriega was the Public Safety Committee Chair and representatives with HPD were present and she wanted them to know out of the calls within 10 months there were 170 calls for service and after being broken down, from one apartment there were 7 or 8 calls, as they felt response was not quick enough and she would ask HPD to patrol around and while on their normal route to just make a routine drive through in the area and try to disperse loitering, etc., and commended Ms. Gordon for being proactive and taking charge. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Noriega stated that she was proud at how well Council Member Adams knew her district; that she, herself, had a staff person in the audience and she would work with her to get her connected with police and see what they could do from there; and she appreciated her coming. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Reverend James Nash, 8309 Brandon, Houston, Texas 77051 (713-725-1664) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Omar Rabia, 3900 Wood Chase Drive, Houston, Texas 77042 (713-972-2443) appeared and stated that he was a business owner in the limousine business and they had a problem with city regulations a five year limit of a Town Car for commercial vehicle; that with the economy they were asking for extension of their license. Mayor White, Council Members

Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that she was reading there was a problem with his vehicle, it was a 2004 model, in 2008 he asked the City of Houston to deactivate his city limousine license and the records did not indicate he reapplied for a renewal or that the application was denied and he had not paid his license or permit fees since 2008 which would present a problem; and Mr. Rabia stated that he opened a new business, River Oaks Limo, but here he was talking on behalf of other companies also, they could not afford new cars with the economy; and Vice Mayor Pro Tem Lovell stated that their position had been not to support extensions but he could reapply and referred him to Christopher Newport with Administration of Regulatory Affairs. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Jesse Shields, 3726 Bay, Houston, Texas 77026 (832-889-6405) appeared and stated that he wanted to give thanks and honor to God to be present and what concerned him was growing up in Houston on the chase of trying to provide a better lifestyle for his family, etc., from the environment they came up in, the Fifth Ward Area, that before they laughed at him, he was serious, how could they get rich quick besides gambling or going to school many years, etc., that he wanted to travel the world the same as many others and traveling taught; and he would appreciate help, it would be a good blessing. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams stated that he was connected to the right source, when he first spoke he thanked God, his number one source; that she too was from the Fifth Ward and she would share there was no quick fix only hard work and commitment and dedication; that she was now on Council and traveled the world and this was not the end of where she would go; that where you came from did not determine where you would go, many great leaders came from Fifth Ward; that he could go visit small business centers at colleges or here or the Urban League, come up with ideas for his great start to be a strong provider, he needed to take what he had to be the best he could be; that he could do it if he put his heart, mind and soul into it. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that the city could not give money for travel even if they wanted; that she spoke this morning about careers and this was a perfect lesson for youth, if they did not pay attention and do good in school they would not be in a position to do all the wonderful things he just spoke of; that the bottom line was this was America, land of opportunity, if you use it as that. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Noriega stated that if he wanted to travel and if a door was to open he better have his passport and be ready to go and should go and get one. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Curtis Martin, 1916 Benson, Houston, Texas 77020 (409-299-6148) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Floyd Brothwell, no address (no phone) appeared and stated that a year ago he was getting laid off from his job and he wondered why there was not enough money to go around in the economy for his boss to keep him and found the federal reserve issued currency and Thomas Jefferson was against it saying the central bank was an institution of the most deadly hostility existing against the forms and principles of our Constitution; that he urged they hear God's word; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Anthony Domenech, 1819 Gains Meadow Drive, Houston, Texas 77083 (832-642-2581) appeared and stated that he came before Council September 1, 2009, regarding beacon lights in school zones on West Bellfort between Eldridge near Dairy Ashford and then spoke with several department heads but was never given a time frame; that he was told it was done and called 311 and found out the first application was completed, but it had not; that the city of Sugarland handled the complaint in two weeks, they put up signs and beacons; that he spoke with someone in Public Works who said someone would be out this week to mark off boundaries but did not know when the school zones would be set and from September 1st there had been two accidents and it should only take hours to put up signs or beacons. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that her understanding was he spoke with Catherine Parker with Traffic and Transportation today and she informed him beacons would be installed no later than the end of next week; and Mr. Domenech stated that he was told the markings for the beacons would be done, the beacons would not be in place; and Vice Mayor Pro Tem Lovell stated that Ms. Vasquez would call to find out as their understanding was the beacons were being installed; that if he would wait it would be clarified with him. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Domenech stated that because of the abutment of joining counties and cities, Houston owned West Bellfort up to Eldridge and Eldridge continued west where the City of Houston boundary ended and Sugar Land was responsible for Synott which was Eldridge going southbound and Synott going northbound. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown, Noriega and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Charles O'Bryant, 7118 Kimber Moss Lane, Richmond, Texas 77469 (281-222-2555) appeared, presented information and stated that he had a small building at 2520 Southmore and provided anger management classes, life skill classes, etc., and had been doing it eight months; that it had been trash infested, drunks, etc., and he and his wife cleaned the building and it now was beautiful; that they provided classes free to the community and he had a 211 hotline number; that they did this from a faith based perspective; that over the last month he had been getting hounded badly by Code Enforcement and he tried working with them and get the owner of the property to do modifications; that they put in another door, but he could not get a clear answer on what was needed from him; that he put his own resources into the building and they were doing the best they could; that they had a viable program and did not ask for a lot, but he was working in a small window of opportunity before they closed him down; and he was humbly present at their mercy looking for assistance. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Adams, Mr. O'Bryant stated that on Code Enforcement's first visit the gentleman said no one had inspected the building before and now

they wanted him to change what it was supposed to be, since he was now using the building he had to get engineers and new plans and spend a lot of money to provide the services, another from Code Enforcement said what he was doing was okay as long as he did not go over capacity of 50 people; that he went and spoke to multiple people and was told they wanted more than a floor plan, they wanted the major modifications; that they were only trying to help people, he had been a social worker for around 20 years and today he stood before them because someone significant helped him and he wanted to do the same thing; that he wanted to help others, he had success stories, he was a nonprofit; and Council Member Adams stated that Mr. Drabek with Public Works was present and would speak with him at this time and get assistance; and thanked him for all his years of service. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Jones stated that she knew exactly where he was speaking of and Mr. Drabek could help him know what to expect, but legally he was a tenant and did not own the building and he needed to know who was responsible for modifications him or his landlord; and Mr. O'Bryant stated that he had cooperation with the landlord and the exit door and would try and work within the parameters. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Joseph H. Burnley, 4218 Dragon Wick Drive, Houston, Texas 77045 (713-433-5080) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Dorotheatta Pierre, 22715 Imperial Valley #507, Houston, Texas 77073 (832-675-2006) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Wissam Hammond, 7114 Bintliff, Houston, Texas 77074 (281-690-6071) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Herman Ulmer, 15902 Diana Lane, Houston, Texas 77062 (832-315-9090) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mrs. Sondra Ulmer, 15902 Diana Lane, Houston, Texas 77062 (832-315-9090) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Raymond Patlovany, 6927 Heron Drive, Houston, Texas 77087 (713-644-0492) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Kevin Norman, 1003 Valley Park Drive, Houston, Texas 77078 (281-780-4415) had reserved time to speak but was not present when his name was called. Mayor White, Council

Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared and stated that she was again present regarding the YMCA in Willowrun, 26.82 acres Mr. Baker refused for the project; that she now wanted the project through Parks and Recreation, Mr. Joe Turner already laid out a project for them, if the "Y" did not do it they could use a building there; and another project was since 1989; and Ms. Taylor's time expired. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052 (no phone number given) stated that he filed charges against Bill White repeatedly and no action was taken; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

At 4:14 p.m. City Council recessed until 9:00 a.m., Wednesday, November 18, 2009. Council Member Clutterbuck out of the city on city business. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Rodriguez, Brown and Green absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, November 18, 2009, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Edward Gonzalez, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Agenda Office, present. Council Member Anne Clutterbuck out of the city on city business. Council Member Wanda Adams absent on personal business.

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

At 9:35 Mayor White called the meeting to order. Council Members Johnson, Sullivan and Lovell absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** to consider a Municipal Setting Designation ordinance (MSD) for RealBlue Investments LLC for the site located at 2806 - 2818 Hullsmith Drive - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM** - was called. Council Members Johnson, Sullivan and Lovell absent.
2. **PUBLIC HEARING** to consider a Municipal Setting Designation ordinance (MSD) for 8200 Southwest Freeway, LLC for the site located at 8200 Southwest Freeway - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM** - was called. Council Members Johnson, Sullivan and Lovell absent.

The City Secretary stated that Ms. Carol Ellinger, Public Works Department, would make remarks on Item Numbers 1 and 2. Council Members Johnson, Sullivan and Lovell absent.

Ms. Carol Ellinger Haddock stated that she was a Senior Assistant Director with the Department of Public Works and Engineering, and as they may recall the Texas Legislature authorized Municipal Setting Designations five years ago, an MSD designates a particular parcel beneath which contaminated ground waters were prohibited by use as potable water, that

the State law was administered by the Texas Commission on Environmental Quality, that she was present today because although TCEQ was the agency that issued an MSD participation in the State program required local support, that today they were holding a public hearing for two applications, these were being held concurrently because the sites, while unrelated, were located very near to each other; that the first application was submitted by RealBlue Investments, LLC, for 1.388 acres of land located from 2806 to 2818 Hullsmith Drive, that previously the site was a retail strip center with two automotive repair facilities, the property was now vacant land, the source of the plume was a dry cleaner which was adjacent property across the street on Westheimer Road, that this site was also in a State cleanup program, that chemicals associated with the dry cleaner had been identified in the ground water, the contaminated water plume was stable, however, four contaminants of concern still existed in the ground water above human ingestion protection levels; the second application was submitted by 8200 Southwest Freeway, LLC, for 1 acre of land located at 8200 Southwest Freeway, that a commercial building was constructed on the site in 1975 with an addition in 1978, the property was formerly occupied by a motorcycle dealership and a repair shop, the existing underground storage tanks were cleaned, permanently filled and abandoned in place in 1994, that an assessment of this site that was completed in October 2007 showed that the plume was stable, however contaminants of concern still existed in the ground water that exceed human ingestion protection levels, that today's public hearing was a required step in the MSD process, that on September 24, 2009, separate written notices were written to owners within half mile of each property and to owners and operators of water wells within five miles of each property, that Public Works then hosted public meetings on October 27 and 28, 2009 at the Bayland Community Center, which was located near both sites, that the public meetings were well attended and representatives of both Hullsmith and Southwest Freeway were present at their meetings to answer questions, that based on the information supplied in the application, input from various City departments and input at the public meeting, the Director of Public Works and Engineering requested this concurrent public hearing and was currently preparing separate recommendations on these two MSD applications, that depending on the outcome of today's hearing the Director of Public Works and Engineering would forward two requests to Council to adopt an ordinance to support these MSD applications, that these ordinances included all elements required by State law and Article 13 of Chapter 47 of the Code of Ordinances, in particular it stated that the City's support of TCEQ for RealBlue Investments, LLC and 8200 Southwest Freeway, LLC, that it prohibited the use of ground water from the beneath the designated property as potable water and described the maximum depth of the designated ground water, in this case, 200 feet.

Council Member Khan moved to close the public hearing, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0827 ADOPTED.

Mayor White stated that every time one of these came up he thought of the contribution that Council Member Brown, who had been a tireless advocate for Brownfield redevelopment and there was a potential for much misunderstanding of these Municipal Setting Designations and wanted to thank deeply their colleague for his leadership on this issue otherwise they would not have this authority.

3. **PUBLIC HEARING** on recommendation from Director Department of Public Works & Engineering relative to request for designation of a Banner District in the **UPPER KIRBY DISTRICT** **DISTRICTS C - CLUTTERBUCK and G – HOLM** – was presented

The City Secretary stated they had speakers on the public hearing and Ms. Katy Tipton would make remarks for Public Works.

Mr. Andy Icken, Deputy Director Public Works, stated that he was present to introduce the

Sign Administrator from the City of Houston, who had newly joined them in the past few months, Ms. Katy Tipton.

Ms. Tipton stated that Section 40-30 of the Houston Sign Code of Ordinance sets out provisions for an area to receive banner district designations, that there were three major points that they needed to consider, one, that the area must have paved streets with rights of way not less than 60 feet wide and this one met that criteria, the streets were Buffalo Speedway, Westheimer, Kirby and Bissonnet and believed that Richmond also met that criteria, that second, the land in use in the proposed banner district was primarily 51% non residential and they also met that and third, and perhaps most important, the designation of the proposed district would not endanger the health, safety and welfare and public convenience of the citizens of Houston, that currently they had designated 8 areas as banner districts, they were the Airport System, Downtown, Greenway Plaza, Greenspoint, Kingwood, added in 1998, the University of Texas Health Science Center, Westchase District and Westheimer, that pursuant to the approval of Upper Kirby as a banner district, CenterPoint would enter into an agreement with Upper Kirby to utilize their light poles for the banners. Ms. Tipton continued reviewing slides of what they were proposing and noted that none of the banners, per the Sign Code, could have wording or any commercial appeal or lighting. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Dougal Cameron, 811 Rusk, Ste. 1100, Houston, Texas 77002 (713-333-0811) appeared and stated that he was a land owner in the Upper Kirby District, 3000 Richmond Avenue and a land owner downtown and was present to support the banner district and the extension of the TIRZ, that it had been a fantastic positive for their property on Richmond Avenue and the Upper Kirby District in general, that he was also on the Central Houston, Inc. Board and thought they all knew how positive the banner district had been for downtown and believed it would be a great thing to approve. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Jamie Brewster, 1712 Kipling St., Houston, Texas 77098 (713-594-7046) appeared and stated that Upper Kirby District's commercial corridors contained some of Houston's most richly diverse restaurants and retail destinations and were some of the most widely traversed thoroughfares in the City, that as a designated banner district they would be able to implement seasonal holiday and event specific banners that would add a sense of community and place for their neighboring residents and commercial patrons, as well as for Houston visitors, that Kirby Drive would be the first major thoroughfare which they would implement and their proposed banner program concurrent with the 2009 Holiday season and a holiday right-of-way lighting program where it was sure to have a positive and immediate impact, that construction of the Kirby Drive Mobility and Drainage Improvement Project would be completed later this week and as they knew the Upper Kirby Management District had funded the streetscape and landscaping plan, along with the drainage and road work being completed by TIRZ 19, that the proposed banner program would provide a wonderful aesthetic accent to the newly beautified street, that as the only north south corridor linking downtown to Reliant Center and would make an ideal location to initiate the Upper Kirby Program she hoped they would support their efforts. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Holm stated that she wanted to thank Ms. Brewster for all the work they had done in Upper Kirby and wanted to commend her on the processes she had gone through in the six years she had been on Council as a staunch advocate of those environmental, aesthetically pleasing and signage and trees, being the advocate of consistency, that she supported this and supported building community and identity of community in a way that shared the spirit and was inclusive. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Robert Axelson, 2701 Westheimer, Houston, Texas 77098 (832-545-6565) appeared

and stated that he wanted to thank them and thought each of them represented a different part of the City and wanted to invite them and encouraged them to visit them on Kirby Drive and see what a magnificent change they had made in a brief 10 year period, that it was an overnight success, they had been able to solve the drainage problems and the issues there through assistance not only from the federal government but through the City of Houston and the fine efforts they had gotten and cooperation from Mr. Mike Marcotte and his entire department, that the banner district component of this was a seasonal component, these things would go up and benefit the retailers in the district and have a kind of celebratory spirit to them and then they would come down, they had been designed to comply with all of the wind blow and public safety things so they ought to be in great shape there. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Ray Jones, 3214 Ferndale, Houston, Texas 77098 (713-529-7887) appeared and stated that he was not present to oppose the banner ordinance but was present to make some recommendations to the Council maybe for the future and also the Board Members of the Upper Kirby entities; that one thing that he did recommend, in representing one part of the 49% residents in the Upper Kirby area, he would like to recommend in the future that the Council consider in the ordinances setting a time limit, a sunset provision on some of these ordinances when they run their course, maybe three to five years or whatever time the banner's life expectancy was, because there was maybe a tendency for them to go stale, that also there was probably an ordinance to limit the size of the banners, district apart, height from the ground and would recommend to limit it to the part of Kirby Drive and not to all the other streets from Bissonnet to Westheimer, so they could get a test model here and not to cover the whole area, that also no text on the banners, that it would be a public safety issue to keep it that way; that he would also recommend to the Upper Kirby Board, as they had done on other projects, to fund this banner with only non profit funds that could be raised by those who had the capability in the area so as to set a good example to the taxpayers who put their funds out on these things and limit the funding to hardscapes and let these things be beautification that would be at the transgression of the taxpayers to non profits, that he did caution, for example, in the stars that were proposed some years that were \$250,000 a piece to put on the pavements, those were resignedly approved because they were not considered important for the area, a tremendous cost, even though they were to be funded by non profits they were actually not accepted in the area, that was his point of view, he was not opposing the banners, but would recommend they limit them to Kirby Drive and only on the public right-of-way. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Holm stated that she wanted to make sure that when they talked about using taxpayer money for the banner district, and for some other things, that the taxpayers of the City of Houston recognized that they were not using TIRZ funds for that but management district funds, which were assessed from the property owners within the district, that it was like deed restricted, that was just for clarity for the citizens, that they not believe they were using their money. Mayor White and Council Member Johnson absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Khan moved to close the public hearing, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White and Council Members Johnson and Rodriguez absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0828 ADOPTED.

4. **PUBLIC HEARING** regarding third amendment to the Project and Financing Plan for the **TAX INCREMENT REINVESTMENT ZONE NUMBER NINETEEN (UPPER KIRBY ZONE) DISTRICTS C - CLUTTERBUCK and G – HOLM** - was called. Mayor White and Council Members Johnson and Rodriguez absent. Vice Mayor Pro Tem Lovell presiding.

The City Secretary stated that they had speakers who had reserved time to speak at the public hearing and Mr. Douglas or Mr. DeLeon would make remarks. Mayor White and Council Members Johnson and Rodriguez absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Tim Douglas, Deputy Director of Finance for Economic Development and TIRZ, stated that on September 16, 2009, the Board of Directors of the Upper Kirby TIRZ approved amendments to the TIRZ's Project and Financing Plan and forwarded them to the City for consideration, that the public hearing was a statutory required part of the City's reviewed process, that each Council office had been given a copy of the proposed third amended plan for the TIRZ and an official City statement had been distributed to each of them today, that in brief the administration requests that the City Council approve a plan amendment for the zone which would increase project plan expenditures by \$168 million and extend a stated life of the zone by 15 years, that as explained in the body of the proposed amendments and more explicitly shown in Exhibit 1, the proposed amendments were to provide for a series of projects including mobility, public infrastructure, transit improvements, parks, cultural and public facility improvements, that in closing the City staff had worked with the Upper Kirby Redevelopment Authority on the proposed third amended plan and would later bring forth a recommendation for City Council to approve the plan amendments. Mayor White and Council Members Lawrence and Johnson absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Dougal Cameron, 811 Rusk, Ste. 1100, Houston, Texas 77002 (713-333-0811) appeared and stated that he had said before, it had been very positive for the Upper Kirby District, for his property in that district and for other property owners to have the TIRZ, that before the work was done the esplanades did not look very good, they had all kind of drainage problems, that it was incredible to see the changes that had taken place and was very positive on that and was present to support it. Mayor White and Council Members Lawrence and Johnson absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Daphne Scarborough, 2016 Richmond, Houston, Texas 77098 (713-333-0811), appeared and stated that she was present on behalf of the Richmond Avenue Coalition representing her friends and neighbors who provided the funding through their property taxes for the district, that they were not for reinstating this for another 15 years, that she was also present to remind them that Richmond Avenue was in major limbo because they were still involved with the very legal and very intense lawsuit and until that was resolved they did not know who had the right to Richmond Avenue, but they would note that her friends and neighbors were spending the money, they were giving the money to the district that they were spending and at this time they thought it was not appropriate for it to be reinstating this for another 15 years. Mayor White and Council Member Johnson absent. Vice Mayor Pro Tem Lovell presiding.

Upon questions by Vice Mayor Pro Tem Lovell, Ms. Scarborough stated that she was President of the Richmond Avenue Coalition, which was a 501C3 so they had members all the way from Main Street and Richmond to the 610 Loop and Richmond, that she was here for her segment because it was very hard for business owners to shut down. Mayor White and Council Member Johnson absent.

Ms. Jamie Brewster, 1712 Kipling St., Houston, Texas 77098 (713-594-7046) appeared and stated that the Upper Kirby District TIRZ had made great strides in rebuilding the distressed infrastructure since it's creation in 1999, they would reach substantial completion of the Kirby Drive Drainage and Mobility Improvement Project this week and were prepared to begin the construction of Segment 2 of Kirby Drive improvements between Richmond and U.S. 59, as well as Buffalo Speedway improvements, between U.S. 59 and Bissonnet in the first quarter of 2010, that they were implementing an aggressive capital implementation schedule over the next five

years but the demand on their infrastructure continued to expand beyond the scope of the their original 15 year plan, that to fully position their infrastructure to handle the existing and coming density projects like the Westheimer and Richmond drainage improvements that feed into the newly upgraded Kirby Drive system must be completed, the Greenbriar and Shepherd Drainage System must be brought up to an adequate capacity to compliment the Kirby Drive System and insure property owners that investments in the areas were secure, that this revised plan would not only allow the TIRZ to lay the ground work for continued growth and revitalization through adequate infrastructure but would address quality of life concerns through projects such as the proposed civic complex on Richmond at Wakeforest, that more people equated to a greater need for community wellness and outreach services, expanded parks and greenspace and improved sidewalks and pedestrian access to destinations in the Upper Kirby District and across the City, that they could not have accomplished so much in such a short time without the continued support of the City administration, so please allow them to continue to work besides the City in keeping Houston great. Mayor White and Council Member Johnson absent.

Council Members thanked Ms. Brewster for appearing and complimented her for what was done on Kirby. Mayor White and Council Members Johnson and Noriega absent.

Mr. Buddy Bailey, Houston, Texas appeared and stated that he was the Chairman of the Upper Kirby District TIRZ, that he was present to thank all of them for their cooperation today, that the TIRZ was formed in 1999 when the major needs of the community were traffic congestion and pedestrian safety, that a 15 year term seemed ample and a \$10 million budget to take care of those needs, that in June 2001, with Tropical Storm Allison, they uncovered some major needs in their neighborhood, that unfortunately they had neighbors with carpets in their front yards for the first time in 40 years, that with the help of Thompson Engineering they found \$50 million worth of storm drainage projects within their boundaries, they moved quickly for the first phase which was now reaching completion, the Kirby Storm Water Phase 1, but there was much more work needed to be done, that he would ask for their continued help, the plan that they had before them would lay out the projects which would take Upper Kirby over the next 15 years or actually over the next 20 years, to 2029, so that they could continue the good work that Jaime and the board had overseen. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Ray Jones, 3214 Ferndale, Houston, Texas 77098 (713-529-7887) appeared and stated that he was not a member of the board but was representing himself as a resident of the area for over 30 years and asking that they extend the TIRZ for another 15 years, that for almost 15 years the TIRZ had been able to divert the City tax money by way of earmarks, as City TIRZs were, to a very specialized use within the area, but the TIRZ had also been able to take HISD funds of substantial several million dollars and utilize those for the same purpose of improving a very specialized area, that he would hope that in any extension that HISD would not be burdened with the area that was involved here and to have to take away the fund from school children where it was so desperately needed, that this was one area where they were not directly involved with the school district that they could make a big difference for the school district, that he thought it was not a wise thing to divert cash, those types of millions, from the school district over the past 14 years; that the other thing was that the work of the management district of the TIRZ, essentially, was substantially complete in a sense that the major storm line from Westheimer or so to Brays Bayou was almost completed, that included the \$40 million FEMA money that was allocated for the purpose of flood control for the whole area, including the Medical Center; that the other aspect was that he would ask the City Council to defer this, until they got a better study of it, into the next administration because they were talking about earmarking essentially to this district another \$30 million or \$40 million of the already \$50 million or so that had been allocated to a very specialized group that represented a couple of hundred acres of properties, maybe four or five acres, that he lived in this area but would still say that the whole City needed to benefit, that in the General Fund they needed to allow the next Mayor, in

such a difficult budget time, to make a determination of whether extending the TIRZ would be appropriate at this time, that his main request was not a disapproval but rather to ask for a deferral of this thing until the next administration where the budgets could be more properly analyzed and determine if it was the right thing to do to extend another 15 years, that these were some of the areas where the General Fund could more specifically manage the City budget and at the same time they greatly appreciated the use of the taxpayer funds for their area in terms of flood control and flood relief; that on the alternate he would ask that the City consider to reset the base in 2014 when this would renew and set the tax base in terms of the total asset value and the new base point so that the City could benefit from the prior 15 years. Mayor White and Council Member Rodriguez absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Khan moved to close the public hearing, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White and Council Member Rodriguez absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0829 ADOPTED.

MAYOR'S REPORT

At 10:09 a.m. Vice Mayor Pro Tem Lovell stated that they would move to the consent agenda. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

CONSENT AGENDA NUMBERS 5 through 54

MISCELLANEOUS - NUMBERS 5 through 12

5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **ELECTRICAL BOARD**:

Position One - **MR. CHRIS J. FAHRENTHOLD**, reappointment, for a term to expire 1/2/2011

Position Two - **MR. ELIOT L. DOUCET**, reappointment, for a term to expire 1/2/2010

Position Three - **MR. HARRY HUGHES**, reappointment, for a term to expire 1/2/2011

Position Four - **MR. ANTONIO A. ORTA**, reappointment, for a term to expire 1/2/2010

Position Five - **MR. LARRY S. NEAL**, reappointment, for a term to expire 1/2/2011

Position Six - **MR. EDWARD T. DICKERSON**, reappointment, for a term to expire 1/2/2010 and to serve as Chair

Position Seven - **MR. SANTOSH MUKERJI**, reappointment, for a term to expire 1/2/2011

Position Eight - **MS. PIRDY F. NELSON**, appointment, for a term to expire 1/2/2010

Position Nine - **MR. CHARLES S. PRICHARD**, reappointment, for a term to expire 1/2/2011

Position Ten - **MR. JAVIER M. RAMOS**, reappointment, for a term to expire 1/2/2010

- was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0830 ADOPTED.

6. REQUEST from Mayor for confirmation of the appointment of **MR. MARK D. LEE** to Position Two of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for a term to expire August 31, 2010 - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0831 ADOPTED.

7. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARTS ALLIANCE**:
- Position One - **MR. BORIS A. HIDALGO**, appointment, for a term to expire 6/30/2010
 - Position Two - **MS. LESLIE DYESS BLANTON**, reappointment, for a term to expire 6/30/2010
 - Position Three - **MR. JOHN GUESS, JR.**, reappointment, for a term to expire 6/30/2011
 - Position Four - **MS. VANESSA PEREZ MCCALLA**, reappointment, for a term to expire 6/30/2011

- was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0832 ADOPTED.

8. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **PUBLIC PARKING COMMISSION**, for terms to expire December 31, 2011:
- Position Eight - **MR. GARY MOSLEY**, appointment
 - Position Ten - **MR. RICARDO A. BACA MARES**, reappointment
 - Position Twelve - **MR. F. XAVIER PEÑA**, reappointment
 - Position Fourteen - **MR. CHARLES D. REEDSTROM**, reappointment

- was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0833 ADOPTED.

9. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **WESTCHASE DISTRICT BOARD OF DIRECTORS**, for terms to expire June 1, 2013
- Position One - **MS. AMY RUSHING**
 - Position Two - **MR. MARTIN WILTSHIRE**
 - Position Three - **MS. DONNA J. FLOWERS**
 - Position Four - **MS. BETH VAN WINKLE**
 - Position Five - **MR. KEITH JOSEY**
 - Position Six - **MR. JOHN N. KELLEY**
 - Position Seven - **MR. DOUGLAS L. ELLIOTT**
 - Position Eight - **MR. GARY BAKER**

- was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0834 ADOPTED.

11. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)** Annual Consolidated Water Quality (CWQ) Fee for 2010 - \$1,320,929.35 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0835 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$2,477,316.85 to the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for 2010 Water System Fees - Enterprise Fund - was presented, moved by

Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0836 ADOPTED.

Council Member Khan stated that he wanted to congratulate all of the people who had accepted to serve the citizens of Houston on the various boards and asked if there were any members of the boards present in the audience to stand and be recognized.. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

ACCEPT WORK - NUMBERS 13 and 17

13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,687,994.95 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Neighborhood Street Reconstruction (NSR) 446 - 3.83% over the original contract amount - **DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0837 ADOPTED.
17. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,960,494.98 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, LP** for 42-Inch Water Line along Holmes, Parcel Three, Uptown, Taintor, and West Airport Boulevard from 4300 feet west of Kirby to Hiram Clarke - 7.98% under the original contract amount - **DISTRICT D - ADAMS** - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0838 ADOPTED.

PROPERTY - NUMBERS 18 and 19

18. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and withdraw the City's objections to the Award in connection with eminent domain proceeding styled City of Houston v. Jose Luis Balderas and Mary Grace Haney Dabbs, et al., Cause No. 938,946; for acquisition of Parcel AY7-093; for **PARKER ROAD PAVING IMPROVEMENTS PROJECT (Fulton - Hardy)** **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0839 ADOPTED.
19. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and withdraw the City's objections to the Award and enter an Agreed Final Judgment in connection with eminent domain proceeding styled City of Houston v. An Hoang Nguyen and Lien Kim Tran, et al., Cause No. 937,364; for acquisition of Parcel AY7-285; for **HIRSCH ROAD RECONSTRUCTION PROJECT (Kelly - Crosstimbers)** - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0840 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 20 through 22

20. ORDINANCE appropriating \$3,165,998.00 out of Equipment Acquisition Consolidated Fund for Purchase of Hardware and Professional Services under existing contract with Dyonyx, L.P. (Ordinance No. 2008-1217) for the Active Directory and Exchange System for the Information Technology Department - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. ORDINANCE 2009-1116 ADOPTED.
- 20a. **HEWLETT PACKARD COMPANY** for Purchase of Hardware through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0841 ADOPTED.
21. ORDINANCE appropriating \$227,218.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Retaining Wall Repairs at the Sims North Wastewater Treatment Plant for the Public Works & Engineering Department - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. ORDINANCE 2009-1117 ADOPTED.
- 21a. **BOYER, INC** for Emergency Retaining Wall Repairs at the Sims North Wastewater Treatment Plant (SWWTP) for Department of Public Works & Engineering - **DISTRICT I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0842 ADOPTED.
22. **XEROX CORPORATION** for Spending Authority to Lease High-Speed Document Printers and Associated Accessories from the State of Texas Procurement and Support Services Contract for the Houston Police Department - \$969,871.12 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Mayor White absent. Vice Mayor Pro Tem Lovell presiding. MOTION 2009-0843 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 24 through 54

24. RESOLUTION appointing **GARY W. STEIN** to serve as the City's Representative on the **BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT** for a two-year term commencing on January 1, 2010 and ending on December 31, 2011 - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. RESOLUTION 2009-0034 ADOPTED.
25. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Single Family Mortgage Revenue Bonds, Series 2009A and approving the Private Placement Memorandum with respect to such bonds - had been pulled from the Agenda by the Administration, and was not considered.

27. ORDINANCE supplementing City of Houston Ordinance No. 2004-299 authorizing issuance of City of Houston, Texas Combined Utility System Commercial Paper Notes, Series B, in an aggregate principal amount not to exceed \$700,000,000; prescribing the terms and conditions thereof; providing for the payment thereof; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such Commercial Paper Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, security and delivery of such Commercial Paper Notes, including the approval of an Issuing and Paying Agency Agreement, Credit Agreements and Dealer Agreements; approving the use of an Offering Memorandum in connection with such sale; making other provisions regarding such Commercial Paper Notes and matters incident thereto; authorizing a Co-Bond Counsel Agreement; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1118 ADOPTED.
29. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **CAMPBELL WOODS SUBDIVISION, SECTIONS 1 - 3** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1119 ADOPTED.
30. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **MANGUM MANOR SUBDIVISION, SECTIONS 1 - 3** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1120 ADOPTED.
31. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SHADOW OAKS SUBDIVISION, SECTIONS 1 - 6 and 5 PARTIAL REPLAT, MOSS OAKS SUBDIVISION, SECTIONS 1, 2 and 3 UNRECORDED, WILDEWOOD FOREST SUBDIVISION, SECTIONS 1 & 2, SPRING LEA SUBDIVISION, SECTION 1, PARKCREST SUBDIVISION, and BECKHAM PLACE SUBDIVISION REPLAT**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1121 ADOPTED.
32. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SPRING BRANCH VALLEY SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1122 ADOPTED.
33. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **WESTWOOD SUBDIVISION, SECTIONS 1 - 2** and **WESTWOOD SUBDIVISION SECTION 5, excluding BLOCKS 1 & 6** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK** - had been pulled from the Agenda by the Administration, and was not considered.

34. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **WESTWOOD SUBDIVISION, SECTION 4, excluding RESERVES A AND B AND TRACT A, BLOCK 32** and **WESTWOOD ETON CONDO SECTION 5 REPLAT, excluding RESERVE A, BLOCK 7, TRACT 1A, BLOCK 7** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C – CLUTTERBUCK** - had been pulled from the Agenda by the Administration, and was not considered.
35. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **MEADOWCREEK VILLAGE SUBDIVISION, SECTIONS 1 - 11, SECTION 12 EXTENSION AND REPLAT, MEADOWCREEK WOODS PATIO HOMES SUBDIVISION, and FOREST OAKS SUBDIVISION, SECTION 1** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1123 ADOPTED.
36. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **TRAILWOOD VILLAGE SUBDIVISION, SECTIONS 1, 3 - 6, AND SECTION 2 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1124 ADOPTED.
37. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **CATALINA SQUARE SUBDIVISION, SECTIONS 1 - 5** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT F - KHAN** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1125 ADOPTED.
38. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **BROOKWOODS ESTATES SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1126 ADOPTED.
39. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **TROPICANA VILLAGE SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1127 ADOPTED.
41. ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE of the EMERGENCY AID RESOURCE CENTER for the HOMELESS, INC (S.E.A.R.C.H.)**, providing up to \$56,410.00 for the administration and provision of supportive services under the Housing Opportunities for Persons With AIDS (“HOPWA”) Program - Grant Fund - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1128 ADOPTED.

42. ORDINANCE appropriating \$3,101,439.00 from TIRZ Affordable Housing Fund (2409); approving and authorizing the second of five repayment installments in the amount of \$3,101,439.00 to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** for the resolution of outstanding issues raised in HUD Monitoring Reports from 2003, 2004, and 2005 relating to the City's HOME, CDBG, and HOPWA Programs - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1129 ADOPTED.
47. ORDINANCE approving and authorizing Amendment No. 6 to Lease Agreement between the City of Houston and **ATLANTIC AVIATION CORPORATION** for certain premises at William P. Hobby Airport - Revenue - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1130 ADOPTED.
49. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of ten (10) years each, between **AMERICAN TOWERS, INC**, or its affiliate, Licensor, and the City of Houston, Texas, Licensee, with a monthly License Fee of \$4,699.50 for Fiscal Year 2010, with annual increases, other costs and site improvement fees for a total cost for the initial ten (10) year base term of \$646,494.00, to allow the Radio Communications Division of the Information Technology Department to install equipment on one (1) communications tower and ground space in connection with a new Public Safety Radio System located at 310 Englewood, Houston, Texas - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1131 ADOPTED.
51. ORDINANCE appropriating \$175,000.00 out of General Improvement Consolidated Construction Fund, \$50,000.00 out of Public Health Consolidated Construction Fund, \$75,000.00 out of Public Library Consolidated Construction Fund, \$100,000.00 out of Police Consolidated Construction Fund as an additional appropriation for Professional Architectural Services Task Order Contract between the City of Houston and **BRAVE / ARCHITECTURE, INC** for Various City Departments (Approved by Ordinance No. 2008-0374) - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1132 ADOPTED.
52. ORDINANCE appropriating \$60,514.00 out of Parks Special Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **TALLEY-POPE AND ASSOCIATES, INC** for Scottcrest and Alief Parks Trail Improvements Project - \$215,000.00 Parks Special Fund - **DISTRICTS D - ADAMS and F - KHAN** - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1133 ADOPTED.
54. ORDINANCE awarding contract to **ALLIED IMAGING GROUP LLC dba WINDWARD GROUP LLC** for Engineering Drawings, Microfilm Conversion and File Scanning Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options \$334,954.49 - General, Enterprise and Building Inspection Funds - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1134 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

10. RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for New Fire Station 24 - **DISTRICT D - ADAMS** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0844 ADOPTED.

ACCEPT WORK

14. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,941,313.60 and acceptance of work on contract with **PROLINE TECHNOLOGIES, N.A.L.L.C.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 1.82% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; F - KHAN; H - GONZALEZ and I - RODRIGUEZ** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. Council Member Jones voting no, balance voting aye. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0845 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,303,692.87 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION, L.P.** for Abandonment of Northborough Wastewater Treatment Plant 1.51% under the original contract amount - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0846 ADOPTED.
16. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,054,356.65 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances - Package 5 - 31.52% under the original contract amount - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0847 ADOPTED.

PURCHASING AND TABULATION OF BIDS

23. **HOME DEPOT U.S.A., INC** for Maintenance, Repair, and Operating Supplies through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for Various Departments - \$2,519,669.38 - General, Enterprise, Fleet Management, Building Inspection and Other Funds - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0848 ADOPTED.

RESOLUTIONS AND ORDINANCES

26. ORDINANCE **AMENDING CHAPTERS 8 and 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to authority to tow vehicles from residential parking permit areas; containing findings and other provisions relating to the foregoing subject; providing for severability - was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1135 ADOPTED.
28. ORDINANCE relating to the retail gas utility rates of **CENTERPOINT ENERGY RESOURCES CORP. D/B/A CENTERPOINT ENERGY ENTEX** and as **CENTERPOINT ENERGY TEXAS GAS**; ordering reimbursement of rate case expenses incurred on behalf of all Center Point Energy Entex Ratepayers within the City of Houston, Texas, denying rate increase request and maintaining current rates in effect; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. Council Member Noriega absent.

Mayor White stated that for all who may be watching or monitoring these proceedings the item concerned a request for a rate increase for natural gas services and by voting yes, or by being silent which would signify a yes vote, Council Members were voting against the rate increase. Council Member Noriega absent.

After discussion by Council Members a vote was called on Item No. 28. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Council Members Lovell and Noriega absent. ORDINANCE 2009-1136 ADOPTED.

40. ORDINANCE approving and authorizing contract between the City of Houston and **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC** to provide \$300,000.00 in Community Development Block Grant Funds for the administration and operation of the H.E.A.R.T. Program, a program that will provide job training and placement for developmentally disabled low and moderate income adult individuals – was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Council Member Noriega absent. ORDINANCE 2009-1137 ADOPTED.
43. ORDINANCE appropriating \$110,000.00 out of TIRZ Affordable Housing Fund (Fund 2409) and approving and authorizing Grant Agreement between the City of Houston and **SUNNYSIDE PLACE COMMUNITY DEVELOPMENT CORPORATION** to reimburse a Houston Housing Finance Corporation Recoverable Grant for certain land acquisition and pre-development costs for a subdivision of 4 affordable single-family homes situated on approximately 20,000 square feet of land situated at 8020 Livingston Street, Houston, Texas - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Council Member Noriega absent. ORDINANCE 2009-1138 ADOPTED.
44. ORDINANCE appropriating \$210,120.41 out of Tax Increment Reinvestment Zone (TIRZ) Fund as grants to **LELAND WOODS REDEVELOPMENT AUTHORITY** and **LELAND WOODS REDEVELOPMENT AUTHORITY II** pursuant to agreement entered into by the City of Houston (Approved by Ordinance No. 09-796) for the development of the Leland Woods Subdivision **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Council Member Noriega absent. ORDINANCE 2009-1139 ADOPTED.

45. ORDINANCE accepting into the City collection a bronze statue of Former U.S. Secretary of State James A. Baker III, related bronze bas-reliefs and display wall to be located in Sesquicentennial Park; approving and authorizing an agreement between the City of Houston and **GREATER HOUSTON COMMUNITY FOUNDATION** for donation of such work of art; and renaming a portion of Sesquicentennial Park to Baker Common - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1140 ADOPTED.
46. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **EXPEDITE! INC** for certain premises at George Bush Intercontinental Airport/Houston - Revenue **DISTRICT B – JOHNSON** – was presented, and tagged by Council Member Johnson.
48. ORDINANCE approving and authorizing Amendment No. 2 to Parking Operations and Management Concession Agreement between the City of Houston and **NEW SOUTH PARKING - TEXAS** for the Houston Airport System; amending Ordinance No. 2004-888 to increase the maximum contract amount - **DISTRICTS B - JOHNSON; E - SULLIVAN and I – RODRIGUEZ** – was presented, and tagged by Council Member Johnson.
50. ORDINANCE appropriating \$2,800,000.00 out of Fire Consolidated Construction Fund to In-House Renovation Revolving Fund for Renovation/Reconstruction of Various City Facilities for the Houston Fire Department – was presented, and tagged by Council Member Sullivan.
53. ORDINANCE approving and authorizing amended and restated Solid Waste Disposal Contract between the City of Houston and **BFI WASTE SERVICES OF TEXAS, LP, a wholly-owned subsidiary of REPUBLIC SERVICES, INC** (Approved by Ordinance Nos. 99-1329 and 98-503) – was presented. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1141 ADOPTED.

NON CONSENT AGENDA - NUMBER 55

MISCELLANEOUS

55. MOTION to set a date not less than seven (7) days or thereafter from November 18, 2009, to receive nominations for appointments or reappointments for Positions Five and Seven on the **ETHICS COMMITTEE** for two years – was presented.

Council Member Khan moved to set Wednesday, December 2, 2009, to receive nominations for appointments or reappointments for Positions Five and Seven of the Ethics Committee, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0849 ADOPTED.

MATTERS HELD - NUMBERS 56 through 61

56. MOTION by Council Member Khan/Seconded by Council Member Lovell to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Louis Macey of Macey Family Properties, LTD. [Macey Properties, Inc. (Louis Macey, President) General Partner], for sale of fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J. S.

Holman Survey, A-323, Parcel SY10-017 - **DISTRICT I – RODRIGUEZ – (This was Item 10 on Agenda of November 10, 2009, TAGGED BY COUNCIL MEMBER CLUTTERBUCK)** – was presented.

Council Member Holm moved to postpone Item No. 56 for two weeks and stated that she had some serious concerns with eight weeks left in the administration and only four Council meetings, that they were perhaps making some shortsighted decisions on a one time sale of assets that potentially could have some affects on the next administration, that she would like this opportunity to further explore the timing, process and purpose for it, seconded by Council Member Khan. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0850 ADOPTED.

57. MOTION by Council Member Khan/Seconded by Council Member Green to adopt recommendation to award to **CHANNING BETE COMPANY, INC** for Development and Distribution of Disaster/Emergency Preparedness Education Materials for Houston Department of Health & Human Services \$224,337.50 - Grant Fund – **(This was Item 13 on Agenda of November 10, 2009, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented.

Council Member Lawrence stated that she realized it was grant money and had a number of conversations, that they were told they would have it and thought it would be at the Council table, that fourteen days later it was stuffed in their mail boxes out front and not even brought to their offices to see it yesterday, but basically, yes, it was not their money but grant money but was still tax dollars, that she thought that at committee some discussion needed to be taken place, that they had problems with the high rises and problems during storms with various things, but for Council not to have any input into this and just to say it was only \$250,000, no big deal, let's just make it a brochure, that it was a very nice brochure and it was a CD but she would dare say that people who would need this would not play a CD, that how they handle this and that kind of grant money needed to have some discussion, that she thought a lot of good things could come out of this, that they should at least know the parameters of what that money was for, that she hoped that the Council in the future would like to have some input.

Mayor White stated that perhaps Ms. Stein and Council Member Johnson could confer and if other Council Members wished to, that they did need to act on this because of the grant and he appreciated Council Member Lawrence's concerns, that they did think that it was in the best interest to vote in favor of this but would say that this may shed light on a number of issues that transcend this about emergency preparedness communications and the like, that if there was a hearing on that he thought it would be appropriate to have those responsible there, and it would be from more than one department.

A vote was called on Item No. 57. Council Members Holm and Lawrence voting no, balance voting aye. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0851 ADOPTED.

58. RECOMMENDATION from Purchasing Agent to award to **NORTEX MODULAR SPACE** for Modular Office Building from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Houston Police Department \$203,985.76 - General Fund - **DISTRICT A – LAWRENCE – (This was Item 16 on Agenda of November 10, 2009, TAGGED BY COUNCIL MEMBER BROWN)** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0852 ADOPTED.

59. **ORDINANCE AMENDING ARTICLES IX AND X OF CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to booting in parking facilities; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability – **(This was Item 21 on Agenda of November 10, 2009, TAGGED BY COUNCIL MEMBER SULLIVAN)** - was presented.

Council Member Sullivan moved to postpone Item No. 59 for two weeks, seconded by Council Member Khan. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0853 ADOPTED.

60. ORDINANCE approving and authorizing Modification Agreement between the City of Houston and **LITTLE YORK VILLAS, L.P.** to amend the Loan Agreement and related documents authorized pursuant to Ordinance 2004-459, as amended, to change certain requirements related to a 128 Unit Apartment Complex in the 6200 block of Nuben, Houston, Texas - **DISTRICT B – JOHNSON – (This was Item 33 on Agenda of November 10, 2009, TAGGED BY COUNCIL MEMBER JONES)** – was presented.

Council Member Jones moved to refer Item No. 60 back to the administration, seconded by Council Member Khan. All voting aye. Nays none. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. MOTION 2009-0854 ADOPTED.

61. ORDINANCE appropriating \$620,000.00 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 2409) to support the development of Affordable Single-Family Housing in Trinity Gardens and Fourth Ward for low to moderate income families - **DISTRICTS B - JOHNSON and I – RODRIGUEZ – (This was Item 34 on Agenda of November 10, 2009, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, HOLM and SULLIVAN)** – was presented. Council Members Sullivan and Noriega voting no, balance voting aye. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. ORDINANCE 2009-1142 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Khan stated that yesterday he had gotten the H1N1 Flu shot, thanks to the Department of Health and Human Services, that they were putting clinics in the schools to do that and the first clinic opened up in the Alief ISD Hasting's Ninth Grade Center on Cook Road; that he wanted to congratulate the new Board Members elected to Alief ISD; that on Tuesday, November 12, 2009, a playground was built in an apartment complex with the help of a lot of people, that it was at Los Arcos Apartments, 11315 Fondren, that it was a kaboom playground and built by 200 volunteers, that Don and Linda Pliner, footwear designers and founders of the Peace for Children Foundation were kind and generous for funding all expenses for this project, that in addition Tammy Rodriguez, President of Gulfton Super Neighborhood Council, in cooperation with the Alliance for Multi Cultural Community Services, were very influential in assisting with the kaboom playground project and the Mayor's Office Citizens Assistance was key in organizing the event and they thanked everybody. Council Members Sullivan, Gonzalez and Rodriguez absent.

Council Member Green stated that this past weekend they had the Second Annual Houston Sleep Out and it was a great success, that it was a benefit to raise awareness regarding homelessness but also to raise money for SEARCH, that his office was co-sponsor in the event and they raised over \$35,000 this weekend; that the City was hosting "Meet the Buyer Purchasing Forum", that City Department's would come together to host the first annual forum and it would take place at the George R. Brown Convention Center from 9:00 a.m. to 1:00 p.m.

in Room 370, that it was a unique opportunity to meet with actual buyers from City Departments who routinely solicited bids to meet their procurement needs, that they could get more information at 713-837-9000; that SEARCH was again in need of people to sponsor families during the holiday season; that they could reach them at www.searchhomeless.org. Council Members Johnson, Sullivan, Gonzalez and Rodriguez absent.

Council Member Khan stated that there was a report on Channel 26 and they got a constituent letter from Mr. Walter Cartwright, who was the vice president of the New Braeswood Revitalization Association, that there was discussion that as much as 42% of the Houston police officers were eligible to retire, and many would, and wanted to see if Mayor White had any comments as to what were they looking for, were there so many officers eligible to retire and if so what plan, if any, did they have, that their police force would be severely handicapped if so many officers retired all at the same time, what kind of plan, if any, did they have to address this issue moving forward. Council Members Sullivan, Gonzalez, Rodriguez and Noriega absent.

Council Member Brown stated that he wanted to say a few words about their initiatives to make Houston a greener and more sustainable City and reflect on what Mayor White's administration had done over the last six years on this journey to make Houston a greener and more sustainable City, that this was saving their taxpayers millions of dollars, that just in the past year they had installed a massive array of solar panels on the George R. Brown Convention Center, a project that would save millions of dollars in electricity costs over the next few years, that they had dramatically expanded recycling, diverting thousands of tons of waste materials from their landfills and in many cases selling waste, following the principle that waste was a terrible thing to waste and again saving the taxpayers money and making them a much greener City, but they needed to go further with more incentives for recycling among households, businesses and the trash haulers that carry away the waste, that the City had used federal dollars very effectively in their residential energy efficiency program, providing extra insulation and other improvements for lower income homeowners and just yesterday Mayor White announced a pilot program to convert hybrid City vehicles into electric plug ins, that was certainly on the cutting edge of what cities were doing; that going forward he would like to emphasize that green meant making Houston a more walkable City, that it had to do with sidewalks that worked for pedestrians, not just skinny little sidewalks, but real sidewalks, that he thought the idea of designating pedestrian districts in certain areas of the City like downtown, east downtown and other areas of the City certainly could move them forward in terms of being a more walkable City; that transit oriented development was an absolutely critical issue for the City in conjunction with expansion of their light rail line could create a much more walkable City but they needed incentives to make it happen, and then a strong commitment to walkable neighborhoods where neighbors could get out on the street and walk safely to parks, playgrounds, shopping, church and schools, essential to not just making the neighborhoods a more social place but also improving community health and cutting down on obesity, that he would like to see in Houston a great streets program where they understood that they could not make every street walkable, that he would give them one example, Montrose Boulevard that connected Hermann Park and Buffalo Bayou Park, to just imagine what that could be as that great promenade street, wonderful street lighting, trees and wide sidewalks, that he thought if they made public improvements to Montrose Boulevard, as an example, they would see some extraordinary high quality urban development occurring along that length connecting these two great parks of the City, that it was something to look forward to, that he wanted to thank Mayor White for getting it started and hopefully the next administration would finish the job. Council Members Sullivan, Khan, Holm, Gonzalez, Rodriguez and Green absent.

Council Member Noriega stated that she had the privilege this past weekend to go to a reunion of a group of people who were the core and originators of Citizens for Good Schools, that in the years from 1969 to 1975 they had some very contentious school board elections in Houston and out of that time came a group that had a great deal to do with many of the

accomplishments that HISD touted today, including volunteers in public school programs, kindergarten screening and some of the magnet school and Vanguard Programs, such as HSPVA in 1971 and the School for Health Professions, that their own Eleanor Tinsley came out of that group and that political effort and the desegregation of Houston schools was part of that effort, that what some of them may or may not know was that she moved to Houston in the 1970's when she was in high school, her father had been hired by George Garver, who was one of the superintends who was involved with this, to mainstream HISD for special education kids, that she would not live in Houston expect for the Citizens for Good Schools, that it was a very powerful time and a very incredible coming together of White, Black and Hispanic, that many of the folks who worked on this was their first opportunity to have an experience working with folks of other races, that some of the sociology textbooks had characterized it as the first true Rainbow Coalition and it was in Houston, that she thought it was another example of how Houston steps up and does the right thing and was an innovator where they might think that in Texas and Houston that would not be how they would operate, but there were some very powerful ideas and some amazing experiences that had come out of this particular political effort, that one of the participants in the reunion they had at the original Ninfas on Sunday said that she was a young mother when she was involved with this and she looked at her and said that she thought it was the purest thing that most of them had ever done where they were seriously interested in trying to make schools better for the children of Houston and make them better for all children in Houston, that it was a privilege and honor to be with these folks, that she had run across them here and there, still very active and civic minded folks, that as she campaigned she would run across them and many of them were still active today, very involved, in the Houston community, that she wanted to tip her hat to the Citizens for Good Schools, to the Houston Independent School District and the City of Houston for the progressive and thoughtful way that they handled a very difficult time; that on Wednesday, December 2, 2009 the Holiday Open House would be given at the Houston Fire Museum from 10:00 a.m. to 4:00 p.m., that it was at 2403 Milam; that during the Veterans Day Parade they had some CERT, Community Emergency Response Team, volunteers who were marshals and she wanted to read their names and acknowledge their volunteerism, Al Russell, Bob Rykurd, Chuck Davidson, David Kelly, George Craddick, Xavier Pagan, John Holtsworth, Maria Gonzalez, Patricia Howl, Teresa Wilson, Tracy Rykhart and Scott Phenwick, as well as Gunny, retired U.S. Marine Corp., Andres Ortiz, that they wanted to thank all of the CERT folks for what they do for an emergency and thank them in particular for being volunteer Veterans Day Parade Marshals. Council Members Johnson, Sullivan, Khan, Gonzalez, Rodriguez and Green absent. (No Quorum Present)

Council Member Jones stated that they had a great time at the Veterans Day Parade, that as she shared before her dad and uncle were marines; that on Friday, December 18, 2009, the VA Hospital Legal Advice Clinic was going to be working with the Houston Volunteer Lawyers Program, from 2:00 p.m. to 5:00 p.m. at the Michael DeBakey VA Medical Center, 2002 Holcombe; that she wanted to congratulate SHAPE Community Center who had their 40th Anniversary last week; that the City of Houston Housing and Community Development Department had initiated work on the 2010 Consolidated Plan and Action Plan, that since they receive their money from HUD before they receive their money they had to tell HUD what they were going to do with it so they had a Consolidated Plan, which was a five year plan of what they say they were going to do with the money that they give them, that there was also an Action Plan, which was a one year plan that tells HUD what they were going to do for the next year coming up with the allocations that they give Houston, that they had to have public hearings and she was encouraging everyone to come because one they submitted these plans to HUD was how they were going to spend the money, so if they were a CDC or CHDO and wanted to be involved in the process and they wanted the City to pick them because they had a lot of people come up and ask them to help them with their very good programs that they say provided a lot of services, now was the time to come and listen how they intended to spend the money, if they thought they were better or more qualified then they needed to come, the

meeting would be Wednesday, September 2, 2009, at 7:00 p.m. in the former Council Chamber in the City Hall Annex at 900 Bagby, that there would be a second hearing in the Spring of 2010, so she wanted to tell people and if they wanted to be a part of the process to please come to the first public hearing; that there would be a Housing Committee meeting tomorrow, and she was excited about it because she and Council Members Lawrence and Noriega were in the American Leadership Forum, and one of the things when they were members of ALF was that they allowed opportunities to hear from the best and brightest about what was happening in Houston and the trends and she had the opportunity at an ALF event to listen to Professor Stephen Klineburg, who talked about Transit Oriented Community Development, that they had rail, it was going to be built, that was transportation related, but what happens around rail was that it was what it was and there would be some changes, that rail spawned or created things and she noticed that every time she listened to Professor Klineburg speak it was always at some function where people had to pay a lot of money to get there and average people did not ordinarily get to hear him, that when she heard him speak she said people needed to know what was going to happen about development, economic and community development, what happens to houses and what kind of housing was around it and she called him and asked if he could please come and present before the Housing Committee and told him she did not have any money to spend and hoped that he would do it so that regular people could hear what he had to say and thankfully he agreed, that along those lines he asked her to speak with David Crosly who was also an expert, that people should come tomorrow or watch television and listen to what these men had to say because it was a projection of what was going to happen, that it was tomorrow, Thursday, at 2:00 p.m. in Council Chamber. Council Members Lawrence, Johnson, Sullivan, Gonzalez, Rodriguez, Brown and Green absent. (No Quorum Present)

Council Member Lovell stated that this was SPARK Park Week, November 16 through 20, 2009, which marked the 26th year of the SPARK Park School Program founded in 1983 by former Council Member Eleanor Tinsley, who she had the same City Council position that she held for 12 years, that in the past 26 years over 200 schools in the Houston area had worked with SPARK to convert their school playgrounds and neighborhood parks, that as part of SPARK week the 2010 calendar was being distributed, that if they would like a calendar they could get in touch with them or call her office and they would be happy to send them one; that the City of Houston lost one of the leaders of the vibrant non profit community with the death of Margaret Skidmore last Monday, November 9, 2009, that she was best known as the Associate Director of Development at the Museum of Fine Arts of Houston from 1981 until her retirement in 2005. Council Members Lawrence, Johnson, Sullivan, Gonzalez, Rodriguez, Brown and Green absent. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 10:54 a.m. Council Member Clutterbuck out of the city on city business. Council Member Adams absent on personal business. Council Members Lawrence, Johnson, Sullivan, Gonzalez, Rodriguez, Brown 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