

City Council Chamber, City Hall, Tuesday, December 1, 2009

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 1, 2009, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Edward Gonzalez, James G. Rodriguez, Sue Lovell, Melissa Noriega and Jolanda "Jo" Jones; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director present. Council Member Peter Brown absent on personal business. Council Member Ronald C. Green absent on city business.

At 2:05 p.m. Council Member Khan called the meeting to order and stated that Council Member Jones would begin presentations. Mayor White, Council Members Lawrence, Johnson, Adams, Sullivan, Holm, Gonzalez and Lovell absent. Council Member Khan presiding. (NO QUORUM PRESENT)

Council Member Jones invited Ms. Ruby Thomas to the podium and stated that Ms. Thomas was a spry 106 years old, she was born on October 24, 1903 and was living, walking history; that she was present with friends and family and believed she had a long life as she stood on honoring her father and mother which came from Exodus and a part of the Ten Commandments; and presented Ms. Thomas a Proclamation proclaiming today as "Ruby Thomas Day" in Houston, Texas. Ms. Thomas thanked all for the recognition and stated that she hoped all the Mayor and Council Members days were long and useful. Council Members Johnson, Adams, Sullivan, Holm and Gonzalez absent.

Council Member Clutterbuck invited members of the Episcopal High School Knights Football Team to the podium and stated that the fighting Knights of Episcopal High School won another amazing title for the City of Houston, they were winners of the Southwest Preparatory Conference Championship in football this year and it was the equivalent of the Southwest Conference; and presented a Proclamation to the team listing each player by name and honoring their team for winning the Conference Championship which had not been done since 1993; and proclaimed today as "Episcopal High School Football Team Day" in Houston, Texas. Coach Weiss stated that all senior captains had spoken this year except Charley Straus and he would speak today; and Mr. Straus thanked all for inviting the team to City Hall today and presenting them the Proclamation and thanked all coaches for placing them in such a position. Council Members Johnson, Adams, Holm and Gonzalez absent.

Vice Mayor Pro Tem Lovell stated that she was pleased to welcome Controller Annise Parker today who was present to honor supporters of the Bank on Houston Program which connected underserved communities with the banking system and was a great success in its first year. Council Members Johnson, Adams, Holm and Gonzalez absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Parker, City Controller, thanked all for allowing her to make the presentation and stated that a little more than a year ago she and the Mayor assembled representatives of the banking community in Houston to talk about a program she wanted to kickoff called "Bank on Houston" and after one year of successful implementation of the program she invited some of the heavy lifters of the program to Council to be honored; that each present contributed much to the successful program and she hoped it would continue in the Controller's Office under which ever Council Member would be the incoming Controller; that Bank on Houston was the city's collaborative effort to bring banks and poor and working class who did not have bank accounts, but who did have incomes and a need for banking services into the financial mainstream; that many had used cash checking services, etc., and were lured into the payday lending system which was an absolute ticket to poverty and they were trying to stamp it out with positive

alternatives; that they far exceeded the original goal of opening bank accounts in the first year; and invited all participants present to stand to be recognized while she cited their names. Council Members Lawrence, Johnson, Adams, Holm and Sullivan absent.

Council Member Jones thanked all who were involved and stated that she did not think many who had not struggled in life could understand how predatory payday lenders were with their usurious fees; and she appreciated them. Council Members Johnson and Adams absent.

At 2:28 p.m. Mayor White called on Council Member Rodriguez who invited Reverend L. David Punch of the historic Greater Zion Missionary Baptist Church to lead all in prayer and Council Member Rodriguez led in the pledge of allegiance. Council Members Johnson and Adams absent.

At 2:30 p.m. Mayor White requested the City Secretary call the roll. Council Member Brown absent on personal business. Council Member Green absent on city business. Council Members Johnson and Adams absent.

Council Members Khan and Clutterbuck moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Brown absent on personal business. Council Member Green absent on city business. Council Members Johnson, Adams and Jones absent. MOTION ADOPTED.

At 2:30 p.m. Mayor White requested the City Secretary to begin calling public speakers. Council Members Johnson, Adams and Jones absent.

Ms. Chris Silkwood, 706 Mosby Circle, Houston, Texas 77007 (832-969-5345) appeared and stated that she was president of the Houston Heights Association and present to thank the Mayor and Council Members for allowing them the prospect of purchasing the historic fire station located at 12th and Yale; that if the sale was approved they would continue to be good stewards as they had been and it would continue serving the community; and thanked the Mayor for such funds going into the preservation fund. Council Members Johnson, Adams, Holm and Jones absent.

Ms. Kathy Vossler, 2212 Decatur, Houston, Texas 77007 (713-861-9447) appeared and stated that she was a fifth generation Houstonian and homeowner in the Old Sixth Ward and vice president of the Old Sixth Ward Neighborhood Association and present in favor of the historic tax exemption application as it pertained to the home at 1801 Lubbock, their neighborhood was a collection of homes each with over 100 years of history and stories and were irreplaceable. Council Members Lawrence, Holm, Rodriguez and Jones absent.

Ms. Joan Johnson, 6615 West Point, Houston, Texas 77005 (713-858-6119) appeared and stated that she was president of the Hotel and Lodging Association and had sent the Mayor and Council Members an email stating they were in support of minimum standards for parking ; that some wanted to raise the administrative fee to \$100.00 and in the ordinance it was \$25.00 and she would like it staying at \$25.00, if she parked in a facility and was late in getting back even though the rate may have changed she did not believe she should be penalized when she actually paid; and urged it stay as it now was in the ordinance. Council Members Lawrence, Holm, Rodriguez and Jones absent.

Ms. Colleen O'Brien, 5527 Hummingbird, Houston, Texas 77096 (281-660-9765) appeared and stated that she was a Houston resident and was present to bring to their attention a speaker Nancy Hentschel, who was an anthropologist and had a unique perspective; that she had been through a lot dealing with HPD and Harris County jails, she participated in a totally peaceful nonviolent protest in front of the building which including Houston offices of the Signa

Insurance Company, drawing attention to health insurance, etc., without it the city's budget would take a major hit, hundreds of millions of dollars, it was already affecting millions of Americans unable to afford or obtain health insurance. Council Members Lawrence, Holm, Gonzalez, Rodriguez, Lovell and Noriega absent.

Mr. Ozzy Franco, 7602 Echo Brooke Drive, Houston, Texas 77037 (713-894-0224) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Holm, Gonzalez, Rodriguez, Lovell and Noriega absent.

Mr. Wissam Hammoud, 7114 Bintliff, Houston, Texas 77074 (281-690-6071) appeared and stated that he owned Galleria Express Taxi Corporation, a new idea for citizens of Houston, he had been driving over 16 years and had a college degree in business communication; that his new idea was first wireless taxi in Houston and was requesting five medallions to help citizens save money and revolutionize the taxi industry. Council Members Lawrence, Holm, Gonzalez, Lovell and Noriega absent.

Mr. Jerry Doss, 15414 South Corsair Road, Houston, Texas 77053 (713-271-8856) appeared and stated that he was an ex-city employee, 1999-2004, he was involved in an accident and resigned October 13, 2004, and the next day a memo was added to his file; that he resigned on the 14th which was untrue and misleading and he would like it investigated, there were many rules and regulations not met and he was a CDL driver and given no mandatory drug test and the statement in his file was not allowing him to return to work as a city employee. Council Members Lawrence, Johnson, Holm and Noriega absent.

Mr. Noel Freeman, P. O. Box 66693, Houston, Texas 77266 (713-426-3651) appeared, presented information and stated that he was a member of the Public Works and Engineering Department and present to speak about something in his neighborhood, Washington Avenue, it was one of the most historic avenues in the City of Houston, the first paved road in the city and was the city's gateway; and he thought they could take that part of history and make it the future of urban development and parking management; that he proposed the idea of shared parking in the neighborhood at east and west ends of Washington; that they needed to also look at implementing circulator shuttle or jitney service and he was happy the first jitney license was issued in 14 years and it had been instituted and would go far; that Center Street should be looked at for an option for light rail expansion and would provide limited disruption to businesses along Washington; and for Council Members returning next year he would ask they consider working with their delegation in Austin to create a Washington Avenue Management District and make Washington Avenue a priority. Council Members Lawrence, Johnson, Holm and Noriega absent.

Council Member Gonzalez thanked Mr. Freeman for coming and stated that he would follow-up with him and see how they could collaborate on future plans. Council Members Lawrence, Johnson, Holm and Noriega absent.

Ms. Nancy Hentschel, no address given (832-228-7642) appeared and stated that she was an anthropologist, mother, teacher, healthcare activist, etc., and was not easily shocked by social stresses and political oppression, but her 3-1/2 day stay at the Harris County Jail as a participant in civil disobedience against Signa Insurance was an eye opener on many levels; that approximately 75% of the women she spoke with at the jail were there for victimless crimes, many were in for a form of debtors imprisonment due to healthcare problems which often gave rise to unsustainable financial stresses; that some sat there three days with attached medical aids while waiting for someone to pay for their release and Medicaid patients lost coverage while incarcerated and it could take many months to apply for chronic healthcare issues after time served; that women were x-rayed every time they entered and that included every pregnant woman every time and that was a horrendous act; that they also had very low water pressure

and water fountains oozed up but did not flow and you would have to put your mouth on the metal surface and suck and she wanted Council to resolve that water pressure at all Harris County jails; that also there were concrete rooms, 55° with between 30 and 50 inmates lying on the concrete floor and sitting on concrete benches, it was cold and grossly unhealthy. Council Members Lawrence, Johnson and Noriega absent.

Ms. Tiffany Moore, 10030 Windriver, Houston, Texas 77070 (281-890-2182) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson and Noriega absent.

Mr. Stan James, 822 E. 24th, Houston, Texas 77009 (832-247-8846) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson and Noriega absent.

Mr. Darryl Bell, 2701 Brenda Lane, Humble, Texas 77338 (281-570-2283) appeared and stated that he was present as last June he was a City employee in the Public Works Department and he had applied as a truck driver and worked over his job classification; that he was discharged in March of this year stating he falsified a city document; that his job was to cut ditches along city areas and he put complete as he did it, but the supervisor accused him of not doing the work; that he was asking for assistance in getting his job back, he tried filing for unemployment and they perjured themselves at the hearings saying his whole crew was discharged and that was not the case; that he needed to support his family and urged that Council look into the matter for him. Council Members Lawrence, Johnson, Holm and Noriega absent.

Mr. Michael Griffin, 5327 Winding Way, Houston, Texas 77091 (713-503-8064) appeared, thanked all winners from the past election and stated that he was present with an idea he had a few years back; that he would like METRO to present a gift for the City of Houston and open up the HOV lanes during Christmas holidays starting December 12th; that eight years ago he started the first family section guaranteed letter, which guaranteed 1,000 seats for families because seven of ten families were not able to take children to a sporting event; that it was only guaranteed three years but it was such a success the Rockets and the other group had carried it on and you could still take children to get a Houston Rocket ticket for under \$20.00 and to open the HOV at Christmas time, you could call it "Holiday Lane" and it would be a gift to Houstonians; that he went before their board and they liked the idea and today he was asking Council to use any influence they had and consider his idea. Council Members Lawrence, Johnson, Holm and Noriega absent.

Council Member Lovell stated that she knew he had gone to METRO and it was an excellent idea and she asked METRO to put numbers together for her and it was figured for December 5th through January 3rd for weekends from 5:00 a.m. to 10:00 p.m. and weekly operation would be extended two hours from 8:00 p.m. to 10:00 p.m. and it came to about \$103,865.00 to do so and METRO said the funding was not there; that she and METRO liked the idea and thought it was something to be planned for in the future; that as chair of the Transportation Infrastructure and Aviation Committee she would be glad to get with him and METRO and see if they could open it in the future; and Mr. Griffin stated that they used the same argument they could not come up with the money, but almost nine of ten people paid sales tax every single day and got nothing out of it and it was absurd they would not take a small amount, saying there was no money; and Council Member Lovell stated that much of the success of a plan was in the planning. Council Members Lawrence, Johnson, Holm and Noriega absent.

Ms. Gladys House, 1605 Andrews, Houston, Texas 77019 (713-742-6995) appeared, presented information and stated that she was from the Freedman's Town Community and

present to get information on two topics of concern, one being the Gregory Library and second was redistricting of District I; that on the Gregory Library she was concerned that contracts, jobs and decisions were made exclusive of the grassroots residents and their associations and organizations in Freedmen's Town and hiring was done and they were still trying to get answers as to why no residents were employed at the recently renovated library; that on redistricting of District I, as in the November 4th election Precinct 30 was given a ballot for District H and she thought maybe redistricting had occurred without their knowledge; that she left messages at Council Member Rodriguez office but no one had returned the call; and she was requesting a written explanation on her concerns. Council Members Lawrence, Johnson, Holm and Noriega absent.

Upon questions by Council Member Rodriguez, Ms. House stated that she spoke with one of his assistants, maybe his chief of staff, she had been helpful in the past; and Council Member Rodriguez stated that they would check on this for her, no redistricting had been done and he did need his votes. Council Members Lawrence, Johnson, Holm and Noriega absent.

Council Member Jones stated that she saw a fabulous picture of Ms. House in the museum and she thought they chose carefully the pictures they put up for the first exhibit period and knew she was in there as she had fought long and hard for Freedmen's Town; and Ms. House stated that what concerned her was those pictures were in the back and in the last room and there were no bylines to say who they were; and Council Member Jones stated that she knew the significance of her picture and the museum was great. Council Members Lawrence, Johnson, Holm and Noriega absent.

Mr. Vance Muse, 1113 Autry, Houston, Texas 77006 (713-775-9469) appeared and stated that he was a native Houstonian now back 10 years working and living in the Museum District and in addition to his duties as communications director of the Menial Collection he was a freelance writer; that today he was present as a concerned pedestrian and bicyclist; two parts of town by example, bicycling in Memorial Park he had a concern with cars racing on Picnic Drive endangering many people and he pointed it out to officers who said he should bring the matter to Council and he would like slower speed limits and more clearly posted, maybe even speed bumps placed with broken lines for bicyclist to navigate; that he was also concerned with poor street condition in the Museum District, a top attraction for Houston, major arteries such as Richmond and Montrose from Montrose to Mecom Fountain should be a showplace and it was dangerous and unsightly with potholes, crumbling curbs, etc., and the same was true of Westheimer heading west from downtown to River Oaks Boulevard; that all streets he mentioned were perfect for commuter bike lanes being seen in other cities and they were needed in Houston and urged Council take such concerns under consideration. Council Members Lawrence, Johnson, Holm and Noriega absent.

Mayor White thanked Mr. Muse for coming and stated that to those Council Members continuing after January 1st one issue Houston would need to confront was the issue of curbs, since the city began first they had dirt streets and now the curb and gutter and many got broken down and it was longstanding the policy of the city that curb repair was a responsibility of the adjacent property, but from time to time one thing they cut which they planned to do if they had not been in recession was have a dedicated team of city employees for curb repair, but because of the downturn some things must be done and other things were important but not as urgent. Council Members Lawrence, Johnson, Holm and Noriega absent.

Council Member Jones stated that she was a fellow bike rider and did not like navigating streets, she rode along bayous and understood what he was saying and hoped one day they would have a bike able Houston. Council Members Lawrence, Johnson, Holm, Rodriguez and Noriega absent.

Council Member Sullivan stated he wanted to comment on the memo Director Marcotte prepared for Mayor White regarding the curb repair teams, it was a well thought out plan and he felt it would have been supported at the table by all Council Members, but it was expensive, less than a million for one crew and well over for two crews, but Mayor White did have Public Works evaluate, they just could not afford it at this time; and Mayor White stated that if the economy came back he wanted people to keep it in mind. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Noriega absent. (NO QUORUM PRESENT)

Council Member Adams moved the rules be suspended for the purpose of hearing Ms. Francis Welch at this time, seconded by Council Member Lovell. A vote was not recorded as a quorum was not present. Council Member Brown absent on personal business. Council Member Green absent on city business. Council Members Lawrence, Johnson, Clutterbuck, Khan, Holm, Rodriguez and Noriega absent. (NO QUORUM PRESENT)

Ms. Francis Welch, 1602 Harold, Houston, Texas 77006 (713-495-5386) appeared and stated that she was present as chairman of the board of directors for the Houston Arts Alliance and addressing last weeks series of reports on Channel 13 by Wayne Dolcefino regarding art in Houston; that she was not debating his critique of the concept or aesthetics, but wanted to correct misperceptions on HAA's role and responsibilities in the civic art program; that HAA committed to deliver eight pieces of new civic art during 2009 and were on schedule, delays occurred in two, one from a change in materials and the piece called "Tubs" was put on hold due to changes in homeland security procedures limiting access to the water museum and they were looking for a new location; that conservation of existing art work was a primary focus for their group and in the past year important pieces were professionally renovated; that HAA's legal relationship to the city regarding civic art was different from the grants program, with grants all money was directed to HAA on an annual basis and the agency administered all aspects of the program on behalf of the city and with civic art HAA was contracted as a project manager with three city departments and it covered the acquiring of new works and conservation of existing pieces. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

Mayor White thanked Ms. Welch and the fellow board members for their service on HAA, it was very important if they were allocating and spending money on civic art that they brought talent and skills of people who were patrons of the art within the community and experts in the arts to make sure they did it in a first class manner. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

Council Member Lovell thanked Ms. Welch for chairing the board of the Houston Arts Alliance and stated that it was difficult when you did volunteer work and get blindsided by such stories like the one that ran; that when economic times were tough one of the first things you might want to cut might be arts programs, but it was the one thing needed because it raised peoples spirits during tough times. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (292-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

Ms. Olivia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

Mr. Tommy Reece, 7558 Werner, Houston, Texas 77037 (281-447-0218) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

Ms. Gale Brook, 7702 Dewville Lane, Houston, Texas 77037 (281-919-4982) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

Ms. Cindy Laskowski, 7615 Echo Brook, Houston, Texas 77037 (281-787-6049) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Adams, Holm and Noriega absent.

The City Secretary stated that at this time she would recall Mr. Ozzy Franco as he was not present when called earlier and his subject was the same, but again Mr. Franco was not present. Mayor White, Council Members Lawrence, Johnson, Holm and Noriega absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Timothy Campbell, 715 Valentine Way #N, Houston, Texas 77019 (713-739-7576) appeared and stated that he was present with a specific request for the Mayor who was now gone; that he lived in Allen Parkway Village and on February 21st a 19 year old Black male was killed at his door and he asked for help from Council Members Jones and Rodriguez as HPD would not answer questions; that he had written nine questions and his public request was for Mayor White to look at those questions and get answers from HPD, this was a strange murder in Houston public housing, someone was shot in the chest four times and an ambulance called, but instead of waiting for it someone listed as a witness drove the person to Scott Street in east Houston and something was fishy and he wanted to know if someone was being charged and why witnesses who kept the victim from getting medical help were not suspects rather than witnesses in the case. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that she would make sure the questions were passed to Mayor White. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Emma Abraham, 5815 Gulfton #3018, Houston, Texas 77081 (832-596-0606) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Rosa Tyler, 12817 Kylewick Drive, Houston, Texas 77085 (713-723-5216) appeared and stated that she was present last year and needed answers to problems in the neighborhood; that she lived in the South Main area near Post Oak 50 years and it was quiet and peaceful, but now most neighbors were dead and gone and those now buying into the neighborhood were disrespectful, noisy, etc., and the area was a dumping ground for drugs; that she called Officer L. Franco in the Hiram Clarke area and Sgt. Sutton in Beechnut and they came and said if they did not keep complaining problems could not be solved; that they were respectful citizens and needed protection and she would keep coming back. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that Ms. Tyler was a wonderful advocate for her neighborhood and her Council Member would like to speak with her. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Council Member Adams thanked Ms. Tyler for coming and stated that she would come get the correct address from her and see what the exact issues were and then pass it to HPD for her and a member of her staff would be calling her. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that Mr. Norris Davis was present from Neighborhood Protection and if they could get together she was sure they could get a plan of action together. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Coach Dan Hart, 71 Hilbury Drive, Houston, Texas 77024 (713-781-2867) appeared and stated that he was asking the Mayor and Council to help him help the taxpayers of Harris County and then move to the state; that the three legs of the proposal he would put forward at the Harris County Appraisal District Board of Directors if he was selected to represent Houston taxpayers and not special interest groups would be to provide a self appraising reporting form where they could get the characteristics right on their home in advance so the halo on the head of the appraisal district once they decided the characteristics by flying over or driving by; that there should be a rule where they could record or videotape answers of the appraisal district when answering their questions and he wanted to give free money so to speak, and he wanted to be a board member; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Sullivan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that if he had something to leave he could do so; and Mr. Hart stated that he was preparing a book for Ms. Nancy Reagan if Council Members would like to sign it at this time he would appreciate it. Mayor White, Council Members Lawrence, Johnson, Sullivan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, P. O. Box 26325, Houston, Texas 77207 (832-292-5203) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052 (no phone number given) appeared and stated that he was requesting more time to speak; that Mayor White wanted him assassinated; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Noriega 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 26.82 acres of park land; that a big tank was placed on the property and she was inquiring about it; and also wanting to go forward with the YMCA plan and meet with those she needed to meet with. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Vice Mayor Pro Tem Lovell, Ms. Taylor stated that a large gas tank or water tank as tall as the room was placed on the property; and Vice Mayor Pro Tem Lovell stated that it would be checked. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Mr. Sammie Jones, no address given (no phone) appeared and stated that he was requesting Council to assist him in filing a report with HPD concerning the change of address form used in his name; that he was told by the Federal Trade Commission to file a report but for some reason HPD would not let him. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Jones stated that he contacted HPD two times and they would not let him file a report, someone filed a change of address in his name which affected his parents taxes and his parent took it as him trying to take over the property and put her out and now he lost residency; and Council Member Jones stated that the DA's Office would determine if a crime was committed; and Mr. Jones stated that he did go there and asked to meet with Ms. Pat Lykos and was told she was out of state; and Council Member Jones stated that her office could contact the DA's Office, but Pay Lykos was like "the District Attorney" and did not do intake at the DA's Office, but she would help put him in contact with someone. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

At 3:36 p.m. City Council recessed until 9:00 a.m., Wednesday, December 2, 2009. Council Member Brown absent on personal business. Council Member Green absent on city business. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Noriega absent. Vice Mayor Pro Tem Lovell presiding. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, December 2, 2009, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, 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. Anthony Hall, Chief Administrative Office, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Agenda Office, present.

At 8:17 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 Sullivan, Khan, Green and Jones absent.

Council Member Gonzalez moved to suspend the rules to move the Monthly Operations and Financial Report to the top of the agenda, seconded by Council Member Adams. All voting aye. Nays none. Council Members Sullivan, Khan, Green and Jones absent. MOTION 2009-0855 ADOPTED.

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented.

Mayor White recognized Ms. Annise Parker, City Controller, and Ms. Michele Mitchell, Director of Finance, for the report. Council Members Sullivan, Khan, Green and Jones absent.

Ms. Parker and Ms. Mitchell reviewed the Monthly Operations and Financial Report, a copy of which is in the City Secretary's office for review. Council Members Johnson, Rodriguez, Lovell, Green and Jones absent.

Upon questions by Council Members, Ms. Parker stated that her staff and Ms. Mitchell's staff met regularly to discuss issues and the General Fund budget was \$1.8 billion and right now the variance between her and Ms. Mitchell's projection was less than 1%, that she did economic forecasting in the private sector for 20% years and if they were on target it would earn bonuses, that the problem was that they budgeted so carefully and so closely that that kind of variance causes some heartburn on the City's side, that over the last few years revenue had come in higher than anticipated and now it was coming in lower than anticipated and that was when some very targeted budgeted began to pinch, that what they see in this monthly report represented hundreds of individual revenue lines and they scrubbed them continuously, the one area where they had persistent problems in the twelve years she had been here, and longer than that, was the Municipal Courts, and the other was in one of the Enterprise Funds, the Water Sewer System, that those were two major areas where they persistently had problems with; and Ms. Mitchell stated that at the end of the year they catch up on traffic enforcement due to the laws so she agreed with what Ms. Parker was saying, but she wanted to note that on traffic enforcement, that the concern continued to be with Municipal Courts and the Combined Utility System, that she thought they should do a study and knew that the Mayor had asked for it some time back when she first came on board and believed that Public Works was supposed to be doing that and that was on the rainfall over a certain period of time so that they could try to develop some type of trend if possible, that she had not seen that report yet, but thought it was important that they do so because as they knew she did not move up the revenue because the next month she was going to get a down revenue again because of rainfall, but it was something that she was working with Municipal Courts on and thought the new kiosk was going to be a huge help in being able to project better revenues and as far as the courts and police being there she thought that was improved and her understanding was that it had improved and thought that the Mayor was going to speak to that but that was her understanding, that she did not have any other answer for the police officers showing up but they would catch up at the end of the year. Council Member Johnson absent.

After further discussion Council Member Clutterbuck moved to accept the Monthly Operations and Financial Report, seconded by Council Member Khan. All voting aye. Nays none. Council Member Johnson absent. MOTION 2009-0856 ADOPTED.

Mayor White recognized the City Controller Annise Parker. Council Member Johnson absent.

Ms. Parker stated that while she knew that Council Members had at least two more Council meetings and they would have their opportunities to say their goodbyes later this was her last formal presentation to City Council, that it was the last time she would be in the Chamber by statute and she wanted to take the opportunity to thank them for the courtesy with which they had always received her in the Chamber, the attention and professionalism they had given to budget presentations, that it had been an honor to serve with them and thanked them for the friendships that had been formed and the work that they had done together on behalf of the City. Council Member Johnson absent.

At 10:19 Mayor White stated that they would move to the public hearing. Council Member Johnson absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** regarding amendment to the Project Plan and Reinvestment Zone Financing Plan for the **TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-ONE (HARDY/NEAR NORTHSIDE ZONE) - DISTRICT H – GONZALEZ** – was presented. Council Members Johnson, Clutterbuck, Adams, Khan and Noriega absent.

The City Secretary stated that Mr. Tim Douglass would make remarks concerning the hearing and they had two speakers that had signed up to speak at the hearing. Council Members Johnson, Clutterbuck, Adams, Khan and Noriega absent.

Mr. Douglass stated that he was present for another TIRZ plan amendment hearing and was joined by Ms. Salima Pirmohamed who was Special Assistant to the Director for Policy and had been working on this and Ms. Debra McAbee, Legal Department, and Mr. Ralph DeLeon, Division Manager for TIRZ's, that on November 9, 2009, the Board of Directors of the Hardy/Near Northside approved amendments to the TIRZ Project Plan and Financing Plan and forwarded them to the City for consideration, that this public hearing was a statutory required part of the City's review process, that each Council office had received a copy of the proposed first 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 approximately \$42 million, including an estimated \$12 million for affordable housing, that as explained in the body of the proposed amendments and more explicitly shown in Exhibit 1 of the proposed amended project plan the proposed amendments were to provide a series of projects involving public infrastructure improvements, public facility and public space enhancements, that in closing the City staff had worked with the Hardy/Near Northside Authority on the proposed first amended plan and would at a later Council meeting bring forth a recommendation for City Council to approve the plan amendments. Council Members Johnson, Clutterbuck, Adams, Khan and Noriega absent.

Mr. Neal Rackleff, 17530 Memorial Ridge Dr., Spring, Texas 77379 (713-226-1290) appeared and stated that he would pass on his speaking time. Council Members Johnson, Clutterbuck, Adams, Khan and Noriega absent.

Mr. David Cox, 6412 Gouldville Ct., Austin, Texas 78739 (512-791-1811) appeared and stated that he would pass on his speaking time. Council Members Johnson, Clutterbuck, Adams, Khan and Noriega absent.

Council Member Gonzalez stated that he wanted to express his support for this TIRZ, that he had been well informed about the plans and worked closely with them, and moved to close the public hearing, seconded by Council Member Adams. Council Members Sullivan and Noriega absent.

Council Member Brown stated that this was a great opportunity for development in a key part of Houston that was taking the old Hardy Yards and turning it into a higher mixed use development hopefully with a transit connection that really made sense and could be a great economic generator for this part of town, that they worked on this for a long time and thought it was really time to get on with it, that it was not an easy project to do and all of them needed to work hard to help the developer make a huge success out of it. Council Members Sullivan and Noriega absent.

A vote was called on the motion to close the public hearing. All voting aye. Nays none. Council Members Sullivan and Noriega absent. MOTION 2009-0857 ADOPTED.

Mayor White stated that he wanted to note to those Members who would continue to sit at the table that they had been working very aggressively with the Freight Rail District and others to pursue what was called a "Tiger Grant", which was a large federal grant that would provide some of the infrastructure funding for grade separations and other improvements in the area, that he had talked to the Secretary of Transportation of the United States last week and thought they would know no later than 90 days and perhaps sooner about the result from that grant as they get this project plan in place and was very optimistic that they would be seeing a significant new milestone in the development in the Near Northside. Council Member Noriega absent.

Council Member Lovell stated that she understood that they were not going to have a Mayor's Report on the Houston Zoo and were not because Ms. Debra Cannon's mother died last night and would not be here, that she was sure she could speak for everybody present that they send their sympathies and prayers to Debra Cannon and her family. Council Member Noriega absent.

MAYOR'S REPORT - Houston Zoo Update

At 10:24 Mayor White stated that they would move to the consent agenda. Council Member Noriega absent.

CONSENT AGENDA NUMBERS 2 through 101

MISCELLANEOUS – NUMBER 3

3. RECOMMENDATION from the Mayor's Office of Public Safety and Homeland Security for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2010 (January 1, 2010 through December 31, 2010) – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0858 ADOPTED.

ACCEPT WORK - NUMBER 5

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$731,914.00 and acceptance of work on contract with **MOMENTUM CONTRACTORS, INC** for Burress, Japhet and Dalton Fleet Maintenance Facilities - 0.44% over the original contract amount - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0859 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 13

8. **KONE, INC d/b/a KONE SPARES, INC** for Escalator Parts from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department - \$487,180.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0860 ADOPTED.
9. ORDINANCE appropriating \$3,155,953.42 out of Equipment Acquisition Consolidated Fund for Purchase of Firefighting Trucks for Houston Fire Department – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1143 ADOPTED.

- 9a. **TYLER MOTOR CO., INC d/b/a HALL BUICK, PONTIAC, GMC** - \$4,475,415.00 and **MARTIN APPARATUS, INC** - \$1,670,364.00 for Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Fire Department \$6,145,779.00 Equipment Acquisition and ARRA Grant Funds – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0861 ADOPTED.
10. ORDINANCE appropriating \$218,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Sewer-Force Mains for Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1144 ADOPTED.
- 10a. **HUFF & MITCHELL, INC** for Emergency Repair of Sewer-Force Mains for Department of Public Works & Engineering – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0861 ADOPTED.
11. **VARIAN, INC** for Purchase of Simultaneous Inductively Coupled Plasma Optical Emission Spectrometer (SICPOES) from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for Department of Public Works & Engineering \$86,159.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0862 ADOPTED.
13. **HOUSTON FREIGHTLINER, INC** for Freightliner, Cab and Chassis Replacement Parts and Repair Services for the Solid Waste Management Department - \$620,000.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0863 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 101

15. RESOLUTION regarding assurances to Federation Internationale De Football Association concerning support for the 2018 and 2022 World Cup – was presented. All voting aye. Nays none. Council Member Noriega absent. RESOLUTION 2009-0035 ADOPTED.
16. ORDINANCE **AMENDING ARTICLE II OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the City Water Service Charges; making findings and containing provisions related to the subject; providing for severability; containing a savings clause – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1145 ADOPTED.
- 16a. ORDINANCE approving and authorizing Treated Water Supply Contract between the City of Houston and **ANHEUSER-BUSCH, INCORPORATED** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1146 ADOPTED.
34. ORDINANCE establishing the north and south sides of the 1700 block of Branard Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1147 ADOPTED.

35. ORDINANCE establishing the north and south sides of the 1700 block of Branard Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1148 ADOPTED.
36. ORDINANCE establishing the north side of the 500 block of Woodland Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1149 ADOPTED.
39. ORDINANCE appropriating \$255,000.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** and the City for Pole Attachment Rights; providing a maximum contract amount - 5 Years \$977,182.02 - Enterprise, Parking Management, Central Service Revolving and Digital Inclusion Funds – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Noriega absent.
44. ORDINANCE amending Ordinance No. 2009-1016 (Passed on October 21, 2009) approving and authorizing the submission of an application for and acceptance of the **U.S. DEPARTMENT OF TRANSPORTATION FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FY2010 HIGH PRIORITY GRANT** for the Houston Police Department – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1150 ADOPTED.
45. ORDINANCE approving and authorizing contract between **HARRIS COUNTY** and the City of Houston, the **CITY OF BELLAIRE** and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** relating to the Joint Runoff Election to be held on December 12, 2009; providing a maximum contract amount - \$1,548,029.45 - General Fund – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1151 ADOPTED.
53. ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, as Landlord, and the **HOUSTON POLICE FEDERAL CREDIT UNION**, as Tenant, for 1,023 square feet of real property located on the 1st and 20th floors of 1200 Travis, Houston, Harris County, Texas, to be used for office and ATM spaces - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1152 ADOPTED.
54. ORDINANCE amending Ordinance 2009-0752 concerning an Occupancy Agreement between **HARRIS COUNTY DEPARTMENT OF EDUCATION, as Occupant**, and the City of Houston, Texas, as owner, for space in the Fifth Ward Multi-Service Center - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1153 ADOPTED.
59. ORDINANCE appropriating \$38,209.00 out of Parks Consolidated Construction Fund, \$29,702.00 out of Parks Special Fund; approving and authorizing issuance of purchase order to **GAMETIME** for Purchase of Playground Equipment for Stuebner Airline Park and Braeburn Glen Park **DISTRICTS B - JOHNSON and F - KHAN** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1154 ADOPTED.

60. ORDINANCE appropriating \$381,933.00 out of Parks Special Fund and awarding construction contract to **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Wiley Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering testing services, construction management, and contingencies relating to construction of facilities financed by Parks Special Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1155 ADOPTED.
61. ORDINANCE appropriating \$1,680,158.00 out of Parks Consolidated Construction Fund awarding construction contract to **TIMES CONSTRUCTION, INC** for T. C. Jester Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1156 ADOPTED.
62. ORDINANCE awarding Professional Services Agreement to **CRAIG T. MASON** for Pension related Consulting Services for the Finance Department; providing a maximum contract amount 3 Years - \$295,500.00 - General Fund - had been pulled from the Agenda by the Administration, and was not considered. Council Member Noriega absent.
63. ORDINANCE appropriating \$3,971,260.00 out of Tax Increment Funds for Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), and Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone) for payment of administrative expenses, payment of project costs, payments to Harris County Affordable Housing Fund, and payments to certain redevelopment authorities as provided herein - **DISTRICTS B - JOHNSON; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1157 ADOPTED.
67. ORDINANCE approving and authorizing Interlocal Agreement between the City and **HOUSTON INDEPENDENT SCHOOL DISTRICT** to collaborate in the operation of H1N1 Influenza Vaccination Clinics; providing a maximum contract amount - \$525,984.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1158 ADOPTED.
70. ORDINANCE awarding contract to **PHILADELPHIA GEAR CORPORATION** for Lightin© and Philadelphia© Mixer Repair/Overhaul Services; providing a maximum contract amount - 3 Years with two one-year options - \$4,965,708.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1159 ADOPTED.
72. ORDINANCE consenting to the addition of 35.09 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 501**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1160 ADOPTED.

73. ORDINANCE approving and authorizing Treated Water Supply Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 148** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1161 ADOPTED.
74. ORDINANCE approving and authorizing Professional Materials Engineering Laboratory Contracts between the City of Houston and **ALL-TERRA MATERIALS TESTING, INC** for Testing Laboratory Services for the Department of Public Works & Engineering and the Houston Airport System – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1162 ADOPTED.
75. ORDINANCE approving and authorizing third amendment to Professional Engineering Services Contract between the City of Houston and **AECOM USA GROUP, INC** for the Storm Water Management Program – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1163 ADOPTED.
76. ORDINANCE appropriating \$3,517,867.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1164 ADOPTED.
77. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 4** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1165 ADOPTED.
- 77a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 4**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cinco Southwest Municipal Utility District No. 4 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1166 ADOPTED.
78. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 3** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1167 ADOPTED.
- 78a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 3**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cinco Southwest Municipal Utility District No. 3 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1168

ADOPTED.

79. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **CIMARRON MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1169 ADOPTED.
- 79a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CIMARRON MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Cimarron Municipal Utility District, in Harris County and Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Cimarron Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Cimarron Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1170 ADOPTED.
80. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1171 ADOPTED.
- 80a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5** and certain territory located in the vicinity of Harris Fort Bend Counties Municipal Utility District No. 5, in Harris County and Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris Fort Bend Counties Municipal Utility District No. 5; imposing the sales and use tax of the City of Houston in the area within Harris Fort Bend Counties Municipal Utility District No. 5 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1172 ADOPTED.
81. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **CY CHAMP PUBLIC UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1173 ADOPTED.
- 81a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CY CHAMP PUBLIC UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within CY Champ Public Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1174 ADOPTED.
82. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CYPRESS FOREST PUBLIC UTILITY DISTRICT** – was presented.

All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1175 ADOPTED.

- 82a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CYPRESS FOREST PUBLIC UTILITY DISTRICT** and certain territory located in the vicinity of Cypress Forest Public Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Cypress Forest Public Utility District; imposing the sales and use tax of the City of Houston in the area within Cypress Forest Public Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1176 ADOPTED.
83. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY FRESHWATER SUPPLY DISTRICT NO. 52** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1177 ADOPTED.
- 83a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY FRESHWATER SUPPLY DISTRICT NO. 52**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Freshwater Supply District No. 52 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1178 ADOPTED.
84. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 114** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1179 ADOPTED.
- 84a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 114** and certain territory located in the vicinity of Harris County Water Control and Improvement District No. 114, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Water Control and Improvement District No. 114; imposing the sales and use tax of the City of Houston in the area within Harris County Water Control and Improvement District No. 114 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1180 ADOPTED.
85. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **BRIDGESTONE MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1181 ADOPTED.
- 85a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area

located within **BRIDGESTONE MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Bridgestone Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Bridgestone Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Bridgestone Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1182 ADOPTED.

86. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **GREENS PARKWAY MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1183 ADOPTED.
- 86a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **GREENS PARKWAY MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Greens Parkway Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Greens Parkway Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Greens Parkway Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1184 ADOPTED.
87. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1185 ADOPTED.
- 87a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191** and certain territory located in the vicinity of Harris County Municipal Utility District No. 191, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 191; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 191 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1186 ADOPTED.
88. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **MASON CREEK UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1187 ADOPTED.
- 88a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MASON CREEK UTILITY DISTRICT** and certain territory located in the vicinity of Mason Creek Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain

areas in the vicinity of Mason Creek Utility District; imposing the sales and use tax of the City of Houston in the area within Mason Creek Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1188 ADOPTED.

89. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **NORTH BELT UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1189 ADOPTED.
- 89a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTH BELT UTILITY DISTRICT** and certain territory located in the vicinity of North Belt Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of North Belt Utility District; imposing the sales and use tax of the City of Houston in the area within North Belt Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1190 ADOPTED.
90. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **NORTH FOREST MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1191 ADOPTED.
- 90a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTH FOREST MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of North Forest Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of North Forest Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within North Forest Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1192 ADOPTED.
91. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **TIMBER LANE UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1193 ADOPTED.
- 91a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **TIMBER LANE UTILITY DISTRICT** and certain territory located in the vicinity of Timber Lane Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Timber Lane Utility District; imposing the sales and use tax of the City of Houston in the area within Timber Lane Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega

absent. ORDINANCE 2009-1194 ADOPTED.

92. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1195 ADOPTED.
- 92a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61** and certain territory located in the vicinity of Harris County Municipal Utility District No. 61, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 61; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 61 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1196 ADOPTED.
93. ORDINANCE approving and authorizing second amendment to the Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1197 ADOPTED.
- 93a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 50 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1198 ADOPTED.
94. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 118** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1199 ADOPTED.
- 94a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 118** and certain territory located in the vicinity of Fort Bend County Municipal Utility District No. 118, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Fort Bend County Municipal Utility District No. 118; imposing the sales and use tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 118 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1200 ADOPTED.
95. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FOREST HILLS MUNICIPAL UTILITY DISTRICT** – was presented.

All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1201 ADOPTED.

- 95a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FOREST HILLS MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Forest Hills Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Forest Hills Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Forest Hills Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1202 ADOPTED.
96. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 105** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1203 ADOPTED.
- 96a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 105** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 105**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 105; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 105 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1204 ADOPTED.
97. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 149** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1205 ADOPTED.
- 97a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 149** and certain territory located in the vicinity of Harris County Municipal Utility District No. 149, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 149; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 149 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1206 ADOPTED.
98. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1207 ADOPTED.

- 98a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15** and certain territory located in the vicinity of Northwest Harris County Municipal Utility District No. 15, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Northwest Harris County Municipal Utility District No. 15; imposing the sales and use tax of the City of Houston in the area within Northwest Harris County Municipal Utility District No. 15 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1208 ADOPTED.
99. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **RICHEY ROAD MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1209 ADOPTED.
- 99a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **RICHEY ROAD MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Richey Road Municipal Utility District, in Harris or Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Richey Road Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Richey Road Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1210 ADOPTED.
100. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **SPRING WEST MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1211 ADOPTED.
- 100a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **SPRING WEST MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Spring West Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Spring West Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Spring West Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1212 ADOPTED.
101. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **TATTOR ROAD MUNICIPAL DISTRICT** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1213 ADOPTED.
- 101a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **TATTOR ROAD MUNICIPAL DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Tattor Road Municipal District

annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1214 ADOPTED.

Council Member Clutterbuck moved to consider Item Numbers 2, 64 and 65 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0865 ADOPTED.

2. RECOMMENDATION from Director Department of Public Works & Engineering for designation of a banner district in the **UPPER KIRBY MANAGEMENT DISTRICT - DISTRICTS C - CLUTTERBUCK and G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0866 ADOPTED.
64. ORDINANCE extending the duration of **REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)** until December 31, 2029 - **DISTRICTS C - CLUTTERBUCK and G - HOLM** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1215 ADOPTED.
65. ORDINANCE approving the third amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)**; authorizing the City Secretary to distribute such plans - **DISTRICTS C - CLUTTERBUCK and G - HOLM** – was presented. All voting aye. Nays none. Council Member Noriega absent. ORDINANCE 2009-1214 ADOPTED.

Council Member Adams moved to consider Item Number 66 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Noriega absent. MOTION 2009-0867 ADOPTED.

66. ORDINANCE relating to the Fiscal Affairs of the **MIDTOWN REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone); approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone - **DISTRICTS D - ADAMS and I – RODRIGUEZ** – was presented.

After discussion by Council Members a vote was called on Item No. 66. All voting aye. Nays none. ORDINANCE 2009-1215 ADOPTED.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MISCELLANEOUS

4. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2008 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2009 MTFP in map form – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Brown absent. MOTION 2009-0868 ADOPTED.

ACCEPT WORK

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,402,285.00 and acceptance of work on contract with **NBG CONSTRUCTORS, INC** for Memorial Bridge West Abutment Repairs - 1.09%

over the original contract amount - **DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Member Brown absent. MOTION 2009-0869 ADOPTED.

PROPERTY

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed by the Joint Referral Committee, on request from Ryan Taaffe of Orr Commercial, on behalf of OCT Heights, LTD (Robert C. Orr, Jr., General Partner), for abandonment and sale of a 15-foot-wide prescriptive utility easement, from the northern line of Lots 8 and 27, Block 324, south ±581.97 feet to the H.T. & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey, Parcels SY10-012 and VY10-032 - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Khan, seconded by Council Member Green. Council Member Brown absent.

Council Member Gonzalez stated that would like to tag the item, that there were a few things that he needed to find out with the applicant. Council Member Brown absent.

PURCHASING AND TABULATION OF BIDS

12. ORDINANCE appropriating \$241,148.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repairs and Construction Services of the 15” Rusk Avenue Sanitary Sewer Line for Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2009-1218 ADOPTED.
- 12a. **FUQUAY, INC** for Emergency Repairs and Construction Services of the 15” Rusk Avenue Sanitary Sewer Line 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 Brown absent. MOTION 2009-0870 ADOPTED.

RESOLUTIONS AND ORDINANCES

14. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Single Family Mortgage Revenue Bonds, Series 2009A and approving the Official Statement with respect to such bonds – was presented. All voting aye. Nays none. Council Member Brown absent. RESOLUTION 2009-0014 ADOPTED.

Council Member Sullivan moved to consider Item Numbers 17 through 33 concurrently, seconded by Council Member Holm. All voting aye. Nays none. MOTION 2009-0871 ADOPTED.

Council Member Sullivan stated that he would tag Item Numbers 17 through 33.

17. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **5 SHADOW LAWN STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events; providing for severability - **DISTRICT C – CLUTTERBUCK** – was presented, and tagged by Council Member Sullivan.

18. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **224 WEST 16TH STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events; providing for severability - **DISTRICT H - GONZALEZ** – was presented, and tagged by Council Member Sullivan.
19. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **4 COURTLANDT PLACE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events; providing for severability - **DISTRICT D - ADAMS** – was presented, and tagged by Council Member Sullivan.
20. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1515 SOUTH BOULEVARD** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK** – was presented, and tagged by Council Member Sullivan.
21. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **912 WEST TEMPLE AVENUE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ** – was presented, and tagged by Council Member Sullivan.
22. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2232 BRENTWOOD DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT D - ADAMS** – was presented, and tagged by Council Member Sullivan.
23. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2175 TROON ROAD** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM** – was presented, and tagged by Council Member Sullivan.
24. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1046 HARVARD STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ** – was presented, and tagged by Council Member Sullivan.
25. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3740 WILLOWICK ROAD** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM** – was presented, and tagged by Council Member Sullivan.
26. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3223 INWOOD DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM** – was presented, and tagged by Council Member Sullivan.

27. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2947 INWOOD DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM** – was presented, and tagged by Council Member Sullivan.
28. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1801 LUBBOCK STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ** – was presented, and tagged by Council Member Sullivan.
29. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **417 SAN JACINTO STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
30. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **910 PRAIRIE STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
31. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **307 TRAVIS STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
32. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **813 CONGRESS STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
33. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **305 TRAVIS STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ** – was presented, and tagged by Council Member Sullivan.
37. ORDINANCE amending Ordinance Number 2007-534 relating to health benefits for employees of City Contractors and responsibility of bidders on certain City contracts - was presented, and tagged by Council Members Brown, Khan and Green.

After discussion by Council Members, Council Member Sullivan stated that he would also tag Item No. 37. Council Member Adams absent.

38. ORDINANCE approving and authorizing contract for Legal Services in the amount of \$280,000.00 between the City of Houston and **BARNES & TURNER, ATTORNEYS AT LAW**, in connection with the City's Single Family Home Repair and Downpayment Assistance Programs - CDBG Grant Funds - was presented. Council Member Adams absent. ORDINANCE 2009-1219 ADOPTED.

40. ORDINANCE 1) appropriating \$4,540,000.00 out of TIRZ Affordable Housing Fund No. 2409; 2) appropriating \$400,000.00 out of TIRZ Affordable Housing Uptown Fund No. 2400; 3) appropriating \$300,000.00 out of Affordable Housing Uptown 2002B Fund No. 2410; 4) appropriating \$230,000.00 out of Affordable Housing Midtown Series 2001 Fund 2416; 5) appropriating \$250,000.00 out of Affordable Housing Uptown Series 2004D Fund No. 2418; 6) re-allocating the \$230,000.00 previously allocated for Sprinkler Systems under Ordinance No. 2008-255; and 7) approving and authorizing sixth amendment to Land Assembly Grant Agreement between the City of Houston and **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** to provide funds for certain approved costs - was presented. Council Member Adams absent. ORDINANCE 2009-1220 ADOPTED.
41. ORDINANCE appropriating \$180,000.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing Development Agreement between the City and **GREATER HOUSTON DEVELOPMENT, INC** to develop two (2) affordable single-family homes in the Trinity Gardens Area to be sold to qualified low-income and very low-income families - **DISTRICT B – JOHNSON** – was presented, and tagged by Council Member Johnson. Council Member Adams absent.

After discussion by Council Members, Council Member Clutterbuck stated that she would also tag Item No. 41.

42. ORDINANCE declaring the City's eligibility for the Recovery Act Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice, as managed by the Governor's Criminal Justice Division; approving and authorizing the application for and acceptance of such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to accept and manage such grant funds - \$109,248.00 - Grant Fund – was presented.

After discussion Council Member Lawrence stated that she would tag Item No. 42. Council Member Holm absent.

43. ORDINANCE approving and authorizing the submission of a joint application for grant assistance from the Bureau of Justice Assistance to fund the FY2009 Edward Byrne Memorial Justice Assistance Grant Program and approving an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** as joint applicants for such grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department, or Acting Chief, or any designated Assistant Chief of the Police Department, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the application - \$3,720,810.00 - Grant Fund – was presented.

After discussion by Council Member Johnson a vote was called on Item No. 43. All voting aye. Nays none. ORDINANCE 2009-01221 ADOPTED.

46. ORDINANCE amending Ordinance No. 2007-821 (Passed on July 11, 2007) to increase the maximum contract amount and approving and authorizing amended contract between the City of Houston and **MUNICIPAL CODE CORPORATION** for Codification Services for the City Code for the Legal Department - \$115,000.00 - General Fund – was presented, and tagged by Council Member Lawrence.
47. ORDINANCE approving and authorizing Wireless Local Area Network ("WIFI") Services Concession Agreement between the City of Houston and **CONCOURSE**

COMMUNICATIONS GROUP, LLC for provision of services at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - Revenue - **DISTRICTS B - JOHNSON and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2009-01222 ADOPTED.

48. ORDINANCE approving and authorizing Lease and Development Agreement between the City of Houston and **IAH LAND PARTNERS, L.P.** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B – JOHNSON** – was presented.

After discussion by Council Members, Council Member Khan asked if someone from HAS could brief him about the process, and a vote was called on Item No. 48. Council Member Clutterbuck voting no, balance voting aye. ORDINANCE 2009-01223 ADOPTED.

49. ORDINANCE appropriating \$2,000,000.00 out of Airports Improvement Fund for supplemental allocation to contract for Professional Consulting Services by and between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Airport Spatial Information System Development and Management Services for the Houston Airport System (Project No. 584A; Contract No. 4600007373) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I – RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2009-01224 ADOPTED.

50. ORDINANCE approving and authorizing Purchase Agreement between the City of Houston, Seller, and **THE HOUSTON HEIGHTS ASSOCIATION, INC., a Texas Nonprofit Corporation**, Purchaser, to sell the former Fire Station No. 14, located at 107 West 12th Street (Parcel SY9-027), Houston, Texas, to Purchaser for the purpose of maintaining it as a protected landmark preserving the historic building and using the property as a community center and undertaking the historic restoration of the building; in consideration of such preservation and use as a Community Center and the payment of \$350,000.00 to the City by the purchaser; approving the Development Agreement and Special Warranty Deed - **DISTRICT H – GONZALEZ** – was presented. Mayor White absent. Vice Mayor Pro Tem Lovell presiding.

After discussion by Council Members, Council Member Holm asked what was the Historic Reservation Fund, why was the money going to that fund and would like an explanation of where the revenue was going from it and why it did not go to the General Fund.

Mayor White stated that as part of their general appropriation have certain funds set aside for historic preservation including those for the sale of some of the historic fire houses.

Council Member Holm moved to suspend the rules to hear from Ms. Minnette Boesel, Director, Cultural Affairs, Mayor's Office, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2009-0872 ADOPTED.

Ms. Boesel stated that there was an ordinance passed this past year that indicated that the proceeds of historic fire stations would go into a Historic Preservation Fund and so far there had been three historic fire stations sold, one of which was sold this past summer, and this was the fourth one, that this was to help establish a historic preservation grant fund and education fund and was administered through the Planning Department and the Historic Preservation office, that they were in the process of setting up guidelines for a grant program that could be used by members of the community, also an educational program which Betty Chapman, who chaired the Houston Archeological and Historical Commission, was very eager to expand information to the community about historic preservation and was setting up a very modest program of funding so that they could go forward on that; and Council Member Holm asked if they could use the funds to move the homes on Avenue of the Americas, and Ms. Boesel stated

that there was a discussion yesterday within the Planning Department about the possibility of using a portion of this to help in that effort and they discussed after the move, the actual renovation costs because the money was to be used for renovation, that was in discussion.

A vote was called on Item No. 50. All voting aye. Nays none. ORDINANCE 2009-01225 ADOPTED.

51. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of FIVE (5) years each, between **CROWN COMMUNICATION, INC**, or its affiliate, Licensor, and the City of Houston, Texas, Licensee, with a monthly License Fee of \$3,600.00 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 \$473,028.36, 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 9220 Tigner Road, Rosharon, Texas – was presented. All voting aye. Nays none. ORDINANCE 2009-01226 ADOPTED.
52. ORDINANCE approving and authorizing License Agreement, for ten (10) years with three (3) renewals of five (5) years each, between **TEXAS TOWER LIMITED, or its affiliate, Licensor**, and the City of Houston, Texas, Licensee, with a monthly License Fee of \$12,000.00 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 \$1,576,759.82, to allow the Radio Communications Division of the Information Technology Department to install equipment on one (1) Communications Tower and Equipment space in connection with a New Public Safety Radio System located at the JPMorgan Chase Tower, 600 Travis Street, Houston, Texas - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2009-01227 ADOPTED.
55. ORDINANCE approving Purchase and Sale Agreement between City of Houston, Seller and **COASTAL WATER AUTHORITY**, Buyer for the sale of 90.52 acres of land, more or less, located along the Trinity River in the William Whitlock League Survey, Abstract 18, Liberty County, Texas for the sale price of \$91,000.00; and approving the Special Warranty Deed and all closing costs associated with this transaction – was presented. All voting aye. Nays none. ORDINANCE 2009-01228 ADOPTED.
56. ORDINANCE appropriating \$17,356,262.00 out of Reimbursement of Equipment/Projects Fund and \$9,103,131.00 out of American Recovery and Reinvestment Act of 2009 (ARRA) Grant Fund (Approved by City Council Ord. No. 08-0439) and approving and authorizing contract between the City of Houston and **SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC f/k/a T.A.C. AMERICAS, INC** for Energy Conservation Measures - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2009-01229 ADOPTED.
57. ORDINANCE appropriating \$4,615.00 out of Parks Special Fund for Purchase of Equipment for the Kendall Library and Community Center - **DISTRICT G – HOLM** – was presented.

After discussion by Council Members, a vote was called on Item No. 57. All voting aye. Nays none. ORDINANCE 2009-01230 ADOPTED.

58. ORDINANCE appropriating \$131,000.00 out of Convention & Entertainment Construction Fund as an additional appropriating to Professional Engineering Services Contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for

Theatre District Parking Structural Assessment and Repairs (Approved by Ordinance No. 2006-530) - **DISTRICT I - RODRIGUEZ** – was presented, and tagged by Council Member Lawrence.

68. ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **SPEEDPAY, INC** for Western Union Speedpay Service for an Interactive Voice Response (IVR) Payment Processing Portal for the Municipal Courts Administration Department Revenue – was presented. All voting aye. Nays none. ORDINANCE 2009-01231 ADOPTED.
69. ORDINANCE amending Ordinance No. 2005-1286 (Passed on November 22, 2005) to increase the maximum contract amount for contract between the City of Houston and **ARAMARK CORRECTIONAL SERVICES, LLC** for Jail Food Services for Houston Police Department \$100,000.00 - General Fund - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2009-01232 ADOPTED.
71. ORDINANCE appropriating \$592,728.00 out of TIRZ Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **CFG TX GP, LLC** for Reimbursement of costs for paving in Settegast - **DISTRICT B – JOHNSON** – was presented, and tagged by Council Member Holm.

The City Secretary stated that Item No. 39 was listed previously as not in and it had been received and under the Rules of Council she had placed it at the end of Matters Held.

NON CONSENT AGENDA - NUMBERS 102 through 104

MISCELLANEOUS

102. RECEIVE nominations for appointments or reappointments for Positions Five and Seven on the **ETHICS COMMITTEE** for two years – was presented. Council Member Noriega absent.

Council Member Holm stated that she would like to nominate Mr. Rick Cagney for Position 5 of the Ethics Committee.

Council Member Clutterbuck stated that she would like to re-nominate Mr. John J. Douglass for Position 7 of the Ethics Committee. Council Member Brown absent.

Council Member Khan moved to close nomination to Positions 5 and 7 of the Ethics Committee, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Brown absent. MOTION 2009-0873 ADOPTED.

103. MOTION to set a date not less than seven (7) days from December 2, 2009, to receive nominations for appointments to Positions 6, 7, 8 and 9 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE), CITY OF HOUSTON, TEXAS** for terms to expire December 31, 2011, and for Chair for a term to expire December 31, 2010 – was presented.

Council Member Khan moved to set the next Council meeting to receive nominations on the St. George Place Reinvestment Zone, seconded by Council Member Green. All voting aye. Nays none. MOTION 2009-0874 ADOPTED.

104. MOTION to set a date not less than seven (7) days from December 2, 2009, to receive nominations for appointments to Positions 18, 19, 20, 21 and 22 of the **HOUSTON READ COMMISSION** for three year staggered terms from the date of appointment – was presented.

Council Member Khan moved to set the next Council meeting to receive nominations for the Read Commission, seconded by Council Member Green. All voting aye. Nays none. MOTION 2009-0875 ADOPTED.

MATTERS HELD - NUMBERS 105 through 109

105. 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** – **(This was Item 46 on Agenda of November 18, 2009, TAGGED BY COUNCIL MEMBER JOHNSON)** – was presented. All voting aye. Nays none. ORDINANCE 2009-1233 ADOPTED.
106. 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** – **(This was Item 48 on Agenda of November 18, 2009, TAGGED BY COUNCIL MEMBER JOHNSON)** - was presented.

Council Member Clutterbuck stated that she would like to tag Item No. 106 to hear back from the Airport on this particular ordinance authorizing a second amendment to this particular parking contracting, that she had expressed concern in the past about some of their long term contracts that ended up being amended and eventually becoming almost lifetime contracts without going out for further bid, that there was no doubt that this particular company did an outstanding job, but for her it was just a matter of public policy and would like an additional week to hear back from the Airport. Council Member Adams absent.

Mayor White stated that Item No. 106 had been tagged. Council Member Adams absent.

107. 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 – **(This was Item 50 on Agenda of November 18, 2009, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented. Council Member Adams absent.

After discussion by Council Members, a vote was called on Item No. 107. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2009-01234

108. 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 56 on Agenda of November 18, 2009, POSTPONED BY MOTION #2009-850)** – was presented. Council Member Johnson absent.

Council Member Clutterbuck stated that she wanted to move Item No. 108 as follows:

“to delete the recommendations one through four and adopt only recommendation number five which stated, ‘ Inasmuch as the value of the property interest was expected to exceed \$1 million that the value be establish by the two appraisers, Michael Jay Irvin and Mr. Albert Allen, independent appraisers, seconded by Council Member Holm. All voting aye. Nays none. MOTION TO AMEND CARRIED.

A vote was called on Item No. 108 as amended by Council Member Clutterbuck’s amendment and after further discussion a vote was called on Item No. 108 as amended. Council Member Holm voting no, balance voting aye. ORDINANCE 2009-0876

109. 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 59 on Agenda of November 18, 2009, POSTPONED BY MOTION #2009-853)** – was presented.

Council Member Clutterbuck stated that this particular item, No. 109, was essentially the booting ordinance, adopting changes from the State legislature that went into effect September 1, 2009 and this particular substitution motion that was in everybody’s book was a redline version that encompassed basically the results of negotiations with the Police Department and the booting companies and with stake holders and it included several clarifications and they could see that very clearly on the redline, that she would move to substitute the redline attached ordinance for Item No. 109, seconded by Council Member Lovell.

A vote was called on the motion to substitute a revised ordinance, which had been distributed to Council in redline form. All voting aye. Nays none. Council Member Brown absent. MOTION 2009-0877 ADOPTED.

A vote was called on the main item as amended by the substitute ordinance. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2009-1235 ADOPTED.

Item received during meeting.

39. ORDINANCE appropriating \$255,000.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** and the City for Pole Attachment Rights; providing a maximum contract amount - 5 Years \$977,182.02 - Enterprise, Parking Management, Central Service Revolving and Digital Inclusion Funds – was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2009-1236 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Green stated that there were organizations that were in need of help, that they were helping children and they needed toys and clothing and all of the things that they, Council Members, buy for their own families during the holiday time, that one of the organizations was SEARCH, that they needed unwrapped toys amongst other items and they can be reached at SEARCHHomeless.org to donate, that they needed the items by December 11, 2009 and were located at 2505 Fannin, Houston, Texas, that disturbingly they may have read that they have found that there were some organizations that were filtering who they give assistance to based on citizenship and as a parent he could tell them that was probably one of the most disheartening things he could feel because kids did not chose their parents, that he knew that SEACH was one organization who did not discriminate against or screen children for citizenship so if they were looking for a place to donate money, toys or clothing to please visit SEARCHHomeless.org. Mayor White and Council Member Sullivan absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Brown stated that he wanted to make a few comments about managing and facilitating growth and change in the City, that growth was happening, people were coming and population was increasing, businesses were starting up or expanding or relocating, that development was different than growth, it was essentially the building of the City, the physical environment where living, working, shopping, sports, entertainment and cultural all take place, the building of the City, the means of transport and the utilities that serve those buildings, that growth was the nature of cities, however development, the pattern of what they built could be either positive or not so positive or even negative, more efficient or less efficient, that in general they had in Houston a mixture of good, mediocre and poor development, that they had to admit that, that in his view the job of the City government was to better manage growth and change by promoting quality development and an efficient sustainable pattern of urbanization, that a lot of development issues and challenges faced their City in 2010, they had traffic problems, flooding to deal with, air quality challenges, policing and crime, how do they make their neighborhoods safer, they had large areas where there was physical decline, they had overcrowding, unwanted development and a weak tax base in many parts of the City, that these were great challenges but were also opportunities, that he drove around two weeks ago Sunday and saw vast areas of their City undeveloped and underdeveloped, perhaps a hundred square miles, that this was again an enormous opportunity for them, but it was essential that as the City grew and changed they get the development pattern right because it effected their tax based, the efficiency of delivery of municipal services and it impacted the quality and character of the built environment, which was essentially what sustained their quality of life, that his conclusion was that they needed to be much more proactive, more outcomes driven in this effort to build a great City, that this meant like in any human enterprise they needed to start planning, they needed to have a plan for the future, in specific a general development plan for the City with how it related to neighborhoods and on a larger scale to the region, that he would like to hope that in the next administration that they move forward with an unprecedented effort to prepare and adopt a comprehensive plan for the City of Houston, which he had advocated ever since he got on City Council, that they could look at Chapter 33 of the City Code and could see one of the best definitions of any city of what it took to prepare to review with the people and to adopt a comprehensive general plan for the City of Houston, that he thought the results of this would be that they would use taxpayer dollars, more efficiently, would improve the quality and character of the built environment and would attract more quality investment to the City of Houston, a good plan that was economically driven could stimulate the market place and make the City itself a much more attractive place for investors and builders to do quality development, so let them in the future, in 2010, be a City that planned for it's future, and his message to the people of Houston was to plan on it. Mayor White and Council Members Lawrence, Khan, Gonzalez, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Noriega stated that as a wife and a mother in a family with a military officer she watched the President's speech last night with much interest, with 30,000 being deployed very quickly in the beginning of the year Texas would take a very high percentage of those troops and what that meant was that there would be reservists leaving again, so folks that they knew in the office, friends of their children whose father or mother were going to be leaving she would again encourage Houstonians to pay attention, when they had a population center with a base like Fort Hood or San Antonio they had an infrastructure in place, in a City the size of Houston that had other emphasizes they did not have so much of that so they had folks that were quietly desperate without the support that they needed when they had someone gone, that it would be hard for her to describe to someone who had not experienced what it was like to herd three small children when they could hold only one of them on each elbow, so there were times when people really needed assistance, that when her husband was deployed to Afghanistan they had a neighbor who would come over and pick up her son and his bicycle and take him to the University of Houston to the big parking lot and ride bikes with him and it gave her a minute to run to the grocery store or to do what needed to be done and it also gave him

time with some one else's dad that paid attention to him and was a presence in his life, that those small things were very important and she would encourage all of them to look for ways to do that, that military families were taught to be self sufficient and they kept a stiff upper lip and did what needed to be done and underneath that they needed help and she would ask all of them to be aware, to be vigilant and to offer what they could. Mayor White and Council Members Lawrence, Khan, Gonzalez, Rodriguez and Green absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Adams stated that over the holidays they lost a City of Houston employee who past away of natural causes, Orlando Rick Adjacent, that she worked with Rick for over 10 years, that he was a Neighborhood Protection Inspector in District D and she wanted to give condolences to his family and the Neighborhood Protection family because he was a valued employee for the City of Houston and took pride in what he did; that on Sunday, December 6, 2009, their office, along with ABC Dental, would be presenting the Smile on Wheels bike give away, that they would be in Townwood Park, the Hiram Clarke Community, 3403 Simmsbrook Drive, and would be giving over 1,000 bicycles to the children of that community, that she would like to thank ABC Dental for all they did in the Community of Hiram Clarke; that they were asking everyone to join them at the Mayor's Holiday Tree Lighting, that they were welcoming Regina Bell; that she would like to thank the Museum District Business Alliance in the Montrose area along with the Montrose Police Storefront, that the building was actually paid for and they were deeding over the storefront to the Houston Police Department so that it would be their building, that on Tuesday, December 8, 2009, the Museum District Business Alliance Awards Luncheon would take place at 3407 Yoakum at La Colombe D'Or Mansion Restaurant at 11:30 a.m. Council Members Lawrence, Clutterbuck, Khan, Gonzalez, Rodriguez, Brown and Green absent.

Council Member Jones stated that she wanted everyone to keep Keith Wade and her grandmother in their prayers, that Keith lost his stepson this week and her grandmother was recently diagnosed with Leukemia, which was sad because she lost an Aunt in the last couple of months to breast cancer; that if they remembered they had some issues with residents of Bellerive, a Houston Housing Authority property, where they had their belongings and the City said they had to pay \$3,500 or else they would destroy them and a number of the senior disabled finally had a place to stay and they had a celebration thanking all who helped, that she wanted to thank everyone who was a part of helping them get back into their homes and getting their property back; that her next door neighbor was robbed this week, that apartments up the street from her house had offered to give two apartment units to have a storefront there, that there had been a number of murders within a block of her house and her house was broken into four times total, that there really was a need that they pay attention to that, that her neighbors kept asking her why could they not put a storefront in a place where they were offering to give two apartments for free, that she would like for them to be able to discuss that; that as to the fingerprint issue going on with the crime lab she was frustrated because she had been saying for a very long time that they had some issues with the crime lab and it did not appear that anyone wanted to pay attention until an audit was done and an audit came back and sustains what most people who worked at the criminal courts knew, that they had experts who had not been sufficiently trained, that when her house was broken into there were prints on the window, that she had her investigator, who was formerly HPD come and say that they were good prints, so she had to encourage the officer to take the prints at the point of entry, so they really needed to do a better job because they would know who was doing this if they were already in the system, that she had spoken to Irma Rios at the lab and they just needed people to acknowledge when they had issues and deal with them otherwise they were going to continue having criminals out there who could terrorize them and break into their houses and steal their stuff and they could not catch them because they did not know what they were doing when they had clues to be able to link them to crimes; that they were going to have a public hearing tonight, that they receive almost 100% financing for the Housing Department from HUD and

before they could get the money they had to submit to HUD two things, an Action Plan and a Consolidated Plan, the Action Plan was what they were going to do with the money that they, HUD, gave them for one year projected out and the other was a five year projection and they had to have public hearings, so anyone who thought they could provide services in the Housing and Community Development arena and who perhaps wanted to qualify for funding through HUD please come and pay attention because they were telling them what they intended to use the money on and how they were going to spend it so she was encouraging them to come out, that it was December 2, 2009 at 4:00 p.m. at the Council Chamber in the City Hall Annex, 900 Bagby, that there would be a second hearing in the Spring of 2010. Council Members Lawrence, Clutterbuck, Khan, Gonzalez, Rodriguez, Brown, Lovell and Green absent. (No Quorum Present)

Council Member Sullivan stated that he agreed with Mayor White about coming to the table prepared being prepared, they had opportunities to talk to Council liaisons, the Mayor's office or whoever they needed to beforehand, that he thought that dialogs were good and discussions and constructive criticisms were good but do it all before Wednesday's, that they wasted an inordinate amount of time at the Council table with was just dragging things out and he thought they could do a lot better job; that the Bracewood Neighborhood Library was going to have a ribbon cutting and grand opening on Saturday, December 5, 2009, and he, Mayor White and Dr. Lawson would be there at 10:00 a.m. at 9002 Kingspoint, that he wanted to thank the Houston Public Library and the General Services Department in getting this done, that he did a walk through and even though it was the weekend Teal Construction was there getting ready for the ribbon cutting, that they were doing a great job and it was a fantastic facility; that he brought the HGAC 2010 Budget with him and had been though it lately and wanted to make note publicly that there was an 18% increase in pass through dollars that they had in their budget, that he realized that members of HGAC get a vote, just like they get a vote, but the deck was not stacked in their favor and they saw this first hand during Ike, that he was not going after HGAC, that if he had his way he would say that they get out and fight their own battles with other governments for their fair share, but they were at a disadvantage in that everybody gets one vote but they were the largest guys with the most territory and the most responsibilities and the smaller cities were voting against them, that they were projecting 18% increase in pass through dollars and whatever they could do collectively to get more of those dollars next year would be great, that he was not a good HGAC guy, he thought, he as an alternate and it was difficult for him to make those meetings but he could provide whatever help he could in any other way but would like to publicly say that he would like to see their sister cities in the area and the counties be a little more sympathetic to the City of Houston since they seemed to carry a huge burden in trying to make things right when things go wrong; that a couple of days ago they had an astronaut return ceremony at Ellington Field and wanted to thank NASA and Johnson Space Center for their hard work in the space program and they recognized them in City Council for their work; that he spent one night this weekend riding with Houston Fire Department Chief Tom Wheeler and would like to thank him and Chief Dupont for arranging that and for letting him see firsthand again what the men and women of the Fire Department go through; that he wanted to welcome a new intern in his office, Christine Michele Birmingham. Council Members Lawrence, Clutterbuck, Khan, Gonzalez, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

Council Member Lovell stated that the Quality of Life Committee would meet on Thursday, December 3, 2009 at 10:00 a.m. in the Council Chamber, that they had two items on the agenda, a presentation of the proposed revision to the Code of Ordinances regarding creation, maintenance and adoption of natural areas in yards and a presentation of the Houston Arts Alliance Strategic Plan; that she was a great proponent of SafeClear and thought it would be one of Mayor White's legacies, that Jeanette Rash, a member of the SafeClear management team, called to let her know that on November 24, 2009, one of their drivers, Pete Engles, rolled up on a burning vehicle at Texas Spur 5 near the University of Houston, there was a man

trapped inside the vehicle and Pete radioed word of the situation to the Fast Tow staff who let the officers at TranStar know about the incident, then Pete jumped out of his own tow truck and gave a crow bar to another person at the scene who broke the window out while bit got his jay hooks from the tow truck and pulled the door open, then Pete had to use his fire extinguisher because the motorist was on fire, the paramedics then arrived and transported the motorist to the hospital, that they learned from a family member that the motorist was still in the hospital but was recovering and she wanted to say to Pete that he was a real hero and was something that would probably effect him for the rest of his life, that they wanted to thank him for his heroics, that these stories happened all the time with the people that were patrolling the freeways when there as an accident or incident, that she wanted to thank Jeanette for calling and letting them know so that they could thank Pete, that to the family of the person in the accident their prayers were with them; that she was honored on November 23, 2009 to represent the Mayor and the City at the press conference announcing the Mayor's Holiday Celebration, that she wanted to invite everyone to come on Friday, December 4, 2009 from 6:00 p.m. to 7:30 p.m. in front of City Hall, that she wanted to thank the Houston Downtown District who supported the event, that their new partners for this year included Jaguar Houston Central, the fireworks sponsor, Capital One Bank, the official photo sponsor and the returning sponsors were the Houston Public Library Foundation, the Houston Parks and Recreation Department and Reliant Energy returns as the official trees sponsor, that for the second year Reliant was supplying an every efficient tree decorated with LED lights; that yesterday they had a ribbon cutting ceremony for the Living Bridge at Memorial Park, that it was a great addition to the City and to the park and she wanted to say congratulations to Joe Turner, Director of Parks and Recreation and to Mindy Hildebrand, Chairperson of the Memorial Park Conservancy Capital Campaign and to Steve Costello, the past Chair and who was in charge of the project and really kicked it off and got it going and also Sally Tyler, Executive Director of the Memorial Park Conservancy. Council Members Lawrence, Clutterbuck, Khan, Gonzalez, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

Council Member Johnson stated that a couple of weeks ago there was a very unfortunate accident in which a student at Worthing High School was killed because some individuals felt it necessary to rob him and steal his car, that the desire was to get the rims off of his car, that the point that he wanted to make was that enough was enough, that he had a nine year old son and was sure that at some point he was going to buy his son a car and hoped that he never be put into that situation, that it did not make any sense to him why someone would decide to take someone's car and kill them because of the car, that he recognized that what had happened was that these young men that were out there had no concept of life, they had no regard for anybody and he was saying to the listening audience and saying to Houstonians that it was not their fault, that the young men who did this heinous crime were victims of their own environment and that environment was dictated by adults who had decided not to be engaged with young people, who had decided young people to grow up as they did and no one say anything to them, that they see them standing on the street corner and they just look at them and say they were bad individuals and therefore did not admonish them or give them encouragement, that he knew that each and everyone of them probably around the Council table at some point or another did something bad that somebody stopped and said they should not do that and that set them on the right path, that enough was enough was a rally cry that he had right now and was asking that people would get engaged, that he was looking for 100 mentors to call his office at 832-393-3009, they needed to hit the streets, go to the schools and needed to start mentoring to these young people, if it was not your son today at some point or another it would be your family member, and they sit here at the Council and pass laws and do business, it was not the City's fault, but they certainly could do more, they did not need to be a police community, they needed to be a community that rallied around one another and right now they were not rallying enough, it was not just the City of Houston, it was all of the citizens, that these children needed their love, that this was the holiday season and he could only imagine how that family was feeling to know that they did not have their son any more because some individuals out there had total

disregard for them, so the rally cry was enough was enough and he was asking whether it was 100 men or 100 women, whatever but get engaged, that they did not need to be a part of this program, go the schools and get their arm around some young men or if they see somebody standing on the corner that they may find was intimidating to them the only way they would get over that intimidation was if they simply said to that young man "hi" because he guaranteed they would render that young man powerless and defenseless if they simply speak to them, that they do not even speak to these children anymore and that was why they were the way they were, that a lot of them were bad and tough cookies, that he used to run an after school program and a lot of them came though his program, but he also recognized that they all needed just somebody to talk to them and at least spend the time and they had an adult and parents who just did not do it, that 100 mentors they were looking for to go into the communities and deal with these boys, that it was not a fluff program, they were not just going in and do cookies and juice and play basketball, it was real life that they were talking about, that they were going after the toughest of the toughest, the mean boys and hoped that they could put them on the right track; that KTSU 12 Days of Christmas would be on December 18, 2009, that he had the honor of being the Chair this year at the George R. Brown Convention Center; that on December 17, 2009 he would have his Annual Winter Wonderland at Discovery Green and hoped that everybody would come and get involved; that the Committee on Human Services and Technology would be on Monday at 10:00 a.m., that they would talk about the H1N1 epidemic and hoped that people would get information, that they would also talk about BARC and find out where they were with the contract agreement that they had put in place. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Gonzalez, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

Council Member Holm stated that this term they had as intern Laura Abney from the University of Houston and today would be her last official day with them and she wanted to thank her for being such a part of them and the University of Houston for having such good and bright students to share with them; that December 17, 2009 would be the grand opening of Kendall Library, the long awaited complex that was going to be an outstanding compliment and asset to West Houston, that not only was it a library but a park, a community center, it had a half court basketball and a trailhead for Tracey Hershey Park, that she wanted to thank Mayor White for his support in getting this library built for them; that she wanted to compliment and congratulate the Parks Department and the Memorial Park Conservancy and Mayor White's office and leadership in the opening of the Memorial Park Living Bridge, that she wanted to thank Mindy Hildebrand and Steve Costello and Joe Turner, Director of Parks and Recreation, for their leadership and guidance. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Gonzalez, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 12:21 p.m. Council Members Lawrence, Clutterbuck, Sullivan, Khan, Gonzalez, Rodriguez, Brown, Green and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary