

City Council Chamber, City Hall, Tuesday, February 16, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 16, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director present.

At 1:34 p.m. Mayor Parker called the meeting to order and called on Council Member Pennington who stated that today he had the distinct pleasure, during the time of the Olympics, to present the Lopez family a Proclamation; that they were a true American success story immigrating here from Nicaragua in 1972 to Sugarland and by age 12 Jean had a Black Belt in Taekwondo and soon his siblings were training and dreaming and the entire family with Steven, Mark and Diana Lopez all compete at the elite level and made history with each winning gold at the 2005 World Taekwondo Championships in Madrid, the first of three siblings to claim world championship titles and again made history in 2008 becoming the first trio of American siblings to qualify for the same Olympic games since 1904 and joined by their brother Jean became the first family with four siblings in the same Olympic team; that the Olympics was his favorite time of year because the participants trained a lifetime for a few seconds of stress and perhaps a little glory; and presented a Proclamation to the family and proclaimed today "Lopez Family Day" in the City of Houston, Texas. A Representative of the family thanked all Council Members and the Mayor and stated that it was their pleasure and promise to continue to be the purest form of ambassadors and best they could be to the City of Houston. Council Members Hoang and Jones absent.

Council Members Rodriguez, Adams and Noriega thanked and commended each in the family for all they did and making such a difference. Council Member Jones absent.

Council Member Adams stated that February was dedicated as Black History Month and invited Ms. Gertrude Stone to the podium. Council Member Adams stated that Ms. Stone was a native Houstonian, retired educator, land developer, etc.; that one of her areas of volunteerism was on the Houston Public Library Board for over 20 years and she was the first African American to do so; and presented her a Proclamation for her trailblazing integration and pioneering desegregation and proclaimed today as "Gertrude Stone Day" in the City of Houston, Texas. Ms. Stone stated that she was humbled and appreciative of the recognition and invited her husband to the podium to stand along side her as he was the reason she was able to volunteer; that he paid the bills and urged her to volunteer and she enjoyed it. Council Member Jones absent.

Council Members Rodriguez and Johnson thanked Ms. Stone and her husband for all they had done; and her husband stated that he was happy to be the husband of such a dedicated citizen, and she was appreciated. Council Member Jones absent.

Council Member Rodriguez invited Ms. Annie Clarie, Regional Director of the Muscular Dystrophy Association, and others with his presentation to the podium and stated that today they were kicking off Fill the Boot Campaign, a tradition on Houston's city streets; that Firefighter's Local 341 exemplified the most time honored American ideals of public service and sacrifice; that in the past 14 years they had raised \$5.4 million plus for MBA through the campaign and presented a Proclamation to them proclaiming today as "2010 Houston Fill-the-Boot Campaign" in Houston, Texas; and Mayor Parker stated that she was asking all Houstonians to fill the boot.

Ms. Clarie stated that she thanked all for allowing them to bring the message and hope and thanks to Houston, the city with the biggest heart, as for more than 50 years firefighters had helped "Jerry's Kids" by filling their boots with donations from citizens and for nine of the last ten years the Houston Firefighters 341 had been number one and proved Houston was the city with the biggest heart; that last year they raised a record breaking \$571,723.38 for MDA; and as they kicked off this campaign she thanked them for support of the program on behalf of families they served; and Mark, a firefighter, stated that he was glad to be present and happy to hear his daughter was chosen this year; and thanked his union president for allowing him to be on the sticker with her, it made her feel special and this was appreciated and he and his daughter passed a boot for the Mayor and Council Members to make a donation and stickers for the MDA Campaign were passed to all at the Council Table. Council Member Jones absent.

A Spokesperson with HFD stated that they were very proud of being number one and more proud of the generosity of the citizens of the City of Houston for helping to make them number one; that Local 341 was the only local in the IFF in the United States and Canada which had their own sticker printed for them; that this year's sticker had a Houston firefighter, Lewis Smith and his daughter, the local ambassador, on it and they were very proud of that as well; and he thanked all. Council Member Adams absent.

At 2:00 p.m. Mayor Parker called on Council Member Stardig who introduced leaders from the Korean Community Center of Houston and invited Minister Chung with Seoul Baptist Church to lead all in prayer; and Council Member Stardig led all in the pledge of allegiance.

At 2:04 p.m. Mayor Parker requested the City Secretary call the roll. All present.

Council Members Rodriguez and Sullivan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED.

At 2:05 p.m. the City Secretary began calling the public speakers. Council Member Lovell absent.

Mr. Ron Horne, 3376 Coshatte, Bellville, Texas 77418 (979-877-4008) appeared and stated that he was with Pencco and present regarding Agenda Item 7, a contract for liquid ferrous solution; that they bid the job and complied with all request in the bid specifications but were not recommended for contract; that their competitor did not meet the pH requirements and when bidding they said they did not use sub contractors; that his company met the pH requirements and felt specifications originally written was what they bid on and their competitor did not meet them which to him meant the award was not correct; that he bid this contract 15 to 20 years and in the past the city always rejected low pH specifications because of potential problems with exposure to citizens and they always met MWBE requirements and also submitted their paperwork for that. Council Member Lovell absent.

Mr. Rick Staff, 1415 Louisiana, Houston, Texas 77002 (713-823-8184) appeared and stated that he was an attorney representing Mr. Horne since he started his business approximately 20 years ago; that Mr. Horne always made sure his chemicals complied with technical specifications and it did two things, one, it kept the city safe knowing products complied and second, he acted as an honorable and good citizen; pH was a measure of acid and with pH of one you had ten times more acid than pH of 2 which was citric acid, less than a 2 you had sulfuric acid and with Kemira you had a bid where they specified their product was less than 2 so the city was accepting a product which the manufacturer said was less than 2; that if Mr. Horne would have bid a product less than 2 pH he could have probably met the same price and less than 2 is considered a hazardous substance and if this harmed someone a jury would see that the City of Houston had accepted that lower pH. Council Members Gonzalez, Rodriguez and Lovell absent.

Council Member Jones stated that she needed something clarified, was he saying the bid submitted by Kemira was not what was requested in the specifications but less; and Mr. Staff stated the answer would be yes; and upon questions to Mayor Parker, Mayor Parker stated that the bid committee from Public Works reviewed the bid submissions and it raised eyebrows there was a \$3 million difference and the sample from Kemira was tested and found to be within specifications and that was what they would be required to meet throughout or the contract would be terminated. Council Member Lovell absent.

Upon questions by Council Member Costello, Mr. Staff stated that it cost more to provide a chemical with a pH level of 2 than it did if it were less than 2. Council Member Lovell absent.

Ms. Barbara Hartgrove Wilkins, 7303 Touchstone, Houston, Texas 77028 (713-491-8876) appeared and stated that she brought greetings from Rosewood Estates and at this point would say she embraced Texas Our Texas; all hail the mighty state; that the eyes of Texas were upon us all the live long day; and continued expressing her personal opinions until her time expired. Council Members Lovell and Noriega absent.

Mr. Charles X. White, 8607 M. L. K., Houston, Texas 77033 (713-292-3436) appeared and stated that he was present representing a part of Corridors United, today Council would hear from him and his colleagues who were present soliciting support for corrective action and attention to issues related to METRO and their rail and the way it was misrepresented to the citizens; that they would like Council to consider reviewing the referendum from 2003 which had been ignored by METRO and other Administrations with the City and from this point on refer to the 2003 referendum which gave specific instructions on how to change and adjust and redirect, if needed, if they would use it as their guide the citizens and city would be well represented. Council Member Lovell absent.

Ms. Sammy Hughes, 3337 Southmroe Boulevard, Houston, Texas 77004 (713-524-6437) had reserved time to speak but was not present when her name was called. Council Member Lovell absent.

Ms. Daphne Scarbrough, 2016 Richmond Avenue, Houston, Texas 77098 (713-523-8413) appeared, displayed a picture and stated that today she was present regarding trees, her photo was a recent METRO site, the picture being taken about three weeks ago; that it was METRO's idea of clearing land on the Southeast alignment; that they dislodged people and cleaned out 80 and 100 year old oak trees; that the real problem was METRO was undergoing a federal audit on funding of the route, they did not have funding and she did not understand why the city should be ripped apart; that no one wanted to lose their greenspace unnecessarily and METRO would not allow a hearing or any feedback; that they had a political action committee, etc., they would like to use as a stakeholder group, but there was no input. Council Member Lovell absent.

Mr. Kevin Collins, 7250 Harrisburg Boulevard, Houston, Texas 77011 (713-291-1261) had reserved time to speak but was not present when his name was called. Council Member Lovell absent.

Mr. Deron Robinson, 502 Brushy Glen Drive, Houston, Texas 77073 (713-294-3047) appeared and stated that today he was present regarding a matter in the fifth Ward with use of police power; that he was an educator and ex-parole officer and juvenile probation officer and on February 3rd he felt his rights were violated, his fourth amendment rights; that the police protected and served, but when they abused the power it was a problem and he was handcuffed and detained and his phone taken away and pictures deleted without any probable cause because he chose to take pictures where he was stopped so he could defend himself in

court; that according to law he could defend himself, but the officer handcuffed him and said he would be going to jail unless he handed over his phone and he took it and deleted all pictures and talked to him in a disrespectful manner; that was illegal search and procedure and according to the Constitution if he asked a question he should get an answer and he should be treated like a man and wanted the Council to check into this matter off Liberty Road and the Eastex Freeway headed North. Council Members Sullivan, Lovell and Noriega absent.

Upon questions by Mayor Parker, Mr. Robinson stated that he had filed a formal complaint; and Mayor Parker stated that was the appropriate course of action and for anyone watching a citizen had every right to photograph an officer in the course of their duties. Council Members Sullivan, Lovell and Noriega absent.

Upon questions by Council Member Johnson, Mr. Robinson stated that he came to the fork in Liberty Road and at the fork turned right; that the officer should have written him a ticket for tags in violation, though he still had three days to get them, but to write the ticket for an improper turn and then say he stopped at the stop sign, but not far enough back; that he thought it was a sting; and a coworker with him today was stopped the next day and when she asked why she was being ticketed she was told to talk in court that he did not have to answer; that he was a public servant and should speak a certain way; and Council Member Johnson stated that this had been an ongoing problem in the French Town area of 59 and Liberty Road and he did not mind stings for traffic, but his problem which he mentioned on a number of occasions was he found it disingenuous that as a Houston Police Department they were more willing to give tickets to those speeding or illegal tags when in the area there was a plethora of other criminal activities taking place which almost a blind eye was taken to and if it continued people would not trust police; and he hoped after this complaint was looked at a citizen review may be able to look also and send a strong message to officers violating civil rights if they had done so. Council Members Sullivan, Lovell and Noriega absent.

Council Member Jones moved that the rules be suspended for the purpose of extending the time for questions of Mr. Deron Robinson, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan, Lovell and Noriega absent. MOTION 2010-0080 ADOPTED.

Mayor Parker stated that she would reiterate Mr. Robinson had filed a formal complaint against the officer and she hoped Council Member Johnson would meet with Chief McClelland. Council Members Sullivan, Lovell and Noriega absent.

Council Member Jones thanked Mr. Robinson for coming and stated this was the same story, different verse, and they wanted a relationship to develop between officers and the community; and in the Mayor's challenge to find a new chief she would ask that they have a system whereby when such allegations were made and found to be substantiated, and it really concerned her pictures were deleted off his phone, but when improper behavior was found that consequences be there which mattered and that was why it was pushed to have a civilian review committee; and Mayor Parker stated that she would assure everyone that they did take allegations of misconduct by officer seriously and they were investigated and regarding traffic enforcement and how it was prioritized it was another subject and perhaps something Council Members might want to debate on a policy basis; and Council Member Jones stated that what she was saying was she had not found an OIG investigation, at least from anyone coming to her, that was found to be valid, none were sustained and there were bad elements in everything, every race, every sex, everything, but yet it did not seem to be acknowledged when it happened which diminished the credibility; and Mayor Parker stated that a difficulty in OIG investigations was it was word against word with no evidence, but if interested they had a complete breakdown of complaints by citizens and by officers against officers and could show which proportion was sustained; and Council Member Jones stated that she was interested;

Mayor Parker stated it would be made available to her. Council Members Sullivan and Lovell absent.

Council Member Bradford stated that Mr. Robinson mentioned being handcuffed; and upon questions, Mr. Robinson stated that no charges were filed on him; and Council Member Bradford stated that it was his hope the investigation would flush out exactly what happened. Council Members Sullivan and Lovell absent.

Mrs. Kim Mehne, 3946 W. Alabama #4, Houston, Texas 77027 (281-898-4874) appeared, presented information and pita chips to all at the Council table and stated that she and her husband were in a quandary and needed time and attention only the Mayor and Council could give; that they began "Dinner Is Possible", a healthy alternative cooking class, as a one time assignment not knowing where it would lead; that students they worked with lived in an underprivileged area of Third Ward and their highlight of the day was cooking with Chef Tim; that the MLK Center kindly opened its doors to help and accommodate and it was an ideal location with students traveling there on foot and getting a hot meal they prepared themselves and families began opening their doors and arms to them; that the class was not just about the skill of cooking but the art of living and the class was to instill values and one student went from a report of F's to honor roll; that "Dinner Is Possible" became very successful and opportunities were presented through the University of Houston Main Campus and students presented their Pita Project and S.I.F.E. was willing to partner with their organization to implement the Pita Project, but now they had no facility and needed funding. Council Members Johnson, Sullivan and Lovell absent.

Council Member Clutterbuck thanked Ms. Mehne for coming and bringing a sample of their product; that they wanted to help encourage things such as this; and upon questions, Ms. Mehne stated that the problem was many said they wanted to help such as the YWCA, MLK, Star of Hope, St. Johns Church, etc., but when it came down to it doors would not be opened to them and their project; that there were many buildings sitting vacant and they would like a facility donated for a certain period of time; that the kids even come to their house and they knew they were making change and when they were kicked out of MLK there was no reason; and Council Member Clutterbuck stated that this was a worthwhile program and the stories were so moving; that her chief of staff would meet with her and her husband after his presentation and they would meet with Citizens Assistance to see what could be done in finding them somewhere to locate. Council Members Sullivan and Lovell absent.

Mr. Tim Mehne, 3946 W. Alabama #4, Houston, Texas 77027 (281-898-4874) appeared and stated that most knew him as Chef Tim and he thanked Council for listening him speak on buildings underutilized or not utilized at all which could be used to work with youth in Houston; that he had been in the food and beverage industry 37 years and had spent the majority of his career as a chef in the stadium business working for ARAMARK, he had been executive chef of the Astrodome Complex, Superdome in New Orleans and opened Enron Field and his favorite part was teaching and empowering employees and it was his training ground for mentoring teens and youth; that for the past three years he had taught in the Third Ward and his project was called "Dinner Is Possible" and it also involved life skills, choices which would need to be made; that recently they were asked to cease operation by Ed Small, acting director of the MLK Center, but were not told why and now had no place to meet or cook and the kids and parents were calling to see if they found a location to continue; that on behalf of all he was asking they look into the situation of kitchen facilities not being used currently in Third Ward and possibly grant them use; and he looked forward to hearing from them. Council Members Sullivan and Lovell absent.

Council Member Jones stated that she was a product of the MLK Center and did not think it was a city facility; that they were not a 501c3 and with HUD funding they had to give the

money to 501c3s; that generally there would be insurance requirements involved in cooking and children, etc., but they did have a reunion at a city facility and used the kitchen, but she would think there would be criteria to use a city facility; and Mayor Parker stated that they had been referred to Citizens Assistance and she would also ask Council Member Johnson who chaired the committee if perhaps there might be a discussion, with issues of childhood obesity and wanting families to have access to cooking skills and fresh food, to have opportunity to use the kitchens. Council Members Sullivan and Lovell absent.

Council Member Johnson thanked Mr. Mehne for coming and stated that he had run an after school program and learned by healthier snacks and food it curbed much of the children's negative behavior and he appreciated what he was doing; that they met with the Food Bank and this may be a good fit and there were other organizations they may have a good mix with and he would like to meet with him and see if some partnerships with commercial kitchens not being used in the evenings may work. Mayor Parker, Council Members Sullivan, Hoang, Lovell and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Yolanda Broussard, 11835 Murr Way, Houston, Texas 77048 (832-487-6874) appeared, presented information to Mayor Parker and stated that she was a former law enforcement officer and today present with an issue which had been going on for awhile; that she appeared before Council on this in the later part of 2005 and early part of 2006; that it involved the taxing authorities and she was afraid for her life; that the Assistant County Attorney or doctor falsely identified himself, but she discovered people of authority were involved in mishandling tax funds; that she had documents for Mayor Parker and she knew she was being made to be some bad person, but she did not anticipate this, she was always law abiding and this was an improper tax suit filed, illegal, she did not know at the time. Council Members Johnson, Sullivan, Hoang and Lovell absent.

Mr. Steve Moore, 9502 Woodfair, Houston, Texas 77036 (512-293-7444) appeared, presented information and stated that he was owner of Premier Apartments and the concept of redlining where banks would not lend to certain areas was the problem they had, people would drive looking for an apartment and see his area and say they did not want to rent there; that they could get rid of the red areas if they enlisted owners, reward owners who had low crime in the middle of high crime neighborhoods and that meant working with police statistics and making them user friendly; that it would take about \$75,000 a year if you owned an apartment complex to get crime down in a bad area and it was a lot of money, but people would do it if they could get potential winners walking in the door and Council could do it by getting user friendly crime statistics in the hands of owners. Council Members Johnson, Sullivan and Lovell absent.

Mayor Parker stated that she thought that was an excellent suggestion for the department to identify apartments which participated in crime reduction activities; that they did have the Blue Star Program and others and apparently she lived in the bull's-eye of a high crime area. Council Members Johnson, Sullivan and Lovell absent.

Council Member Noriega stated that Mr. Moore had met with Council Members Clutterbuck and Hoang's offices and both were helpful and today they met with folks from the multifamily enforcement group in her office and what they were looking at was what they offered through data through technology they currently had and if there might be a better way to address some of it; that they talked about Blue Star issues and rankings; that what they agreed upon was to try and figure out a better way to present data and move forward a little, they would be getting together again in a few weeks and would be happy to report on it then; and Mayor Parker thanked Council Member Noriega for looking at the issue. Council Members Johnson, Sullivan and Lovell absent.

Council Member Hoang thanked Mr. Moore for coming and stated that he did a great job renovating the Premier Apartments and he had spent much of his time living there and he liked his ideas because he was decreasing crime and he would work with Council Members to see if they could have a presentation or Proclamation showing he was doing a good job so other apartment owners could see what he was doing. Council Members Johnson, Sullivan, Rodriguez and Lovell absent.

Mr. Nathan Bliss, 12407 Roy Road, Brookside Village, Texas 77581 (970-433-5581) appeared and stated that he just moved last summer to the Houston area and surprised to find basically there was no mass transportation system; that he asked many who lived here why and they did not seem to know while others said the people of Houston did not want it which he could not understand; that he would think if there was a vote many would use it as traffic would only continue getting worse; that an alternative to surface land would be going above ground and highway systems were already in place and even above highways could be an option; and continued expressing his personal opinions until his time expired. Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent.

Mr. J. L. Burks, 10514 Barnham, Houston, Texas 77016 (713-960-3929) appeared and stated that he had worked with softball for 20 years or better and last year about middle season the man over softball cut him from umpiring; that now 2010 was up and he would like opportunity to umpire again; that he was told people complained about his calls, but many out there did not know what they were doing; and urged the Mayor and Council look into it and whoever was over it allow him to do so. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell and Noriega absent.

Council Member Adams moved that the rules be suspended for the purpose of hearing Ms. Sammie Hughes at this time, seconded by Council Member Jones. All voting aye. Nays none. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell and Noriega absent. MOTION 2010-0081 ADOPTED.

Mayor Parker stated that Ms. Hughes was on the list and called previously and now present and they were placing her to speak at this time. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell and Noriega absent.

Ms. Sammy Hughes, 3337 Southmroe Boulevard, Houston, Texas 77004 (713-524-6437) appeared and stated that she was president of the South Wood Civic Club and in favor of mass transit in Houston, but not in favor as it was being rammed down their throats at the moment, especially along Wheeler, in a historic neighborhood which at one point was a totally Jewish neighborhood because at the time it was built the Jews were not allowed to live in River Oaks; that they had done all to maintain the neighborhood and it was just as good and better than some and they did not want people coming in and ramming something down their throats and if they voted for something they wanted that followed through, to force rail down MLK was wrong and it endangered children, churches, and many others; and urged against it. Council Members Johnson, Sullivan, Rodriguez, Lovell and Noriega absent.

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

Mr. Neal Meyer, 2822 Briar Hurst, Houston, Texas 77057 (832-858-3218) appeared and stated that he was present to address a news article which came out in February dealing with METRO; that there were good ideas, but he wanted to comment on them, one good idea was lowering fares for riders; that they had been raised to \$1.75 and he would suggest lowering it to .50 or \$1.00 which would get ridership back; that other aspects were that METRO was

considering phasing out the general mobility funding for roads and other improvements and he wanted to remind the Mayor and Council that according to the 2003 bond election METRO did not have the authority, they had to call an election in the next three years and put it to the voters; that another aspect he would like would be honesty; that it was raised they were doing an audit on METRO, even three months ago on METRO's website it stated they would have about \$575 million in sales taxes and he would suggest to the extent the Mayor could place pressure on METRO that maybe an election should be held to determine the future of rail transit. Council Members Johnson, Adams, Rodriguez, Lovell and Noriega absent.

Mr. Karl Muench, 4111 Norfolk, Houston, Texas 77027 (713-459-8779) had reserved time to speak but stated from the audience he would pass and save his time for another day. Council Members Johnson, Adams, Rodriguez, Lovell and Noriega absent.

Mr. Percy Gonzalez, 5535 Harrisburg, Houston, Texas 77011 (713-921-3571) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams, Rodriguez, Lovell and Noriega absent.

Mrs. Dee Simon, 5210 Cortelyou Lane, Houston, Texas 77021 (713-644-2957) appeared, presented information and stated diligence, accountability and transparency; that Dr. King stated lives began ending when they became silent about things which mattered and asked that the Mayor and Council not let it be known that under them Houstonians did not have their ears or best interest; that METRO lied and denied the citizenry it was supposed to work for and private citizens as well as the city's own Public Works and Engineering Department filed complaints against METRO and they should look into it; that MLK the main artery of McGregor Park equated to "holy ground" to the African community and they asked their park not be desecrated by light rail running through it; that the 2003 referendum voted on was a legal, binding contract which could not be altered or rescinded without taking it back to citizens for a vote. Council Members Johnson, Adams, Rodriguez, Lovell and Noriega absent.

Mr. Ralph Simon, 5210 Cortelyou Lane, Houston, Texas 77021 (713-644-2957) appeared, presented information and stated that he wanted to bring to Council's attention the unfairness those in the southeast corridor area were receiving; that they finally received a traffic impact study which his wife applied for at the same time another area applied for; that a friend of theirs who was another color received it for \$1.00 and the document offered to his wife and him was an old document and they were told if they wanted the other document it would cost \$88.00, where was the fairness in that, the true impact study was an important thing and they could see the injustice being planned for their area; and he urged the Mayor and Council take a look at the new southeast impact study and compare it to the old one and see the lies, it was amazing; that the bus for the route did not carry many people. Council Members Stardig, Johnson and Lovell absent.

Mr. Ovide Duncantell, 3522 Polk, Houston, Texas 77003 (713-205-9999) appeared, presented information, displayed a picture and stated that he wanted the Council to look at the picture of one bus going down Martin Luther King Boulevard and if METRO had their wishes they would destroy the boulevard; that in information he presented was three letters, one from the Houston Council way before their time when McConn and the Council gave privileges and conveyed land to them right in the middle of Martin Luther King for a statue of him to be placed there and METRO without any consultation decided to run a rail right down it; that they were not going to let them run rail down MLK it was like putting a mustache on the Mona Lisa and he would guarantee he would be the first person to commit revolutionary suicide, he would be in front of the first train going down MLK; that Mayor Parker had the power to stop a rogue organization from this. Council Members Stardig, Johnson and Lovell absent.

Mr. Tony Morris, 2400 South Loop West, Houston, Texas 77054 (713-664-5362) had reserved time to speak but stated from the audience he would pass when his name was called. Council Members Stardig, Johnson and Lovell absent.

Mr. Juan Parras, 4626 Rusk, Houston, Texas 77011 (281-513-7799) appeared and stated that he lived in the East End and supported mass transit, but he was posing it for the huge debt they were creating, they did not vote for a huge debt to be incurred by METRO, they were being irresponsible to the community; that from what he read this Mayor's Administration was going to look into METRO and evaluate; that the transit system could be elevated, there was one at the airport and to prevent accidents they should be elevated or lanes just for that; and Harrisburg had much historical value and the community as it was seen now was being taken away by transit; that they also had many railroad crossings already and it made it hard for the disabled to cross. Council Members Stardig, Johnson, Sullivan and Lovell absent.

Mr. Mario Umazor, 1622 North Main, Houston, Texas 77009 (713-227-6721) appeared and stated that he did business on North Main and it was not that they were against the light rail project but they should go back to the 2003 referendum which had been violated by METRO; that if more attention was placed on this the project could be done better; that light rail should not interfere with traffic, pedestrians, schools, etc., it should be dependable and if the city needed to evacuate that mode of transportation should be good for it. Council Members Stardig, Johnson, Sullivan and Lovell absent.

Mr. Al Dorsey, 5901 Harrisburg, Houston, Texas 77011 (713-254-4484) had reserved time to speak but was not present when his name was called. Council Members Stardig, Johnson, Sullivan and Lovell absent.

Minister Robert Muhammad, 4443 O. S. T., Houston, Texas 77021 (713-741-2747) appeared and stated that he served as consultant to the Metropolitan Transit Authority of Harris County and did receive a check and would put that on the record; that each who came from the community to speak should be taken seriously, they were sincere and committed and should be taken seriously and they did support light rail, but did not want it in their backyard; that some did not want it and that was no matter what and it should be distinguished; that there was a call for a revote on the 2003 referendum, but he hoped they would go back and do a historical study as the 2003 referendum was set up to fail, there was a requirement placed in it by opponents of rail that they would support it or remain neutral as long as in it they placed a requirement for full funding agreement on the federal level and they knew there was a congressional delegation that did not want rail in Houston, but now things changed and they were looking at \$300 million in the pipeline for the southeast and north line; that a \$1.5 billion project would create 45,000 indirect or direct jobs, mostly in Houston; that METRO did not change the route, stakeholders between Wheeler and North McGregor demanded METRO change the route and Council Member Edwards put together a taskforce which he served on along with Council Member Jones and the route was decided to go down Wheeler through McGregor Park to MLK to Palm Center and that was submitted to METRO for studying. Council Members Johnson and Lovell absent.

Council Member Jones stated that Mr. Muhammad could continue; and Mr. Muhammad stated that the route was found to have less property acquisitions and cost less than going down Scott; and Council Member Jones stated that yes, she was on the District D Taskforce, but she voted no on this because METRO was not listening to the people and she stood by it; that now there was a new Mayor and one problem she and the community had with METRO was if anyone did not agree with them METRO labeled them as anti mass transit and it was problematic; that also METRO was not transparent, the District D Taskforce met for years and gave them plans which they totally disregarded; that on historically disadvantaged routes and neighborhoods she would ask the Mayor to see that they had the same consideration and the

non-disadvantaged neighborhoods; and METRO had a reputation of finding companies not from here, not from Houston and not from Texas, but often from overseas and in this economy when moving forward they needed to figure a way to meaningfully include local companies and make sure the MWBE was met as METRO was awful in that to and she hoped with this Mayor there would be a new direction, the people needed to be listened to, they should not have to butt heads all the time. Council Members Johnson and Lovell absent.

Ms. Delia Sanchez, 3527 Brock, Houston, Texas 77023 (832-228-4258) appeared and stated that she was present regarding a dog park planning to be built in the back of her property; that it had been pretty much in plans since 2007 and no one had ever talked to them about it; that their house and others in the block were prone to flooding so when they built up to place the dog park their house in particular would even be lower and flooding more prone; that if they were going to continue with the dog park they should be compensated as their property would be pretty much destroyed that they also wanted to increase adoption, but the area the park was being built in was low-income so they were probably the ones putting the animals up for adoption and not taking care of them, they would not be the ones adopting and such a facility should be placed in a better income and heavily traveled area; that she wanted to know why it was planned and no one told about it and if it still took place she wanted compensation for destroying her property and the parking area would be her backyard. Council Members Johnson and Lovell absent.

Mayor Parker stated that the plans were proceeding and she could ask her District Council Member about previous discussions or meetings and if she wanted to be kept apprised of this she could visit with Citizens Assistance where she could get the project coordinator's name. Council Members Johnson and Lovell absent.

Ms. Robin Harrison, 14347 Mirkwood, Houston, Texas 77014 (281-323-3677) appeared and stated that she was present regarding an issue with the Housing Authority which she had been dealing with since last month; that she had two children disabled and lived on Section 8 which they had stopped paying on in August because the landlord failed inspection three times; that she found a place and because of holidays the realtor did not have all information when they needed her packet and she called them and went down and on the day her voucher was to expire she wrote a statement and made a copy, but since she found out her caseworker was no longer there but her voice mail and emails were still active, then she had to deal with the supervisor and found her no longer there; that she went to HUD and spoke to Ingrid in Council Member Jones' office who was very helpful, but she was supposed to have received notice she was being terminated as they were no longer paying; that she finally got the letter January 26th and she was told she could request a hearing, but that was March 10th and she had been talking to Mr. Mikelman and others, but she just found out doing research on line that because she had disabled children when they gave her the letter they should have notified her of reasonable accommodations, they had no choice but to accommodate her, she discussed this yesterday with Mr. Mikelman and that they could extend her voucher beyond 90 days but no one told you that; and why place someone through so much agony. Council Members Johnson, Sullivan, Lovell and Noriega absent.

Council Member Jones stated that she received documents to try and be helpful in this and gave them to Mr. Etuk and they had been in discussions with Mr. Mikelman and it was her understanding it was still under review and she gave information to Mr. Etuk about two weeks ago and she was surprised termination came, but there was a lot of turnover in the Housing Authority and someone would be gone and you would not even know it, but they were really strict on deadlines even if someone working the process was no longer there; that they were trying to work on this and she would follow-up on this as there was a disconnect somewhere; and Mayor Parker stated that Ms. Sanchez could continue discussion with Mr. Mikelman as he was present at this time and she did appreciate Council Member Jones getting involved and

working on a resolution. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he needed more time and was the U. S. President; and continued expressing his personal opinions until his time expired. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Gloria De La Cerda, 3618 Glenmore Drive, Houston, Texas 77023 (713-382-4400) appeared and stated that she was a resident of Pine Valley and was present last week addressing concerns shared by the community; that they strongly suggested the part of McGregor Park which was facing Old Spanish Trail to be considered for the proposed site of the animal shelter, the streets had three lanes in each direction and OST received plenty of traffic to and from the Medical Center and the land was designated as floodplains; that this proposed site would require less permits, time to develop and money; that Pine Valley had fought hard to keep businesses from developing along Wayside and with this how could their neighborhood enforce deed restrictions against new businesses coming. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Theresa Wright, 3511 Lazywood Lane, Houston, Texas 77023 (713-649-7545) appeared, presented information and stated that she lived in the Pine Valley Subdivision and present protesting the 30,000 square foot building for veterinary practice and the adoption center at Gragg Park, but she was not protesting the dog park; that given the incomplete and misleading information they were given the only conclusion was necessary and critical information on the proposal had not been prepared or they had not been given correct information; and she was requesting accurate information. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker stated that if she believed there was information available she was not given they would do their best to make sure she received it and if there needed to be further discussion she would make sure it did happen; that the project was voted on unanimously by Council and was in progress, but they did want the neighborhood to be kept informed as they moved forward and Mr. Dan Pederson with Parks and Recreation was present to answer any questions. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Lisa Squiers, 1126 Kinley, Houston, Texas 77018 (832-851-6720) appeared, presented information and stated that she was present two weeks ago and read a piece entitled When They Came For Me and she spoke of her website; that one solution on her website was to end the harmful practice of payday lending and in information presented was both statistics of the billions of dollars and harm created in Texas by the 2,800 payday locations in Texas and a solution which worked in other cities and states and that was microloans offered by credit unions and several groups were in Houston which could help with a similar program, one was the Texas Appleseed, a law and policy group, another was part of the National Credit Union Foundation called REAL Solutions and next month local credit unions would be deciding how much of the REAL Solutions program including microloans they would offer. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker stated that she actually spoke to Mayor Newsom about his anti payday lending alternatives and was hoping the City Controller would continue the Bank on Houston and the anti payday initiatives which began under the previous City Controller. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Mr. Jason Perry, 2310 Converse, Houston, Texas 77006 (713-822-7660) appeared and stated that he thanked Council for getting him in touch with Planning where they finally worked a site plan all could agree on, but he was disturbed by his meeting when he showed them a cite plan his engineer developed which met with all city ordinances and the man said he was right but the ordinance was written wrong and it was enforced the correct way and that could bring a lot of lawsuits. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682), had reserved time to speak but was not present when his name was called. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared and stated that he was present to give mass transit history in Houston, about 1868 the first rail line was installed and reel drawn and for 96 years they had a rail only system, then in 1923 the first buses came and they had a mixed system until 1940 and from 1940 to 2004, roughly 64 years, they had a bus only system; that at this point METRO had a 3,000 mile bus system and wanted to spend \$3 billion to replace 1% of the bus system with rail, which would take them back in history and make a less efficient system; that he said before METRO should have a new referendum as it was now three times what they told the public six years ago and many changes had been made. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that www.mayorgalvan.com; that the time had come for the loony left and loony right to galvanize and throw the bums out; and continued expressing his personal opinions until his time expired. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

At 3:55 p.m. City Council recessed until 9:00 a.m., Wednesday, February 17, 2010. Council Members Johnson, Sullivan, Pennington, Rodriguez, Lovell, Noriega and Jones absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, February 17, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo., Assistant Agenda Director, present. Council Member Jarvis Johnson absent due to being ill.

At 8:25 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:03 a.m. Mayor Parker called the meeting to order. Council Members Sullivan and Noriega absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** to consider a Municipal Setting Designation ordinance (MSD) for Harcros Chemicals, Inc and Union Pacific Rail Road for the site located at 1701 and 1610 Oliver Street, Houston, Texas - **DISTRICT H – GONZALEZ** – was called. Council Members Sullivan and Noriega absent.

The City Secretary stated that no one had reserved time to speak at the hearing. Council

Members Sullivan and Noriega absent.

Ms. Carol Ellinger Haddock stated that she was a Senior Assistant Director of the Department of Public Works & Engineering, that it was more than six years ago that the Texas legislature provided a new tool for addressing contaminated properties by authorizing Municipal Setting Designations or MSDs, that an MSD protects public health by designating a particular parcel, beneath which contaminated groundwater is prohibited from use as potable water, that the State law was administered by the Texas Commission on Environmental Quality, that MSDs were intended to encourage redevelopment of vacant or abandoned property while protecting the public health, that she was present today because, although TCEQ was the agency that issued MSDs, participation in the State program required local support, that on August 22, 2007, City Council amended Chapter 47 of the Code of Ordinances by adding a new Article 13, that Council action provided a process by which the City may support, or not support, a party's MSD application to the State, that today they were holding a public hearing for an application submitted by Harcros Chemicals, Inc. and Union Pacific Railroad for 4 acres of land located at 1701 and 1610 Oliver Street, that the Harcros portion of the site was currently vacant with one large warehouse structure which was historically used for chemical warehousing and distribution, that the Union Pacific Railroad portion originally housed a creosote operation, and was now vacant and being used as parking, that groundwater monitoring had been performed at the Harcros site since 2003 and on the Union Pacific site since 2000, that soil was also removed from the impacted areas on both sites, that the groundwater plume was stable and decreasing on the Harcros site, and no expansion of the groundwater plume had been observed during the investigations on the Union Pacific site, however, there were still ten contaminants of concern that existed in the groundwater that exceeded human ingestion protection levels, that today's public hearing was a required step in the MSD process, that on December 12, 2009 written notices were mailed to property owners within ½ mile of the property and to owners and operators of water wells within 5 miles of the site. Public Works then hosted a public meeting on January 13, 2010 at the West End Multi Service Center, which was located near the site, that based on the information supplied in the application, input from various City Departments, and input at the public meeting, her Director had requested this public hearing, that depending upon the outcome of today's hearing, the Director of Public Works and Engineering would request that Council adopt an ordinance to support this MSD application, that the ordinance would include all the elements required by State law and article 13 of Chapter 47 of the Code of Ordinances. Council Members Lovell and Noriega absent.

Council Member Clutterbuck moved to close the public hearing, seconded by Council Member Adams. All voting aye. Nays none. Council Member Johnson absent due to being ill. Council Member Johnson absent due to being ill. Council Members Lovell and Noriega absent. MOTION 2010-0082 ADOPTED.

MAYOR'S REPORT

Mayor Parker stated that she would have a quick Mayor's Report and wanted to show off her acquisition from yesterday, a tee shirt, (imprinted with "Hugs for Haiti" on it), that after hearing about the Haiti disaster two Bellaire High School students, Christina Sanger and Lesley Liberman wanted to help and they teamed up to make tee shirts as a way to show their concern and to spread support, that Christina's uncle had a tee shirt shop and donated the shirts and they had been selling them at Bellaire High School with all of the proceeds going to the American Red Cross, that she wanted to highlight this because it was students stepping up to take action for a good cause and she thought they needed to encourage as many of their young people to get engaged, particularly when it was something that happened far away from their life experience and apparently these were a really hot item at Bellaire High School and she wanted to salute Bellaire High School for that. Council Members Lovell and Noriega absent.

Mayor Parker stated that they would move to the consent agenda. Council Members Lovell and Noriega absent.

CONSENT AGENDA NUMBERS 2 through 29

MISCELLANEOUS - NUMBER 2

2. RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for Midwest Police Station District 18 - **DISTRICT F – HOANG** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Adams. All voting aye. Nays none. Council Member Johnson absent due to being ill. Council Member Johnson absent due to being ill. Council Members Lovell and Noriega absent. MOTION 2010-0083 ADOPTED.

ACCEPT WORK - NUMBERS 3 through 5

3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$259,546.00 and acceptance of work on contract with **MGM CONSORTIUM, LLC d/b/a ARRIBA CONSTRUCTION LLC** for Guadalupe Plaza - 3.82% over the original contract amount **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Adams. All voting aye. Nays none. Council Member Johnson absent due to being ill. Council Member Johnson absent due to being ill. Council Members Lovell and Noriega absent. MOTION 2010-0084 ADOPTED.
4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$334,984.00 and acceptance of work on contract with **EXCALIBUR EXCAVATION, L.P.** for Paving and Drainage Improvements at the Southwest Environmental Service Center 3.19% over the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Adams. All voting aye. Nays none. Council Member Johnson absent due to being ill. Council Member Johnson absent due to being ill. Council Members Lovell and Noriega absent. MOTION 2010-0085 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,645,139.11 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in Spring Oaks - 11.49% under the original contract amount - **DISTRICT A - STARDIG** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Adams. All voting aye. Nays none. Council Member Johnson absent due to being ill. Council Members Lovell and Noriega absent. MOTION 2010-0086 ADOPTED.

PROPERTY - NUMBER 6

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Doug Moss, Percheron Acquisitions, LLC, on behalf of Monument Pipeline, LP, [NET General Partners, LLC (Jerry C. Dearing, Vice President), General Partner], for the sale of a ±22,659-square-foot subsurface pipeline easement and a ±80,788-square-foot temporary construction easement, all located within the Southeast Water Purification Plant, which consists of six fee-owned tracts of land totaling ±372.40 acres, all out of the W. H. Anthony Survey, A-1460, the W. C. Railroad Company Survey, A-933, and the Day Land & Cattle Company Survey, A-1042, Parcels SY10-050A and SY10-050B - **DISTRICT E - SULLIVAN** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Adams.

All voting aye. Nays none. Council Member Johnson absent due to being ill. Council Members Lovell and Noriega absent. MOTION 2010-0087 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 8

8. **SINGLE SOURCE, INC** for Automotive, Refinishing Products for Various Departments \$611,586.74 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Johnson absent due to being ill. MOTION 2010-0088 ADOPTED.

ORDINANCES - NUMBERS 9 through 29

9. ORDINANCE consenting to the addition of 4.490 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0132 ADOPTED.
10. ORDINANCE consenting to the addition of 4.5683 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 6**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0133 ADOPTED.
11. ORDINANCE approving and authorizing correction to Resident Company, Ticket Surcharge and Backstage Operations Agreement for Jones Hall between the City of Houston, **THE FOUNDATION FOR JONES HALL**, the **HOUSTON SYMPHONY SOCIETY**, and **THE SOCIETY FOR THE PERFORMING ARTS** to correct a scrivener's error in the amount of ticket surcharge - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0134 ADOPTED.
12. ORDINANCE approving and authorizing first amendment to the Lease Agreement (Contract No. C70671) by and between the City of Houston, Texas (“Landlord”) and **FOURTH WARD CLINIC, dba GOOD NEIGHBOR HEALTHCARE CENTER (“Tenant”)** for space at the West End Multi-Service Center Building located at 190 Heights Boulevard, Houston, Harris County, Texas **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0135 ADOPTED.
13. ORDINANCE appropriating \$107,861.43 out of Public Health Consolidated Construction Fund approving and authorizing the issuance of purchase order to **CONTRACT RESOURCE GROUP, L.L.C.** for Furniture for the Northeast Multi-Service Center and Fifth Ward Multi-Service Center **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0136 ADOPTED.
15. ORDINANCE approving the grant application and accepting the grant award from the **U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** for the 2009 Lead-Based Paint Hazard Control Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to accept the grant and the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$975,000.00 CDBG Funds – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0137 ADOPTED.

16. ORDINANCE approving the grant application and accepting the grant award from the **U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** for the 2009 Lead-Hazard Reduction Demonstration Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to accept the grant and the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$975,000.00 CDBG Funds – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0138 ADOPTED.
18. ORDINANCE approving and authorizing second amendment to contract between the City and **DATABANK IMX LLC, formerly IMAGEMAX, INC** (Approved by Ordinance No. 2000-194) for Document Scanning and Retrieval Services for the Controller's Office – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0139 ADOPTED.
- 19-1. ORDINANCE approving and authorizing contract between the City and **SPAY NEUTER ASSISTANCE PROGRAM, INC** for Mobile Clinic to provide Spay/Neuter Services on dogs and cats in neighborhoods with large populations of loose animals; providing a maximum contract amount - 5 years - \$282,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0140 ADOPTED.
20. ORDINANCE appropriating \$312,570.00 out of Street & Bridge Consolidated Construction Fund and \$131,830.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing first amendment to the Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** (Approved by Ordinance No. 2006-186); approving and authorizing an Advance Funding Agreement for Voluntary Local Government Contributions between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Replacement of North Wayside Drive Bridge at Halls Bayou; providing funding for contingencies relating to construction of facilities financed by the above-referenced funds **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0141 ADOPTED.
21. ORDINANCE appropriating \$12,000.00 out of Drainage Improvement Commercial Paper Series F Fund; approving and authorizing Professional Construction Management and Inspection Services Agreement between the City of Houston and **INFRASTRUCTURE ASSOCIATES, INC** for Kirkwood and Briarforest Storm Sewer Improvements and Bellaire West Drainage Improvements **DISTRICTS F - HOANG and G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0142 ADOPTED.
22. ORDINANCE appropriating \$495,000.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LOCKWOOD ANDREWS & NEWNAM, INC** for Extended Feasibility Study for Meyerland Area, Garden Oaks, and Shepherd Forest Drainage Improvements; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICTS A - STARDIG and C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0143 ADOPTED.
23. ORDINANCE appropriating \$226,588.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **MICHAEL BAKER JR., INC** for Extended Feasibility

Study for Easthaven Boulevard Drainage Improvements; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0144 ADOPTED.

24. ORDINANCE appropriating \$275,554.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SPARKS-BARLOW-BARNETT, INC, A Wholly-Owned Subsidiary of the Howard R. Green Company** for Extended Feasibility Study for Binglewood and Inwood Forest Drainage Improvements; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT A - STARDIG DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0145 ADOPTED.
25. ORDINANCE appropriating \$214,100.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TSC ENGINEERING COMPANY** for Extended Feasibility Study for Western Village and Sherwood Estates Drainage Improvements; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT A - STARDIG DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0146 ADOPTED.
26. ORDINANCE appropriating \$7,617,030.00 out of Metro Projects Construction Fund and \$948,820.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TRIPLE B SERVICES, L.L.P.** for Pinemont Drive Paving from T.C. Jester to Ella Blvd.; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG and B - JOHNSON DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0147 ADOPTED.
27. ORDINANCE appropriating \$11,362,650.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for 69th Street WWTP Improvements (Package 3); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0148 ADOPTED.
28. ORDINANCE No. 2010-120, passed first reading February 10, 2009
ORDINANCE granting to **ACTION RESTORATION, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays

none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0120 PASSED SECOND READING IN FULL.

29. ORDINANCE No. 2010-121, passed first reading February 10, 2009
ORDINANCE granting to **PNEUVAC TRANSFER, INC, d/b/a UVAC, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0121 PASSED SECOND READING IN FULL.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

PURCHASING AND TABULATION OF BIDS

7. **KEMIRA WATER SOLUTIONS** - \$4,739,569.70 for Liquid Ferrous Iron Solution and payment to **PENCCO, INC** - \$1,071,600.00 for Emergency Purchase of Liquid Ferrous Iron Solution for Department of Public Works & Engineering - Enterprise Fund - was presented, and tagged by Council Members Jones, Costello and Bradford.

ORDINANCES

14. ORDINANCE amending Ordinance No. 2009-287 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and the **YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON** for Elderly Services provided through the Harris County Area Agency on Aging - \$5,364,720.52 - American Recovery and Reinvestment Act and Other Grant Funds – was presented, and tagged by Council Member Sullivan.
17. ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division (“CJD”), Office of the Governor, for the **GANG RESISTANCE EDUCATION AND TRAINING (GREAT) PROGRAM INITIATIVE**; 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 to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented.

Council Member Bradford stated that he intended to vote for Item No. 17 because he did believe that the Gang Resistance Education and Training Program was an effective crime prevention strategy, however he had concerns about how the program was being engaged and did not believe that utilizing police officers on an overtime basis was necessarily the prudent implementation strategy, that if it was an effective crime preventive strategy they should incorporate that into the regular course of business of HPD activities and insure that officers were doing it because they subscribed to that strategy and not as an inducement via the overtime program, that he would vote for it but nonetheless he thought they should revisit how the program was being implemented, and Mayor Parker stated that was noted and it might not be the best use of overtime dollars.

Council Member Gonzalez stated that he thought it was a good program and thought it was important to have some of these prevention strategies in some of the middle schools and targeting some of their children that were being targeted by gangs at a much younger issue, that gangs continued to be an issue in the City and they needed to make sure that they were trying everything and anything possible to curb the rise of gangs, that he did agree that most of it

should be done during the regular working hours but thought at times the overtime might be necessary for other special events and other activities that the kids could participate with the police officers that may extend beyond the regular hours, so he was supportive of the project.

Council Member Lovell stated that she would like to know if they could have a report as to what was going on and would like to know if the interaction with the HISD Police Officers had improved in any way, that she knew in the past there had been some kind of disconnect or some resistance from HISD to cooperate in this program, so she wanted to know how was the coordination and how did it work in the schools, and what sort of information and cooperation were they getting from the HISD officers that they were bringing back into the department and how it helped them in the neighborhoods because the activity that went on in the school, especially the graffiti that went on in the school, they would find on the fences and billboards the same as they would find in the restrooms in there, so how were they coordinating that and then how was it coming back into the neighborhood to be able to help with the neighborhood policing, so if they could get a report from them she would appreciate it.

Mayor Parker stated that she would point out to Council Members that this was a Criminal Justice Grant of \$165,000, there was no City cash match.

Council Member Jones stated that she would be curious to know how much the officers were getting paid in overtime, that while she respected that it was a grant she thought they should try to figure out the best and most efficient way to use the money. Council Member Lovell absent.

Council Member Noriega stated that she knew that they had been doing some version of this off and on again for years and thought it was always helpful to revisit and look at it, that she would love to have a visit with HISD and some of the players and see if they were in the right spots, whether they were doing what they needed to be doing and how they were paying folks, that they would plan to take this to committee and have a look at all of and see if there were concerns that they needed to do anything further with. Council Member Lovell absent.

Mayor Parker stated that she would encourage Council Members to allow them to go forward and establish their eligibility for the grant and that could certainly happen and still go to committee, and Council Member Noriega stated that if they could not take the money unless they passed it today it seemed ashamed to lose their opportunity. Council Member Lovell absent.

Council Member Adams stated that she supported the item and knew that in the new administration's budget meeting they discussed other avenues and ways for them to obtain money so the burden would not fall so much on the City of Houston and knew that Mayor Parker hired a new Grant Coordinator to be able to go out and find necessary funds available to take some of the burden off of the City of Houston and this was another opportunity for them to receive those additional funds to be able to go into great programs in the City of Houston and commended HPD for making sure to look for those particular opportunities in the "CJD" to make sure that those funds were available.

A vote was called on Item No. 17. All voting aye. Nays none. Council Member Johnson absent due to being ill. ORDINANCE 2010-0149 ADOPTED.

19. ORDINANCE amending Ordinance No. 2008-806 to approve supplemental allocation and to remove the maximum contract amount for Compromise and Settlement Agreement between the City of Houston and **COURT VIEW JUSTICE SOLUTIONS (Formerly MAXIMUS, INC)** for costs relating to the Municipal Courts Case Management System - \$405,000.00 - Municipal Courts Technology Fund - was presented.

Council Member Jones stated that this was the Municipal Court interim contract and in asking questions she realized that two of the people in the present company were principles in the previous company, which gave her pause, that she also wanted to know, because there was a presentation of facts that the City received \$6.7 million of the \$8.5 million paid to Maximus but over three to four years they were going to end up paying the interim company between \$1 million to \$1.5 million annually, which by the time they add it all up she did not understand why people got paid when they did not do what they were supposed to do, so for that reason when it came to the vote she was not going to vote for it.

Mayor Parker stated that this was the like the gum clinging to the bottom of a shoe, it never seemed to go away, and everybody at this table inherited this problem and it was a poor solution but apparently the only solution they had, but she respected her decision on that.

After further discussion by Council Members, Council Member Lovell asked what would happen if they all voted no, would their Municipal Court system just come to a halt, could somebody explain to her what the ramifications of all of them voting no on this would be, and Mayor Parker asked Mr. Michel to respond and if necessary Mr. Richard Lewis, Director of IT, was in the audience, and Mr. Michel stated that if they did not enter into a contract like this they would not be able to have the maintenance services to continue the system operating so it would come to a halt and they would effectively have to go to a manual system, it would really impair and stop the operations of the Municipal Courts, that it would come to a halt for a considerable amount of time.

After further discussion Council Member Jones stated that she wanted to make a clarification, if everyone voted no and it would halt the Municipal Courts and may not be running like it was, but it could be run manually she actually did not think that was quite accurate, and Mayor Parker stated that she was correct, it would continue, but it would be very slow.

A vote was called on Item No. 19. Council Member Jones voting no, balance voting aye. Council Member Johnson absent due to being ill. ORDINANCE 2010-0150 ADOPTED.

MATTERS HELD - NUMBERS 30 and 31

30. MOTION by Council Member Clutterbuck/Seconded by Council Member Noriega to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$7,062,707.77 and acceptance of work on contract with **PACE SERVICES, L.P.** for Sharpstown Area Drainage Improvements - 2.15% over the original contract amount **DISTRICTS C - CLUTTERBUCK and F – HOANG – (This was Item 2 on Agenda of February 10, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Johnson absent due to being ill. MOTION 2010-0089 ADOPTED.
31. ORDINANCE finding and determining public convenience and necessity for the acquisition of easements and related real property interests in connection with the new Public Safety Radio System; authorizing the acquisition of the property interests required for such system and payment of the costs of such purchases, leases and/or eminent domain proceedings of such property interests and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of such property interests – **(This was Item 18 on Agenda of February 10, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones voting no, balance voting aye. Council Member Johnson absent due to being ill. ORDINANCE 2010-0151 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Costello stated that he had the opportunity, with several of his colleagues yesterday, to sit down with the new Superintendent of HISD, Mr. Greer, and it was refreshing to have an opportunity to talk to a change agent to get a better understanding of what his approach was to HISD, that he thought it was extremely important to the future of the City of Houston that they have a strong and very successful urban school district, that he was excited about some of the programs that he was working on and it was rather refreshing for him to actually solicit some of the comments of some of the things that they were thinking about and he thought that was unique; that he wanted to advise his colleagues and the Mayor that this week was Engineers Week and was something that the Engineering Community celebrated annually, that he wanted to recognize a good friend of his who was selected as Engineer of the Year, Mr. Larry Barfield, principle owner of Binkley and Barfield. Council Members Gonzalez and Noriega absent.

Council Member Sullivan stated that they all remember that on Monday, February 8, 2010, Officer Frank Pierce was shot trying to stop a burglary in progress and they could not say thank you enough to the men and women in the Police Department, that he wanted to recognize that former Council Member Michael Berry, who hosted a popular talk show on KTRH Radio Station, had been in touch with Officer Pierce's wife to stay in touch and make sure that she knew that the family was cared about, that she also was a police officer with the Jersey Village Police Department and they had a couple of children, that Michael had worked with Scott McClain at Amegy Bank to set up a benefit fund where anyone could go by Amegy Bank location in the City of Houston and request to donate to the Officer Frank Pierce Benefit Fund, that he wanted to thank Mr. Berry for his support, his care and compassion for the police officers, Mr. Scott McClain and Amegy Bank for their support of Office Pierce and his family; that they had the first Ethics and Council Governance Committee meeting this week, that he wanted to thank Council Members for being there and Marty Stein for the presentation, and Larry Schenk for giving them a rundown on the ordinance they had today, that he wanted to point out because he had said publicly that the lobby list that was on file at the time was outdated they did in fact get an updated report and everyone who had filed was dully recorded and could in fact lobby at the City; that over the last couple of weeks he had noticed and voted for a number of agenda items that called for feasibility studies with respect to drainage and flooding and he had not seen anything in District E jump up on that list yet, that while it was Oak Forest, Meyerland, Braeswood and a lot of other areas within the City they had areas within District E that flooded as well and he just wanted to insure that District E was going to be taken care of and treated fairly with respect to the feasibility studies. Council Members Gonzalez, Rodriguez and Noriega absent.

Mayor Parker stated that absolutely, that would of course happen and she wanted to again thank him for his leadership on the NASA issue, that she intended to use her Mayor's Report next week to give Council Members an update and wanted to be able to visit with him this week to help prepare that presentation, and Council Member Sullivan stated yes. Council Members Gonzalez, Rodriguez and Noriega absent.

Council Member Lovell stated that she saw Mayor Parker's picture in the paper today throwing out the first pitch at the softball game at Bellaire, that it was really cool for some of the women's sports in the City for her to go out there and do this and for them to be able to see that their Mayor was engaged in the sports that they had a passion for, so she wanted to thank her for doing that; that she wanted to say congratulations to Anthony Hall who was elected as the Chair of Board of the Houston Endowment, one of the largest private philanthropic foundations in the City and the region, that right now they play an extremely important role in the City because they all knew that all of the social services agencies and arts and groups that relied on funding from the endowment were having a hard time raising money, so it was going to be a

very important job and was going to be in capable hands; that she read in the paper that one of their beloved restaurants, Midtown Mai's, burned and she was happy to hear that the Nguyen Family was going to rebuilt, that the Houston Fire Department was able to control the spread of the fire; that one of the restaurants that burned during Ike, Brennan's, opened this week, that it was a wonderful place to go and had an opening party on Fat Tuesday. Council Members Rodriguez and Jones absent.

Council Member Clutterbuck stated that last night they had the District C CIP meeting, that it was the first one they had for kicking off the season and she wanted to thank all of the City of Houston employees who attended the meeting and Council Members and their staffs; that yesterday she attended the Houston Galveston Area Council representing the City, and thanked Mayor Parker for being there and agreeing to serve on that board, that Mayor Parker received a lot of accolades and a lot of enthusiasm for her participation, that they took care of a lot of significant business there as they were hoping to do lately with a number of the stimulus dollars or the Ike relief dollars that were coming through that very important 13 County representative body, that also at the meeting they recognized Council Member Rodriguez for his service on behalf of the City, that they also approved the distribution of over \$600,000 to the City of Houston for their Homeland Security purposes and that particular vote was the result of a significant amount of committee work led by Chief Dennis Storemski and that committee; that she wanted to express her congratulations to Anthony Hall and the amazing foundation, the Houston Endowment, that he was going to be leading up. Council Members Rodriguez, Lovell and Jones absent.

Mayor Parker stated that Mr. Hall stated that he did say regularly that he would just be a phone call away and continued to want to make himself available if Council Members needed advice or counsel. Council Members Rodriguez, Lovell and Jones absent.

Council Member Noriega stated that the Census was coming up and was important and they were continuing to remind the citizens of Houston about the Census, that it was a count of everyone living in the United States and was mandated by the U. S. Constitution and they were supposed to do it every ten years, the data was used to apportion congressional seats, distribute more than \$400 billion in federal funds to State and local governments and was used to make decisions about what community services to provide and where to located businesses, churches and schools, that the Census form this year would be one of the shortest in U.S. history, ten questions taking about ten minutes to complete, that she wanted to remind everybody that strict confidentiality protects the respondents and the information they provide, that Census Bureau employees take an oath of nondisclosure and were sworn for life to protect the confidentiality of the data and were not allowed to share that data and the bureau was not allowed to share that data with anyone else, including the IRS, INS, ICE, FBI, CIA or any other government agency, so it really was used only for Census purposes, that there was a penalty for unlawful disclosure of \$250,000 or imprisonment of up to 5 years, that the Census was about money and they could lose as much as \$1,700 per year for each person that was not counted and that was money that they paid in taxes that could go to another State because they did not do their part to get counted, that the decisions where boundaries were going to be drawn for government were going to be made out of the Census and chances were very good that they would gain one U.S. Representative and there would be other changes and they needed an accurate picture of their community and that included everyone, that it did not matter who they were or where they were from, it mattered that they were here, Houston, when they counted and they needed that, that they would like for people to take pride in Houston and stand up and be counted and help Houston take it's place as one of the most important cities in America, that if they could not prove that they were the third largest City or prove that they needed the things that they need they were giving away to other parts of the Country what really should come here, Houston, so she would encourage everyone to listen as they talked about the Census and pay attention when it came in their mailbox; that there was an editorial in one of the newspapers

she reads by Bob Herbert and he was talking about infrastructure and the story began with a little tale about a cold snap and how as the weather warmed there were frozen pipes that broke all over the City, that it was Philadelphia and they had water mains break and as she had been driving her son to school she had been noticing water standing in gutters in front of yards where driveways meant, puddles here and there and she noticed when getting out of the car in front of her house, she was near a school, a family going yuk and she walked over and she had a muddy bog in her easement, clearly there was something broken underneath, that this was about infrastructure and when they talked about infrastructure down here they were talking about the things that did not show, the things that usually did not matter unless they did not work, they all had a very pertinent reminder with the hurricane when they were all not able to get water all of the time, that it was one thing to have their electricity to go down, they understand what happened with that, but when water was not available it was pretty shocking, that the pipes that were underground the roads they drove, many of those things they called infrastructure, bridges, were built a long time ago and they were at the point when their shelf life was coming to an end and they were going to have to make a significant investment, not just in Houston, but all over the Country, and that investment was crucial to their ability to function as a society, their national security, their personal safety, all of those things were dependent on their ability to get around, to get water, their health, all of that mattered, so as they talked about infrastructure, as they went forward looking at their water, wastewater, storm drains, all of those things and talk about money they needed to understand that there was no substitute for being able to turn on their tab and having something come out that was safe and met their needs, and that was not free. Council Members Sullivan, Rodriguez, Lovell and Jones absent.

Council Member Adams stated that she wanted to commend Chief Curran, Monticella Flannigan and all of the staff at Neighborhood Protection for a great open house; that she wanted to thank Director Turner, as well as his entire staff, yesterday they had the opportunity to recognize their City of Houston employees who had been with the City of Houston for 5, 10, 15, 20, 25 and 30 years and she wanted to thank them for their dedicated service to the City of Houston, that it was at the Garden Center; that yesterday she attended an event with Reverend Smith of Change Happens, formerly Fusia, and wanted to thank Comcast for providing a \$10,000 contribution to Change Happens for their After School Program and services children who lived in Districts I and D; that on Friday she was asking those who were not doing anything to come and be a flipper at the Shriners event for free pancakes, that they wanted to raise \$1 million for their facilities, a network of 22 pediatric hospitals throughout North America and other children charities, that it would be on February 19, 2010 from 7:00 a.m. to 2:00 p.m. that they could go to IHOP and purchase some pancakes and give a small donation; that on Saturday there would be a community day hosted by the Fountain of Praise Church and herself about free earned income tax credits, that they were asking those who lived in the surrounding community, near the 13535 South Post Oak Road to join them, along with Congressman Gene Green and Missouri City Council Member Cynthia Gary as they promote the importance of filing their income taxes; that at the Fountain of Praise they were having a workshop about preparing for their funeral home, they were wanted to provide a workshop with many agencies throughout the City of Houston to make sure that there were ways that they could do pre need so that the burden would not fall on them at the time of passing; that she wanted to thank Council Member Noriega for her pop off about the 2010 Census, that she was Co-Chair of 2010 Census Houston Counts and she wanted to thank Margaret Wallace and the Planning Department for all they did to get the word out about the 2010 Census because it was so important, that on Saturday, February 27, 2010, it was 2010 Census Day for Delta Sigma Theta, they would be doing two outreach activities to promote the 2010 Census, she would be hosing on in the Fort Bend area at Briargate Elementary School, they were going door to door in partnership with Houston Counts and the 2010 personnel and handing out information and also at Palm Center on Saturday there would be a 2010 Census rally beginning at 10:00 a.m. Council Members Clutterbuck, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker asked Council Member Adams at which IHOP would she be flipping pancakes and Council Member Adams stated that she thought it would be at Kirby off of the Southwest Freeway. Council Members Clutterbuck, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Council Member Gonzalez stated that he wanted to invite everyone to the Conoco Fun Run cleanup event on Saturday in District H, they held this event annually to cleanup the Near Northside in preparation for next week's Rodeo Fun Run, which extended through parts of District H and the Near Northside; that Independence Heights was also hosting their Let's Go Neighborhoods Vision Day event this Saturday at Booker T. Washington High School from 9:00 a.m. to 12:00 p.m.; that Eastwood Park was having a ribbon cutting for their Boundary Playground Project and he wanted to give special thanks to the entire Parks Department staff for their hard work in preparing for this and also CVS for their collaboration and partnership on this project for residents of the East End, that it would be a wonderful playground that would be accessible to any child or adult with disabilities or any type of issue that prevented them from using the tradition playground equipment; that the Ryan Civic Club was hosting a membership drive on Saturday from 11:00 a.m. to 12:00 p.m. at 4503 Elysian in the Near Northside area; that he wanted to thank everyone who attended their Teen Pregnancy Workshop last evening, it was a good discussion and they had a good group of parents and community based organizations, that it was interesting to hear the dialog and really engage the community on such an important issue that was impacting their young adults; that he wanted to pay his condolences to an HPD officer who passed away recently, Senior Police Officer Joel Garza, who served the Houston Police Department for over 24 years, that he left behind his wife and sons, one being a Houston Police Officer also, and numerous relatives, that he wanted to pay condolences to his family; that the District H CIP meeting would be held at Davis High School on Wednesday, March 10, 2010 from 6:00 p.m. to 8:00 p.m. Council Members Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Council Member Hoang stated that he wanted to recognize and send his sympathies to the family of Mai's Restaurant, that in 1878 his father moved to Houston and leased a 10,000 square foot building on Bell and San Jacinto, that the mother of Mai's owner subleased a space from his father and they had known one another since then, that the restaurant was one of the first Vietnamese Restaurants in Houston; that he attended Miss Saigon and he wanted to congratulate them and suggest that it was a must see show; that he wanted to thank Houston's First Lady, Catherine, for organizing a social event and his wife loved it and said she wanted to do something so that the Council Members and their spouses should know one another, that the First Lady did the right thing for them; that Sunday was the first of the Asian Lunar Year, that he had seen the Mayor and Council Members attending many events, that the new year lasts about two weeks, that this was the Year of the Tiger for anyone who was born in 1938, 1950, 1962, 1974 and 1986 were born in the Year of the Tiger, that citizens had to pay tribute to their kings and in Viet Nam usually the citizens would present something to wish the Mayor and the City, first health and second wisdom, that it was not money but wisdom because they governed the whole City or country, that traditional they presented a flower because it was something that springs forth during the year, it was the symbol of youth, life and wisdom and because of that he presented to Mayor Parker and the City a flower to resemble wisdom and health, that they believed that the Mayor was going to be one of the greatest Mayor's in Houston because she was going to have health and wisdom to govern the City, and traditionally they had graces luck for their colleagues and he would ask that they pass out health and graces to all of them. Council Members Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker stated that she wanted to thank Council Member Hoang and would make sure to display the flower in the Visitor Center throughout the Lunar New Year. Council Members Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Council Member Stardig stated that the District A CIP meeting would take place on Thursday, February 18, 2010, at 6:00 p.m. in the Candlelight Community Center at 1520 Candlelight; that Friends of Jaycee Park and Trees for Houston and City of Houston Urban Forestry would have a tree planting to beautify Jaycee Park at 1300 Seamist on Saturday, February 27, 2010 at 8:00 a.m., that Trees for Houston would coordinate the planting, supply shovels and gloves, while Urban Forestry would donate roughly 150 trees for planting, for those who were interested in volunteering should RSVP at FriendsOfJayceePark@yahoo.com; that yesterday she attended an unveiling of the new street signs that would be placed throughout Spring Branch and would like to thank the Spring Branch Management District for their hard work in making a difference in the Spring Branch area; that she wanted to thank Minister Chung from Seoul Baptist Church for leading the City Council in prayer during public session yesterday, that Minister Chung had been a tremendous asset in District A through his work with the Houston Korean Community Center; that she wanted to thank her colleagues for their support during the first few months at the City Council and the breakfast was a token of that. Council Members Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Council Member Pennington stated that he had already extended his personnel congratulations to Anthony Hall, that they all knew that through the years the Houston Endowment had been associated with almost every great project in the City and they knew that with his wise guidance it would continue on and knew that they were particularly into helping change the quality of life here and his insight from his public service would be particularly useful; that he attended the District C CIP meeting last night; that there was one issue that he would like to raise, that last week at the joint Public Safety and Budget Committee meeting they received information for services provided by the Houston Fire Department regarding the City of Houston Emergency Medical Services, that in his testimony last week Mr. Moran stated that the City's cost for a one way ambulance trip was \$1,800 and further stated that the City charges approximately \$450 per trip and was reimbursed for only 53% of the trips, and he believed after deducting about \$15 million or \$20 million that they considered to be uncollectable, that he believed that the provision deserved scrutiny and thought that they should look for efficiencies while still providing quality care, for example did every 9-1-1 medical call require an ambulance and a fire truck to respond, were there alternatives where paramedics and an SUV were capable to respond, could they create a less expensive option whereby a vehicle could take a person to a nearby health clinic rather than Ben Taub, that he did not pretend to be an expert on this but the numbers were alarming, the City could easily be spending \$40 million to \$50 million a year that it might not spend if it looked at this very closely, that he would request that the City engage experts to examine and come up with some options for the Fire Department and the City Council to consider; that their CIP meeting would be on Wednesday, March 3, 2010 from 6:00 p.m. to 8:00 p.m. at Paul Revere Middle School, 10502 Briar Forest, west of the Sam Houston Toll Way; that this past week he published his first newsletter and would like to announce to his constituents that anyone who was interested in being on the mailing list should visit his City website at www.houtx.gov/council-g and click the button "join our mailing list", that they wanted to recognize Mr. Robert Nowak, the City's webmaster who had been very helpful in this process; that they had attended all of the Super Neighborhood meetings since he came in office and during the campaign and he had included a full page summary of District G Super Neighborhoods in their newsletter, that since he took office he confirmed that the super neighborhoods, he believed, were excellent forums for having discussions and disseminating information; that he attended a formal New Year event downtown at the Chinese Consulate on Friday night hosted by the Consulate General, that on Saturday many of them, including the Mayor, were at the Chinese Business Center and were treated very nicely there; that early voting started yesterday and he knew that all of them would urge their constituents to vote; that as to the Census they were going to work on having outreach to the different communities in his district. Council Members Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Mayor Parker stated that she wanted to salute Council Member Pennington on the new

Tanglewood Dog Park opening on Sunday, that it was an extremely popular event; that in answer to his comments about ambulance fees, it was something that had been moving through the system for a long time and she heard many Council Members express similar concerns, that she convened a summit with Dr. Persee and the Fire Chief and others, and Council Member Noriega would be bringing back to committee a more complete presentation on a whole range of things that they could do to cut down on utilization of ambulance service before they had the discussion on any changes to the fee structure, but there were clearly people who were using the service who should not and they could make efficiencies in how they deliver the service that they do. Council Members Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

Council Member Costello stated that he wanted to congratulate Anthony Hall for his new assignment, that as a former board member to the Memorial Park Conservancy the Houston Endowment was the first endowment to support them and gave them a three year operating grant and they were very excited about it and it was very helpful for the conservancy; that he wanted to thank Council Member Noriega for highlight infrastructure, particularly during Engineers Week and the issues they were faced with, that when she described the nuisance water in the street that was commonly referred to as a bird bath, because only the birds appreciated it nobody else did, and it was due to the aging infrastructure, and just to remind his colleagues and the Mayor, just in streets and drainage along that aging infrastructure was about a \$10 billion unfunded problem right now and he hoped to look forward to work on trying to figure out how they accomplish raising the money for those issues; and he asked Council Member Hoang what 1953 was and Council Member Hoang stated that it was the Year of the Snake. Council Members Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

There being no further business before Council, the City Council adjourned at 10:08 a.m. Council Member Johnson absent due to being ill. Council Members Adams, Sullivan, Rodriguez, Lovell, Noriega and Jones absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary