

City Council Chamber, City Hall, Tuesday, March 9, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 9, 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 1:42 p.m. Mayor Parker called the meeting to order and called on Council Member Jones who invited those present with her presentation to the podium and stated that Sister Cities of Houston promoted intercultural understanding between our community and our 17 Sister Cities and volunteers took on many programs including reaching out to local students with the Showcase of Young Artists and hundreds of artists had shared their talents over the years and she wanted to award the first and second place winners. Ms. Goldberg greeted the Mayor and Council and stated that Pei Wang was winner from the Chinese Cultural Center representing the Houston Taipei Society and she received \$200.00 and a Certificate and her artwork would go now to the International Competition in Washington, D. C., and Miss Wang displayed her artwork; and Mayor Parker presented a Certificate of Appreciation for her First Place finish; and Miss Wang described her art. Council Members Johnson, Pennington, Rodriguez and Noriega absent.

Council Member Hoang stated that the Director of International Affairs, Mr. Joseph Chang from Taiwan, Taipei, and his deputies and he congratulated them and welcomed them here today. Council Members Johnson, Rodriguez and Noriega absent.

Council Member Clutterbuck invited Mr. Chad Hedrick to the podium and stated that it was a privilege to have Mr. Hedrick present and to have the opportunity to accompany Mayor Parker in presenting him with this award; that Chad Hedrick was a five time Olympic Champion and brought home a tremendous amount of metal to the City of Houston; that he was homegrown, his parents owned a skating rink in the Spring area where he got his start and in addition to his amazing medals and leadership shown he was a champion for involving youth in sports and trying to expand the amazing and healthy sport throughout this region; that he was a highly decorated ice and inline skater and five time Olympic medalist having won one gold two silver and two bronze medals and set six world records; and because of this presented him a Proclamation proclaiming today as "Chad Hedrick Day" in Houston, Texas. Council Member Rodriguez absent.

Mr. Hedrick stated that it was a pleasure being here today; that he put much hard work into what he did, but it took him away from his city of Houston and he had lived in Salt Lake City for seven years to pursue his goals, but as he and his family started a new life in Houston it was nice to come and be introduced to the Mayor and Council and to use what he did in his career to help and inspire children; and he was happy to be back. Council Member Rodriguez absent.

Council Members Adams, Noriega, Lovell, Hoang, Costello and Gonzalez congratulated Mr. Hedrick and welcomed him back to Houston. Council Member Rodriguez absent.

Council Member Jones invited Ms. Goldberg and Miss Jaira Perez Negron, another participant in the sister City Artist Showcase representing Guayaquil, Ecuador, to the podium and congratulated her on her second place win and presented her with a Certificate of Recognition; and Miss Negron described her art.

At 2:00 p.m. Mayor Parker called on Council Member Costello who invited Pastor Cofield with Good Hope Missionary Baptist Church to the podium to lead all in prayer; and he led all in the pledge.

At 2:03 p.m. Mayor Parker requested the City Secretary call the roll. All present.

Council Members Lovell and Gonzalez moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor Parker and Council Member Johnson absent. Mayor Pro Tem Clutterbuck presiding. MOTION ADOPTED.

At 2:04 p.m. the City Secretary began calling the public speakers. Mayor Parker and Council Member Johnson absent. Mayor Pro Tem Clutterbuck presiding.

Mr. James A. Johnson, 3230 Proswimmer, Houston, Texas 77088 (281-447-7940) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Johnson and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Lois Profit, 10029 Bonazzi Boulevard, Houston, Texas 77088 (281-447-5559) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Johnson and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Erma McDonald, 3201 Stallings Drive, Houston, Texas 77088 (281-820-6676) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Johnson and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Keith Williams, 6002 Antoine #H, Houston, Texas 77091 (713-956-1511) appeared and stated that he came regarding CIP Meetings which they had in the past in multiple locations, but this year there would only be one or two and none in the Acres Homes area; that they were present today asking for more meetings. Mayor Parker, Council Members Johnson and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Timothy White, 3209 Stallings Drive, Houston, Texas 77088 (281-900-5707) appeared and stated that he was present on the CIP Meetings also; that in the past Acres Homes and District B itself had multiple meetings and this year they scheduled one; that he was president of the Garden City Civic Club within Acres Homes; that 70% in his area were elderly and they would like a CIP Meeting in the Acres Homes area. Council Members Johnson and Noriega absent.

Ms. Rose L. Howard, 9901 Genemaury, Houston, Texas 77088 (281-445-8726) had reserved time to speak but was not present when her name was called. Council Member Noriega absent.

Council Member Johnson moved to hear Mr. Charles Ingram, Ms. Ruby Bennett, Ms. Janet D. Moore and Ms. Juanita Stephens out of order and add Mr. James Rasmus to the list of speakers on the CIP Meetings, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Noriega absent. MOTION 2010-0116 ADOPTED.

Mr. Tommie E. Harper, 10005 Bonazzi Boulevard, Houston, Texas 77088 (281-447-5927) had reserved time to speak but was not present when his name was called. Council Member Noriega absent.

Mr. Charles Ingram, 5503 Mountwood, Houston, Texas 77091 (713-471-7689) appeared and stated that he was president of the Acres Homes Citizen Council and represented 18 civic clubs and 52,000 people and was present asking for two CIP Meetings as the district was very

large; that they needed three meetings, but would ask for only two. Council Member Noriega absent.

Ms. Ruby Bennett, 744 Boeneman Drive, Houston, Texas 77091 (713-697-1709) had reserved time to speak but was not present when her name was called. Council Member Noriega absent.

Ms. Janet D. Moore, 3329 McCraey Drive, Houston, Texas 77088 (281-447-7363) had reserved time to speak but was not present when her name was called. Council Member Noriega absent.

Ms. Juanita Stephens, 3018 Stallings, Houston, Texas 77088 (281-447-7363) had reserved time to speak but was not present when her name was called. Council Member Noriega absent.

Mr. James Rasmus, who was previously added to the speakers list, appeared and stated that for a person to be involved they must first be informed and he was not a second class citizen and did not expect to be treated as one; that he appreciated the Mayor trying to save money if that was what this was, but he wanted to know what consideration was given in cutting people out. Council Member Noriega absent.

Mayor Parker stated that she wanted to clarify that every Council District was having at least one CIP and the only district with two was Council Member Sullivan's due to the distinct nature of the district; that she had been to Acres Homes many times and would be happy to go out again and they could make CIP requests known to her personally, but she did intend to treat Council Members around the table equally. Council Member Noriega absent.

Council Member Johnson stated that District B had two CIP meetings a couple of years because of the district's citizens; that he was not going to push the issue unless the citizens did, but unless they were going to have precedent set or rules laid out he would request two CIP Meetings for District B this year; and Mayor Parker stated that as she stated to the citizens she was happy to stand with him in any type of town hall meeting he wanted to have and she would be happy to have the discussion among Council Members as to whether they should open the CIP process so all Council Members could have multiple CIP Meetings and she would poll his colleagues, her attention was to try and treat Council Members equally if at all possible; and upon questions by Council Member Johnson, Mayor Parker stated that it was always appropriate to discuss CIP items with the Mayor it was not her intention to host a second full CIP Meeting, but she would be happy to poll all District Council Members to see if they wanted to create additional meetings, there was a financial impact to that, but she did not want to limit the access of citizens to the process; that District B's fate to more meetings did lie with Council Members, she made her decision, but would respectfully cede to the wishes of District Council Members if she made an incorrect decision. Council Member Noriega absent.

Council Member Bradford stated that there were nine District Council Members and he would suggest that treating everyone equally may not be fair as Acres Homes was a very large area within District B with a large number of senior citizens and underprivileged families; that the issue in the information sheet indicated in part the issue dealt with it costing \$60,000 in overtime to deal with another CIP Meeting, but it may could be mitigated and flex time or hours or use employees not required to be paid overtime and would re-urge the position by Council Member Johnson that equally may not be fair and maybe it should be based on benefit to the city and need; and Mayor Parker stated that she was happy to have two or three CIP Meetings in every Council District if it was the will of Council and it served the Council Members needs, but would point out that the Council Members had the ability to collect information and advance their CIP requests in anyway they chose to do so. Council Member Noriega absent.

Council Member Jones stated that District B did have seniors and many did not have money to get places and while she appreciated Kingwood and Clear Lake were geographically distinct some could argue they could afford to drive across town and she was trying to figure how demographics alone was a consideration; that Acres Homes was one of the more disadvantaged areas in the city and if there was a vote she would vote for them another meeting.

Council Member Lovell stated that she was an At-Large Council Member and they did not hold CIP Meetings, but they did attend them; that the memo said it was about \$60,000 for ten different events; that everyone at the table could argue they had a diverse district, every Council Member had an Acres Homes in their district and all had seniors.

Time for questions expired and Mayor Parker stated to continue the discussion she would need a motion; and Council Member Adams moved the rules be suspended for the purpose of extending the time for discussion of CIP Meetings, seconded by Council Member Lovell. All voting aye. Nays none. MOTION 2010-0117 ADOPTED.

Upon questions by Council Member Lovell, Mayor Parker stated that the direct answer was the money came out of the general fund budget and the departmental salaries; that the Public Works Director was paid whether he was there at midnight or 9:00 a.m., it had no impact; that the staff at the lower levels where they did overtime payments and even if it was one-third of what was estimated spread over nine more CIP Meetings it would be \$180,000 and a significant amount of money.

Council Member Adams stated that as a Council Member she liked knowing the community you served and taking advantage of its leaderships and would encourage Council Members to think outside the box; that since she was elected and knew there would be one CIP Meeting they took information provided at the CIP Meeting and took it to the various communities and shared it with them; that outside of their CIP they were having six additional town hall meetings to reach constituents in their community; that District D was 144 square miles and no way to accommodate 300,000 constituents and she would encourage Council Members be proactive and take their CIP information to individual town hall meetings; that budget was tight and time was limited and it was a collaboration with other departments to come out again.

Council Member Costello stated that as chairman of the Drainage and Flooding Committee he was proposing, and his staff was trying to meet with each Council Member, to have opportunity to take the committee on the road in a town hall format because of the fact people could not come to the Council Meeting during business hours and they would be meeting with all Council Members.

Council Member Jones stated that Mayor Parker mentioned department directors were on salary and got paid regardless; and Mayor Parker stated that she suggested any Council Member was welcomed to schedule a town hall meeting which was done on a regular basis and it was appropriate and she had made that offer. Council Member Lovell absent.

Mayor Parker stated that the time limit was again exceeded and to continue discussion a motion was needed; and Council Member Johnson moved the rules be suspended for the purpose of extending the time for discussions of CIP Meetings, hearing no second the motion died for lack of a second. Council Member Lovell absent. MOTION 2010-0118 DIED FOR LACK OF A SECOND.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Member Lovell absent.

Ms. Karen Kristopher, 1415 South Voss Road #110, Houston, Texas 77057 (713-266-2715) appeared, presented information and stated that she was with the Houston Area Association for Decency; that many great things going on in Houston with great government, parks, medical center, churches, etc., but there were flaws and they could work together against them; that their organization had a new campaign called "Whistle Blowers" and if every female and child had a whistle you could still fight or run and blow your whistle, the whistle was a great advantage and now there were over 2,500 volunteers across the area passing out whistles; that one-third men in Houston had an addiction to pornography and that fueled the sex crimes and 51% of the courts were filled with sex crimes and prosecutors would tell them so; that sex predators attacked their victims 113 times before they were arrested the first time; and whistles were presented to all. Council Members Johnson, Lovell and Jones absent.

Council Member Hoang stated that Ms. Kristopher should continue; and Ms. Kristopher stated that all saw the news on sex crimes to women and she was asking the Mayor and Council to make April "Whistle Blowers Month" yearly; that females deserved a stand; and Council Member Hoang thanked Ms. Kristopher for coming and educating all on how to protect against sex offenders; that he had a wife and small children and was concerned. Council Members Johnson and Sullivan absent.

Ms. Maria Carmen Tomayo, 12633 Memorial Drive #147, Houston, Texas (713-409-0256) appeared with an interpreter; and Council Member Clutter moved the rules be suspended for the purpose of allowing two at the podium, seconded by Council Member Jones. All voting aye. Nays none. Council Members Johnson and Sullivan absent. MOTION 2010-0119 ADOPTED.

Ms. Maria Carmen Tomayo presented information and she and her interpreter stated that on April 27, 2008, she had an accident with a drunk driver supposedly, she and her daughter were hit and she suffered severe injuries and felt the officer at the scene, because he did not put down the driver was drunk or give him a sobriety test, the insurance company was saying they would not pay her according to her injuries because the report did not say he was a drunk driver; that the officer put injuries were equal and because of that they would not pay and they only gave her what was normal for an accident; that two constables were at the scene and had put the other driver in their vehicle stating he was drunk, however, HPD arrived and there was a controversy over him being drunk. Council Members Johnson and Sullivan absent.

Council Member Jones stated that her memo showed the other driver was cited; and Mayor Parker stated and it should indicate his insurance was responsible for the accident; and Council Member Jones stated that this seemed to be a dispute for the Civil Courts and she probably needed a lawyer. Council Members Johnson and Sullivan absent.

Mayor Parker stated that Citizens Assistance and Lieutenant Gallier were present to meet with her. Council Members Johnson and Sullivan absent.

Council Member Gonzalez stated that he hoped she and her daughter had time to recover, it seemed there were two issues, one whether the officer should have pursued some investigation for possible intoxication and second, the compensation for injuries and damages, it seemed it would be based on injuries and not what the officer observed in claims of insurance. Council Members Johnson and Sullivan absent.

Council Member Noriega stated that one of her staff would join with Lieutenant Gallier on their discussion and she was very sorry she had such a dreadful accident, but it did seem to be an insurance issue. Council Members Johnson and Sullivan absent.

Mr. Richard Allen, 1223 Campton Court, Houston, Texas 77055 (713-290-0078) had reserved time to speak but was not present when his name was called. Council Members Johnson and Sullivan 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 and Sullivan absent.

Mr. Theodore Johnson, 3318 Carnell, Houston, Texas 77022 (713-861-7943) appeared and stated that he was present about providing jobs for the community; that death meant separation; that he had ideas to create jobs for all, government could not create jobs only promote jobs; that only the people serving the community could create jobs; and continued expressing his personal opinions until his time expired. Council Members Johnson and Sullivan absent.

Ms. Jeanette Rash, 2104 Lyons, Houston, Texas 77020 (713-228-8872) appeared, presented information and stated that she was vice president to Towing and Recovery Association of America and chair of the Towing and Storage and Booting Advisory Board in Austin under TDLR and present to ask the Mayor and Council to save one of the most important days in Houston in transportation in a very long time, the Intelligent Transportation Society of America was having a conference on May 3, 4, 5, 2010, here in Houston and it was all people who paid attention to transportation in the United States and she was very excited about this; that they would actually roll over two 18-wheelers by the garage and hotel and have a Safe Clear demonstration as well; that Houston was so far ahead of every other city in the United States in transportation and incident management and she was present because she was thrilled to be a part of it; that last year Safe Clear moved over 66,000 vehicles; and urged all the Mayor and Council Members ride with Safe Clear. Council Members Johnson and Sullivan absent.

Council Member Lovell stated that it was a big deal to hold the national event here in Houston and that the Secretary of Transportation would be present; that she thanked Ms. Rash for bringing this to everyone's attention and for going all over the U. S. talking of Safe Clear; that it was a dangerous job they did as some were injured and they lost one over the past year; that she hoped they could coordinate with someone on the Transportation Policy Council with Council Member Costello; that transportation dollars were precious and she hoped she (Council Member Lovell) and Council Member Costello could sit with Mayor Parker and discuss how they could have involvement or interaction with people who would be coming. Council Members Johnson, Sullivan and Rodriguez absent.

Ms. Shakia Stewart, 20138 Saddle Ranch, Humble, Texas 77338 (832-371-5793) appeared and stated that she was a former employee of Convention District Parking and wanted to speak on that the garage was a city run garage and it was poorly run; that she lost her job because of what her subordinates did, there was nothing on her papers stating she had not done her job, most there felt they were going to get paid regardless, being on salary, and did not feel they needed to be there; that there was much nepotism and relatives were there and shown favoritism; that there was also poor record keeping and she would blame it on the project manager as she allowed office personnel to do what they wanted because they knew each other; that many times when someone felt you really knew the job and inside information they would try and get rid of you so you would not put the bad stuff out there; that recently a key broke in the lock and there was nothing she could do about it, a cashier's key broke in the lock,

but she received a written reprimand for it because she was supervisor and so did her manager, but she was fired and that was on her paperwork, but her manager was still there. Council Members Johnson, Sullivan and Rodriguez absent.

Upon questions by Mayor Parker, Ms. Stewart stated that she was an employee of Republic Parking Convention District Parking. Council Members Johnson, Sullivan and Rodriguez absent.

Council Member Adams stated that she was proud of Ms. Stewart, she knew her for years and knew she came from a great family and would not fabricate what she brought forward and asked she continue; and Ms. Stewart spoke of incidents at work and said he would find a way to get back for having to pay money and she felt it was the termination papers; and continued discussing the incident Council Members Johnson, Sullivan and Rodriguez absent.

Mayor Parker stated that this was a privatized operation, she worked for a city contractor, but Mr. Stephen Lewis with Convention and Entertainment Facilities Department was present and she could speak with him regarding the way the contractors operated the city's facility. Council Members Sullivan and Rodriguez and Jones absent.

Mayor Parker stated that today they were joined by State Representative Ellen Cohen and it was nice to have a guest from another governmental body join them. Council Members Sullivan and Rodriguez and Jones absent.

Ms. Ruby Dixon, 5105 Airline Drive #1115, Houston, Texas 77088 (713-691-0191) appeared and stated that when she called and reserved time she received a call asking her if she was coming to complain, but she wanted all to know that the disabled community came to bare grievances because they were seeking solutions; that they had many meetings with METRO Lift and she thanked their staff, she thought transportation for disabled, etc., had changed, but they still had much work to do; that one problem was the 10/10 policy and the other was long waits and lengthily rides; that high priority patients rode METRO Lift, patients with dialysis, chemo treatments, etc., they looked at problems and she thinks they came with solutions and today were asking the Council Members to work with them in getting solutions implemented within guidelines of departments and transportation, they needed their help and the Citizens with Disabilities Review Board met every second Wednesday of the month from 10:30 a.m. to noon at the Houston Center for Independent Living. Council Members Sullivan and Rodriguez absent.

Mayor Parker thanked Ms. Dixon for coming and raising the issues; that she had been looking at METRO and as Mayor would be appointing new board members; that metrolift was a great concern of hers and if she had suggestions for improvements she would be happy to receive them in her office and she could also work through the Mayor's Office People with Disabilities. Council Members Sullivan and Rodriguez absent.

Council Member Johnson thanked Ms. Dixon for coming and stated that many times people come with complaints but he appreciated that she said she had solutions and he would love to sit and speak with her in the near future. Council Members Sullivan and Rodriguez absent.

Ms. Lisa Johnson, 10161 Harwin #125, Houston, Texas 77036 (713-271-7801X205) had reserved time to speak but was not present when her name was called. Mayor Parker, Council Members Sullivan and Rodriguez absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Shirley Thomas, 10161 Harwin #125, Houston, Texas 77036 (713-271-7801X205) appeared, presented information and stated that she had a small business which delivered

balloons and helium flags and banners to other businesses; that they had been in business 22 years and were about to be forced out of business by the Houston City Council; that they employed 17 people, had sales of \$1.5 million and paid more than \$100,000 in sales tax yearly; that they were one of dozens of businesses which would be forced out of business if Ordinance 2008-992 was allowed to stand and hundreds of employees would be with no job and millions of sales tax would be lost; that in this economy government should do what they could to stimulate economy and not close industries; and urged the Mayor and Council take another look at the ordinance and its impact and do something before it was too late. Council Members Sullivan and Rodriguez absent.

Upon questions by Council Member Johnson, Ms. Thomas stated that her business was on Harwin at Gessner in an office park facing the street; that they did not use attention getting devices they sold them to apartments, car dealerships, etc. Council Members Sullivan and Rodriguez absent.

Reverend Samuel Smith, 118 W. Gray, Houston, Texas 77019 (713-529-4507) appeared and stated that he was pastor of Mt. Horeb Missionary Baptist Church and in the Freedmen's Town Area which was rapidly becoming Midtown, Freedmen's Town had a history which represented the freed slaves and buildings in the area which had not been torn down represented the labor and struggle of people who once lived there; that he had property on Victor, Cushing, Cleveland and Valentine, a square block, on that block were houses of people who once belonged to the church and they were trying to refurbish and preserve them to keep the history alive in the area, but little by little the houses were being torn down by request and demand of city fathers and now out of ten he had three houses left; that citations were presented and they had to demolish them and it was not their desire as they wanted to refurbish them and use them for a food pantry and a place to teach. Council Members Sullivan and Rodriguez absent.

Council Member Adams stated Pastor Smith should continue; and he stated that on the 18th of this month they had to appear before a hearing of Neighborhood Protection to answer questions on the still existing homes; that at night and other times the homeless and crackheads frequented the areas and they tried to run them away; that houses across the street from them belonged to the African American Library and predators now hung around them because those houses were fenced, but he was pleading for opportunity to refurbish. Council Members Sullivan and Rodriguez absent.

Mayor Parker stated that it was nice to see him and she was familiar with his church; that if the church owned the properties she believed the issue was they were not secure and they did not want to tear down property, but they did require everyone to secure property; that Mr. Norris Davis with Neighborhood Protection was present and would be happy to sit with him and discuss ways to secure the property; that they had to keep crackheads, etc. off the property. Council Members Sullivan and Rodriguez absent.

Upon questions by Council Member Jones, Reverend Smith stated that the houses were not built by the freed slaves, but by their descendents and there was historic value; and Council Member Jones stated that he was in Council Member Rodriguez's district, but she would speak with him and see if they could help, but they did need to be secure. Council Members Sullivan and Rodriguez absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was President of the United States; and continued expressing his personal opinions until his time expired. Council Members Sullivan and Rodriguez absent.

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

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682), appeared and stated that again she was present asking for projects; that she was looking for Council Member Lovell to investigate the land, tanks and holding ponds; and they wanted their two projects returned. Council Members Sullivan and Rodriguez absent.

Council Member Noriega stated that she knew Ms. Taylor called her office about the issue and she may have spoke to Council Member Lovell's office as well about tanks in the corner of the Stubner/Airline Park and they did homework and she had a packet if anyone wanted to see it, but based on the deed and satellite picture the tanks described did not belong to the park land, the original owner apparently kept that for himself and it was nothing about it which was the city's responsibility and they did send the information to her. Council Members Sullivan and Rodriguez absent.

Mr. Sammie Jones, no address (no phone) appeared and stated that he was asking where could he sleep; that first he was about two blocks from St. Johns and told he could not sleep there so he went to the Salvation Army and Star of Hope and there was not enough room for all who were homeless; that he was under the 59 overpass at Franklin and told he could not sleep there; and again was asking where could he sleep. Council Members Sullivan, Rodriguez and Noriega absent.

Mayor Parker stated that he could visit with Citizens Assistance who would connect him with one of the shelters. Council Members Sullivan, Rodriguez and Noriega absent.

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared, presented information and stated that he was with the Houston Property Rights Association and Busses are Better and he had been present weeks ago discussing problems with Downtown rail operation, METRO had already maxed out its ability to move people on rail and he was relying on the work of Tom Rubin, who was CFO of two major transit authorities and consulted on dozens of transit projects across the country, and he knew Houston and the Houston system and said they could not move anymore people through Downtown on rail and it meant the six new lines METRO planned to build would only create a bottleneck; and the Mayor could direct her board members to cancel the project. Council Members Sullivan, Rodriguez and Noriega absent.

Council Member Johnson stated that Ms. Ruby Bennett was not present when her name was called, but was at this time; and moved the rules be suspended for the purpose of hearing from Ms. Ruby Bennett at this time, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Noriega absent. MOTION 2010-0120 ADOPTED.

Ms. Ruby Bennett, 744 Boeneman Drive, Houston, Texas 77091 (713-697-1709) appeared and stated that she was present on an issue already addressed, but wanted to add her two cents; that she was present regarding the CIP meeting in Acres Homes; that usually they had two CIP meetings in District B as it was large and many people came; that it seemed they were the step children when it came to having things on the northwest side; that they had a very nice CIP meeting and would like their CIP meeting; that they had problems with illegal dumping, tire pick up and horse stalls and Neighborhood Protection and Parks had their own special projects and they were a unique neighborhood with unique problems. Council Members Sullivan and Rodriguez absent.

Council Member Johnson thanked Ms. Bennett for coming and stated that they would look to having another town hall meeting and they would check on the consensus with other Council Members to see if a second CIP meeting could be held; and while they were present he would like to move to have the second CIP considered; and Mayor Parker stated that they could not take action here, but she would poll all Council Members; that the item was not posted for a motion. Council Members Sullivan and Rodriguez absent.

At 3:30 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, March 10, 2010. Council Members Sullivan and Rodriguez absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, March 10, 2010, with 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. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo., Assistant Agenda Director, present.

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

At 9:02 a.m. Mayor Parker called the meeting to order and stated that they would move to the consent agenda while they were waiting for the Controller. Council Members Sullivan, Rodriguez and Lovell absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 24

MISCELLANEOUS - NUMBER 1 and 2

1. REQUEST from Mayor for confirmation of the reappointment of the following to the **BOARD OF DIRECTORS OF THE BRAYS OAKS MANAGEMENT DISTRICT (HARRIS COUNTY IMPROVEMENT DISTRICT NO. 5)**, for terms to expire June 1, 2013:

Position One - **MS. STARLA K. TURNBO**
Position Two - **MS. AUDREY INGRAM**
Position Three - **MR. C. FRED MEYER**
Position Four - **MR. MEHMET OKUMUS**
Position Five - **MR. RENE JOUBERT**
Position Six - **MR. ETAN M. MIRWIS**

- was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. MOTION 2010-0121 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON READ COMMISSION**:

Position Two - **MR. DAVID JOOST**, appointment, for a term to expire 1/1/2011
Position Three - **MS. SULTANA MANGALJI**, reappointment, for a term to expire 1/1/2011
Position Four - **MR. JEREMY L. RADCLIFFE**, reappointment, for a term to expire 1/1/2012
Position Six - **MR. DAVID KLEIN**, reappointment, for a term to expire 1/1/2011
Position Seven - **MS. MICHELLE TREVIÑO-AGUILAR**, reappointment, for a

- term to expire 1/1/2012
- Position Ten - **MR. ROLAND B. SMITH, JR.**, reappointment, for a term to expire 1/1/2012
- Position Eleven - **MS. SUSAN PORTWOOD**, appointment, for a term to expire 1/1/2013
- Position Thirteen - **MS. KATY HAYS**, appointment, for a term to expire 1/1/2012
- Position Fifteen - **MS. ROSIE CANALES**, appointment, for a term to expire 1/1/2011
- Position Seventeen - **MR. BRENT M. ENGELAGE**, appointment, for a term to expire 1/1/2013

- was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. MOTION 2010-0122 ADOPTED.

ACCEPT WORK - NUMBER 3

3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$9,485,970.00 and acceptance of work on contract with **PRIME CONTRACTORS, INC** for Property Room Replacement - 4.93% over the original contract amount - **DISTRICT H - GONZALEZ** - was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. MOTION 2010-0123 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 6A

4. **CENTRAL POWER SYSTEMS & SERVICES, INC** for Generator Resistive Load Testers from the State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$169,494.03 Enterprise Fund - was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. MOTION 2010-0124 ADOPTED.
5. ORDINANCE appropriating \$642,168.02 out of Equipment Acquisition Consolidated Fund and \$53,436.75 out of Fleet/Equipment Special Revenue Fund for Purchase of Grounds Maintenance Equipment for Various Departments - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0196 ADOPTED.
- 5a. **JOHN DEERE COMPANY, A Division of Deere & Co.** - \$603,905.80, **LANSDOWNE-MOODY CO.** - \$403,550.22 and **PROFESSIONAL TURF PRODUCTS, L.P.** - \$424,251.13, for Grounds Maintenance Equipment through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative BuyBoard for Various Departments - Enterprise, Equipment Acquisition Consolidated, Fleet/Equipment Special Revenue, Parks Special Revenue, ARRA and Stormwater Funds - was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. MOTION 2010-0125 ADOPTED.
6. ORDINANCE appropriating \$18,066.00 out of Equipment Acquisition Consolidated Fund for Purchase of a Trailer-Mounted Generator for the Administration & Regulatory Affairs Department - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0197 ADOPTED.

- 6a. **VOLVO CONSTRUCTION EQUIPMENT & SERVICES** - \$168,258.00 and **CUMMINS SOUTHERN PLAINS LLC** - \$489,835.00 for Portable Light Tower and Trailer-Mounted Generators through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Various Departments - Enterprise and Equipment Acquisition Consolidated Funds - was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. MOTION 2010-0126 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 7 through 24

7. RESOLUTION designating a certain property within the City of Houston as a landmark and protected landmark - (Star Engraving Company Building, 3201 Allen Parkway) - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. RESOLUTION 2010-0007 ADOPTED.
8. ORDINANCE establishing the north and south sides of the 1600 block of Norfolk Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0198 ADOPTED.
9. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **NORTHBOROUGH VILLAGE SUBDIVISION, SECTIONS 1 - 3** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0199 ADOPTED.
10. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **RIDGEMONT SUBDIVISION, SECTIONS 1 - 4 AND RIDGEMONT SECTION 2 RESERVE D & G** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0200 ADOPTED.
11. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **REID SOUTH MAIN ACRES, SOUTH MAIN ESTATES SECTIONS 1 & 2 SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0201 ADOPTED.
13. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **MEADOWGREEN SUBDIVISION, SECTIONS 2 AND 3, AND OAKBROOK WEST SUBDIVISION, SECTIONS 4 AND 5** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0202 ADOPTED.
14. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **CLEAR LAKE CITY SUBDIVISION, SECTIONS 4 AND 4 REPLAT, CLEAR LAKE CITY CORE D SUBDIVISION, SECTION 1 AND CAMINO SOUTH SUBDIVISION, SECTIONS**

- 3 REPLAT AND 4** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0203 ADOPTED.
15. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **CLEAR LAKE CITY CORE B SUBDIVISION, SECTION 1, AND MEADOWGREEN SUBDIVISION SECTION 1** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0204 ADOPTED.
 16. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **CLEAR LAKE CITY SUBDIVISION, SECTIONS 1 - 3** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0205 ADOPTED.
 17. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **ESC POLYTECH CONSULTANTS, INC** for certain premises at William P. Hobby Airport Revenue - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0206 ADOPTED.
 19. ORDINANCE appropriating \$124,855.66 out of Parks Consolidated Construction Fund as an additional appropriation for Forestry Complex Relocation and approving and authorizing first amendment to construction contract between the City of Houston and **THE GONZALEZ GROUP, LP**, (Approved by Ordinance No. 2008-475); providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT A - STARDIG** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0207 ADOPTED.
 20. ORDINANCE approving and authorizing contract between the City and the **HOUSTON-GALVESTON AREA COUNCIL** pertaining to the Hurricane Ike Recovery Assistance Grant authorized by Ordinance Number 2010-73, for services to be provided by the Houston Health & Human Services Department - \$4,610,243.00 - Grant Fund - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0208 ADOPTED.
 21. ORDINANCE approving and authorizing contract between the City of Houston and **STOP TURNING ENTERING PRISON, INC**, providing up to \$582,901.04 in Housing Opportunities For Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$291,450.52, for the administration and operation of a Transitional Housing Program and the provision of supportive services - **DISTRICT B - JOHNSON** - had been pulled from the Agenda by the Administration, and was not considered. Council Members Sullivan, Rodriguez and Lovell absent.
 23. ORDINANCE No. 2010-182, passed first reading March 3, 2010
ORDINANCE granting to **I.G.S. ENVIRONMENTAL, A Texas Sole Proprietorship**, 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 Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0182 PASSED SECOND READING IN FULL.

24. ORDINANCE No. 2010-169, passed second reading March 3, 2010
ORDINANCE granting to **DOUBLE T SERVICES, LLC, A Texas Limited Liability Company**, 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 - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0169 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

RESOLUTIONS AND ORDINANCES

12. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **CLEAR LAKE CITY SUBDIVISION, SECTIONS 1 - 4, AND OAKBROOK WEST SUBDIVISION, SECTIONS 2 AND 3** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Members Sullivan, Rodriguez and Lovell absent. ORDINANCE 2010-0209 ADOPTED.
18. ORDINANCE approving and authorizing first amendment to an Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** and a first amendment to contract between the City of Houston and the **OST/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY** for the OST and Griggs Road Landscape Project (Approved by Ordinance Nos. 2003-0708 and 2003-1183) - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Sullivan and Lovell absent. ORDINANCE 2010-0210 ADOPTED.
22. ORDINANCE amending Ordinance No. 2009-392 (Passed by City Council on May 6, 2009) to increase the maximum contract amount and approving and authorizing Change Order to the contract between the City of Houston and **TIBURON, INC** to add the National Access Subscription to the LeadsOnline Pawn Information Database for the Automated Records Management System being implemented for the Houston Police Department - \$79,118.00 - Police Special Services Fund - was presented. All voting aye. Nays none. Council Members Sullivan and Lovell absent. ORDINANCE 2010-0211 ADOPTED.

MATTERS HELD - NUMBERS 25 through 28

25. MOTION by Council Member Clutterbuck/Seconded by Council Member Lovell to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$2,922,397.10 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 3.12% under the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - PENNINGTON and I - RODRIGUEZ** - **(This was Item 1 on Agenda of March 3, 2010, TAGGED BY COUNCIL MEMBER JONES)** - was presented. Council Member Jones voting no, balance voting aye. Council Members Sullivan and Lovell absent. MOTION 2010-0127 ADOPTED.

26. MOTION by Council Member Clutterbuck/Seconded by Council Member Lovell to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$5,552,143.17 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 0.19% over the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS and H - GONZALEZ** – **(This was Item 2 on Agenda of March 3, 2010, TAGGED BY COUNCIL MEMBER JONES)** - was presented. Council Member Jones voting no, balance voting aye. Council Members Sullivan and Lovell absent. MOTION 2010-0128 ADOPTED.
27. ORDINANCE **AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to subdivision and development; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause – **(This was Item 5 on Agenda of March 3, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Members Sullivan and Lovell absent.

Council Member Jones stated she would be voting for it, that they had a lot of neighborhoods that were concerned about people who were trying to do replats and variances in their neighborhoods and not getting sufficient notice about what was going to be there, that they had concerns about meaningful notice and hearings so what the amendment did was, one, when they drive by the land that was going to be replatted, requested a variance or special exception and have those white signs up, in the past it said variance number and that it was going to be at the City Hall Annex on Thursday at 2:30 p.m. and they did not know when to go, that sometimes it would be deferred and people might want to come and complain or give their two cents to the Planning Commission and there was no meaningful notice, so now on those they had to put how they were seeking to change the character of the neighborhood so that it would be the neighborhood on notice about what they wanted to do, which was important, that they also had to send written notification and expanded the number of people who were noticed, that at first for variance or replats they had to notice 200 feet, which in some neighborhoods were two houses and in other 250 feet, which was two and a half houses, that now it went all the way down the street and catches some from behind because when they change the character of the neighborhood and put more people there sometimes it changes the traffic flow or the parking so it was a good thing and she was thankful that they were finally getting to it, they had been working on it for two years.

Mayor Parker stated that Council Member Jones might not know this but they actually passed the ordinance for the white signs when she was on Council, the reason being that very few people had computer access, that sounded like it was a long time ago but it really was not quite that long ago, that this was a great improvement.

Council Member Sullivan stated that was also a project that he worked on in part with Marlene Gafrick and she did an extraordinary job bringing in pictures and maps to his office and going over them and showing different examples of how they would apply to an urban setting versus a Heights area setting and also they were sure to include business communities for business properties and how they would be affected, both as the applicant and as a neighbor, so to Ms. Gafrick and her staff he wanted to thank them for working so close with him on this.

A vote was called on Item No. 27. All voting aye. Nays none. ORDINANCE 2010-0212 ADOPTED.

28. ORDINANCE de-appropriating \$2,000,000 out of Affordable Housing Uptown Series 2004 Fund (2417); de-appropriating \$650,000 out of TIRZ Affordable Housing Fund (2409); and appropriating \$2,000,000 out of Affordable Housing Uptown Series 2004 Fund (2417) and appropriating \$950,000 out of TIRZ Affordable Housing Fund (2409) for a total

appropriation of \$2,950,000 to the City's Housing and Community Development Department to continue implementation of the City's Workforce Housing Downpayment Assistance Program - **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS; H - GONZALEZ and I – RODRIGUEZ – (This was Item 17 on Agenda of March 3, 2010, TAGGED BY COUNCIL MEMBER GONZALEZ)** – was presented. All voting aye. Nays none. ORDINANCE 2010-0213 ADOPTED.

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented.

At 9:08 a.m. Mayor Parker recognized Mr. Ronald C. Green, City Controller and Ms. Michele Mitchell, Director of Finance.

Mr. Green and Ms. Mitchell reviewed the Monthly Operations and Financial Report, a copy of which is in the City Secretary's office for review.

Ms. Mitchell stated that she knew there were questions on Ike and would like to address some of them; that FEMA funds received or pending, the funds received through 3/9/10 were \$164.1 million, that equaled 90% of \$182.9 million, and that included Katrina funds that were involved, that \$18.7 million was yet to be received, that the City had been advised by the State that \$8.9 million would be disbursed next week, which would equal \$172 million or 95% of funds received, that the remaining amount of \$9.9 million were for PWs in the FEMA approval process, they were currently being developed, that there was only one obligation bundle for \$125,000 that was currently owed by the State to the City, that the Federal Highway Administration's total claims were \$5.6 million, they had approved funds of \$1.8 million, which was to be received within 30 days to 90 days, that claims pending approval, at this time, with the highway were \$3.8 million, that claims under development were \$4.9 million, that currently PWs being processed or developed, Debris Removal PWs for \$5.9 million had been signed and was currently in the FEMA approval process, that was when it was over a million it had to go to Washington, that FEMA was developing two more Debris Removal PWs and those would total about \$2.4 million, that they were also developing three Mutual Aid PWs which totaled about \$1.5 million.

Mayor Parker stated that she wanted to point out that she had distributed a memo at the table giving them a deeper look at the FY2010 Budget and some of the challenges and decisions that they face for the 2011 Budget, that she did not expect them to completely process it now but in the context of what they were discussing this morning she would encourage them to look at it and if they would go to the PowerPoint presentation that was attached and zip through to page 7 where they see the change in expenditures and revenues they would very graphically see what the issues were.

Upon questions by Council Members, Mayor Parker stated that she wanted to point out that this was traditionally the time of year when the City Controller certifies the funds available to the end of the year, there was no magic date when that had to happen but it was his responsibility to make sure that they end the year with a balanced budget, that while all of these options were being considered the situation was still fluid because they were still awaiting numbers from Harris County Appraisal District, and if the Controller wanted to chime in she was not exactly sure what his time table would be but the issue for the new Council Members, and knew there were many around the table who did not help getting them here but would certainly be taxed with help getting them out of where they were, that when they report the Controller's projection and the Finance Department's projection ultimately it was the Controller's projection

that trumped and when the Controller was lower, and at this point it was by \$12.5 million, if they could not convince the Controller that was the actual number that was an additional budget gap, to close.

Mr. Green stated that the Mayor had certainly summed it up correctly and this was the time that they were about to certify the budget or not certify the budget, that as was customary they were just waiting on a few more analytics, the largest one being Harris County, so they should expect that to happen in the next couple of weeks, that they would provide some guidance and work with them all as well on being realistic with their forecasting. Council Member Lovell absent.

Council Member Pennington stated that the Health Benefits section, the second bullet, it was not intuitive to him why operating expenses would decrease by \$1.4 million because of lower rates and wondered if they could explain to him how that happens, and Ms. Mitchell stated that she would have to check on that and get back to him because she believed that it would have to do with less claims, as it related to that, it was the information that they got from Health Benefits Department, that she was not here yesterday and did not see it and if they would bear with her she would get them that information, that she did not see the correlation either.

Upon further discussion and questions by Council Members, Mayor Parker stated that she was assuming that Council Members had the big budget book, more detail, so that they could drill down, that the departments did individually make presentations and they had the ability to ask any series of questions that they wanted, preferably in advance, so that they could prepare answers to get to the broader policy issues, and third, she had asked since they had uniquely qualified experts around the Council table, Council Members Bradford and Gonzalez, she had asked them each individually to sit with her and work through some of the operational side of the Police Department to look for efficiencies, that in the same way Council Member Adams was uniquely experienced in the Solid Waste Department and she hoped to tap her expertise in that and if Council Members wanted to drill down one on one with the department directors, again, this was a policy making body and she did not intend for them to go line by line through the budget, but these broader policy decisions this was the time to rethink everything that they did, they could call it zero based budget or call it performance based budget or they could simply call it reexamining the services that they provide but considering the budget constraints they were going to have to do that, so she would encourage each Council Member to take a piece and run with it and they would work with them on doing that, that all department heads would appear individually and talk about their budgets, but she was also offering the opportunity, if Council Members were interested, to spend some time in depth and they would put a support team around them to help them get their questions answered; that one of the reasons that she had structured the offer to Council Members who really wanted to, many Council Members wanted to take the broad landscape, but there were some Council Members who had a particular interest in certain departments and she was happy to facilitate that, but it would be coordinated through her office and they would work through the budget with them and the operational issues with them so the appropriate boundaries would be maintained.

Ms. Mitchell asked Mayor Parker if she would like for her to take the opportunity to briefly go over the one packet so that they could understand other than just the graphs, or would she like for her to try to meet with them individually, that it would be interesting for them to know where they were last August, when it was presented, to where they were today, and Mayor Parker stated that certainly she believed it was appropriate for an informational exchange, unfortunately she did not load the graphs for the audience and asked if Ms. Mitchell was talking about the PowerPoint presentation and Ms. Mitchell stated yes, and Mayor Parker asked if she had the presentation available so that they could load it, that if Council Members would not object they could move to Council Members presentations.

Upon questions by Council Member Adams, Mayor Parker stated that these were options and if she had neglected to put something on here and Council Members thought about something that could be added the range of options she would certainly welcome the assistance, but they wanted to lay everything out, not that they were planning to do these things, but that these were things that were available, that they would be replenishing the Rainy Day Fund by the end of the year, by September 2010, so that it was split over the two budget cycles so when they show the remaining budget gap, that was with repaying the Rainy Day Fund, but then they get down to the Rainy Day Fund has been paid back, but did they really need it, that was why they say borrow from it and always showing the intention to pay it back; and Ms. Mitchell stated that she and the Mayor would work on it together as to how they pay it year over year, back into the fund if that was something that was necessary, that they were looking at definitely ten by the end of the year and they were trying to stretch another five to go back at the end of the year but by September they were required at the end of those two years to have all of it back.

Council Member Clutterbuck moved to accept the Monthly Operations and Financial Report, seconded by Council Member Costello. All voting aye. Nays none. MOTION 2010-0129 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Sullivan stated that last week he failed to thank HPD Captain Bruce Williams who was filling in for Chief King at their CIP meeting; that the Houston Police and Fire Departments were participating in Shattered Dreams at Kingwood High School, that it was a program that was held just before spring break so that students who were just now driving learned how dangerous it was to drink and drive, that the Shattered Dreams Program was something that he was aware of years ago when he was on the school board in Humble, that it was a great program and he wanted to thank HPD and HFD for participating in it; that the Buffalo Soldiers National Museum Appreciation to Elected Officials Luncheon was this week and Council Member Bradford was there, that it was nice to meet some of the men that had fought in the wars, that they were recognizing the Council Members but certainly he thought they owed them a debt of gratitude and appreciation; that the Kingwood Townhall meeting would be on March 23, 2010 and would be combined with a public meeting to receive input on an Entergy rate increase, that the townhall meeting would be from 6:00 p.m. to 7:00 p.m. and the meeting on the rate increase would be from 7:00 p.m. to 8:00 p.m.; that today at the Houston Livestock Show and Rodeo was Salute to the Troops Day and he would be there at 5:00 p.m. to present a proclamation on behalf of the Mayor; that Catherine Tipton and the Sign Administration Department continued to do a good job for them in District E; that he wanted to acknowledge the work of everyone involved on the NASA funding issues and wanted to thank Mayor Parker for supporting him in that area. Council Members Noriega and Jones absent.

Council Member Lovell stated that on Thursday, March 11, 2010 at 2:00 p.m. in Council Chambers they would have TIA Committee meeting, that a presentation and discussion of the Neighborhood Traffic Management Program and proposed changes to the Neighborhood Traffic Projects Ordinance by Jeff Weatherford, Deputy Director in Public Works and Engineering Traffic and Transportation Division; that this month was International Women's History Month, that she thought she would mention it since they now had the second woman Mayor in the City of Houston and had almost the majority of women around the table, that a lot of the department heads and leaders in the City organizations happened to be women, that she wanted to salute their advances in history, that Shannon Walker was the first astronaut from Houston; that many had been working with Immanuel Lutheran Church to save the church, that they took a vote of the congregation and voted to not demolish the church and also made a monetary contribution to the preservation of the church, that she wanted to salute Immanuel Lutheran for having a vision and being able to see that their old structures could be very useful in their neighborhoods,

they were going to do community activities there, that they would be participating with them also on the renovation of the building, that she wanted to thank Council Member Gonzalez and his office for their leadership on this issue. Council Members Rodriguez and Jones absent.

Council Member Johnson stated that tomorrow, March 11, 2010, there would be a CIP meeting at the Kashmere Multi Service Center from 6:00 p.m. to 8:00 p.m. at 4802 Lockwood, that he wanted to thank the Mayor for the compromise in which they would be having a townhall meeting in the very near future in the Acres Homes Community, that it would not be considered a CIP meeting but would hold, he believed, the same kind of merit, that he wanted to thank the Houston Firefighters for providing soft drinks and Adrian's and Boohoo Café for providing some of the food that would be at the multi service center; that today at 3:00 p.m. he wanted to invite each Council Members to join him at Cabo's as they do a meet and greet at the restaurant, that he hoped that they would come. Council Members Rodriguez and Jones absent.

Council Member Clutterbuck stated that people in the audience may notice the attractive chair covers behind them highlighting the importance of all of them completing the Census form, that this week she received in the mail an envelope that said Census 2010 and to the resident at her address, that it was a notice that they should all be receiving the form in about a week; that today in the Westbury community they were completing a garden on City of Houston funded land that was owned by the Housing Department, that it was a project that they had decided to put together to cultivate a garden to involve local schools, that she was appreciative to all who were very involved in helping to establish the community garden in Westbury, that she and the Mayor would be attending the groundbreaking today; that sadly there several robberies in the southwest area of town of Fire Stations Numbers 48 and 82 over the weekend, shockingly while firefighters were there and sleeping, that she wanted to salute the people who had decided to pool their money together to try to contribute money and help them replace the televisions and other personal property that was stolen from the fire stations. Council Members Rodriguez and Jones absent.

Council Member Noriega stated that there would be a Public Safety meeting tomorrow in the Council Chamber at 10:00 a.m., that they had moved it from a regular Monday meeting to a regular Thursday meeting; that she wanted to thank Council Member Clutterbuck for speaking about the Census, each of them were paying attention to it and encouraging their neighbors, friends and family to participate and she encourages all in the audience to watch for their letter and their form as it comes. Council Members Rodriguez and Jones absent.

Mayor Parker stated that when she was talking about the budget earlier she should have mentioned that Council Member Noriega had taken a particular interest in the Fire Department and the ambulance service, the ambulance fee issue and had been drilling down with the department and with her on that and she appreciated that. Council Members Rodriguez and Jones absent.

Council Member Adams stated that she wanted to thank the Houston Count leaders of the City of Houston because they were the ones who were hitting the ground running and she wanted to thank Donald Perkins, along with Margaret Wallace and Carl Davis of the Planning Department, that it was important that they continue to outreach and there were many organizations who were on board making sure that the message gets out and they wanted to continue to promote the 2010 Census; that last week Texas Southern University had the opportunity to celebrate the 50th anniversary of Houston's first sit in of TSU students, that it was a wonderful gathering of students and former students who attended Texas Southern University 50 years ago to come and celebrate the sit in at the old Weingarten on Almeda at the lunch counter, that it was a month of celebrating and history; that she wanted to thank Council Members Costello and Bradford for attending the District D CIP meeting, that First Montrose Commons had a project on the CIP for many years, almost 10 to 12 years and whatever the

reason it gets getting pushed back and funding not available, that she knew they had about 20 to 25 people speak about First Montrose Commons because of the sewage that continued to back up in their yards and they had been crying for years to have it taken care of and she was glad that they had two Council Members and some representatives to witness some of the concerns that they had, that many of the parents spoke because their kids could not play in the backyard, that with the density that was growing in the community it was making old infrastructure worse, that she would ask that they really look at the budget, that they were going to do a special townhall meeting and CIP meeting with Public Works just to address this particular issue. Council Members Rodriguez and Jones absent.

Mayor Parker stated that those were the kind of issues that they hoped to address as they visited the appropriate fee structure for the Combined Utility System. Council Members Rodriguez and Jones absent.

Council Member Gonzalez stated that he wanted to congratulate a Heights homeowner who recently won a statewide preservation award, Mr. Tim Beeson, whose sensitive renovation of a historic house on Heights Boulevard earned a 2010 Preservation Award from Preservation Texas; that he wanted to thank Public Works, the East End Management District and all involved in the Runnels Commerce Quiet Zone, they had a ribbon cutting last week; that last week he attended an event for the La Rosa Family Services, that it was a non profit in District H and assists victims of domestic violence and abuse to prevent future abuse and to promote the health and safety of children by raising community awareness, that they were currently in need of any assistance such as clothing, food for their pantry or monetary funds, that if anybody was interested in helping they could contact his office at 832-393-3003; that this weekend his office would be joining the Ryan Civic Club to canvas the Ryan Community in the Near Northside and help energize the community to join their community club, that they would be out in the community on Saturday from 1:00 p.m. to 3:00 p.m.; that on Saturday they would be co-hosting with the City and Memorial Park TIRZ No. 5 for the groundbreaking of the Memorial Park Rosemond Pedestrian Bridge, that they look forward to seeing everyone out at 11:00 p.m.; that tonight was the District H CIP meeting at Davis High School from 6:00 p.m. to 8:00 p.m. at 1101 Quitman; that there would be a Housing Hearing on March 24, 2010 from 7:00 p.m. to 9:00 p.m. for the second 2010 Consolidated Plan Public Hearing at the City Hall Annex, 900 Bagby, Houston, Texas. Council Members Rodriguez and Jones absent.

Council Member Hoang stated that he wanted to thank Council Members Costello and Bradford for attending the CIP meeting in his district last Thursday, and all of the directors and staff and Mayor's staff; that tomorrow at 6:00 p.m. they would have a townhall meeting for all of the residents who wanted to know how to do business with the City of Houston; that he wanted to thank Mr. Mike Fenburg, Director of KIPP Charter School who invited him to tour the school; that he wanted to thank COSMOS who also invited him but he did not make it out to COSMOS; that this weekend the Vietnamese Community would hold a crawfish festival at 8282 Bellaire; that he wanted to remind all of the people, especially the residents in his district who he knew were so fearful, a lot of them say if they were going to register they did not speak English very well and could not serve on the jury or they did not have legal status yet and did not want to register, that they were not going to be checked for their legal background or English and if they did not speak English fluently they would not serve on a jury, so please do not fear and please register for the Census because if they did not register would lose a lot of money for the City. Council Members Johnson, Rodriguez and Jones absent.

Council Member Stardig stated that this morning she attended the Houston West Chamber of Commerce Networking Breakfast held at the new HEB at Bunker Hill, who hosted the event, partnered along with the Spring Branch Management District; that HPDs Northwest Division would host a Positive Interaction Program and Citizens Patrol meeting on Tuesday, March 16, 2010 at Long Point Baptist Church Sanctuary at 8009 Long Point near Wirt intersection, that the

Citizens Patrol begins at 6:30 p.m. and the Positive Interaction Program begins at 7:00 p.m., that Crime Stoppers Executive Director, Katherine Cabaniss, would give information about Crime Stoppers and what the organization was doing to fight crime, that the Spring Branch Storefront Officers had been getting crime prevention information out to the public, that they were sending out an informative email for northwest residents regarding crime called the "Northwest Crime Alert Network", that she encouraged everyone to sign up for the network by sending an email to Officer Engelhardt at Christopher.Engelhardt@coh.net; that she had to commend these officers for doing a fantastic job of doing outreach to the community and being proactive regarding crime, there was a little crime wave in a particular neighborhood and they had information out to the public quickly and she believed it helped lead to the arrest of these individuals, that the storefront officers throughout the district and the City were very important to their community. Council Members Johnson, Rodriguez and Jones absent.

Council Member Pennington stated that they held their first CIP meeting last Wednesday at Paul Revere Middle School and about 150 constituents attended as well as a number of people from the City, including Council Members Costello and Bradford and staff from Council Members Stardig and Noriega's office, that City officials were there and responded to questions and he believed they had a very productive meeting; that he wanted to remind folks that this month was declared to be March on Crime Month and knew that the police were in District G yesterday at the Westchase Apartments delivering report cards on motor vehicle parking and speaking to apartment managers and renters, demonstrating ways to deter crime, that he, like Council Member Stardig, had been working with HPD and volunteers from super neighborhood, property owners associations and some professionals from apartment owners and managers and management districts to have a better volunteer operation to disseminate current crime statistics and to interact with HPD, that he thought it was very timely based on recent publicity that they had seen about crime statistics; that he attended the Super Neighborhood 22 meeting on Monday night, which included the Washington area; that he attended with the Mayor and several of his colleagues the kickoff rally for the Great American Cleanup and was inspired by the number of people who volunteer, including a number of sponsors; that he wanted to ask any of their constituents who wanted to join their mailing list to email their office at District G; that they were organizing a Census count for Saturday morning in one of the undercounted areas and if anyone wanted to join them at 9:00 a.m. should call them at 832-393-3007; that to echo what Council Member Adams said they did have at least one backyard on North Post Oak that had sewer in it, where kids play, and they had been trying to get it fixed and knew that the City had been responsive but it was supposed to take several months to get that done, so maybe they could speed it up some way. Council Members Johnson, Rodriguez and Jones absent.

Council Member Costello stated that he wanted to echo what Council Member Sullivan stated earlier on the budget process and wanted to caution his colleagues that they were not here to micro manage their departments, they were here to set policy and looked forward to working with the administration during the budget process; that the Bayou City Classic, a 10K event that was held every year at this time of the year was going to be held this Saturday by the Houston Area Roadrunners Association and the significance was that all their proceeds would go into a trails fund and the City actually leverages that trails fund, that several years ago they leveraged it using their donation as a local sponsor for a grant with the Texas Parks and Wildlife for \$150,000 and that grant had been used and now the next proceeds the Memorial Park Conservancy Board was going to leverage their funding as well for another grant with the Texas Parks and Wildlife, that he would urge everybody to do that; that one other thing occurring in town was Notre Dame versus Fairfield Men's Lacrosse, that it was a division one Lacrosse game and the first ever held in the City of Houston, that it was being held on Saturday at 1:00 p.m. at Kinkaid School, that it was a fundraiser called "Beating Cancer with a Stick Lacrosse Classic", that it would raise money for UTMB Anderson Children's Cancer Center. Council Members Johnson, Gonzalez, Rodriguez and Jones absent.

Council Member Bradford stated that he had the opportunity to attend about six CIP meetings across the City and was pleased to commend and report that the District Council Members, in his view, were doing an exemplary job, a really good job of receiving information from the citizens and helping disseminate that information to citizens across the City, that he intended to attend the two that were left on the agenda, Council Members Gonzalez and Johnson, that the City employees were doing well, they were prepared and responding quite well at these forums, that having heard a plethora of issues across the City in his personal view none that he heard racks the level of needing attention to the extent of Montrose Commons, that the open sewage issue was pretty serious out there and he would urge the administration to move forward, as Council Member Adams had requested with the Montrose Commons issue, it was a really serious one; that on March 11, Thursday, the Thurgood Marshall School of Law, Texas Southern University, the Earl Carl Institute of Legal and Social Policy, Senator Rodney Ellis and he were co-sponsoring a symposium entitled "Indigent Defense, Policy and Practice", that it would be held at the School of Law at the corner of Wheeler and Tierwester, from 12:00 p.m. to 5:00 p.m. on March 11, 2010, that admission was complimentary, that discussion would include a number of issues relating to indigent defense, including the proposed Harris County Public Defendants office. Council Members Johnson, Rodriguez and Jones absent.

Mayor Parker stated that she was very aware of the issue in First Montrose Commons and they were going to address, that she would point out that it was a relatively affluent neighborhood and since it was actually the next subdivision from her own they tended to nail her in the grocery store, that she was very aware of what was going on over there and they were working on that. Council Members Johnson, Rodriguez and Jones absent.

Council Member Sullivan stated that he failed to acknowledge today that they had a number of people appointed to the Houston Read Commission and District E was proud to have recommend Brent Engleage. Council Members Johnson, Rodriguez, Lovell and Jones absent.

Council Member Adams stated that she stayed on the issue of First Montrose Commons because she wanted to reiterate that it was so important, that when they hear a parent speak into the microphone and said that one day when they were trying to clear the sewer lines, trying to flush it, that it literally exploded in her restroom and her commode blew up and she had everything in her bathroom covered, that was how bad it was; that she wanted to commend the Yates High School Basketball Team, tomorrow they would be playing in Austin and was sure that they would press on to victory, that their staff members and people who attended Yates would be traveling to Austin on Saturday to see them go on to their championship game; that last night she attended a program with Trustee Paul Harris, they had some outstanding teachers in HISD and she recognized teachers who were in Math, Science and Reading in HISD Schools for being the top ten teachers through the State; that on Saturday she was asking that they join her at the Sunnyside Park beginning at 8:30 a.m., they were doing an HIV/AIDS walk with Sunnyside Pride and were going door to door in the community and bringing awareness of HIV/AIDS, that after they completed there they would journey to the Sunnyside Multi Service Center to plant a garden at the community center with the seniors; that for those who were ready for a spiritual renewal she was asking that they join her each night, starting at 7:00 p.m. to 10:00 p.m. at the Women's Metamorphous Conference "Present Your Breakthrough" at the Fountain of Praise Church, 13950 Hillcroft, that on Thursday Carla Harris would come and talk about investments at 2:00 p.m.; that their fist townhall meeting would be on Tuesday, March 16, 2010 at 6:30 p.m. at the Quail Run Community Center in the Fort Bend Community, that she wanted to thank the departments who were coming out to address specific issues and concerns that were affecting the Quail Run Community. Council Members Johnson, Pennington, Rodriguez, Lovell and Jones absent.

At 10:13 a.m. Mayor Parker stated that they would return briefly to the PowerPoint Presentation that Ms. Mitchell had attached to the memo that she had distributed, that it was a

PowerPoint presentation that was actually distributed to the department directors last week as they talked to them about their budget and this year's budget process, that it was a high level look at some of the financial issues so that they could see them graphically. Council Members Johnson, Hoang, Rodriguez, Lovell, Noriega and Jones absent.

Ms. Mitchell reviewed the PowerPoint presentation, the graphs, which were attached to the memo that Mayor Parker distributed to Council Members during the City Council meeting, a copy of which is on file in the City Secretary's office for review. Council Members Johnson, Rodriguez, Lovell and Jones absent.

After questions by Members of Council, Mayor Parker stated that the business of the City was completed. Council Members Johnson, Sullivan, Rodriguez and Jones absent.

There being no further business before Council, the City Council adjourned at 10:35 a.m. Council Members Johnson, Sullivan, Rodriguez 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