

City Council Chamber, City Hall, Wednesday, June 2, 2010

A Regular Meeting of the Houston City Council was held at 9:00 a.m., Wednesday, June 2, 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. David M. Feldman, City Attorney, Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Xavier Herrera, Citizens Assistance Office; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo., Assistant Agenda Director, present.

At 8:16 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:04 Mayor Parker called the meeting to order and recognized Council Member Hoang for the prayer and pledge of allegiance. Council Member Hoang invited Reverend Kendall Baker, 3-1-1 Manager and Pastor of Straight Up Ministry International Church to offer the prayer and Council Member Hoang led all in the pledge of allegiance.

At 9:06 a.m. Mayor Parker requested the City Secretary call the roll. Council Members Adams and Sullivan absent.

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

Council Member Clutterbuck moved to suspend the rules to consider the Monthly Operations and Financial Report to be followed by the Mayor's Report, seconded by Council Member Costello. All voting aye. Nays none. Council Members Adams and Sullivan absent. MOTION 2010-0307 ADOPTED.

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

Mayor Parker recognized Mr. Ronald C. Green, City Controller and Ms. Michele Mitchell, Director of Finance for the Monthly Operations and Financial Report. Council Members Adams, Sullivan and Lovell absent.

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. Council Members Adams, Sullivan and Lovell absent.

Council Member Clutterbuck moved to accept the Monthly Operations and Financial Report, seconded by Council Member Costello. All voting aye. Nays none. Council Members Adams, Sullivan and Lovell absent. MOTION 2010-0308 ADOPTED.

MAYOR'S REPORT - Gulf Coast Freight Rail District

Mayor Parker stated that she wanted to welcome representatives of the Gulf Coast Rail District, that on the agenda it said the Gulf Coast Freight Rail District, which was the previous name and would point out to Ms. Stein that it had changed and they did not catch up with it quite fast enough. Council Members Adams, Sullivan and Lovell absent.

Mayor Parker recognized former Council Member Mark Ellis and asked that they give them a brief overview of what they were doing. Council Members Adams, Sullivan and Lovell absent.

Mr. Ellis stated that the Gulf Coast Freight Rail District was created in 2007 and the name had been changed to the Gulf Coast Rail District, that they had been successful in a little over two years because of these things, number one, their membership, they had been extremely supportive financially and also with helping them lobby the Legislature, that included the City of Houston in their membership, that secondly, they had a very experienced Board of Directors, each of them came from different fields, finance, legal, developers and engineers, that they were a working group and worked on a shoe string budget, that thirdly, the reason they had been successful was because of Ms. Maureen Crocker, who was special assistant to the Mayor, that she also served as their Executive Director, served on HGAC and served as his alternate on the Transportation Policy Council. Mr. Ellis reviewed a PowerPoint presentation titled "Gulf Coast Rail District, Houston, Texas", a copy of which is on file in the City Secretary's office for review. Council Members Clutterbuck, Adams, Gonzalez, Lovell and Noriega absent.

Mayor Parker stated that the City had two new representatives on the rail district, Mr. Pablo Escamilla and Dr. Carol Lewis, that she wanted to thank them for agreeing to serve, that Mr. Ramon Manning as well, and thanked him for his service; that it was time for a quick update because a lot of things were happening very rapidly around rail, that they had no funding, one full time staffer who was paid for by the City of Houston, that they appreciated her service, but this was a district that had a tremendous impact on their future and the decisions that they made as to which grade crossings they improve, how they route rail, would have an impact on many of the Council districts that were represented here. Council Members Adams and Noriega absent.

After discussion by Council Members, Mayor Parker thanked Mr. Ellis for coming in and again thanked Pablo, Ramon and Carol for their service and stated that she thought it was important for all of them to understand that they all were one critical piece right in the center of all of these rail lines and all of this work, but there were other entities with whom they work and they might mention some of those because she thought everybody needed to have the idea of the many parts involved. Council Members Adams and Hoang absent.

Mr. Ellis stated that they work with the Port of Houston, that their membership was the City of Houston, who contributed in kind contributions, Harris County and Fort Bend County, who contributed a cash contribution, the Port Authority was their fiscal agent

At 9:36 a.m. Mayor Parker stated they would move to the public session and asked the City Secretary to call the list of speakers. Council Member Adams absent.

At 9:36 a.m. the City Secretary began calling the public speakers. Council Member Adams absent.

Mr. Douglas Elliott, 219 Hawthorne, Houston, Texas 77006 (713-253-2311) had reserved time to speak but was not present when his name was called. Council Member Adams absent.

Ms. Sallie Gordon, 19 Courtland Place, Houston, Texas 77006 (713-560-9300) had reserved time to speak but was not present when her name was called. Council Member Adams absent.

Ms. Janet Hess, 320 W. 15th, Houston, Texas 77008 (281-755-4919) had reserved time to speak but passed when her name was called. Council Member Adams absent.

Mr. Jonathan Smulian, 1231 Arlington, Houston, Texas 77008 (713-863-9047) had reserved time to speak but passed when his name was called. Council Member Adams absent.

Mr. David Beale, 316 15th, Houston, Texas 77004 (713-863-0404) had reserved time to speak but passed when his name was called. Council Member Adams absent.

Ms. Phoebe Tudor, 1405 South Boulevard, Houston, Texas 77006 (713-522-9256) had reserved time to speak but was not present when her name was called. Council Member Adams absent.

Mr. Roger Barnaby, 415 W. 15th, Houston, Texas 77008 (832-660-2945) had reserved time to speak but was not present when his name was called. Council Member Adams absent.

Mr. Steven Longmeyer, 603 W. Main, Houston, Texas 77006 (832-655-5657) had reserved time to speak but was not present when his name was called. Council Member Adams absent.

Ms. Betty Chapman, 6166 Olympia, Houston, Texas 77057 (713-974-4970) appeared in favor of Agenda Item 25 and stated that she chaired the Houston Archeological and Historical Commission and was present to thank the Mayor and Council for consideration of the ordinance on historic preservation; that historic resources were a valuable asset and she was hopeful this would be the year to recognize the values and protect them. Council Members Adams and Noriega absent.

Mr. John Spear, 412 Sue, Houston, Texas 77009 (713-691-1141) had reserved time to speak but was not present when his name was called. Council Members Adams and Noriega absent.

Ms. Vicky Bettis, 504 Woodland, Houston, Texas 77009 (713-397-9336) appeared and stated that she lived in the Woodland Heights Subdivision and received landmark designation in 2008; that in 2009 she and others started working on historic designation for 491 homes in their subdivision and the process was slow and tedious but worth the effort and to date had received about four-fifths of the required 51% of the homeowners signatures and acreage commitment and that was why she protested the suspension of new district applications and was present to request Council approve the ordinance absent the suspension and work toward an amendment to existing historic preservation ordinance and stop destruction of neighborhoods. Council Members Adams and Noriega absent.

Council Member Lovell stated that she wanted to clear up some things, first they would not be voting on suspending anyone from continuing to get applications; that right now they were saying once they got the signatures, at this point, bringing them to the HAHC would be stopped until they figured out how to amend in the new historic preservation ordinance, just as if they voted today they would also stop demolition of not every home in maps passed out, but people who wanted to come in and do demolition would have to go to HAHC if they said it was not a historic or contributing building they would be able to demolish, but if HAHC said it was a perfect example of the period they would not allow them to tear it down right now until the ordinance was figured out how to make it permanent, but no one would be stopped in anyway from collecting applications and urged she continue to do so. Council Members Clutterbuck, Adams, Costello and Noriega absent.

Mayor Parker stated that to be clear they may continue to circulate petitions, but they would not receive them, it was a timeout for everyone; that they would not be considered for a new district at the HAHC nor would demolitions of existing structures be considered. Council

Members Adams, Costello and Noriega absent.

Council Member Jones stated that the Mayor cleared it up because she thought there was a time out; and Mayor Parker stated that it only applied to contributing structures in an existing historic district; and Council Member Jones stated that meant people getting petitions in a district which was not historic...; and Mayor Parker stated that they had no protection right now and they could not help anyone with that; and Council Member Jones stated that the longer it took to get the ordinance gave people the chance to take down and demolish right now so why could they not stop the process for taking down buildings and allow the process for people trying to get areas designated historic; and Mayor Parker stated that was an excellent question, however, with the current ordinance all you had to do was wait 90 days before you could demolish anyway and her intention was to be fair to both sides, but Council could choose to make it stronger. Council Members Adams, Costello and Noriega absent.

Council Member Lovell stated that to explain, the maps they had right here were historic districts where people had gone through the process and applied and it was declared and the only one protected was the Old Six Ward; that on new construction you had to build to the character of the neighborhood; that today was a temporary fix where they would say in such districts if you applied to tear something down you had to go before the HAHC and they had to grant permission by stating it was not a historic or contributing structure and if it was not you could tear it down; that in the spirit of give and take on both sides they said if they were stopping demolition of historic structures they were also going to not take applications for any protected districts until the process was figured out on how to do it, but this also included you not being able to demolish, move or in new construction if you applied for or spent money to build a new home you were opted out of what would be passed, but if not already designed would like it designed to the character of the neighborhood. Council Members Adams, Costello, Noriega and Bradford absent.

Mr. Glen Larner, 2511 Reba Drive, Houston, Texas (713-899-0043) had reserved time to speak but was not present when his name was called. Council Members Adams, Costello, Noriega and Bradford absent.

Ms. Karenlynn Williams, 5417 Valerie, Bellaire, Houston, Texas 77401 (713-205-1954) appeared and stated that she was present representing her mother who was a homeowner in a historic district and her neighbors who were unaware of what had been going on and felt they were being railroaded; that she was speaking on the proposed moratorium on demolition and building as she was against it; that it was fairly upsetting and outrageous to find you had no rights with your own property; that her parents started trying to sell over two years ago and watched the value of their home go down because of the historic commission; that it was difficult to find a buyer in their historic neighborhood because they knew it was difficult to remodel or build and realtors felt it an opportunity for a fire sale; that the home was not historic and her parents moved out because they could not keep up with repairs needed and people were not interested in it as it was not one of the big mansions in the neighborhood. Council Members Costello, Bradford and Jones absent.

Upon questions by Council Member Lovell, Ms. Williams stated that it was South Boulevard by Rice University; and Council Member Lovell stated that they were not taking away anyone's property rights and it became a historic district because neighbors signed a petition and in almost every historic district there was an increase in the property value; that if the home was non contributing and not historic then whoever bought it could petition the HAHC and get permission to have it torn down or remodeled so maybe realtors were misinformed; and Ms. Williams stated that realtors were telling people they were going to have to jump through hoops to get anything done and every time they lost a buyer they had to lower the price; and Council Member Lovell stated that she felt realtors were not explaining correctly to buyers, they were

misinformed and the city would make sure they were informed. Council Members Costello and Bradford absent.

Mayor Parker stated that Ms. Gafrick, the Planning Director was present and would be happy to discuss with her the actual ordinance, etc.; and they would appreciate her meeting with her. Council Members Costello and Bradford absent.

Upon questions by Council Member Jones, Ms. Williams stated that she agreed people considered what area of town to live in; and Council Member Noriega moved the rules be suspended for the purpose of extending time for questions of Ms. Karenlynn Williams, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Stardig, Costello, Lovell and Bradford absent. MOTION 2010-0309 ADOPTED

Council Member Jones stated that if you move into a certain area with a certain character then should someone just be able to come in and change it; and Ms. Williams stated yes, their house was not historical adding to character of the neighborhood, it was not even the house originally built as it had many remodels and it would be prohibitively expensive to repair, the bottom-line was her mother needed to sell it and when calling the HAHC the only response was they could not tear down anything; and if someone was present and wanted to buy it at lot value she would be happy to take the check. Council Members Costello, Lovell and Bradford absent.

Upon questions by Council Member Johnson, Ms. Williams stated that they were being told they could not tear down the house, they had an application in now to the historic commission and in making preliminary phone calls they were told no, no, no; and upon further questions, Mayor Parker stated that first Council had taken no action and she had no earthly idea why she had been calling various members of the HAHC rather than the department who could answer questions and move it through; that if she already had an application to demolish in front of the HAHC what they did today would not affect it, the ordinance as it stood now said she could get the bulldozers out after 90 days; and upon further questions, Ms. Williams stated that she applied through the archeological commission for permission to demolish; and Council Member Johnson suggested Ms. Williams speak with Ms. Gafrick and get the process moving. Council Members Costello, Lovell and Bradford absent.

Council Member Rodriguez moved to suspend the rules for the purpose of adding Mr. Robert Searcy to the list of speakers after Ms. Ann Cullum, seconded by Council Member Sullivan. All voting aye. Nays none. Council Members Costello and Bradford absent. MOTION 2010-0310 ADOPTED

Ms. Kristina Rios De Lumberas, 504 Colquitt, Houston, Texas 77006 (713-522-0077) had reserved time to speak but was not present when his name was called. Council Members Costello and Bradford absent.

Ms. Ann Collum, 7511 Glenbrae, Houston, Texas 77061 (713-409-6622) appeared and stated that she was president of the Glenbrook Valley Civic Club which recently looked into the city requirements to achieve historic designation; that the Planning and Development Department invited them to participate in the Project Leader Institute of 2009 Historic Preservation and it was a fantastic program; that they had 1,256 homes and had completed their research and the written application was underway with September 1st being their target date for submitting their application and to date had 94% of their goal; that they did support amendments to the 90 day waiver, but their concern was for the status of neighborhoods in the process of gaining historic designation, if terms were changed they would lose nearly 1-1/2 years of gain and they requested the 90 day waiver remain in effect for project leadership neighborhoods for at least two years to allow for application and approval of the commission and the Mayor and Council. Council Members Costello and Bradford absent.

Mayor Parker stated that she was familiar with their beautiful neighborhood and certainly worthy of historic designation. Council Members Costello and Bradford absent.

Upon questions by Council Member Rodriguez, Ms. Collum stated that they received an emergency email yesterday regarding this going before Council; that to her knowledge Planning never notified them this was coming and they also had a concern of showing the new ordinance; that for those so close to getting this there had to be something written in the ordinance to allow them to keep going, to go back and get that many signatures again was a daunting feat; and Council Member Rodriguez stated that he did support historic designation and districts, but was concerned whether this was transparent enough; and regarding all having to read the ordinance and then changing the ordinance how would that impact them; and Mayor Parker stated that at some point you had to have a time out for both sides to stop the process and if they continued to allow demolitions in historic neighborhoods while waiting for new historic neighborhoods to come on the existing neighborhoods began losing their value so there was a lot for Council to sort and it was not intended to stop progress, but to give all a level playing field while they did sort it out; and regarding how reading the ordinance would impact Council Member Lovell was back on the list Council Members Johnson, Costello and Bradford absent.

Council Member Noriega stated that when they bought their house they looked through Glenbrook Valley and she was stunned at the houses and it was certainly an appropriate designation; and it seemed the question was would they have to start over and were the petitions done already be legal. Council Members Johnson, Costello and Bradford absent.

Council Member Lovell stated that one reason they did not reach out to her was because they were not changing anything they were doing; that today they were doing what she explained earlier, it was not a moratorium but a temporary suspending of the ordinance and taking out the 90 day waiver which stopped demolition of historic structures and historic districts and no new applications would be taken but it did not stop anyone from continuing to gather petitions in historic districts; that their work would not be tossed out and their signatures would be good; that if this was a permanent change they would probably have to revisit with their neighbors and they would have many public meetings, the HAHC, Planning Commission, in their districts, in Woodland Heights, in her Historic Preservation Committee and they would revisit with people on what they checked off and what it meant to them and if they still wanted to make what they signed permanent then they would do that. Council Members Johnson, Costello and Bradford absent.

Mayor Parker stated that if there was no objection she would ask the City Attorney and Deborah McAbee who was the attorney assigned to work with this process; and Council Member Clutterbuck moved that the rules be suspended for the purpose of hearing from the Legal representatives on Item 25, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Stardig, Sullivan, Costello and Bradford absent. MOTION 2010-0311 ADOPTED.

Mayor Parker stated that her understanding was they went forward; that they were very aware of multiple things in various stages of progress, they had existing historic districts, historic districts in application process, historic districts in petition gathering process and in addition they had lots of development projects in various stages and to be clear this ordinance in front of them was simply to put a pause in the process and draw a line and say if you were far enough along in the process you could proceed and if not all had to stop; if at the end of the process Council came back and substantially changed the ordinance they could by vote of Council adopt the new ordinance and impose it on the existing historic districts without notification; and Ms. McAbee stated that was correct; and Mayor Parker stated that it was not the intention she believed to do that, but at the same time Council could also include in the new ordinance a

provision for how to incorporate those prospective districts that were put on hold during the process, they could be included, it could all be done by wording of the process if they changed the ordinance; and Ms. McAbee stated yes, she thought the action Council had before it today did not foreclose any opportunities they might have as amendments worked their way through Council committees and other groups of stake holders to reach Council for the ultimate amendment of the ordinance to address issues which arrived; that language in the ordinance would validate petition signatures. Council Members Stardig, Sullivan, Hoang, Costello and Bradford absent.

Mayor Parker asked Council Member Rodriguez if that answered his previous questions; and Council Member Rodriguez stated that he still had a question for the record and would address it to the City Attorney; and would like someone to come meet with him from Legal as several promises were made and he trusted his Council Member but promises were made to the neighborhood that their work would not be thrown out and he would like something saying it would not be; and Mr. Feldman stated that Ms. McAbee would be glad to meet with him. Council Members Stardig, Sullivan, Hoang, Costello and Bradford absent.

Upon questions by Council Member Jones, Ms. McAbee stated that if she understood she was suggesting they put language in the ordinance before Council today which said if they were in the process of gathering signatures, but had not submitted their application they could continue the process; and Council Member Clutterbuck moved the rules be suspended for the purpose of extending the time for people who have not asked questions of Legal on Item 25, seconded by Council Member Rodriguez. All voting aye. Nays none. Council Members Stardig, Sullivan, Costello and Bradford absent. MOTION 2010-0311A ADOPTED.

Upon further questions by Council Member Jones, Ms. McAbee stated that she thought what she would probably want to do would be have a period of time in which neighborhoods would be able to give an indication to the Planning Department that they were in the process, like a registration, if it came in within 15 days or however many days Council thought appropriate after the effective date of the ordinance then it would establish those registered applications in process as having ordinance language applicable to them no matter when the signature was taken. Council Members Stardig, Sullivan, Costello and Bradford absent.

Council Member Noriega stated that the RCA was clear and said they would discontinue the acceptance of initiation of an application and in Austin they would try and establish legislative intent on what their intent really was because you would always have breaks in what they were doing and where they were trying to go and this sounded as though the intent was to allow groups substantially engaged to continue forward and there would be need for good faith on both sides to believe that and a suggestion for a grandfather language was worth looking at for the next round of information, but this was clear in the RCA it was an issue and they were right to bring it up; and upon questions, Mayor Parker stated that the only model they had of doing a true protected district was in the Old Six Ward and those people had to petition three times and she did not want that to happen again to any existing historic district but she also did not know if it was a good idea for Council to simply say as part of the ordinance all historic districts were now immediately new protected historic districts with a new set of rules, there needed to be some sort of notification process to the historic districts, a simple process; that it was their intention to have a notification process and to capture those districts in the process and the best way would be coming through the citizen meetings; that there was a taskforce working now and there would be hearings and then back before Council, this was just "Round One". Council Member Costello absent.

Council Member Sullivan stated that he had been quiet because this was the speaker session and they were having policy dialogue during public speakers and he did not want to air his opinions in this portion of the meeting; and would like to know where they were headed and

when it would be appropriate for him to express his points of view; and Mayor Parker stated that they were in public session and had a full Council Agenda where this item could be discussed more completely; that if there was a feeling they should make some sort of amendment they could tag the item for a week and she would urge Council to think of that until they got to the item on the Agenda. Council Members Costello, Noriega and Jones absent.

Council Member Sullivan moved the rules be suspended for the purpose of extending the time for questions relating to Item 25, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Costello, Noriega and Jones absent. MOTION 2010-311B ADOPTED.

Upon questions by Council Member Hoang, Mayor Parker stated that she would ask he hold his question and bring it up when the Agenda Item was before them. Council Members Costello, Rodriguez, Pennington and Jones absent.

Mr. Robert Searcy, who was previously added to the Speakers List, appeared and stated that he was a resident of Glenbrook Valley and a real estate agent and if he thought the preservation ordinance would impact his business negatively he would be opposed to it, but he was very supportive to the changes, the 90 day revision, he had lived in the oldest house in the Six Ward and had served on the board of a local preservation group and was big into preservation and heavily involved with this program and obviously they did have concerns, but were delighted with the Mayor's support for historic neighborhoods and would like consideration for those who had participated in the Project Leadership Institute; that they had done much work and he would ask consideration to insure they would not have to start over with their petitions. Mayor Parker, Council Members Johnson, Adams, Hoang and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Eva Aguirre, 3550 W. Dallas, Houston, Texas 77019 (713-525-8401) appeared and stated that she was the executive director of the center which served people with mental retardation and they would like to thank all city officials and housing committee members for the support received for their CDBG grant program and their consideration of the ordinance before them would allow them to make much needed upgrades to their facility and would make their area safer and more accessible to their clients; and they were thankful for their consideration. NOTE: Ms. Aguirre was referring to Item 40 on the Agenda. Mayor Parker, Council Members Johnson, Adams, Hoang and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Mayor Pro Tem Clutterbuck thanked Ms. Aguirre for coming and for the work done at the center. Mayor Parker, Council Members Johnson, Adams, Hoang and Noriega absent. Mayor Pro Tem Clutterbuck presiding.

Council Member Jones thanked Ms. Aguirre for coming and stated that this came before the Housing Committee and it was a good project and HUD was supportive of it; and thanked the Housing Director and his staff for making good presentations. Mayor Parker and Council Members Johnson absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Janice Gabriel, 5319 Hialeah, Houston, Texas 77092 (713-682-5774) had reserved time to speak but was not present when her name was called. Mayor Parker and Council Members Johnson absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Warren Searle, 10823 Burgoyne, Houston, Texas 77042 (713-377-2452) appeared at the podium and Mayor Pro Tem Clutterbuck stated that she knew he had something to present to the Mayor who was on her way back; and moved the rules be suspended for the purpose of hearing from the next speaker and then Mr. Warren Searle, seconded by Council Member Sullivan. All voting aye. Nays none. Mayor Parker and Council Member Johnson absent.

MOTION 2010-0312 ADOPTED.

Mr. Randall Kallinen, 511 Broadway, Houston, Texas 77012 (713-320-3785) appeared and stated that he was present as a part of the Greater Houston Coalition for Justice, a group comprised of LULAC, NAACP, CARE and many other civil rights organizations and present to talk about citizen review of police conduct; that they had been present many times speaking of the Citizen Review Board which was in place to overview and so far this year they had been involved in 13 shootings and highly publicized excessive force cases and as a coalition they were interested in bringing forward the power of subpoena to the Citizen Review Committee for document production and witnesses to come forward and they would like a change in the membership; that he was asking for a change to Executive Order 1-5 which covered it. Council Members Adams and Lovell absent.

Council Member Johnson thanked Mr. Kallinen for coming and stated that as they continue to talk about the Citizen Review Board with subpoena power, it was an issue he was on for some time and thought it was important to have a third party involved to add additional eyes; that he had talked about a board with subpoena power and thought it should come from bodies of people such as Mr. Kallinen, from the community, from organizations which were very engaged and active in the process and if he could give him something in that regard it could further help him along in his ability and desire to see the board, an actual written proposal; and Mr. Kallinen stated that other cities did have them and every committee was different from city to city, however, the first thing it would provide would be people with confidence because right now things were secret; and Council Member Johnson stated that many talked about it but nothing was tangible, nothing was on the table and he would like to see if they could work on the proposal what it would look like. Council Members Adams and Lovell absent.

Council Member Noriega stated that this was an issue the Public Safety Committee was working on and she would have more comments another speaker or two down the line, but it would be helpful if he had specific suggestions to email them to her office; that they would have opportunities for people to come speak, but email her or call her office as she would love to visit with him. Council Members Adams, Lovell and Jones absent.

Mayor Parker stated that she had talked with Council Member Noriega about a complete review of both the Citizen Review Committee and the Police Advisory Committee to make sure they were functioning the way they were intended or could be better functioning so all were looking at this. Council Members Adams, Rodriguez, Lovell and Jones absent.

Ms. Sylvia Gonzales, 10102 Elm Knoll Trail, Houston, Texas 77064 (832-283-5752) appeared and stated that she was the National VP for the Southwest and present as a part of the Coalition; that she would like the committee revamped and reassigned, to get rid of all the token members and elect new ones preferably a person of each organization represented in the 14 organizations. Council Members Rodriguez, Lovell and Jones absent.

Council Member Noriega thanked Ms. Gonzales for coming and stated that public safety and such issues were things she worked on for years and she wanted to extend the same invitation to her, to let her know if she had specific suggestions. Council Members Rodriguez, Lovell and Jones absent.

Mr. Johnny Mata, 2121 Fountainview #47D, Houston, Texas 77057 (832-723-3110) appeared and stated that the new Mayor and Council had a great opportunity to make new changes; that he heard much on historic districts and preservation of homes and challenged them to take the same interest and time to discuss the victims of families, loved ones killed by police officers; that they had good men and women in HPD, but also had bad apples wearing the badge and gun for the wrong reason. Council Members Adams and Jones absent.

Council Member Noriega stated Mr. Mata could continue; and Mr. Mata stated that the perception of the Review Board was it was only window dressing and the community confidence level was not good and it should be changed; and Council Member Noriega stated that he made a good point and was welcome to call or email her office; that currently in place was a Citizen Review Committee or CRC and an Administrative Review Committee or ARC and both were being looked at, the membership, how often they met, how they were handled; that council was as concerned as they were, the idea they had a culture which reflected incidents they had recently were disturbing and they were also looking at systems being used in other cities and trying to figure out who was doing it right; that they were looking at the whole advisory process and asking for specific suggestions in writing and public input and they expected a recommendation to the Administration and would be surprised if it was done by the time school started, but thought he was right and would guess they would have a recommendation by September. Council Members Stardig, Adams, Rodriguez, Costello, Lovell and Jones absent.

Council Member Sullivan stated that Mr. Mata said he wanted all families remembered who were killed by officers and certainly no family deserved a loss like that, but they needed to be sure they remembered officers killed in the line of duty and that those officers executed their weapons in fear of their life; that he did not want a broad assumption that every time an officer pulled the trigger to defend himself or someone else in the public that it was an indictment on officers, he was sensitive about that and while on Council he would continue to be; and to Council Member Noriega, he was a member of the Public Safety Committee and would be participating in those discussions as well because he wanted to make sure it was balanced and fair. Council Members Stardig, Adams, Rodriguez, Costello, Lovell and Jones absent.

Upon questions by Council Member Bradford, Mr. Mata stated that they had a town hall meeting and the Police chief was present, prior to being appointed, that all he understood was the City of Houston was not willing to sign the MOU they worked on for five years; and Council Member Bradford stated that the MOU developed a few years back he was a part of that process in developing it with the Justice Department representative and he concurred with about 80% of it then; and upon questions, Mr. Mata stated that the coalition had now gone back to the drawing board to update it and they would come back to the city, and another thing was what Council Member Sullivan said, their organization had been in civil rights for hundreds of years and were very sympathetic to the loss of officers and encouraged two officers in a car, but until you walk in shoes of minorities of this city and suffer the trauma and devastation in their community then you could truly appreciate and understand why they needed to change a system very outdated and one which had not done justice to their community. Council Members Stardig, Adams, Rodriguez, Costello and Lovell absent.

Ms. Catina Hubbard, 4103 Friar Point, Houston, Texas 77047 (713-204-9407) appeared and stated that she was with the Greater Houston Coalition for Justice and was representing the NAACP and in reference to the Citizens Review Committee it seemed as if all were on the same page, but to bring a few points home, in addition to the subpoena power and restructure of the committee they would like a small budget so cost of subpoenas and investigations would not lie on actual members of the committee and restructure of committee would be to raise priority of life in the eyes of HPD officers and raise awareness of consequences of excessive force and to discourage unnecessary deadly force and for police and citizens to come to a medium. Council Members Stardig, Adams, Rodriguez, Costello and Lovell absent.

Council Member Jones stated that she thought in disadvantaged communities, whether minority or not, this happened a lot; at least more than it should and people did not just start talking about a Citizen Review Committee it had been going on for years and she supported her and subpoena power, but if the handout she gave was true and an officer shot and killed two people; shot five people and wounded somebody what did they do with officers who had a lot of

incidents and who tazed a lot of people; that on itself should say something; and Ms. Hubbard stated that was what they were trying to do, to make sure the review board was actually doing its job and was restructured to a point where officers were aware of consequences; and the information she had with one police officer to continue six different shootings since 1991 was almost like he had no fear because there were no consequences. Council Members Stardig, Hoang and Costello absent.

Council Member Noriega stated that it sounded as though she had specific suggestions and she was interested in her information; that they also did a report on tazers the Mayor did when she was Controller which they could share with her and would like her to share her suggestions with her office and then they would let them know when the hearings were; and thanked all who came today. Council Members Stardig, Hoang, Costello and Lovell absent.

Council Member Bradford stated that he wanted to go on record saying he had a chance to be on both sides and the current process had been in place 20 years or so and did need overhauling to meet today's environment and he was supportive of the concept of what was being brought forward, but it needed to be flushed out because there were serious downsides to what she was proposing. Council Members Stardig, Hoang, Costello and Lovell absent.

Mr. Jay Allen, 14603 Fonmeadow Drive, Houston, Texas 77035 (713-726-9889) appeared and stated that he was present regarding the Houston Police Department; that his son and a group of young men were constantly being stalked by police officers, they were not getting any citations, but when the officers approached their car the first thing said was you must be a dope dealer driving the type of car they were driving and it was disturbing to them and to him so he decided to come voice his opinion; that they were descent young men who went to TSU and Houston Baptist and University of Houston. Council Members Stardig, Hoang, Costello and Lovell absent.

Mr. Cristobal Hinojosa, 8210 Beaumont Road, Houston, Texas 77022 (832-921-8823) had reserved time to speak but was not present when his name was called. Council Members Stardig, Hoang, Gonzalez and Lovell absent.

Council Member Clutterbuck thanked Mr. Allen for appearing and for being in touch with her office on the particular situations; that it was appropriate and timely that he followed the previous speakers on how police officers were interacting with the public; that his son and friends were in their 20s and college educated and holding good jobs and when not violating they were none the less pulled over and not given citations, simply asked why they were driving such nice cars and her office was very concerned with this as well and expressed concern to the Fondren Division; that Lieutenant Longmeyer would like to meet with him and express his interest and perhaps meet with his son and friends; that the Fondren Division was usually outstanding in developing relationships with the community and she hoped that would be the case once they had a chance to meet with them and develop a new alliance; and her office would be happy to help facilitate the meeting. Council Members Stardig, Hoang, Gonzalez and Lovell absent.

Upon questions by Council Member Bradford, Mr. Allen stated that he nor his sons had filed an ID complaint; and Council Member Bradford stated that there was a process in place which must be utilized as there were state law guidelines and he would be concerned that officers stopped someone just to ask why they had a type of car and officers were required to document their stops and racial profiling was prohibited; and people should help identify where those officers were and that was to engage the process; and encouraged him to encourage his son to engage that process. Council Members Stardig, Hoang, Gonzalez and Lovell absent.

Council Member Jones stated that she would ditto what Council Member Bradford said

and encouraged his son to do what was suggested; that it happens a lot when you are in a place and they presume there is an ill motive for you being there and reports need to be filed. Council Members Stardig, Hoang, Gonzalez, Lovell and Noriega absent.

Mr. Theodore Wayne Johnson, 3318 Cornell, Houston, Texas 77022 (713-868-5801) had reserved time to speak but was not present when his name was called. Council Members Stardig, Hoang, Gonzalez, Lovell and Noriega absent.

Mr. Gene Warden, P. O. Box 1611, Crosby, Texas 77532 (281-710-7019) appeared, presented business cards to the Mayor and Council Members and stated that he was present to speak on behalf of Brock Golf Course and all had his cards so they could contact him if there was something they did not cover; that Brock Golf Course was threatened over a number of years to be terminated or closed for a number of reasons, but people there depended on Brock for their enjoyment, to get families together and they took care of junior golfers as well as veterans who could not play elsewhere because of cost or position; that they did a lot of handicap work there also; that with the veterans he had been raising thousands of dollars for the MAP Program, the Military Assistance Program, which took young veterans currently over seas or coming back with problems; that he had been a PAC Chairman for Texas for fourteen years and he was urging all take another look at Brock; that he found out the city had failed to put in a request to host the VFW Department of Texas Convention here in over 15 years and now he obtained a copy and through the City Veterans Affairs Office they got together and put in a bid and now they would be having their state convention in June 2011 and it was with hope it would be held at a city course and Brock being closest to the north area he was sure they could work out a satisfactory reward for the City of Houston. Council Members Stardig, Hoang, and Lovell absent.

Council Member Johnson thanked all who had been a part of the Brock Park movement and they had talked about the splendor and wonder, how beautiful it was; that he and Mayor Parker had worked diligently on coming up with a solution to keep Brock Park open and they were still in discussion, but encouraged by the discussion and he believed the community would be satisfied; that obviously Brock Park would need additional support and people like him to raise money and awareness, to get more golfers there, but it was one of the well kept secrets of the city and they would do a lot of things to make sure it stayed open; and asked that he be patient with them. Council Members Stardig, Hoang, Lovell and Jones absent.

Council Member Noriega stated that there were a couple of people who spoke previously about this and were on the one minute list and moved the rules be suspended for the purpose of hearing Mr. Albert Coleman and Mr. Roy Mata after Ms. Beauteria Gay, seconded by Council Member Johnson. All voting aye. Nays none. Council Members Stardig, Sullivan, Hoang, Lovell and Jones absent. MOTION 2010-0313 ADOPTED.

Ms. Beauteria Gay, 12002 Crystalwood, Houston, Texas 77013 (713-637-0855) appeared and stated that she was present on behalf of Brock Park Golf Course; that she used to be a marathon runner and her knee gave out and she was introduced to Brock Park and golf; that she was also becoming more afraid of the freeways and Brock was about 15 minutes from her and some of her friends in Fall Creek and Summerwood played with her at Brock because they could not afford fees at Redstone; that she intended to keep playing and she hoped Brock would still be available. Council Members Stardig, Sullivan, Hoang, Lovell and Jones absent.

Council Member Johnson thanked Ms. Gay for coming and stated that she had been doing a wonderful job out there; that Ms. Gay had 25 pairs of golf shoes in all colors; and he appreciated her being a volunteer starter out there; and he did believe conversations between he and the Mayor and Joe Turner would come to a good solution. Council Members Hoang and Jones absent.

Council Member Johnson yielded to Mayor Parker who stated that it was not her intention to do this, but she clearly heard the neighborhood and got the number two pencil out and worked through the budget of Brock and spent a lot of time with Joe Turner and it was unacceptable for that park to lose money, but she committed that if she could figure a way to get it to where it was within spitting distance of turning a profit they would do it and she had a plan to do it; that it would mean changes, personnel changes, but she felt they could keep the rounds and hours and satisfy Council's budget needs and looked forward to sitting with Council Member Johnson about that. Council Members Hoang and Jones absent.

Mr. Albert Coleman, 7529 Sundown, Houston, Texas 77028 (713-703-5250) appeared and stated that he was present to thank the Mayor and Council for bending their ears and listening about Brock Golf Course; that at the last neighborhood meeting they came to a consensus it did take money to run any organization and they were wishing they would keep Brock in the community; and he thanked them for what he heard today, it seemed very promising. Council Members Hoang and Jones absent.

Mr. Roy Mata, 234 Sevenhampton, Houston, Texas 77015 (832-438-8980) appeared and stated that he was vice president of the Brock Golf Course Association and was present to thank the Mayor and Council; that supporters were present today and asked they stand to be recognized and continued that they thanked the Mayor and Council for working to find a way to fund Brock and they were willing to work with them to try and raise revenues and would love to go into partnerships with the Greater Houston Partnerships, HGAs, etc. Council Members Hoang and Jones absent.

Mr. Courtney Rogers, 539 Sandy Walk, Stafford, Texas 77477 (713-446-6024) had reserved time to speak but was not present when his name was called. Council Members Hoang and Jones absent.

Mr. Robert Guthrie, 8800 Broadway #5259, Houston, Texas 77061 (281-323-0613) appeared and stated that he was present to thank the City's Office of Veterans Affairs for their assistance and direction; that the Mayor indicated there would be an increase in water rates with a greater increase to apartment complexes and he would ask the apartment complex not be allowed to profit from the increase and proposed Neighborhood Protection incorporate an office and officers devoted to renters rights as listed by the Texas Commission on Environment Quality; that there was even a formula as to how to calculate allocated water rates and he would like to see renters rights with water rates as they may be taken advantage of; that the Savannah Apartments where he lived did not have sufficient information to calculate water rates and he gave notice they needed to comply or face lawsuit. Council Members Hoang and Jones absent.

Mayor Parker thanked Mr. Guthrie for his idea. Council Members Johnson, Hoang, Pennington, Lovell and Noriega absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he left his backpack on his seat and if it was to be stolen he would hold the Mayor and Council responsible because there were a lot of crooks in the Chamber right now; www.mayorgalvan.com was his website; that he was proud Houstonians stood up against the aggression of Israel; and continued expressing his personal opinions until his time expired. Council Members Johnson, Hoang, Pennington, Lovell and Noriega absent.

Ms. Yvonne Singletary, 12107 Wood Bayou, Houston, Texas 77013 (713-455-9203) appeared and stated that she was a registered nurse and a few months ago received a ticket when she was going into an emergency heart cath (catheter); that she did not come to a complete stop, she did run it, the officer who stopped her was very nice and professional but he

let her know he was going to keep her there and give her a ticket and every minute was extremely important when having a heart attack and 12 minutes was spent getting the ticket; that she was present asking that the officer be allowed to follow the healthcare worker to the hospital, give them a ticket after they complete their angioplasty. Council Members Johnson, Hoang, Pennington, Lovell and Noriega absent.

Council Member Stardig stated that she spoke to physicians on call for those type of issues and it was her understanding many hospitals had policies on how close you lived to the hospital for those cases when you were on call or you had to stay on campus or near campus; and upon questions, Ms. Singletary stated that she worked in the Medical Center and people came from all over, in smaller hospitals outside people did tend to live closer; that they told them they had to be there within 30 minutes and most people could make it; and she did not believe there should be public safety threats running lights, etc., but some leeway should be given as every minute was important; and Council Member Stardig stated that it was important, but she wanted to make sure there was no policy. Council Members Johnson, Hoang, Pennington, Rodriguez and Lovell absent.

Mayor Parker stated that she was glad Ms. Singletary started by stating the officer was professional and polite, but there was some discretion with officers so while she would not see anything they could do on being permissive in that, there was a great deal of discretion given to police officers. Council Members Johnson, Hoang, Pennington, Rodriguez and Lovell absent.

Ms. Krystal Muhammad, 2417 Riverside Drive, Houston, Texas 77004 (713-261-3558) had reserved time to speak but was not present when her name was called. Council Members Johnson, Hoang, Pennington, Rodriguez and Lovell 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, Hoang, Pennington, Rodriguez and Lovell absent.

Ms. Anna Martin, 3114 Airport Boulevard, Houston, Texas 77057 (713-733-1904) appeared and stated that hr complaint was weeks on her wood fence line and she had been before four Mayors; that she was 76 and just had surgery and was not able to cut the fence line; that she was told you had to have a contract to cut the vacant property at 3118 which had been vacant for more than 12 years and she had to contend with snakes, rats, flying roaches and everything so they cut the yard, but not the weeds on her fence line; and she was told that had to be in the contract so was hoping if that was correct they could place it in the contract. Council Members Hoang, Pennington and Rodriguez absent.

Mayor Parker stated that she did not know her particular circumstances of the lot, but there was a formal process where they filed a lien against someone's property and began to take over the property, it was not their first preference, they tried to get property owners to do the right thing, but they did not maintain private fence lines and if they were mowing a lot she did not know what those requirements were. Council Members Hoang, Sullivan and Rodriguez absent.

Council Member Adams stated that a member of her staff would meet with her and a member of the Neighborhood Protection Department and discuss rules when it came to the fence line; that if she was correct you were responsible for 14 feet beyond your property line, but they would speak with her at this time. Council Members Johnson, Sullivan, Rodriguez and Lovell absent.

Mr. Dwight Renner, 339 Surratt, Houston, Texas 77091 (832-630-0012) appeared and stated that he was present to address the proposed Keystone Pipeline which would be coming

from Canada to bring tar sands to refineries in the area; that tar sands were among the dirtiest energy resource in the world and it would cross 32 Texas rivers and streams and cut just upstream of the Big Thicket National Forest; that he was asking Council to request from the Department of State to hold a formal hearing; that other cities in Texas had the hearings from the Department of State to put concerns of the people who lived in the area into the draft environmental impact study; and he was asking Houston be included in this as they would receive most of the negative impact along with the air quality issues. Council Members Johnson, Sullivan, Rodriguez and Lovell absent.

Mr. Darryl Bell, 1115 Leaden Hall, Channelview, Texas 77530 (281-441-2310) appeared and stated that he was a city employee out of work and he received unemployment benefits a few months and a supervisor and Public Works Attorney appealed his unemployment benefits, they went before the State Commission Board and perjured themselves by telling them he was discharged along with his whole crew and his crew was still working and now unemployment was saying he had to reimburse them and he needed assistance so he would know what to do; that he was wrongfully discharged and did not have money to pay back. Council Members Johnson, Sullivan and Lovell absent.

Council Member Jones stated that she would not speak to the merits of whether he was discharged wrongfully or otherwise, but she would be curious as to whether they made an argument that the crew had been discharged and they were not in fact discharged, she would have a problem with that and would like it looked into. Council Members Sullivan and Lovell absent.

Upon questions by Mr. Bell, Mayor Parker stated that a representative of Public Works was present and was willing to talk to him about the application process for unemployment and what may have happened, but it was his issue to work through and he could speak with Mr. Medina who was present.

Mr. Kristopher Banks, 2020 Texas, Houston, Texas 77003 (281-797-1507) appeared and stated that he was president of the Houston GLBT Political Caucus, they were the oldest organization in the south representing the civil rights of the gay/lesbian bisexual and transgender community, that he had today 1,196 letters regarding Marjo House, that was 92 letters for each person at the dais, with the exception of Council Members Clutterbuck and Sullivan who were away on city business during the vote, that they gave their members a chance to speak out on the issue expressing their feelings on the decision that day and they responded, that some may wonder why they had taken such an interest in issues like HOPWA Funding recently and he would like to give them that reason, that during the 1980s their community watched as HIV spread throughout their community and killed many members of their community and people did not care and now it spread to every other community in the world and they were always going to care and always going to be there for every HIV related vote, that more than 1/3 of people with HIV were homeless or in imminent danger of being homeless, they supported expanded HOPWA Funding for proven organizations like Marjo Houston. Council Member Sullivan absent.

Council Member Johnson stated that he was glad that Mr. Banks came down to express his support for HOPWA Funding and organizations like Marjo, that he read a lot of the letters and certainly a lot of the comments that were circulating around the City of Houston, that he kept being very disturbed by was some of the assessments that were made by some of the people in the GLBT Community or those individuals who were following along with what was being said here, that he wanted to be very clear again with his position on Marjo House, that it was a good organization that he supported, that any home that was providing for people with disability he supported 100%, that he wanted to be very clear about that, that the argument that was before them with the Marjo House was against a business moving into a residential

community, and that alone, that Pleasantville and his position was simply against a business, not against Marjo House and the job that they do, but simply against a business locating in a residential community. Council Member Sullivan absent.

Council Member Jones stated that for her it was an easy vote, that Marjo House legally was not a business and deed restrictions, regardless of how well intentioned, could not discriminate against people with disabilities and people with HIV/AIDS or disabled, that HUD had a grant called HOPWA for the express purpose of dealing with the very thing that Mr. Banks explained, that people with HIV/AIDS needed a place to stay in residential areas, and as she said, the law did not define community housing as non residential/commercial and as she thought legal landed, correctly and legally, it did not violate deed restrictions. Council Member Sullivan absent.

Council Member Adams moved to extend the time for questions of Mr. Banks, seconded by Council Member Noriega. All voting aye. Nays none. MOTION 2010-0314 ADOPTED.

Council Member Adams stated that it surprised her that people did not know her history, that in the 1980s and 1990s she was one of the counselors for people with HIV/AIDS though the Housing Department because of her background with the housing funding in Neartown Montrose, that she had supported HIV and HOPWA Funding since the beginning day when she sat at the dais, that because she chose not to participate in a vote did not make her a person who discriminates against a person with HIV/AIDS or who dislikes people in the GLBT Community, that there had been statements made against her character from the GLBT Community that she really found very offensive, that to hear from and get emails about her personality and character from the Montrose Community was not fair, that one of the greatest awards that she had received was an award for people with HIV and homelessness, that today she went with Chevron, to collect a \$100,000 for people who were living on the streets, who had funded through the Housing Department for SROs for people with HIV/AIDS, that when some of the money was going to be discontinued for Beacher Wilson she fought for it, that for anybody to discredit who she was because she chose no to participate in a vote, which was just a vote and did not have anything to do with "gay" or GLBT, that it had to do with funding and to support a Council Member about a business and deed restrictions. Council Member Sullivan absent.

Council Member Hoang moved to extend time to continue questions of Mr. Banks, seconded by Council Member Adams. Council Member Sullivan absent. MOTION 2010-0315 ADOPTED.

Council Member Lovell stated that she believed Council Member Johnson when he said he was not opposed to Marjo House, that it was about deed restrictions, that she thought that there was something that needed to be done about communal or residential homes of which they had a certain amount of people living in a single family home, that maybe it needed to be revised to where they move into a multi family home. Council Member Sullivan absent.

Mr. Banks stated that he wanted to clarify that the letters were not about anyone's character, they were expressing disagreement, they were thinking and expressing disappointment, that to Council Member Adams through the nature of her district during that vote they would hope that she would stay in that seat and not leave it if the roof was caving in, but she chose to walk out at the vote and that was disappointing to them. Council Member Sullivan absent.

Mayor Parker stated that she would just express that it would have been helpful had they all done a more thorough job of their homework before they informed the community. Council Member Sullivan absent.

Council Member Bradford stated that they were elected by constituents from districts or citywide and they had to make decisions as best as they see fit based on information they had in front of them, that he was proud of his vote because he voted the way that he thought the super neighborhood president came and requested from him, the way that the civic club association president, the homeowners association president, several citizens from the community, those people represented the neighborhood, that in addition to that they had the district Council person, that he concurred with what had been done to Council Member Adams, because of a decision that she made, had been wrong and needed to be rescinded, that he respected their point of view and was not opposed to supporting any person or group of disabilities, but did think that protocol was important, that he was going to see where this Council was going to stand when there were issues in other neighborhoods and other communities. Council Member Sullivan absent.

Council Member Adams read a complaint letter she received concerning Marjo House, that she received many but did not publicize the letters because there was not a need to at the time. Council Members Stardig and Sullivan absent.

Council Member Clutterbuck moved to extend the time for comments from Council Members, seconded by Council Member Hoang. All voting aye. Nays none. Council Members Stardig and Sullivan absent. MOTION 2010-0316 ADOPTED.

Council Member Adams further stated that the reason she did not participate was because of many letters that she received, that she did not have proof of either side. Council Members Stardig and Sullivan absent.

Mayor Parker stated that she would like to point out that, yes, all Council Members received that letter and they did investigate that letter, in fact, that was part of what happened during the delay in the Marjo House coming forward and the letter was proven to be unfounded, but clearly they received a lot of information that they had to consider in the vote. Council Members Stardig and Sullivan absent.

Ms. Evelyn Merz, 7095 Santa Fe, Houston, Texas 77061 (713-644-8228) appeared and stated that she was the Conservation Chair of the Lone Star Chapter of the Sierra Club and of the Houston Regional Group and present to speak about a new project, the Keystone XL Pipeline Project, which was coming to Houston; that she thought this important enough to come before Council because she believed the residents did not know about the project and probably had not heard about it and not given a fair chance to comment upon something which would affect their daily lives; that the Keystone XL Pipeline was a new 36 inch pipeline which would carry heavy tar sands crude from Canada to Houston, almost 1,400 miles from the border crossing at Montana and end at two refining centers on the Gulf Coast, one near Port Arthur and the other east Houston and the transport capacity of the pipeline would be 700,000 barrels per day of which 500,000 would be split between Port Arthur and Houston and the additional capacity which would increase it to 900,000 barrels a day and the additional 200,000 barrels would be delivered to the Texas Gulf Coast; that the Canadian tar sands crude was a very heavy, high sulfur crude with higher and heavy metals and was a lower quality than the average stock used now; that it produced higher levels of pollutants which would further complicate efforts to meet air quality standards in Houston and the Texas Gulf Coast; that the application also included permission to use a thinner pipe than standard and would operate the pipe under a higher than standard pressure which should be a great concern to everyone; that there had been four public meetings in Texas and no public meeting in Houston and none was scheduled and the only copy of the draft supposed to be in libraries had the closest in Baytown, no copies in Houston Public Libraries; that the U. S. Department of State was responsible for scoping and preparing the Environmental Impact Statement and arranging for public meetings because a presidential permit was required for the project, it crossed an international border, the Department of State published a notice in the Federal Register April 20th of scheduled

meetings. Council Members Stardig, Adams and Noriega absent.

Council Member Rodriguez moved the rules be suspended for the purpose of remaining in session beyond the scheduled noon recess to complete the Agenda, seconded by Council Member Jones. All voting aye. Nays none. Council Members Stardig, Adams and Noriega absent. MOTION 2010-0317 ADOPTED.

Council Member Rodriguez stated he would allow Ms. Merz seconds to wrap up her statement; and Ms. Merz stated that she was asking the City of Houston to request the Department of State to hold a public hearing in Houston so they would have a chance to comment and also that they make a good faith effort to publicize and extend the comment period; and Council Member Rodriguez thanked Ms. Merz for coming and upon questions, Mayor Parker stated that if he was requesting a letter be written asking for a hearing and a copy for Houston libraries she was happy to accommodate. Council Members Stardig, Adams and Noriega absent.

Council Member Jones thanked Ms. Merz for bringing this to everyone's attention, she had no clue about it, but certainly wanted to know if they would be bringing stuff like that here and would ditto what Council Member Rodriguez said, they needed to pay attention to this; that in areas where there was a lot of industrial stuff people had higher incidences of ailments, etc., and if it was landing here then Houston as the fourth largest city in the country should know what was going on; and Ms. Merz stated that she asked the person holding the hearing in Livingston why no hearing was being held in Houston and was told they were doing the best they could and trying to save money and be efficient and that was why no meeting was being held in Houston. Council Members Stardig, Adams and Noriega absent.

Council Member Hoang stated that this was very important as it affected the quality of lives and he did not know anything about it; that it was important to him and the city and would echo what Council Member Rodriguez said and should immediately write to the Department of State; that the spill in the Gulf Coast already affected their lives and they did not want something again happening which could be a disaster. Council Members Stardig, Adams and Noriega absent.

Mr. Donald Ray, 1115 Orange, Lamar, Texas 77568 (469-938-0930) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams and Noriega absent.

Ms. Jeanette Cosley, 3535 Main, Houston, Texas 77002 (713-807 4331) appeared and stated that she was the Executive Director for the Ensemble Theatre and came to thank all for something which was working right, funding from the City of Houston to the Arts Alliance; that they had been in operation 33 years and she had to say their funding was making a difference; that they presented plays and did training for young people and employed over 150 people besides their full time staff; and invited all to the theatre; that they would be receiving invitations to attend the play coming up. Council Members Stardig, Adams, Sullivan and Noriega absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan and Noriega absent.

Ms. Deborah Elaine Allen, P. O. Box 26352, Houston, Texas 77207-3552 (832-885-1659) had reserved time to speak but was not present when her name was called. Council Members Stardig, Adams, Sullivan and Noriega absent.

Mr. William Beal, 5814 Overale, Houston, Texas 77033 (713-738-3410) appeared and

stated truth, justice, liberty and the American Way; give him a chief executive officer of NBC Studios; and continued expressing his personal opinions until his time expired. Council Members Stardig, Adams, Sullivan and Noriega absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) had reserved time to speak but was not present when her name was called. Council Members Adams and Noriega absent.

Mr. Sammie Jones, no address (no phone) appeared and stated that he decided with only one minute it would better serve him to inform Council that he took time to write this out and wanted copies for all Council Members and the Mayor but could only write one copy and if he could present it to Mayor Parker and she give Council Members and him a copy and if she could consider it after reading it then it would be appreciated. Council Member Noriega absent.

At 12:13 Mayor Parker stated that they would go to the agenda. Council Members Noriega and Hoang absent.

Mayor Parker stated that she distributed a news release indicating that she was putting together an advisory panel to help her navigate issues with Continental Airlines, that she had a great meeting with Jeff Smisek in her office last week, that obviously there were still a lot of things that they did not know but she felt that it was important to pull together some of the business community to work through issues as they got information from Continental, that she did not have anything to add to what was in there but she wanted them to know who was involved. Council Members Adams and Noriega absent.

Council Member Lovell moved to suspend the rules to consider Item No. 25 out of order, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Adams and Noriega absent. MOTION 2010-0318 ADOPTED.

Mayor Parker stated that she understood that Council Member Lovell had distributed an amendment to address some of the issues raised in the public session. Council Members Council Members Adams and Noriega absent.

Council Member Lovell stated that she had an amendment that they had handed out, that it was written, that it was going to allow those districts that were now in the petition process, for those petitions to be recognized and accepted when it came time for their validation, that it was drafted by the Legal Department, that she hoped it was an effort of listening to what the neighbors had to say when they communicated concerns to the Council Members, that they make sure that people's efforts were included as they moved forward. Council Member Noriega absent.

Mayor Parker stated that it appeared to be a clear statement of Legislative intent, that it did not specify what would happen to those neighborhoods but simply that they would be incorporated into the ordinance, those that were in progress.

25. ORDINANCE relating to historic districts within the City of Houston, Texas; temporarily discontinuing the applicability of Subsections 33-250 (a), (b), and (d) of the Code of Ordinances, Houston, Texas, relating to the demolition or relocation of historic structures and new construction within historic districts; temporarily discontinuing acceptance of applications for designation of historic districts pursuant to Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas – was presented. Council Members Adams and Noriega absent.

Council Member Lovell offered the following written amendment to Item No. 25:

" I move to amend item #25 on the 6/3/10 agenda by adding Section 7a as follows:

Section 7A: The City Council acknowledges that one or more neighborhoods are in the process of collecting signatures for an application for Historic District Designation. It is the intent of City Council that the work of these neighborhoods in collecting signatures will be recognized and accepted when a neighborhood submits an application for designation after the termination of this ordinance. It is the intent of City Council that any recommendation for amendments to the Historic Preservation Ordinance will specifically address these neighborhoods in progress", tagged by Council Member Rodriguez and Sullivan. Council Member Noriega absent.

Council Member Sullivan stated that he would tag Item No. 25. Council Member Noriega absent.

Council Member Adams requested from the Chair of Historic Preservation and the Historic Preservation Alliance Committee that when they begin to have their round of meetings that they publicize and post the meetings, especially for District Council Members so that they could see exactly when the meetings were so communities could actively participate when the meetings begin, that she would ask for enough time so that they could notify their communities that were looking forward to becoming historic preservation communities.

Mayor Parker stated that they would have a lot of public hearings on the process.

Council Member Sullivan stated that he wondered if the Mayor would entertain referring this back to the administration until after the budget process was voted on, that it was his understanding that they did not have input from all of the stakeholders, that when he sent out an email Friday night after reading the agenda on line the responses that he got back generally were "hey thanks for letting us know", that he thought that was a very bad sign, that either, one, all of this friends were uninformed, which was possible, for two, they did not do a very good job really letting people know what they were going to do, that he would also like to move the politics from it and get it after the budget vote so that there was no influence, horse trading or whatever, that anybody might want to do at the Council table, that if this was a good idea it should be a good idea July 1, 2010.

Mayor Parker stated that the administration was not inclined to delay the item or take it back, that it had no budgetary impact, that horse trading was a fact of life in politics, that she would let Council Member Lovell talk about who had been in her meetings, but she wanted to be very clear where they were in the process, that they were trying to establish a time out phase so that they could bring everybody to the table and she did know that the realtors, the builders, Houstonians for Responsible Growth had all had communications, not just from Council Member Lovell, but from her office as well.

Council Member Sullivan moved to refer this back to the administration for two weeks, seconded by Council Member Rodriguez.

Mayor Parker stated that they would have to un tag it, and Council Member Sullivan stated that he would release his tags and Council Member Rodriguez stated that he would concur.

Council Member Sullivan moved to refer Item No. 25 back to the administration to July 1, 2010 the amendment and the main item, seconded by Council Member Rodriguez.

After discussion a roll call vote was called on Council Member Sullivan's motion to refer Item No. 25 and the amendment back to the administration.

ROLL CALL VOTE:

Mayor Parker voting no	Council Member Gonzalez voting no
Council Member Stardig voting aye	Council Member Rodriguez voting aye
Council Member Johnson voting no	Council Member Costello voting no
Council Member Clutterbuck voting aye	Council Member Lovell voting no
Council Member Adams voting aye	Council Member Noriega voting no
Council Member Sullivan voting aye	Council Member Bradford voting aye
Council Member Hoang voting aye	Council Member Jones voting no
Council Member Pennington voting no	MOTION 2010-0319 FAILED

Council Members Rodriguez and Sullivan stated that they would tag Item No. 25 and the amendment.

CONSENT AGENDA NUMBERS 1 through 66

ACCEPT WORK - NUMBERS 1 through 6

1. RECOMMENDATION from Interim Director Houston Airport System for approval of final contract amount of \$15,988,863.42 and acceptance of work on contract with **EAS CONTRACTING, LP** for Rehabilitation of Runway 12R-30L and Miscellaneous Electrical Work at William P. Hobby Airport, Project No. 619 - 1.02% over the original contract amount - **DISTRICT I – RODRIGUEZ** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2010-0320 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,357,324.88 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Edloe Storm Drainage Improvements Project Segment 1 3.62% under the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2010-0321 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$972,367.37 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation 2.73% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2010-0322 ADOPTED.

PROPERTY - NUMBER 12

12. RECOMMENDATION from Director Department of Public Works & Engineering, on request from J. Michael Boyd of Boyd Commercial, on behalf of Shahram Roudbari, reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of a 15-foot-wide alley, from Shepherd Drive east to its terminus, located within Block 68, Brunner Addition, out of the John Austin Survey, A-1, Parcel SY10-063 - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Noriega, seconded by Council Member Bradford. All voting aye. Nays none. MOTION 2010-0323 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 20

13. **SANOPI PASTEUR, INC** for Influenza Vaccine from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Department of Health & Human Services - \$63,410.00 - Health Special Revenue Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0324 ADOPTED.
15. **HYDRAFLO, INC** - \$559,222.63 and **QUALITY HYDRANT COMPANY, L.L.C.** - \$376,986.86 for Fire Hydrant Repair Parts for Department of Public Works & Engineering - Enterprise Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0325 ADOPTED.
16. ORDINANCE appropriating \$177,710.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Sanitary Sewer Lines for Public Works Engineering Department – was presented. All voting aye. Nays none. ORDINANCE 2010-0395 ADOPTED.
- 16a. **REPIPE CONSTRUCTION, LTD.** for Emergency Repair of Sanitary Sewer Lines for Department of Public Works & Engineering - **DISTRICTS G - PENNINGTON and I - RODRIGUEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0326 ADOPTED.
17. ORDINANCE appropriating \$133,940.04 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Potable Water and Sanitary Sewer Lines for Public Works & Engineering Department – was presented. All voting aye. Nays none. ORDINANCE 2010-0396 ADOPTED.
- 17a. **REYTEC CONSTRUCTION RESOURCES, INC** for Emergency Repairs of Potable Water & Sanitary Sewer Lines for Department of Public Works & Engineering - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; F - HOANG and G - PENNINGTON** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0327 ADOPTED.
18. ORDINANCE appropriating \$2,081,606.50 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Sanitary Sewer Lines at the Southwest Wastewater Treatment Plant for Public Works & Engineering Department – was presented. All voting aye. Nays none. ORDINANCE 2010-0397 ADOPTED.
- 18a. **REPIPE CONSTRUCTION, LTD.** for Emergency Repair of Sanitary Sewer Lines at the Southwest Wastewater Treatment Plant for Department of Public Works & Engineering **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0328 ADOPTED.
19. **GOWAN, INC** for Heating Ventilation and Air Conditioning Replacements for Department of Public Works & Engineering - \$65,051.00 and contingencies for a total amount not to exceed \$71,556.10 Enterprise Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0329 ADOPTED.
20. **ENNIS PAINT, INC** for Paint, Street Marking for Various Departments - \$323,407.50 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Sullivan. All voting aye. Nays none. MOTION 2010-0330 ADOPTED.

Council Member Sullivan stated that since Item No. 42 was not in and he did not have a

chance to square it for discussion could he do that now, and Mayor Parker stated that this was his opportunity, and Council Member Sullivan stated that he wanted to square Item No. 42 for separate consideration, and Mayor Parker stated that it was always appropriate to stop before if they wanted to add something to the list.

RESOLUTIONS AND ORDINANCES - NUMBERS 22 through 59

22. RESOLUTION supporting and approving the proposed construction by Lafayette Park Apartments, LP (a to-be-formed Texas Partnership) of Lafayette Park Apartments, a development for affordable rental housing, located at approximately the 200 block of Aldine Bender and intersection of 16000 block Cotillion Dr. in the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. RESOLUTION 2010-0036 ADOPTED.
23. RESOLUTION supporting and approving the proposed construction by One Mag Partners, LP of Magnolia Place Senior Apartments, a development for affordable rental housing, located at Wenda Street just west of the 9500 block of Cullen Boulevard in the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. RESOLUTION 2010-0037 ADOPTED.
24. RESOLUTION supporting and approving the proposed construction by Tarrington Court Apartments, LP (a to-be-formed Texas Partnership) of Tarrington Court Apartments, a development for affordable rental housing, located approximately 1/2 northeast of the intersection of I-45 and South Sam Houston Parkway East on the southeast side of the approximate 8000 block of Sam Houston Parkway East in the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. RESOLUTION 2010-0038 ADOPTED.
26. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the transfer of the Bureau of Animal Regulation and Care from the Health & Human Services Department to the Department of Administration and Regulatory Affairs; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented. All voting aye. Nays none. ORDINANCE 2010-0398 ADOPTED.
27. ORDINANCE amending Ordinance No. 2009-931, which amended certain provisions in Chapter 7 of the Code of Ordinances relating to Antique Dealers, Common Markets, Scrap Metal Dealers, Secondhand Resellers and related businesses, to correct a typographical error; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented. All voting aye. Nays none. ORDINANCE 2010-0399 ADOPTED.
28. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement (Parcel SY10-026) extending from Arvilla Lane to Albemarle Lane, located in the MacGregor Place Subdivision, Section 1, out of the Luke Moore Survey, A-51, Houston, Harris County, Texas; vacating and abandoning said easement to Houston Independent School District, the abutting owner, in consideration of its payment of \$30,446.00 and other consideration to the City - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2010-0400 ADOPTED.

34. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** for Parking Areas at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2010-0401 ADOPTED.
35. ORDINANCE approving and authorizing Lease Agreement between **AMERICAN D&M ASSET GROUP I, L.P.**, as landlord, and the City of Houston, Texas, as tenant, for space at 7001 Corporate Drive, Houston, Texas, for sixty months, for use as facility for Women, Infant and Children Nutrition Program of the Health and Human Services Department - **DISTRICT F - HOANG** – was presented. All voting aye. Nays none. ORDINANCE 2010-0402 ADOPTED.
36. ORDINANCE amending Ordinance Number 2010-177, regarding Lease Agreement (Contract No. 4600010281) with Intercontinental Hotels Group Resources, Inc, due to a change in ownership, and approving and authorizing Lease Agreement, for five years, with three renewals of five years each, between **HPT TRS IHG-3, INC**, managed by IHG Management (Maryland), LLC, or its affiliate, landlord, and the City of Houston, Texas, tenant, with a monthly fee of \$2,000.00 for Fiscal Year 2010, and other costs and site improvement fees for a total cost for the initial five year base term of \$120,000.00, to allow the Radio Communications Division of the Information Technology Department to lease ground space and rooftop space for communications equipment in connection with a new Public Safety Radio System located at 14703 Park Row, Houston, Texas **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. ORDINANCE 2010-0403 ADOPTED.
37. ORDINANCE approving and authorizing contract between the City of Houston and **BREAD OF LIFE INC**, to provide up to \$2,400,000.00 in Homeless Housing and Services Program Funds for the administration, implementation, oversight and delivery of a HHSP - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2010-0404 ADOPTED.
38. ORDINANCE approving and authorizing contract between the City of Houston and **CATHEDRAL HEALTH AND OUTREACH MINISTRIES**, to provide up to \$1,259,053.00 in Homeless Housing and Services Program Funds for the administration, implementation, oversight and delivery of a HHSP - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2010-0405 ADOPTED.
39. ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, to provide up to \$2,097,000.00 Homeless Housing and Services Program Funds for the administration, implementation, oversight and delivery of a HHSP – was presented. All voting aye. Nays none. ORDINANCE 2010-0406 ADOPTED.
40. ORDINANCE approving and authorizing grant agreement between the City of Houston and **THE CENTER, SERVING PERSONS WITH MENTAL RETARDATION** to provide \$500,000.00 in Community Development Block Grant Funds for costs associated with Renovation and Rehabilitation of a Community Center located at 3550 West Dallas, Houston, Texas which serves low to moderate income individuals and families with developmental and intellectual difficulties **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2010-0407 ADOPTED.
41. ORDINANCE amending City of Houston Ordinance No. 2009-420, passed on May 13, 2009, which approved and authorized the submission of the 2009 Consolidated Action Plan to the United States Department of Housing and Urban Development, including a grant application for the 35th Program Year of the Community Development Block Grant

Program, among others – was presented. All voting aye. Nays none. ORDINANCE 2010-0408 ADOPTED.

43. ORDINANCE appropriating \$38,103,748.15 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), and Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), for affordable housing, administrative expenses, payment of project costs, payments to Houston Independent School District, Spring Independent School District, Houston Housing Finance Corporation, and certain redevelopment authorities as provided herein – was presented. All voting aye. Nays none. ORDINANCE 2010-0409 ADOPTED.
44. ORDINANCE amending Ordinance No. 2009-0460, as amended, to increase the maximum contract amount for a contract between the City of Houston and **GIBBS & BRUNS LLP** for Legal Services relating to Cause No. 2008-68402, Southern Crushed Concrete v. City of Houston, in the 333rd Judicial District Court of Harris County, Texas - \$35,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. ORDINANCE 2010-0410 ADOPTED.
46. ORDINANCE appropriating \$1,668,022.00 out of Reimbursement of Equipment/Projects Fund for Purchase of Parking Meter Devices and associated equipment, signage and stripping for the Administration & Regulatory Affairs Department – was presented. All voting aye. Nays none. ORDINANCE 2010-0411 ADOPTED.
49. ORDINANCE appropriating \$35,000.00 out of General Improvement Consolidated Construction Fund to In-House Renovation Revolving Fund for Miller Outdoor Theatre Drinking Fountains Improvements during Fiscal Year 2010 – was presented. All voting aye. Nays none. ORDINANCE 2010-0412 ADOPTED.
52. ORDINANCE appropriating \$482,924.00 out of Solid Waste Consolidated Construction Fund as an additional appropriation for Purchase and Installation of CCTV and Access Control Security Equipment (Approved by Ordinance No. 2007-972) at the Northwest, Northeast, and Southeast Service Centers for the Solid Waste Management Department under an existing contract with **BL TECHNOLOGY, INC - DISTRICTS A - STARDIG; B - JOHNSON and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2010-0413 ADOPTED.
55. ORDINANCE appropriating \$140,000,000.00 out of Combined Utility System General Purpose Fund to cover Capital Expenditures for the Combined Utility System; authorizing the deappropriation of such amounts upon the City obtaining additional capacity in the Combined Utility System Commercial Paper Program – was presented. All voting aye. Nays none. ORDINANCE 2010-0414 ADOPTED.

56. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 152.86 acres commonly known as 4100 Clinton Drive, and portions of the rights-of-way of Jensen Drive, Foote Street, McCall Street, and Roanoke Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2010-0415 ADOPTED.
57. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 28.6276 acres commonly known as 11092 to 11311 Fondren Road, and including portions of the rights-of-way of Braesridge Drive, West Bellfort Avenue, and Sanford Road, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2010-0416 ADOPTED.
59. ORDINANCE appropriating \$30,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION under the American Recovery and Reinvestment Act** for Washington from Westcott Street to IH 45 and Lockwood from IH 610 to Clinton Drive **DISTRICTS B - JOHNSON; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2010-0417 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS

ACCEPT WORK

2. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$556,067.00 and acceptance of work on contract with **RESICOM, INC** for Playground Without Limits - Tidwell Park - 4.92% over the original contract amount - **DISTRICT B – JOHNSON** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez.

Council Member Jones stated that this item was over budget 4.92% and asked if there was not a way that they could do a better initial inspection so that they would not have stuff like this come up, and Mayor Parker stated that this was within the contingency on the contract and she did not know which particular items caused it to go over, that if she wished to tag it and find out she could do so, that the list of change orders was included in the backup, and Council Member Jones stated that she had those and looked at them, that going forward she just wanted to figure it out, that they had it happen a lot and sometimes it was more than the contingency they had to make another appropriation and she just wanted to know if there was a more efficient way to do this, but she got all of her questions answered, she just wanted to discuss it.

A vote was called on Item No. 2. All voting aye. Nays one. MOTION 2010-0331 ADOPTED.

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,988,081.00 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Neighborhood Street Reconstruction Project 438A 4.36% under the original contract amount - **DISTRICTS A - STARDIG; G -**

PENNINGTON and H – GONZALEZ – was presented, moved by Council Member Gonzalez, seconded by Council Member Costello.

Council Member Costello stated that he wanted to remind Council that this was nine streets out of the Neighborhood Street Reconstruction Program, that these particular streets were petitioned to the City 1995, 1996 and 1997, an average of 14 years for a community to get their street reconstructed, primarily due to the fact of lack of funding for streets and drainage, and Mayor Parker stated that she would point out that this was under the contract amount, not over the contract amount.

A vote was called on Item No. 4. All voting aye. Nays one. MOTION 2010-0332 ADOPTED.

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,412,072.74 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Armour Drive from Lockwood Drive to Clinton Drive 3.20% over the original contract amount - **DISTRICT I – RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang. All voting aye. Nays one. MOTION 2010-0333 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,138,176.28 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 3.54% over the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON and I – RODRIGUEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. All voting aye. Nays one. MOTION 2010-0334 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,002,894.35 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in the University Area - 4.56% under the original contract amount - **DISTRICT C – CLUTTERBUCK** – was presented, moved by Council Member Hoang, seconded by Council Member Gonzalez. All voting aye. Nays one. MOTION 2010-0335 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,607,605.31 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in the Magnolia Park Area - 5.78% under the original contract amount - **DISTRICT I – RODRIGUEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Hoang, and tagged by Council Members Jones and Rodriguez.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,333,298.38 and acceptance of work on contract with **PRELOAD, INC** for Construction of 5 MG Concrete Ground Storage Tank at Bellaire Braes Pump Station 1.60% under the original contract amount - **DISTRICT F - HOANG** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Hoang. All voting aye. Nays none. MOTION 2010-0336 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,575,657.33 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Grid Extensions at various locations - 4.48% under the original contract amount - **DISTRICTS D - ADAMS; G - PENNINGTON;**

H - GONZALEZ and I - RODRIGUEZ – was presented, moved by Council Member Gonzalez, seconded by Council Member Hoang, and tagged by Council Member Jones.

PURCHASING AND TABULATION OF BIDS

14. **GEN-PROBE SALES & SERVICE, INC** for Diagnostic Systems, Detection Assays, and Instrumentation for Houston Department of Health & Human Services - \$2,390,475.00 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2010-0337 ADOPTED.

21. **CENTRAL POLY CORPORATION** - \$1,032,750.90, **INTERBORO PACKAGING CORPORATION** - \$373,248.52, **UNIPAK CORPORATION** - \$148,151.60 and **HUDSON PLASTIC** - \$280,817.64 for Bags, Polyethylene Linear Low Density for Various Departments General and Enterprise Funds – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. MOTION 2010-0338 ADOPTED.

Council Member Jones stated that this was for bags, almost \$2 million, that she knew it was over a 5 year period, that she wondered how did they decide who they buy these bags from, that it seemed like a lot of money to her, and Mayor Parker stated that they were all different type of bags, that it was a low bid process, that they had the bid tabs if she was interested in seeing who bid on them, that all of that was in the backup, that it was every City department, and Council Member Jones stated that she would look at it later.

RESOLUTIONS AND ORDINANCES

29. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of the following streets: 1) Rusk Avenue, between former Hutchins Street and Dowling Street; 2) Capitol Street, between former Hutchins Street and Dowling Street; 3) Bastrop Street, between Walker Street and Rusk Avenue; 4) Bastrop Street, between Rusk Avenue and Capitol Street; and, 5) Bastrop Street, between Capitol Street and Texas Avenue (Parcels SY10-006A through SY10-006E) all located in unrecorded South Side Buffalo Bayou Addition (S.S.B.B.), James Wells Survey, A-832, in Houston, Harris County, Texas; vacating and abandoning the parcels to the City of Houston, as abutting owner **DISTRICT I – RODRIGUEZ** – was presented.

Council Member Noriega stated that this was the same issue she had brought up in the past and every time she brings it up there was sort of flurry of activity, that it was about having Capitol Street become part of the stadium, that she did not have any problem with the stadium or Capitol Street becoming part of the stadium, that she had a problem with the fact that there was not an east west access in big chunks of the City, that if they drive down Harrisburg it dead ends into the stadium parking lot and then it dead ends into Texas and takes them back the other way, that every time they talk about this everybody asks what signs does she want, they could do signage and do this or that, that she did not think anything at all had been done, that she understood that the downtown group was involved, EDO was involved, she got all that and was glad, that the first time she brought it up they said they did a traffic study and there was not enough traffic to be a problem and since then they had probably built 100 townhomes and they were continuing to build them and there were lofts and all kinds of things, that she had no agenda, no lobby, no nothing, she was just telling them that they could not get there from her end of town and they kept building things like stadiums and convention centers and a bunch of the streets dead end under Highway 59, where they could not go from east to west, that she did not know exactly how to fix it, if she knew she would tell them because she thought if she said “do these signs” they would probably, by this point, do it just to make her be quite, but it was a problem and it was not about signs, it was about access and movement, that she was not going

to be the only person that lives over there, soon, so she would just like a commitment that they were going to figure out a better way to handle traffic from east to west coming down Harrisburg, which incidentally was Texas, that Texas turned into Harrisburg going one way and turned into Minute Maid Stadium going the other way, that they had a wall of buildings and sports venues, they were selling the only they could figure out how to get out of it without going down St. Emanuel or one of the other streets, like all the way to Leeland or Polk, those were the only two ways they could get through, and incidentally the lights on Polk were really a problem, but having said that there was not a good way to get from east to west, they had offered things when they talked to Metro with the consent agreement, they had a discussion about the "squiggle", they talked about how they were going to handle the rail line, the rail line was going to make it worse not better, that she was just blowing the whistle, she would appreciate some expertise put on this, she understood there were various people going to pay for this, she got it that the stadium needed the streets to be done but she was telling them that the loss of Capitol was going to matter, that she did not have a good answer, she would like a good solution, she would like some kind of action taken on it, she would like somebody to do something and she was quite sure that there was lots going on that she did not know about but when she did not know about it she felt like she had to bring it up every time they voted on something that had to do with streets going from east to west, that there was an old say in the old days "don't mess with the grid", they were messing with the grid and the grid was a problem and they needed an alternative.

Mayor Parker stated that she may have discussed it with the previous administration, this was the first time it had been brought to her attention, the Public Works Department had begun a traffic study, she would commit to bringing it back to the Transportation and Infrastructure Committee, a plan, and asked if Council Member Noriega would give her the summer and Council Member Noriega stated that she would be happy to give Mayor Parker whatever time was needed, she would just like to be comfortable that somebody was listening, that this was a serious problem, and Mayor Parker stated that she heard her and she was completely right, that was a major artery and needed to be protected, that she did not know what the plan would be but she would make sure that they got it back, to give her a month or two to get squared away with Public Works.

A vote was called on Item No. 29. Council Member Noriega voting no, balance voting aye.
ORDINANCE 2010-418m ADOPTED.

30. ORDINANCE consenting to the addition of 31.7415 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146**, for inclusion in its district - was presented. Council Member Costello absent.

Council Member Sullivan stated that the next four items had to do with releasing land to other entities, that he wanted to bring this up during pop off but would bring it up now, that while traveling around he stopped at a little drive-in grocery store outside of Waller, Texas and the headline was "Houston Transfers Land Jurisdiction to Waller, over the past three years the City of Waller had negotiated with the City of Houston to receive a transfer of 2,278 acres into the Waller extraterritorial jurisdiction, this action was important to protect Waller's sales tax potential as we grow in the future", that it made him wonder if they had as a City a policy whereby they evaluate, outside of Planning, ETJ issue, releasing land to their partners, that he was all about regionalism but did not think this was a regionalism issue, that he voted to release 6 or 8 acres to Humble recently to square up some corners and things like that, but where was the economic benefit for the City, long term, that Council Member Costello was talking about something being on plans for 20 years or whatever, and this kind of played into that argument, where was the logic in economics for them to release 2,300 acres at the 290 Corridor, which was one of their fastest growing corridors, did that make sense. Council Member Johnson, Clutterbuck, Adams and Costello absent.

Mayor Parker stated that they did do a strategic analysis of their ETJ and where potential growth was, that was why they had an absolute explosion of limited purpose annexations, where they were trying to capture the sales tax revenue, that they also worked very closely with the Municipal Utility Districts on their borders to allow reasonable accommodations where possible, that these were still areas in their ETJ that they were simply allowing more area to be incorporated into existing MUDs, they were not giving them up from their ETJ at this point, but he raises a valid issue and if Council was desirous the Planning Department could come in and talk about how they evaluate areas for the limited purpose annexations and other types of land exchanges. Council Member Johnson, Clutterbuck, Adams and Costello absent.

Council Member Sullivan stated that they had LPAs and SPAs in this district and he was supportive of them, that he was just looking at those far out, 10, 20 and 30 year road patterns that they could potentially look back and regret some of these votes, not on today's agenda, but it just highlighted it for him. Council Member Johnson, Clutterbuck, Adams and Costello absent.

Mayor Parker stated that she agreed that these were minor items but she understood where he was going and he was correct that their ability to annex and be strategic about it was what had kept Houston growing and strong for a very long time. Council Member Johnson, Clutterbuck, Adams and Costello absent.

A vote was called on Item No. 30. All voting aye. Nays none. Council Member Johnson, Clutterbuck, Adams and Costello absent. ORDINANCE 2010-0419 ADOPTED.

31. ORDINANCE consenting to the addition of 54.9388 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Johnson, Clutterbuck, Adams and Costello absent. ORDINANCE 2010-0420 ADOPTED.

32. ORDINANCE consenting to the addition of 95.27 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 96**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Johnson, Clutterbuck and Adams absent. ORDINANCE 2010-0421 ADOPTED.

33. ORDINANCE consenting to the addition of 10.53 acres of land to **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Johnson, Clutterbuck and Adams absent. ORDINANCE 2010-0422 ADOPTED.

42. ORDINANCE appropriating \$64,077,663.25 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas

(East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), and Reinvestment Zone Number Twenty-Two, City of Houston Texas (Leland Woods Zone) for payment of affordable housing costs, payment of administrative expenses, payment of project costs, payment to Houston Housing Finance Corporation, and payments to certain redevelopment authorities as provided herein – was presented, and tagged by Council Member Sullivan. Council Members Johnson, Clutterbuck and Adams absent.

45. ORDINANCE appropriating \$445,120.50 out of Equipment Acquisition Consolidated Fund for Purchase of Capital Equipment for Houston Fire Department – was presented, and tagged by Council Member Jones. Council Members Clutterbuck and Adams absent.
47. ORDINANCE amending Ordinance No. 2006-1070 (Passed on October 24, 2006) to increase the maximum contract amount for contract between the City of Houston and **AABBOTT MICHELLI TECHNOLOGIES, INC** for Calibration & Repair of Truck Platform Scales for Public Works & Engineering Department - \$63,295.00 - General, Enterprise and Stormwater Funds – was presented. All voting aye. Nays none. Council Members Clutterbuck and Adams absent. ORDINANCE 2010-0423 ADOPTED.
48. ORDINANCE amending Ordinance No. 2008-0302 (Passed on April 9, 2008) to increase the maximum contract amount for contract between the City of Houston and **RBEX, INC dba APPLE TOWING CO.** for Towing Services for Vehicles and Equipment for Various Departments \$244,416.00 - General and Asset Forfeiture Funds - was presented, and tagged by Council Member Jones. Council Member Adams absent.
50. ORDINANCE appropriating \$21,932,750.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation for Houston Permitting Center under an existing Construction Management at Risk Contract with **MANHATTAN CONSTRUCTION COMPANY** (Approved by Ordinance No. 2009-0811); providing funding for engineering & materials testing, Civic Art Program, and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0424 ADOPTED.
51. ORDINANCE appropriating \$1,972,000.00 out of Reimbursement of Equipment/Projects Fund, and \$2,058,000.00 out of Julia Ideson Library Contributions Fund, and \$110,000.00 out of Public Library Consolidated Construction Fund as an additional appropriation for the Julia Ideson Building - Restoration and Addition under an existing Construction Management At-Risk Contract with **SPAWMAXWELL COMPANY, LLC** (Approved by Ordinance No. 2007-1471) - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0425 ADOPTED.
53. ORDINANCE appropriating \$196,544.00 out of General Improvement Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Law Park Lighting; 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, construction management, and contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT E -**

SULLIVAN – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0426 ADOPTED.

54. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund for Professional Materials Engineering Laboratory Contract between the City of Houston and **TERRACON CONSULTANTS, INC** for Miscellaneous Projects for the Houston Airport System (Project No. 615H; Contract No. 73225) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0427 ADOPTED.
58. ORDINANCE calling public hearing at which interested persons will be given the opportunity to be heard on proposal for the City of Houston to amend Land Use Assumptions, a Capital Improvement Plan, and Impact Fees in accordance with Chapter 395 of the Texas Local Government Code; containing other provisions relating to the foregoing subject - **HEARING DATE - 9:00 A.M. - WEDNESDAY - JUNE 23, 2010** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0428 ADOPTED.
60. ORDINANCE appropriating \$148,000.00 out of Miscellaneous Capital Projects / Acquisition CP Series E Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC** for Harrisburg Grade Separation at Union Pacific Railroad Tracks; providing funding for contingencies relating to construction of facilities financed by the Miscellaneous Capital Projects / Acquisition CP Series E Fund - **DISTRICTS H - GONZALEZ and I – RODRIGUEZ** – was presented, and tagged by Council Member Jones. Council Member Adams absent.
61. ORDINANCE appropriating \$1,495,338.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **HNTB CORPORATION** for Parker Road Paving Improvements from Hardy Toll Road to US 59 (Approved by Ordinance No. 2007-0498) - **DISTRICTS B - JOHNSON and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0429 ADOPTED.
62. ORDINANCE appropriating \$12,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services Contract between the City of Houston and **BINKLEY & BARFIELD, INC** for various Water Storage Tank Rehabilitation/Replacement Projects – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0430 ADOPTED.
63. ORDINANCE awarding construction contract to **RELIABLE SIGNAL & LIGHTING SOLUTIONS, LLC** for Installing Optical Fiber and Integrating into existing Fiber Optic Network; 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 contingencies and project management - **DISTRICTS A - STARDIG; B - JOHNSON and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0431 ADOPTED.
64. ORDINANCE appropriating \$1,376,409.00 out of Metro Projects Construction Fund awarding construction contract to **STATEWIDE TRAFFIC SIGNAL COMPANY** for Traffic Signal Construction; 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 contingencies,

project management and construction management relating to construction of facilities financed by the Metro Projects Construction Fund - **DISTRICTS D - ADAMS; F - HOANG and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0432 ADOPTED.

65. ORDINANCE appropriating \$604,759.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SYNAGRO OF TEXAS - CDR, INC** for Solids Removal from Wastewater Facilities; 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 Waste Characterization Testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0433 ADOPTED.
66. ORDINANCE annexing to the City of Houston, Texas territory located in the vicinity of Aldine Westfield and Farrell Roads, in Harris County, Texas; extending the corporate limits of the City of Houston, Texas, to embrace and include territory within such boundaries; instituting proceedings to annex to its corporate limits the territory included in such boundaries; adopting a service plan for certain areas in the vicinity of Aldine Westfield and Farrell Roads; assigning annexed areas to adjacent district from which District Council Member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Adams absent. ORDINANCE 2010-0434 PASSED FIRST READING IN FULL.

MATTERS HELD - NUMBER 67

67. ORDINANCE amending Ordinance No. 2007-0811 to increase the maximum contract amount for contract between the City of Houston and **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for Public Works & Engineering Department - \$537,500.00 - Enterprise Fund – **(This was Item 22 on Agenda of May 19, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones voting no, balance voting aye. Council Member Adams absent. ORDINANCE 2010-0435 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Jones stated that she wanted wish a Happy Birthday to her grandmother, her birthday is June 7, 2010 and she would be 91 years old. Council Member Adams absent.

Council Member Costello stated that on the very successful demolition that they had last week, he wanted to thank the Houston Contractors Association, that they participated in demolishing 103 of those buildings, out of the 185 that they were doing, that the City took care of the severe demolition that had asbestos but the Contractors Association helped out saving the City \$350,000. Council Member Johnson absent.

Mayor Parker stated that they did great work and they appreciated it. Council Member Johnson absent.

Council Member Sullivan stated that he appreciated the spirited discussion today, that it was just business as usual, they were all fighting for their constituents, they had different opinions from time to time, but no hard feelings they all move on; that with respect to the ETJ issue, the reason that he brought it up, was one, protecting their future, that he did not want to

be painted as a pro annexation guy, that was not what this was about, he just wanted to make sure that the Planning Department had some clear direction, that he could probably find out by asking Ms. Gafrick, he apologized, it was not a discredit to her or a complaint about her department at all, that the piece was written by the Waller Economic Development Corporation and their recently elected Mayor of Waller even touted it by saying "This week the City of Houston released 1,292 acres to the City of Waller, ETJ was a great project and we have been working on it for some time and we now have the western flank to the City of Waller protected as the City continues to grow and development occurs in the area, at some point in time we can now be annexed into the City", that it just raised a little red flag and something for them to be aware of; that he wanted to thank Andrea Campos, Proclamation Office, that his staff tells him that she had been very helpful and responsive and they appreciated the work that she does. Council Members Johnson, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Clutterbuck stated that she was in Washington, D.C. accepting an award on behalf of the City from the Retirement Security Institute and also participating, along with Craig Mason, on a panel on retirement security and on their pensions, that the reason they received the award was because under the previous administration they worked hard to negotiate some changes to the retirement plan with regard to new employees, and as they would recall there was a little snafu of sorts that was part of a calculation several years ago, two administrations ago, where the intent of Council was to pass an adjustment to the City's contribution for retirees, that the Council's intention was that it would have the net effect of being about 15% of payroll, the little math problem ended up showing the effect of that particular vote was to have close to 53% of payroll contribution, of course that was not at all what Council intended, it was not what that Mayor intended, not what the unions negotiated so the action for which they received the award was to have a negotiation and to change the retirement benefits for incoming employees, they received that award because the City of Houston was able to do that through negotiations rather than court action, that they were honored along with the State of Oregon and Wayne County, outside of Detroit, that the State of Oregon implemented certain changes but they were challenged in court and were still laboring through those court actions, that after receiving the award they ended up having long term discussions and it was a nationwide challenge, and she would be copying her colleagues on some of the various articles that had been in the paper over the past two years, of the looming crises or as some people called it "the next black swan" on the horizon, that she believed it was a financial term to highlight something to keep an eye out for, but challenges of their pension plans, challenges at the State, Federal, County and City level were something that was going to have an impact both on the participants as well as the taxpayers who ended up funding all of those and it was critical to have them be long term sustainable; she had an article from the Houston Chronicle about a City employee, a member of the Legal Department, Andrea Chan, who ran in white jogging togs and a veil on her wedding day, on track to the alter, that she wanted to congratulate Andrea, that she helps to lead a triathlon and training group in the City of Houston, that she was married to her long time sweetheart, Leib Bowman, that it was at Memorial Park. Council Members Johnson, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Adams stated that she wanted to thank the Coalition for the Homeless, that she was invited to MHMR and Buddy Grantham, that she wanted to compliment Chevron for their \$100,000 donation to the Coalition for the Homeless; that she traveled to Little Rock, Arkansas for a conference on how to revitalize neighborhoods, that she co-facilitated the Super Neighborhood Initiative Workshop and the Mayor's video was a highlight; that last week an elderly gentleman was stung by bees, that he was still in intensive care, that his wife is totally blind and they called their (district) office and she wanted to thank Got U Bee Pest Control for removing 150 pounds of honey, that Valerie Atala, of her staff member, went door to door in the Alameda Plaza Community informing residents that there would be a bee removal last Friday; that she wanted to congratulate the newly elected officers of Government Affairs of Texas Southern University; that on June 4, 2010, they would be attending a press conference with

Crime Stoppers, along with Mayor Parker and Chief McClelland, concerning anti burglary of motor vehicles at City Hall; that she wanted to tell everyone that the census was not over, the numerators were still knocking and the last day would be July 20, 2010, that she wanted to thank the entire District D Communities for all of their support. Council Members Johnson, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Gonzalez stated that he wanted to remind everyone that they were in hurricane season, that many expected it to be an active season, that he knew that Mayor Parker and Judge Emmett had been engaged already with the issue and had been speaking about it, that just a reminder to those watching to be prepared, that was obviously the key preparation, to make sure that they had a kit and a plan for their household and businesses as well as they go through this upcoming season, just a remind to please stay engaged, if they knew of any seniors or anyone with special needs to please make sure they reach out to the 2-1-1 System as well. Council Members Johnson, Pennington, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Hoang stated that he wanted to thank Assistant Chief John Cheng and Council Members and many others who sent words of concern to him when he was involved in a car accident and was taken to the emergency room last Saturday, that he wanted to thank his staff, that while he was in the hospital they were taking care of the matters of the Council. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Lovell, Bradford and Jones absent.

Mayor Parker stated that she did not realize that he had been in an accident and hoped he was fine. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Stardig stated that she hosted a District A Crime Prevention Townhall meeting and wanted to thank Council Members Noriega and Bradford for attending, as well as Council Members Jones, Johnson, Costello, Pennington and Lovell for sending staff, that an estimated 200 residents attended the meeting and received information regarding international drug cartels, drug trafficking, neighborhood gang activity, burglary of motor vehicles and homes and multi family habitability program, that she wanted to thank the Spring Branch ISD Police Department, Harris County Sheriff, Crime Stoppers and Houston Police Department Neighborhood Protection Corp for their support; that she attended the Deaf Positive Interaction Program at Woodhaven Baptist Church in her district, that it was a Houston Police Department Program, that she was able to use her sign language skills to communicate with the residents about crime prevention initiatives that the City of Houston had and steps they could take to monitor and report crimes and be involved in their community, that the church is located at 9920 Long Point. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Clutterbuck stated that an outstanding teacher at Pershing Middle School, Brandon Kimbell, received the award for HISD's Secondary Teacher of the Year; that the Chronicle had done a series on several teachers at Fondren Middle School, that there were a total of 41 languages spoken as the first language at the homes represented at Fondren Middle School, that there were two teachers who received stipends to encourage them to go to Fondren Middle School, Cheryl Contreras and Nicolas Lopez, that the articles highlighted the program as well as the two incredible teachers and Oscar Romano who was also a teacher at Fondren Middle School and worked very hard to connect with the kids and help improve the TAKS test grades. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Adams stated that she wanted to thank Buddy Grantham for all that he continues to do in the community when it comes to veterans; that she wanted to thank Mayor

Parker for accepting an invitation to come out to Fort Bend County next Monday, June 7, 2010, that she would be meeting with the Fort Bend Pastors Association, that it would be at New Hope Baptist Church at 6430 Court Road at 7:00 p.m. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Lovell, Bradford and Jones absent.

Council Member Sullivan announced the following: the District D office would be having a Hurricane Preparedness meeting on Tuesday, June 8, 2010 at the University of Houston Clear Lake, 6:30 p.m. in the Garden Room; they had a successful meeting in Washington, D.C. with BAYHEP and Citizens for Space Exploration; that today was the last day of school for Humble ISD, that he wanted to congratulate Kingwood High School for a safe and successful graduation ceremony on Saturday, as well as Kingwood Park High School, this was the first graduating class they ever had; that he wanted to thank Houston Fire Department Chief Tom Wheeler for letting him ride along on Sunday night and also HPD Stables for letting him come in and spend a couple of hours with them last Friday as well. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 1:06 P.m. Council Members Johnson, Pennington, Gonzalez, Rodriguez, Lovell, Noriega, Bradford and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary