

City Council Chamber, City Hall, Tuesday, June 8, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 8, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Stephen C. Costello, Sue Lovell, Melissa Noriega, C. O. "Brad" Bradford and Jolanda "Jo" Jones; Mr. David Feldman, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; Ms. Marty Stein, Agenda Director; and Ms. Stella Ortega, Agenda Office present.

At 1:38 p.m. Mayor Parker called the meeting to order and stated that the meeting would be different today as they would start with a public hearing instead of Council presentations and then go into the public session. Council Members Johnson, Sullivan, Hoang, Pennington, Noriega, Bradford and Jones absent.

At 1:39 p.m. Mayor Parker called on Council Member Stardig who invited Pastor Mark Cook with St. Andrews Lutheran Church to the podium to lead all in prayer; and she led all in the pledge. Council Members Johnson, Sullivan, Hoang, Pennington, Noriega, Bradford and Jones absent.

At 1:42 p.m. Mayor Parker requested the City Secretary call the roll. Council Members Sullivan, Hoang, Pennington, Bradford and Jones absent.

Council Members Gonzalez and Rodriguez moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Sullivan, Hoang, Pennington, Bradford and Jones absent. MOTION ADOPTED.

HEARING - 1:30 P. M.

PUBLIC HEARING on the City Budgets for the time period July 1, 2010 through June 30, 2011 – was called. Council Members Sullivan, Hoang, Pennington, Bradford and Jones absent.

The City Secretary stated that no one had reserved time to speak; and there being no discussion Council Member Gonzalez moved to close the hearing, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Sullivan, Hoang, Pennington, Bradford and Jones absent. MOTION 2010-0339 ADOPTED.

Mayor Parker stated that there were no presentations today, but she wanted Council to be aware there was a small presentation in the Proclamation Room from Siemens; that the city had been engaged in a process of changing out traffic signals and they had 2,400 signalized intersections in the City of Houston and they were switching from incandescent to LED bulbs working with Center Point and Siemens and today Siemens came and presented the City of Houston with a \$810,000 rebate check as a part of the process which would go into the next round of work on intersections; that they were about 80% done and saving money in energy and time and the LED lasted six times longer than incandescent lights and Mr. Chet Nobles was present with Siemens and recognized and thanked him. Council Members Sullivan, Pennington, Bradford and Jones absent.

Council Member Adams on a point of personal privilege stated that yesterday they lost a great community leader and business owner, Mr. Percy Cruzot, founder and owner of Frenchy's Chicken; and all were sending condolences to his family. Council Members Sullivan, Bradford and Jones absent.

Mayor Parker stated there would be a five minute recess until the Speakers List was printed. Council Members Sullivan, Bradford and Jones absent.

At 1:54 p.m. the meeting was brought to order and Mayor Parker stated that a number of people had signed up to speak and because they were over the minimum limit all speakers would be moved to a one minute time limit and the time for Council Members questions would also be one minute collectively. Council Members Johnson, Sullivan, Lovell and Jones absent.

Council Member Stardig moved the rules be suspended for the purpose of hearing from all the speakers on Candlelight Trails at the top of the Speakers List, seconded by Council Member Costello. All voting aye. Nays none. Council Members Sullivan, Lovell and Jones absent. MOTION 2010-0340 ADOPTED.

The City Secretary began calling the public speakers. Council Members Sullivan, Lovell and Jones absent.

Mr. Wayne Norden, 5222 Council Grove Lane, Houston, Texas 77088 (713-817-5175) appeared and stated that all received a handout identifying key issues those present were addressing; the area was surrounded by blighted properties and the number one issue was the Candlelight Trails Condominiums; that they had a high level of crime and vagrancy on the property and it was spilling out to other areas; and asked the City of Houston to destroy the Candlelight and Gables properties. Council Members Sullivan, Lovell and Jones absent.

Mr. Orlando Sanchez, 5418 Hollyview, Houston, Texas 77091 (713-956-4900) appeared, presented flyers on the Weed and Seed Zone and stated that during Katrina crime reached its peak and displaced people who began living here temporarily; that Antoine and Sherman Oaks were impacted, hassled by vagrants and prostitution and urged that the Gables and Candlelight Trails be torn down. Council Members Sullivan, Lovell and Jones absent.

Mr. Thomas Miller, 96 Fernwood Drive, San Ralfel, California 94901 (925-963-2431) appeared and stated that he was owner of Holly View Apartments and had started construction with a community development block grant and wanted to remind all this was an opportunity to create a model for a great community; that their neighborhood was at a point of failure surrounded by blight; and urged a commitment to tear down the blight; and thanked Council Member Johnson for his support. Council Members Sullivan and Lovell absent.

Council Member Johnson thanked Mr. Miller for coming and stated that one thing he talked about was the importance of economic development with the \$2 million plus to be placed in the area in the next year or so and it would be important to find contractors and jobs for people there because knocking down he apartments was not enough, the people needed jobs and if not crime would still take place; and people in the area should be the ones knocking down the apartments; and he insisted jobs be made available to people in the area; and Mr. Miller stated that he had his commitment. Council Members Sullivan, Gonzalez and Lovell absent.

Council Member Noriega moved the rules be suspended for the purpose of extending the time to question Mr. Thomas Miller, seconded by Council Member Johnson. All voting aye. Nays none. Council Members Adams, Sullivan, Gonzalez and Lovell absent. MOTION 2010-0341 ADOPTED.

Council Member Stardig stated that this did not just impact District B but District A and it did need to be stopped; and would ask the Mayor to consider hearing from the City Attorney to get an update on the status of the issue. Council Members Adams, Sullivan, Gonzalez and Lovell absent.

Mayor Parker asked for a motion; and Council Member Stardig moved the rules be suspended for the purpose of hearing from the City Attorney for an update on the Candlelight Trails matter, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams and Sullivan absent. MOTION 2010-0342 ADOPTED.

Mayor Parker asked Mr. Feldman give an update on the status; and Mr. Feldman stated that they were moving with all due speed; that as it stood Mr. Miller and others in the community were aware that the city instituted litigation in 2008 to obtain demolition of Candlelight Trails and this was a significant legal effort inasmuch as they were dealing with a complex which included 300 units and 130 owners all of whom were entitled to due process under the law in connection with removal of the property; that they were assisted in their efforts by Representative Turner who helped sponsor legislation in 2009 which enabled the city to obtain a more expeditious service of process on some owners; that there were quite a few they could not locate, but through the assisted legislation they were able to secure service on all 130 and presently there was a trial date the first two weeks in September and had every reason to believe the matter would proceed to trial at that time; and Mr. Miller may know they were seeking two forms of relief, one to secure the judgment to demolish the building and the other was to recover cost of the demolition of structures from all 130 owners of the property and as soon as the judgment to demolish was secured they would proceed to do it whether they collected the money in hand at that time or not as they considered this to be two separate matters and the highest priority was the demolition and then separately on behalf of the taxpayers would try and gain as much of the cost back as they could; that they were tackling this as quickly as the law permitted. Council Members Adams and Sullivan absent.

Council Member Jones stated that she knew many came about Candlelight Trails and a number had bought property and paid money to a management association or something and a problem she had was not the destruction of the building but going after owners who paid their money and it seemed that management was who they should be going after because if owners paid their money to maintain the property and it was not used for that, so what were they doing with the other people; and Mr. Feldman stated that he was aware owners may have a cause of action against the condominium association and even fellow owners, but the city had limited authority of pursuing causes of action and they could not pursue a cause of action on behalf of the private property owners against others to recover for them because that would not be a part of their public charge; that he was aware of the disputes and thought some may be resolved in the context of this litigation, but it would not be the city pursuing the claims; and Council Member Jones stated that she would like to speak with him away from here on the issue; and Mr. Feldman stated that he would be glad to speak with her. Council Members Adams and Sullivan absent.

Council Member Johnson moved the rules be suspended for the purpose of extending the time to question Mr. David Feldman, City Attorney, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Adams and Sullivan absent. MOTION 2010-0343 ADOPTED.

Council Member Johnson stated that there was a nuisance ordinance which would allow a teardown if there was a fire and this offered itself to the public safety of residents though it had not burned down; and upon questions, Mr. Feldman stated that it was not feasible and practicable for the city to pursue that alternative form of remedy in this situation at this time, each individual property owner would still be entitled to some form of due process whether it be pre or post due process and if they demolished under the emergency provisions of the nuisance ordinance they would wind up with 130 hearings; that at this point in time the most expeditious way to accomplish this and not leave the city exposed to violation of anyone's constitutional rights would be to proceed with action pending in the courthouse in the 270th District Court for

Judge Gamble and obtain the demolition judgment. Council Members Adams, Sullivan and Jones absent.

Mayor Parker stated to Council Member Johnson that she intended to have the bulldozers with their engines revving as soon as the order was received from the Judge. Council Members Adams, Sullivan and Jones absent.

Mr. Robert Burchfield, 6011 Previn Court, Houston, Texas 77088 (713-922-8224) appeared and stated that he lived in Inwood Forest and his firm had over 100 years of real estate activity in Houston and in a situation like this particular unit it had a negative impact on all around it. Council Members Adams, Sullivan and Jones absent.

Ms. Dorothy Miller, 5610 Con Crest Court, Houston, Texas 77088 (713-818-6770) appeared and stated that she was chair of the Near Northwest Management District and the Gables and Candlelight Trails were bringing down dollar values in the area and the Management District engaged itself and were leading the charge with partnerships, etc., all were tired of the properties. Council Members Adams, Sullivan and Jones absent.

Mr. Courtney Rogers, 539 Sandy Walk, Stafford, Houston, Texas 77477 (713-446-6024) appeared, presented information and stated that he was one of the owners Council Member Jones spoke of who paid their dues and did the best of their ability to keep Candlelight afloat, but California investors came in and demolished the place, they ran it down and did not pay dues; that he had a list of facts on the California investors and why the city was not going after money from them, but after the small people; that they came with solutions for justice which was passed out. Council Members Adams, Sullivan and Jones absent.

Mayor Parker stated that she wanted to assure all they were doing their best to collect from every owner and not piling onto one group of owners, but whether or not they collect would not stop the demolition process, they were just waiting on the court order. Council Members Adams, Sullivan and Jones absent.

Ms. Shirley Gonzales, 1618 Long Acre, Houston, Texas 77055 (832-816-7759) appeared and stated that she was an owner at Candlelight Trails and the corporate veil the larger owners had given them the protection where the city would not see a dime because the property was tied up in that name and they were gone and out of business; that the larger owners left the small owners with the bulk of the problem. Council Members Adams, Sullivan and Jones absent.

State Representative Sylvester Turner, 6915 Antoine #E, Houston, Texas 77091 (713-683-6363) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan and Jones absent.

Ms. Sallie Gordon, 19 Courtlandt Place, Houston, Texas 77006 (713-560-9300) appeared and stated that she was coauthor of a book on the history of Courtland Place founded in 1906 with all 18 original houses still intact; that Houstonians were interested in their history and preservation. Council Members Adams, Sullivan and Jones absent.

Council Member Lovell moved the rules be suspended for the purpose of adding Ms. Toy Wood to the list of speakers after Ms. Tessa Wilsins, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Adams, Sullivan and Jones absent. MOTION 2010-0344 ADOPTED.

Mr. Mike Fisher, 309 Avondale, Houston, Texas 77006 (504-912-2067) appeared and stated that he was president of the Avondale Association and represented residents of their

historic district in the Montrose; that they tried improving the area and was speaking today with support from the vast majority of members to proposed changes on the historic preservation ordinance; and requested the HAHC take guidance from the city's published design guidelines for the Heights and many Montrose historic districts to allow appropriate modifications. Council Members Adams, Sullivan and Jones absent.

Council Member Johnson moved that the rules be suspended for the purpose of hearing from State Representative Sylvester Turner at this time, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2010-0345 ADOPTED.

State Representative Sylvester Turner, 6915 Antoine #E, Houston, Texas 77091 (713-683-6363) appeared and stated that a number of people in his legislative district were present in reference to apartments, Candlelight Trails and the Gables were two closed and needing torn down and there were two others given money to develop and they wanted them held to a high standard; that the whole area was adversely affected, people would not walk past blight to get to something better. Council Members Sullivan and Jones absent.

Mayor Parker stated that before Representative Turner came the City Attorney thanked him for his help and they were waiting for the court order and would proceed with all due speed. Council Members Sullivan and Jones absent.

Council Member Johnson thanked Representative Turner for standing with people of the De Soto Area and he appreciated his leadership in helping the city pass stronger legislation at the state. Council Members Sullivan and Jones absent.

Council Member Johnson moved that the rules be suspended for the purpose of extending time to question State Representative Sylvester Turner, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Sullivan and Jones absent. MOTION 2010-0346 ADOPTED.

Council Member Stardig thanked Representative Turner for all he did for the community; that she was about property rights and protecting good neighbors and she appreciated his support as this was a citywide issue. Council Members Sullivan and Jones absent.

Mr. Greg Legrande, 2611 Stanford, Houston, Texas 77002 (713-598-6291) appeared and stated that he was a resident in the historic district in Montrose and worked on the committee to obtain the district; that he was in support of the temporary discontinuance ordinance, what they had today was not totally effective and they lived in fear; and urged acceptance of the ordinance. Council Members Sullivan and Jones absent.

Ms. Donna White, 1541 Allston, Houston, Texas 77008 (713-206-0121) appeared and stated that she was an assistant professor at Baylor and proud owner of a bungalow in the historic Houston Heights; that she was present to implore all to consider passing the temporary ordinance and preserve the few historic buildings over developers. Council Members Johnson, Sullivan and Jones absent.

Mayor Parker stated that what they were considering was a time out for the ordinance, a temporary solution while they actually finalized changes to the ordinance. Council Members Johnson, Sullivan and Jones absent.

Mr. Paul Tucciarone, 1333 Waverly, Houston, Texas 77008 (713-540-8663) appeared and stated that he was a Heights resident and owned several properties there and was present opposing changes to the historic district policies and rules and delay and change in the

demolition policy; that others also opposed this and felt it was taking away their property rights. Council Members Johnson, Sullivan and Jones absent.

Mr. Mark Williams, 1710 W. TC Jester, Houston, Texas 77009 (281-788-7628) appeared and stated that he was present opposing any change whether temporary or permanent to the historic district ordinance without express re-petitioning of each district to secure their agreement to changes; as different districts had different needs. Council Members Johnson, Sullivan and Jones absent.

Council Member Lovell stated that she was chair of the committee which was taking up this issue and wanted to clear up misconceptions, tomorrow what they were doing was temporary, there was a deadline of December 31st or if they passed an ordinance whichever came sooner and the process would be open and transparent; that they planned committee meetings through the HAHC and her committee of Historic Preservation and a big public citywide meeting and would go to each district to explain what it was they would do; and there would be opportunities for all to come and say how they felt. Council Members Johnson, Sullivan and Jones absent.

Ms. Dana Chinn, 1815 Columbia, Houston, Texas 77008 (713-598-1126) had reserved time to speak but was not present when her name was called. Council Members Johnson, Sullivan and Jones absent.

Mr. Mark Williamson, 1433 Colombia, Houston, Texas 77008 (713-864-4230) appeared and stated that he was an owner in the Houston Heights Historic District East with a 1908 property and president of the Super Neighborhood Council for the Greater Heights and had signed the petition to establish the district and did support the suspension of waivers after 90 days and believed the historic ordinance needed strengthening. Mayor Parker, Council Members Johnson, Sullivan and Jones absent. Mayor Pro Tem Clutterbuck presiding.

Mr. Matt Ford, 734 Tulane, Houston, Texas 77007 (713-545-8473) appeared and stated that he was an owner in a historic neighborhood and not for any changes to the historic ordinance and in favor of a re-petition. Mayor Parker, Council Members Johnson, Adams, Sullivan and Jones absent. Mayor Pro Tem Clutterbuck presiding.

Ms. Caroline Schlemmer, 1337 Alexander, Houston, Texas 77008 (713-466-2716) appeared and stated that she was a concerned Heights resident and opposed a ban temporary or otherwise on demolition in the neighborhood; that she opposed changes to the existing historic district without re-petitioning citizens and stakeholders affected by changes; that she strongly supported preserving architectural gems of Houston and charm and character of their neighborhood, but the complex issue should be addressed appropriately and would like to see a committee involving all homeowners associations in the Heights develop an agreement which all could agree on. Council Members Johnson, Sullivan and Jones absent.

Ms. Brigitte Larson, 710 Omar, Houston, Texas 77009 (713-829-1539) appeared and stated that she was a Heights resident and opposed to any changes to the historic designation which could lead to a permanent moratorium on demolition; that she signed a petition for Woodland Heights so the integrity of the neighborhood would be preserved, but she was opposed to changes to the ordinance without re-petitioning. Council Members Johnson, Sullivan and Jones absent.

Ms. Tessa Wilsins, 1120 Columbia, Houston, Texas 77008 (281-615-6632) appeared and stated that she lived in the Heights east district and was opposed to proposed changes; that she lived in a 1920's house which needed a lot of upkeep and she was adamantly opposed. Council Members Johnson, Sullivan and Jones absent.

Council Member Lovell stated that this did not stop any remodeling or renovation, this was a temporary suspension of a rule on going before the HAHC; that if you wanted to tear down your home they would give you a certificate of appropriateness or they would not, if it did not contribute in anyway to the historic integrity of the neighborhood you would be allowed to tear it down, this only applied to structures in historic districts which had potential historic significance. Council Members Johnson, Adams, Sullivan and Jones absent.

Ms. Toy Wood, who was previously added to the Speakers List appeared and stated that she was with the Greater Houston Builders Association and they were present today thanking Council for the suspension on the Agenda tomorrow, they wanted to make certain any property owners in the historic districts already in the process and who had spent money on something ongoing would not get caught in the suspension and she understood an amendment would be offered tomorrow to protect those property owners. Council Members Johnson, Adams, Sullivan and Jones absent.

Council Member Lovell thanked Ms. Wood for coming and stated that language had already been added in, but tomorrow they could make it very specific; that people who already had a monetary investment before this passed tomorrow...; that this would be an example of listening and thanked her and her organization. Council Members Johnson, Adams, Sullivan, Costello and Jones absent.

Ms. Paula Swain, 1432 Ashland, Houston, Texas 77008 (713-861-6292) appeared and stated that she lived in a 1926 bungalow in the West Heights Historic District and strongly supported the proposed temporary discontinuance ordinance; gave an example of incompatible construction; and it was time for Houston to protect its history. Council Members Johnson, Adams, Sullivan, Costello and Jones absent.

Mr. Jonathan Smulian, 1231 Arlington, Houston, Texas 77008 (713-863-9047) appeared and stated that he was a practicing urban planner and very familiar with all the historic districts in Houston having prepared guidelines for six of those districts and he appreciated and considered them a major asset to Houston; and strongly supported the initiative to review the ordinance which was not effective and to temporarily suspend the demolition of contributing historic structures and incompatible new construction in historic districts. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent.

Ms. Janet Hess, 321 W. 15th, Houston, Texas 77008 (281-755-4919) appeared and stated that she lived in a 1920s bungalow in the Houston Heights West District and was present in favor of the proposed ordinance, Agenda Item 37A, to temporarily stop approval of building plans until reconsideration; that the 90 day wait period was an ineffective way to get negotiation and discussion from builders and had submitted over 260 signatures on a petition to Council and the Permit Committee. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent.

Ms. Kathleen Powell, 1224 Columbia, Houston, Texas 77008 (713-443-7729) appeared and stated that she was a resident in the Heights East Historic District and member of a newly formed group concerned with historic preservation for Houston and in less than one week the organization collected 4 pages of concerns and questions regarding both temporary suspension of demolition as well as permanent changes to the ordinance and felt they must oppose the temporary suspension and any future changes to the ordinance without consent of homeowners by means of re-petition; that they must oppose a one size fits all approach in making every district a protected district. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent.

Mr. Roger Barnaby, 415 W. 15th, Houston, Texas 77008 (832-660-2945) appeared and stated that he lived in the Heights Historic District West in a 1920 bungalow and he was present in favor of the temporary moratorium on demolition and incompatible new construction; that the planned development next door to him demonstrated why Houston needed a strong ordinance to protect historic neighborhoods; that they were denied by the HAHC and against widespread opposition the developer waited the 90 day period and proceeded. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent.

Ms. Ann Culotta, 1303 Cortlandt, Houston, Texas 77088 (713-880-0923) appeared and stated that she would ask Mayor Parker to make sure homeowners in the historic districts had a voice with respect to tightening the historic preservation ordinance with hearings in the evenings and weekend to allow working homeowners participation; and as resident of Historic Heights District East and one who signed the petition she would like to say it was not right for Council to assume that if they agreed to terms of the existing ordinance they would automatically agree to more stringent restrictions on their property rights and thought homeowners should be re-petitioned. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent.

Council Member Clutterbuck moved the rules be suspended for the purpose of allowing the son of Ms. Sarah Gish to join her at the podium, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent. MOTON 2010-0347 ADOPTED.

Ms. Sarah Gish, 2015 Briarstead, Houston, Texas 77057 (713-492-1173) appeared and stated that she was present to support the temporary ordinance; that she could not attend the Mayor's Taskforce Meetings, but agreed with the previous statement that if meetings could be held in the evenings it would be great; that she also hoped they could extend the ordinance to include designated city landmarks in non-historic districts, such as the River Oaks and Alabama Theaters, with they helped get designated as landmarks and having a stronger HPO which was desperately needed would allow her children and grandchildren to enjoy pieces of her history and understanding of Houston's public history. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent.

Council Member Noriega said hello to Ms. Gish and her grandson Mathew; thanked her for her work and stated that her point on landmarks was well taken. Council Members Johnson, Adams, Sullivan, Hoang, Costello and Jones absent.

Ms. Denise Batchelor, 534 Frasier, Houston, Texas 77007 (713-426-4357) appeared and stated that she was present urging a vote of support for the temporary historic preservation ordinance, to suspend the 90 day waiver for demolition, relocation and building new incompatible construction and urged working toward strengthening a future historic ordinance as her district had issues as well and if their history was not protected, all it would become was history. Council Members Stardig, Johnson, Adams, Sullivan, Hoang and Jones absent.

Mr. Rob Barrett, 405 Stratford, Houston, Texas 77006 (713-522-3361) appeared and stated that he and his wife lived in historic Avondale and over the years witnessed with dismay destruction of homes and buildings and they supported the temporary suspension and review of the ordinance; that stronger historic protections would maintain the vibrancy of Houston and beauty and history of historic Houston could be appreciated by future generations. Council Members Stardig, Johnson, Adams, Sullivan, Hoang and Jones absent.

Ms. Catherine Roberts, P. O. Box 13076, Houston, Texas 77219 (713-294-3338) appeared and stated that she was present on behalf of the Yates Museum and National Register of Historic District of Freedmen's Town and member of the Coalition of Pastoral Leaders in Freedmen's Town and they were dedicated to saving historic resources and she was

present supporting their position and grateful demolitions would be stopped in historic districts and hoped for it for Freedmen's Town. Council Members Stardig, Johnson, Adams, Sullivan, Hoang and Jones absent.

Mr. Douglas Elliott, 219 Hawthorne, Houston, Texas 77006 (713-253-2311) appeared and stated that he was a commissioner on the Houston Archaeological and Historic Commission and a resident of the Westmoreland Historic District and president of the Westmoreland Preservation Alliance and present in favor of the moratorium and more specifically to clear up misconceptions he heard today, the moratorium would not affect potential of demolition of structures in historic districts and at their last meeting they approved a demolition; that the ordinance already struck balance between property owners and public policy and it would continue; that the moratorium and 90 day waiver would get more people engaged in the process of trying to find the right balance. Council Members Stardig, Johnson, Adams, Sullivan, Hoang and Jones absent.

Council Member Lovell stated that this was not a moratorium, it was a temporary suspension of a rule and she wanted to be careful about the language in moving forward; and thanked Mr. Elliott for all his work and for clarifying. Council Members Stardig, Johnson, Adams, Sullivan, Hoang and Jones 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 Stardig, Johnson, Adams, Sullivan, Hoang and Jones absent.

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared, presented information and stated that he was president of the Houston Property Rights Association and present speaking against the proposal; that he lived in a house which predated the bungalow era, but preservation of property was secondary value to the more important value of property and how crucial it was to economic and human well being; that a number of historic districts were created with deception and many did not realize they were facing daily fines with the possibility the 90 day waiver could be withdrawn at a future date and if they went forward with this they should make sure the historic districts were recreated with all facts on the table and in the application form; and 85% of the city's goal was achieved with current legislation and urged rejection of the proposal. Council Members Stardig, Johnson, Adams, Sullivan, Hoang and Jones absent.

Mr. Adam Wells, P. O. Box 70875, Houston, Texas 77270 (281-914-1741) appeared and stated that he lived in the Heights and was a designer and builder and had a cooperative and successful relationship and interactions with HAHC and several properties pushed through with their approval, however, he was against the temporary suspension and thought it inappropriate to have a one solution fitting every historic district and would be in favor of re-petitioning residents. Council Members Johnson, Adams, Sullivan, Hoang and Jones absent.

Mr. Waukita Swales, 703 Columbia, Houston, Texas 77007 (713-628-6801) appeared and stated that she was a resident of the Heights and lived in two new construction both of which took place of dilapidated buildings; that she wanted there to be continued progress with merchants and restaurants, etc., and believed a temporary suspension would deter people from moving in and was firmly against such temporary suspension. Council Members Johnson, Adams, Sullivan, Hoang, Rodriguez, Costello and Jones absent.

Council Member Lovell stated that this was a piece of misinformation, actually the only protected district right now was the Old Six Ward and it had been tracked since going into effect and their property value had gone up between 15% and 30% because of being protected and in watching other cities the same thing had happened; and Ms. Swales stated that she was a

realtor and sales had gone down in Six Ward and felt it would negatively affect sales. Council Members Adams, Hoang, Rodriguez, Costello and Jones absent.

Pastor John Bowie, 7102 N. Main, Houston, Texas 77022 (713-861-5273) appeared and stated that he was Pastor of the True Light Missionary Baptist church in historic Independence Heights and was present to say for the last 16 years they were moving to getting Independence Heights, the first African American City in Texas, declared historic and they had national and state designation and were moving to city designation and he wanted to know if the temporary moratorium would delay their efforts. Council Members Adams, Hoang, Rodriguez, Costello and Jones absent.

Upon questions by Mayor Parker, Pastor Bowie stated that they had petitions already signed; and Mayor Parker stated that if they were already signed and submitted they were already in the process and the temporary suspension would make provisions for those. Council Members Adams, Hoang, Rodriguez, Costello and Jones absent.

Pastor James Nash, 8418 Colonial Lane, Houston, Texas 77051 (713-725-1664) had reserved time to speak but was not present when his name was called. Council Members Adams, Hoang, Rodriguez, Costello and Jones absent.

Ms. Shirley King, 8302 Colonial Lane, Houston, Texas 77051 (713-731-7050) appeared and stated that she was from Sunnyside Place with Pastor Nash and they were building homes in the Houston Hope Area and present about down payment assistance, the program had helped families who otherwise would not be able to get homes and she was present in support of that program. Council Members Adams, Hoang, Rodriguez, Costello and Jones absent.

Ms. Sonja Grant, 5319 Grapevine, Houston, Texas 77045 (832-771-6011) appeared and stated that she worked for Sunnyside Place CDC; that they were building in the Sunnyside Area and asking the down payment assistance be continued as it helped dreams of families to become a reality. Council Members Adams, Hoang, Rodriguez, Costello, Noriega and Jones absent.

Mayor Parker stated that the program was not taken away, it was over subscribed in the previous year and ran out of money; that they were working diligently to find other available grant funds to do that as they believed in it and wanted it resurrected, it was just not managed properly. Council Members Adams, Rodriguez, Costello, Noriega and Jones absent.

Mr. Joshua Sanders, 2020 Commerce #E, Houston, Texas 77002 (713-299-1387) appeared and stated that one common theme today was misinformation or lack of and encouraged all that as the process was carried out and they moved forward to have much more transparency with more stakeholders and all involved at the table; that rights and investments made by and for property owners should be protected and moving forward they needed to make sure all new signatures were required and obtained to receive new designation. Council Members Adams, Rodriguez, Costello and Jones absent.

Council Member Lovell stated that they had a good conversation today and agreed to have many more in the future and all said was well taken; that they heard people loud and clear and she had no doubt they could come together and figure out a way to preserve the history of this city and property rights and looked forward to working with him in the future. Council Members Adams, Rodriguez, Costello and Jones absent.

Council Member Sullivan moved the rules be suspended for the purpose of extending the time to question Mr. Joshua Sanders, seconded by Council Member Clutterbuck. All voting aye.

Nays none. Council Members Adams, Rodriguez, Costello and Jones absent. MOTION 2010-0348 ADOPTED.

Upon questions by Council Member Sullivan, Mr. Sanders stated that affected parties were property owners and not just large developers, many developers were small developers who developed a couple of properties at a time and the ban on development would affect the market and business community. Council Members Adams, Rodriguez, Costello and Jones absent.

Ms. Mary Wassef, 1127 Winstone, Houston, Texas 77009 (713-398-8779) appeared and stated that she was a resident of historic North Norhill and was a realtor in the Heights community and supported the preservation of historic homes; that the Heights historic districts were passed with fairly small margins and the first two with the original day educational period with the first change occurring shortly after the first two districts were passed and done with little public input or knowledge and here again with a greater effort they were altering the original agreement with residents; that she supported the individual neighborhoods ability to adopt appropriate measures for their particular circumstance and asked no approval be done on further changes to the historical ordinance without re-petitioning each individual district. Council Members Adams, Rodriguez, Costello and Jones absent.

Upon questions by Council Member Sullivan, Ms. Wassef stated that right now for properties in not particularly good condition and in historic areas they were starting to get feedback from showing agents that they were not sure what could be done with the property so their client was not interested; that it was increasing values outside the historic area for that type property, but decreasing it in historic areas. Council Members Adams, Rodriguez, Costello and Jones absent.

Council Member Sullivan moved the rules be suspended for the purpose of extending the time to question Ms. Mary Wassef, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Adams, Rodriguez, Costello, Noriega and Jones absent. MOTION 2010-0349 ADOPTED.

Upon further questions by Council Member Sullivan, Ms. Wassef stated that at this point there was a standstill with respect to teardowns, even people interested in a remodel were concerned with a possibility of getting into the project and finding the house was not salvageable and then not be able to teardown; that a great number of homes did fit within the neighborhood, there was not a lot of metal boxes going up which people did not want to see, generally people built with the thought of selling down the line. Council Members Adams, Rodriguez, Costello, Noriega and Jones absent.

Council Member Sullivan moved the rules be suspended for the purpose of extending the time to question Ms. Mary Wassef, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez, Costello and Jones absent. MOTION 2010-0350 ADOPTED.

Council Member Lovell stated that they had a good meeting today with the Houston Association of Realtors talking through issues and thought they had figured out a path on some concerns she raised where they could deal with HAR and get out the word on misinformation and give people a comfort level; and would love for her to join them at the next meeting. Council Members Adams, Rodriguez, Costello and Jones absent.

Mayor Parker stated that one thing she heard over and over was they could not have a one size fits all historic district and her understanding was each historic district would be tailored

to desires of the neighborhood; and upon questions, Council Member Lovell stated that was exactly right. Council Members Adams, Rodriguez, Costello and Jones absent.

Council Member Sullivan moved the rules be suspended for the purpose of extending the time to question Ms. Mary Wassef, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Rodriguez, Costello and Jones absent. MOTION 2010-0351 ADOPTED.

Council Member Sullivan stated that he had not had a chance to talk to Ms. Wassef or realtors, but his issue had mostly to do with private property rights; and upon questions, Ms. Wassef stated that different people felt differently, but that was a huge issue for a number of people involved; that many felt their property rights were hijacked, they signed up for one thing and it was being changed. Council Members Stardig, Adams, Rodriguez, Costello and Jones absent.

Council Member Sullivan moved the rules be suspended for the purpose of extending the time to question Ms. Mary Wassef, seconded by Council Member Lovell, a vote was not called and discussion was continued upon no objection by Council. Council Members Stardig, Adams, Rodriguez, Costello and Jones absent.

Ms. Wassef stated that she was appreciative the city was planning to have an open forum, but it was a very different process than when the historic designations were created which was a very democratic process where people had to sign to opt into and now they would have to publicly have to say they did not want it and many did not feel that was fair. Council Members Stardig, Adams, Rodriguez, Costello and Jones absent.

Mayor Parker stated that it was possible for Council to do a vote and incorporate all existing districts under a new rule, but as far as she knew it was not the intention to do it by fiat, that was part of the information being spread by those opposed to changes to the ordinance; that Council would have a deliberative process and they had a range of options which had not been decided. Council Members Stardig, Adams, Rodriguez, Costello and Jones absent.

Mr. Paul Carr, 1045 Ashland, Houston, Texas 77008 (713-869-0505) appeared and stated that he came today with the understanding he had three minutes to speak and the last two days worked on a 2-1/2 minute concise message and there was no point to start and be cut off in the middle of the message. Council Members Stardig, Adams, Rodriguez, Costello and Jones absent.

Mr. Tim Womble, 412 Avondale, Houston, Texas 77006 (713-526-1000) appeared and stated that he was a real estate investor and currently owned properties in three of Houston's historic districts and recently made an offer on another property south of 11th Street in the Heights which was accepted, but during the timeframe the ballgame changed and he called the Historic Preservation Department who was very cooperative and great in giving new ideas of what could be done and his message was the system worked; that they gave him better ideas on how to renovate the house and he felt the project would be better; that Tomas McWhorter and Randy Pace were excellent in representing the city and thought they would be capable in the new challenge. Council Members Stardig, Adams, Rodriguez, Costello, Noriega and Jones absent.

Mr. David Beale, 316 W. 15th, Houston, Texas 77008 (713-863-0404) appeared and stated that he lived in the Houston Heights Historic District West and in favor of the temporary ordinance providing for a temporary discontinuance of granting of 90 day waivers for new construction incompatible with the district and for demolitions where HAHC had denied applications for certificate of appropriateness; that the 90 day waiver now had not worked in

preserving the historic character of the City of Houston and a stronger ordinance was needed and the temporary ordinance would give all time to be heard. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Council Member Gonzalez stated that he wanted to thank Mr. Beale and all who attended; that it was important to listen to community input and the key was going forward with a transparent process; that all sides were listened to and as the Mayor stated that it was not done by fiat, but that this was being taken in a strategic way going forward; that all voices were listened to; and he looked forward to being a part of the process. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Ms. Kristina Lumbreras, 504 Colquitt, Houston, Texas 77006 (713-522-0077) had reserved time to speak but was not present when his name was called. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Ms. Robin German Curtis, 9518 Balsam Lane, Houston, Texas 77078 (832-731-662) appeared and stated that on behalf of Greater Houston Development, which she was president of CEO, they did new construction rehab and economic development in their community; that on behalf of the CDCs and other builders in Houston HOPE areas she would like to thank the Council for moving so expeditiously and diligently to find funds to help them continue to redevelop the community and allow homeownership projects, homeownership stabilized neighborhoods and they needed additional subsidies. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Ms. Kathy Payton, 4300 Lyons Avenue, Houston, Texas 77020 (713-674-0175) had reserved time to speak but was not present when her name was called. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Ms. Diana Burghli, 4615 N. Freeway #100, Houston, Texas 77022 (713-692-6252) appeared and stated that she had been a homebuilder for the Houston HOPE and the Workforce Housing Program for the past 3-1/2 years and they were asked, told and in some cases begged to build homes in the identified communities and she presently had 22 homes on the ground which were specifically built for the program and now on those homes she was paying over \$25,000 a month in interest and in the last three weeks alone lost four ac units in Trinity Gardens, 9 windows in Acres Homes and a refrigerator in Third Ward; that the homes were vulnerable and without down payment assistance could not get families to buy into the communities and they needed the funds to close the inventory on the ground and in addition to the builders and CDCs hardships faced they had many families lives turned upside down over the program, families invested their time, hearts and souls and most importantly their hard earned money into paying earnest money and appraisals, applications, etc., toward the purchase of the homes and without down payment assistance the families were no longer there to purchase the homes. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Mayor Parker stated that it was understood. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Mr. Ovide Duncantell, 8002 Crestwick Drive, Houston, Texas 77083 (713-205-9999) appeared, presented information and stated that there was a hanging tree in Houston right down the street, but he was not present to talk about that tree though it was designated as a historic landmark; that he was present to speak about a tree on Martin Luther King Boulevard, he came about a month ago and asked that Council designate it a historic landmark and had heard nothing from them and was present again asking the same; that in 1980 Council designated MLK as a place they could put a statue of Dr. Martin Luther King and to him it meant

historic markings; and now they were asking this Mayor to get them their landmark. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Mr. Jason Perry, 2310 Converse, Houston, Texas 77006 (713-598-1998) appeared and stated that his issue today was his neighbor had been assembling dead fish on his property and it smelled out his restaurant and devalued his and his neighbors properties; that they sent a demand letter yesterday to the city asking for \$15 million in reimbursement for their negligence, but Council Member Adams finally found out and had the fish taken down this morning and now he was asking the City Attorney to disregard the letter and thanking Council Member Adams for getting the fish taken down. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Upon questions by Mayor Parker, Mr. Perry stated that he had been hanging fish on his fence but now it had been taken down. Council Members Stardig, Adams, Sullivan, Rodriguez, Costello, Noriega and Jones 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 his name was called. Council Members Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Mr. David Winfrey, 1910 Lakefront Drive, Missouri City, Texas 77459 (832-457-5116) had reserved time to speak but was not present when his name was called. Council Members Adams, Sullivan, Rodriguez, Costello, Noriega and Jones 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 Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Ms. Myeshia Simmons, 6363 W. Airport #3721, Houston, Texas 77035 (832-331-6443) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan, Rodriguez, Costello, Noriega and Jones absent.

Mr. Steve Christian, 5718 Strong Creek, Houston, Texas 77084 (281-389-7352) appeared and stated that he was a business owner in Midtown and last week an ordinance was passed to place more parking meters in Houston and his concern was they had parking maids walking by at lunchtime and affecting his business; that there should be a commonsense grace period on parking meter times; that also his delivery men were getting tickets; and when he bought a parking pass for there it stopped at 5:59 p.m.. Council Members Johnson, Adams, Sullivan, Gonzalez, Rodriguez, Costello and Jones absent.

Council Member Clutterbuck stated that she was a fan of Christians Tailgate and he brought up an important issue; that they wanted businesses to be able to be staffed and serviced and wanted to enforce parking and provide parking; and would like him to speak with someone to get this addressed and set a template for other businesses; and Mayor Parker stated that Christopher Newport was present from ARA and would be happy to visit with him; that they did not pay anyone to issue parking tickets after 6:00 p.m. so she would be surprised and if they found someone doing it they would like to know about it, however, some metered areas may go into other types of parking zones after 6:00 p.m. and it would be enforceable, but Mr. Newport could help get to the bottom of it. Council Members Johnson, Adams, Sullivan, Gonzalez, Rodriguez, Costello and Jones absent.

Mr. Vatsa Kumar, 8030 Oakington, Houston, Texas 77071 (979-240-9496) appeared, displayed a poster and stated that he was with an Indian organization located in Southwest

Houston and they presented programs all over the city, Museum of Fine Arts, Houston Community College, Jones Hall, etc., with money received from Houston Arts Alliance which came from the Hotel Occupancy Tax and they were concerned that tax may be reduced; and urged they keep it going. Council Members Johnson, Adams, Sullivan, Gonzalez, Rodriguez, Costello and Jones absent.

Upon questions by Mayor Parker, Mr. Kumal stated that they were funded from the Hotel Occupancy Tax and he would not like it reduced for the sake of art lovers and artists of this city; and Mayor Parker stated that she was not aware of any changes to the Hotel Occupancy Tax Ordinance though it was done because of fewer visitors. Council Members Johnson, Adams, Sullivan, Gonzalez, Rodriguez, Costello and Jones absent.

Ms. Cynthia Potter, 8501 Broadway #1078, Houston, Texas 77061 (713-644-6702) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello and Jones absent.

Mr. Gerald Jones, 6802 Cohn, Houston, Texas 77091 (281-919-9301) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello and Jones absent.

Mr. Jim McCormack, 5211 Dunlop, Houston, Texas 77009 (713-885-6062) appeared and stated that he was present regarding an ordinance on screening of bulk containers and in particular Section 39-103 which made an exception for public and private schools and he wondered about the reasoning behind it and hoped they would be held to the same standards as good neighbors; that for years he dealt with an open dumpster in a school parking lot and always over flowing and messy and wondered about that exception. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello and Jones absent.

Mayor Parker stated that she did not know the answer to that and they still had to maintain it and could be fined under nuisance ordinances and Derek Mebane was present and could speak with him; and Mr. McCormack stated that Mr. Mebane had been very helpful in the past. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello and Jones absent.

Mr. Alan McDonald, 10923 Carlton Drive, Houston, Texas 77047 (713-734-3177) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello and Jones absent.

Ms. Patricia Martin, 5900 Selinsky Drive #94, Houston, Texas 77048 (713-269-9817) had reserved time to speak but was not present when her name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello and Jones absent.

Mr. Stone Stone, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello and Jones absent.

Mr. Edward Small, 2720 Sampson, Houston, Texas 77004 (281-330-9114) appeared and stated that he was present representing Third Ward groups; that they were not ready to leave the Third Ward and were asking for the city to help organize and help in preserving the district. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones 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 Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Ms. Jean Wilkins-Dember, 2612 Rosewood, Houston, Texas 77004 (713-942-0533) appeared and stated that some would like to forget the enslavement in this state and nation; that some deserved reparation and was asking for support of HR40 to study this issue; and wanted the rail discontinued on Martin Luther King Boulevard. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared with someone at the podium; and Council Member Clutterbuck moved to allow more than one person at the podium with Ms. Mary Taylor, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent. MOTION 2010-0352 ADOPTED.

A young lady began to speak; and Council Member Clutterbuck moved to allow a young lady named Kianna to speak in place of Ms. Mary Taylor, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent. MOTION 2010-0353 ADOPTED.

Miss Kianna stated that a YMCA was needed for youth in their area needed to lose weight and be healthy, to play sports, learn to swim, etc., for them to be safe. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Upon questions by Council Member Noriega, Miss Kianna stated that her name was Kianna; and Council Member Noriega stated that they appreciated her coming and heard what she said. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. William Beal, 5814 Overdale, Houston, Texas 77033 (713-738-3410) had reserved time to speak but was not present when his name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

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

Ms. Vicky Bettis, 504 Woodland, Houston, Texas 77009 (713-397-9336) had reserved time to speak but was not present when her name was called. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

Mr. Sammie Jones, no address (no phone) appeared and stated that he was present with a follow-up on paper work he submitted last week and everyone had his website. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

At 3:33 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, June 9, 2010. Council Members Johnson, Adams, Sullivan, Rodriguez, Costello, Lovell and Jones absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, June 9, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, 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; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo., Assistant Agenda Director, present. Council Member Mike Sullivan absent on city business.

At 8:20 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 stated that they had a ceremonial item that she would do as part of her Mayor's Report. Council Members Johnson and Jones absent.

Council Member Clutterbuck moved to consider the Mayor's Report before the Public Hearing, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0354 ADOPTED

MAYOR'S REPORT

Mayor Parker stated that she wanted to welcome some folks to City Hall today and to thank them for the work that they had been doing and were going to be doing for them, that the City of Houston was a partner with the Houston A+ Challenge Teacher Externship Program, that she wanted to welcome them and use this opportunity to present a proclamation proclaiming Houston A+ Teacher Externship Week in Houston, Texas, that 88 teachers were participating in the 2010 Externship Program, with 16 placed within and throughout the City of Houston, that they had more than any other participating organization, that externs were placed in City departments, divisions of the Mayor's office and in certain Council offices, that Council Members Lovell, Noriega and Hoang were participating, that 4 Math and Science Teachers would spend their externship working on sustainability projects in the City, that teachers would use the experience they gain to develop job related lesson plans to share with their students, that it was a collaboration with school districts and the business and non profit community to help provide students with resources to be successful, that it was in essence an enrichment program for the teachers and they were really happy that they had chosen to spend time with them, that these externships connected classroom teachers with business professionals in their fields of study to make the students learning experience more relevant to the 21st century workforce, that the attendees today, she would ask to come up and join her, Mr. Jonathan Day, Board Member of the Houston A+ Challenge, Mr. Claude Griffin, Social Investment, Shell Oil Company, Ms. Elaine Barber, Vice President of Regional Issues, Greater Houston Partnership, Ms. Nicole Walters, Coordinator Teacher Externship Program, Houston A+ Challenge, Mr. Alejandro Murua, Public Education Industry Liaison, Houston Galveston Area Council and Ms. Melissa Milios Davis, Director of Communications, Houston A+ Challenge, and Mayor Parker asked teachers present to stand and be recognized. Council Members Johnson, Adams and Jones absent.

Members of Council congratulated the teachers who were participating in the A+ Challenge Externship and thanked them for all the work that they do. Council Member Jones absent.

HEARINGS - 9:00 A.M.

2. **PUBLIC HEARING** for the proposed Lease of Joplin Street Park for the exclusive use of Houston Independent School District (Golfcrest Elementary) - **DISTRICT I – RODRIGUEZ** – was called. Council Member Jones absent.

The City Secretary stated that no one had reserved time to appear and Ms. Paige Bryant would make remarks for the Legal Department. Council Member Jones absent.

Ms. Bryant, Assistant City Attorney, Legal Department, stated that she was present relating to the request of the City of Houston Park and Recreation Department and the Houston Independent School District to use the entirety of Joplin Street Park for the exclusive use by Golfcrest Elementary as a playground and useable greenspace area, that the public hearing

was being conducted as required under Chapter 26 of the Texas of the Parks and Wildlife Code which requires that the City Council, before approving such change of use of Joplin Street Park, hold a public hearing to determine that there was no feasible or prudent alternative to the proposed use or taking of Joplin Street Park for the use by Golfcrest Elementary and that this project included all reasonable planning to minimize harm to Joplin Street Park as a park and recreation area resulting from the proposed use or taking of a portion of said park for the proposed playground, that here to testify in support of such two findings were Joe Turner, Director, Houston Parks and Recreation Department, and Gary Hansel, Real Estate Manager, Houston Independent School District. Council Member Jones absent.

Mr. Turner stated that as background for the property the park was approximately .295 acres and was not only a park but a small part of right-of-way, that the deal was done approximately in the early 1970s and at that time when it was put together the small piece of property was deemed a SPARK Park and since that time the Parks Department had never maintained the property and at this point they were looking for HISD to continue to be able to develop their property and gain better control of this property for the school and the neighborhood, that he had two exhibits that they could refer to that showed that layout and he would, at this time, introduce to them a good partner that they worked very closely with, Gary Hansel, who was the Real Estate Manager of the Houston Independent School District and in the Parks Department they worked very close with Gary on many deals over the years. Council Member Jones absent.

Mr. Hansel stated that as Joe mentioned it was a very small park adjacent to the Golfcrest Elementary School, that right now they were experiencing numerous illegal activities in the park that were causing problems at the school and they had entered into discussions with Joe in the Parks Department for the possibility of leasing with exclusive use of the park as part of the greenspace for the school, that way they could fence, maintain and police it, that was what they were requesting today.

Mayor Parker stated that this sounded like in essence it was a reverse of their SPARK Park activities, and Mr. Turner stated that he was not convinced that this was a real SPARK Park, that they actually purchased the property in the 1970s for \$10, a playground was put on it and at this point the playground was not on it, it had outlived its life, so he really did not know how they got there, to be honest, they were just trying to give the school a better control of the area to manage this piece of property.

Council Member Noriega stated that she was familiar with the area and asked if it was going to be a park, were they going to make it a SPARK Park, and Mr. Hansel stated that at this time their plan was to fence it and control it as greenspace for the school and neighborhood activities such as soccer and those kind of things, and Council Member Noriega asked if they were going to fence it all around so the neighborhood did not have access to it, and Mr. Hansel stated that it would be limited access based upon activities at the school, and Council Member Noriega stated that negotiating with the school so that they could get in was not a SPARK Park where the neighborhood was able to come and go, was that correct.

Mr. Turner stated that the property had been fenced ever since he had been here to start with, that it had a fence around it, and Mr. Hansel stated that it was a SPARK Park.

Council Member Noriega stated that her concern was that she lived close to Austin High School and the whole neighborhood used Austin's track and were able to use that greenspace as a neighborhood recreational area and the school district had fenced it off so that no one was allowed to use it, that she was part of an effort to get posts for City street lights so that it was lit and was involved, that the school district had seen fit to shut it off from the neighborhood, that she had a concern about that, that she would like to see the neighborhood able to use the

space, that if they were talking about taking it over and using it appropriately for the school she thought that was terrific, there was never enough footprint to have enough recreational fields and that kind of thing, but she really would suggest to them that she had concerns about the big fences around all of their schools spaces where people were not allowed to use those in areas of town that did not have enough parks, and Mr. Hansel stated that he fully understood that, that the situation that they had there was a very small greenspace, as she was aware of, and unfortunately on weekends and evenings there were just so many illegal activities going on that it had become a problem for the school, they were taking the pavers up and throwing them through the windows of the school and on Monday mornings they were cleaning up syringes and all of these types of things that the plant operator had to physically go out there and do on property that did not belong to HISD, that certainly there was an option to fence off just the HISD portion of the property, that it was not a win win for everybody, and Council Member Noriega stated that there were people in the neighborhood involved in the civic association and she would like for them to be clear on how it was that they were able to use the space and what needed to happen, that if they had problems around that school they needed to get law enforcement more involved, that she would be happy to help with that, but she also wanted Mr. Hansel to be clear that they had spaces all over town that were not accessible to the community and she thought that was ashamed, and Mr. Hansel stated that HISD's intent was to still allow community access to the property but with some control, like after dusk and those type of activities and then HISD Police could be there and have a presence, and Council Member Noriega stated that if there was a clear system and contact and maybe something on their website that would be helpful, and Mr. Hansel stated that he thought that at some future date HISD would probably put some playground equipment out there and some other stuff.

Council Member Rodriguez stated that he supported what his colleague was saying, that he was the District Council Member and was just briefed the other day by the Parks Department, that he understood that no one from the community had been briefed on this as well, that he was concerned about that and definitely would be out at the civic clubs talking about this, that he was concerned with the access as well, it was a greenspace in an inner city neighborhood, that he was concerned when Mr. Hansel was talking about the crime and the illegal activity because he had seen offense reports and looked at some of the crime statistics and it was not really justifying what he was saying so he would like to see his call for service and see HPD reports on that area because if there was a problem they definitely wanted to be on top of it, that he was going to support this and listen to it and thought they needed to come to an agreement but he did still have some questions and concerns that would like to visit with him about, and Mr. Hansel stated absolutely.

Council Member Clutterbuck moved to close the public hearing, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0355 ADOPTED.

Council Member Lovell moved to suspend the rules to consider Item Numbers 37 and 37a after the consent agenda, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0356 ADOPTED.

CONSENT AGENDA NUMBERS 3 through 34

MISCELLANEOUS - NUMBERS 3 and 3A

3. ORDINANCE appropriating \$5,070.37 out of Water & Sewer System Consolidated Construction as an additional appropriation for Water Line Replacement in Cliffwood Area (Approved by Ordinance No. 2006-0551) – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0436 ADOPTED.

- 3a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 1 in the amount of \$91,104.41 and approval of final contract amount of \$1,450,308.22 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Cliffwood Area - 5.37% over the original contract amount - **DISTRICT C – CLUTTERBUCK** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. Council Member Noriega absent. MOTION 2010-0357 ADOPTED.

ACCEPT WORK - NUMBERS 4 and 6

4. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$6,111,518.95 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for New Kingwood Library - 2.71% over the original Guaranteed Maximum Price - **DISTRICT E - SULLIVAN** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0358 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,883,357.25 and acceptance of work on contract with **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Croyden Gardens Northeast Area - 2.29% under the original contract amount - **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0359 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 13

9. **INTEGRATED COMMERCIALIZATION SERVICES, INC dba PARAGARDDIRECT** \$897,800.40 and **CURASCRIP SPECIALTY DISTRIBUTION** - \$418,950.00 for Intra-Uterine and Implant Contraceptive Devices for Houston Department of Health & Human Services - General Fund (eligible for federal grant reimbursement) – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0360 ADOPTED.
11. **CLUB CAR, INC** for Utility Carts through an Interlocal Agreement for Cooperative Purchasing for Parks & Recreation and Public Works & Engineering Departments - \$71,202.20 - Park Special Revenue and Enterprise Funds – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0361 ADOPTED.
13. **DRIVECAM, INC** for Purchase of DriveCam Video Event Recorders, Managed and Subscription Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for Solid Waste Management Department - \$190,374.02 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0362 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 23 through 34

16. ORDINANCE relating to Water Conservation Incentive Program for rent restricted apartment units - had been pulled from the Agenda by the Administration, and was not considered.
23. ORDINANCE appropriating \$28,000.00 out of Solid Waste Consolidated Construction Fund; approving and authorizing Purchase and Sale Agreement between **SHAWN & JOHNETTA OWENS**, Seller, and the City of Houston, Buyer, for purchase of approximately 11,600 square feet of land located in the 5000 block of Rue Street, to be used for the expansion and renovation of Sunbeam Neighborhood Recycling Center; and approving and authorizing payment for the land acquisition costs and all closing costs associated with this transaction - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0437 ADOPTED.
27. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **IDYLWOOD SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0438 ADOPTED.
28. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **MEMORIAL BEND SUBDIVISION, SECTIONS 1 - 3 EAST OF THE SAM HOUSTON TOLLWAY** and **SECTION 4** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0439 ADOPTED.
29. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **MEMORIAL BEND SUBDIVISION, SECTIONS 1 - 3 WEST OF THE SAM HOUSTON TOLLWAY, SECTION 3 REPLAT** and **SECTION 5** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0440 ADOPTED.
30. ORDINANCE appropriating \$2,153,000.00 out of Street & Bridge Consolidated Construction Fund for Purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnation of such real property and associated costs for Appraisal Fees, Title Policy/Services, Recording Fees, Court Costs and Expert Witness Fees, for and in connection with and finding a public necessity for various street projects including (1) Long Point Reconstruction: Pech to Hollister, (2) Ella (Wheatley) Paving: Little York to W. Gulf Bank, (3) Chimney Rock at W. Airport Boulevard Intersection, and other miscellaneous land acquisition – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0441 ADOPTED.
34. ORDINANCE appropriating \$108,933.00 out of Street & Bridge Consolidated Construction Fund, awarding construction contract to **FLORIDA TRAFFIC CONTROL DEVICES, INC** for Underpass Lighting Rehabilitation Project along SH 288 at Blodgett St., Wheeler St., Cleburne St., and Alabama St.; 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 Street & Bridge Consolidated Construction Fund - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0442 ADOPTED.

37. WRITTEN Motion by Council Member Lovell to amend Item 37A below 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 MEMBERS RODRIGUEZ and SULLIVAN)** – was presented.

After discussion by Council Members, Mayor Parker stated that the ordinance in front of them specified that it was until the end of this year or until an ordinance was presented through the multiple levels of approval process, which ever came first, that certainly the intent of the administration was to bring something by September 2010, and that was the end of the process after the Archeological and Historical Commission, the Planning Commission and the Council committee all look at it and bring it to the Council agenda by September, that it was specified in the ordinance that it was until the end of this year or the ordinance was presented to Council; that this ordinance did not change the ordinance on historic preservation, it did not do anything permanent, that it just says that in the existing historic districts they were going to take a “time out” and not allow demolitions or major changes do contributing historic structures while they work out what the changes to the ordinance should be; that reference to deed restrictions was a completely separate discussion, that they were going to be spending a lot of time and energy looking for ways to strengthen deed restricted neighborhoods, not necessarily germane to the discussion they were having today, that it sparked some interesting thoughts in her head about how they could perhaps work something related to deed restrictions in some of these neighborhoods; that it was right that they were taking away the 90 day waiver that would have given a property owner the right to do whatever they were going to do to their house and if they followed the timeline that she had laid out, which was to try to have something before Council in September, they would in effect have added a month to the period where they could not do anything anyway. Council Members Hoang and Noriega absent.

After further discussion by Council Members, Council Member Lovell stated that it was her intent to expand the committee to have different stakeholder meetings, one at HAHC, the Planning Commission, the Historic Preservation and there were 14 historic districts of which they would probably have a meeting in those districts, or in the smaller ones a combined one, plus a large citywide meeting, so there would be many opportunities for all of the voices to be heard, that they were going to look at their Historic Preservation Ordinance and make it as easy and transparent as they could for people to understand, to look at the process by which now someone would become a protected historic district, and that was to look at that 51% threshold and see if there was a will to have a greater number of signatures, since they were changing it, to figure out the procedures by which people become a historic district.

After further discussion by Council Members, Mayor Parker stated that they were not deciding anything but a pause in the action, that it applied to the tiny part of the City that was in an existing historic district and if they were in a noncontributing structure it did not really have any impact on them at all, if they had a 1960s apartment complex in the middle of a historic district or a brand new townhome it did not apply to them at all, it was whether they were in a contributing structure, and for this period it was a time out that said “let’s not tear anything down

while we work out a way through this"; that the existing historic districts were only in four Council districts, Council Members Gonzalez, Adams, Clutterbuck and Rodriguez, that she trusts that they would be very involved in these hearings as well; and as to how many people were going to be impacted was an unanswerable question because in the amendment that Council Member Lovell offered and the amendment that was going to be offered by Council Member Adams they very clearly say that if they had made a significant investment already, even if they had not reached the Archeological and Historical Commission they could go ahead and do what they were planning on doing, that essentially she thought this was a preview of what the debate was going to be when they actually get to something substantive there was not much substantive here.

A vote was called on Item No. 37. Council Member Bradford voting no, balance voting aye. Council Member Sullivan absent on city business. MOTION 2010-0363 ADOPTED.

- 37a. 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 – **(This was Item 25 on Agenda of June 2, 2010, TAGGED BY COUNCIL MEMBERS RODRIGUEZ and SULLIVAN)** – was presented.

Council Member Adams stated that she was submitting an amendment which was to protect those individuals who already had expended financial funds heading to the historic designation and offered the following motion to amend Item No. 37a, seconded by Council Member Hoang.

Amend Section 6 of Item 37a, the Ordinance is to read as follows (additions shown by underlining and deletions shown by ~~strikethrough~~):

Section 6. Notwithstanding the provisions of this Ordinance, the Planning Official shall issue a 90-day waiver certificate to an applicant whose application for certificate of appropriateness for new construction within a Historic District was denied by the Houston Archeological and Historical Commission if the applicant 1) demonstrates to the Planning Official that he has relied on his ability to build new construction in a Historic District by presenting proof that he has expended funds in preparation of the construction by ~~entered~~ entering into a contract with, and paid paying money to, an architect or builder, or otherwise expending funds on such items as a survey, soils test, clearing or other related improvements to the property prior to the passage of this Ordinance, to design or build a structure requiring a certificate of appropriateness for new construction within a Historic District; and 2) has otherwise complied with all provisions of the Historic Preservation Ordinance entitling the applicant to a 90-day waiver certificate.

After discussion by Council Members, Mayor Parker stated that they were trying to recognize the spirit of what they were trying to do, which was to be fair to all sides, but yes they did not have a minimum in here, that it was proof that they had expended funds in the preparation of construction, they would not presume that those who wanted to destroy homes in the historic neighborhoods were acting in bad faith, that if this passes today it meant that they had to have expended the funds by today.

After further discussion by Council Members, Council Member Bradford asked if the amendment was not intended to cover those who owned lots already, someone who purchased

a lot would not be covered, that he would suggest that it would be more suitable to the purpose if it were to be applicable to people who attempted to purchase property or close on property after the ordinance took effect, that someone who purchased a lot a year ago or nine months ago this was going to impact them, that they had expended funds, in his view, to that purpose, that was his question.

Mayor Parker stated that would invalidate the whole purpose of having this time out because in essence anyone who had purchased any kind of property in a historic district would have expended funds, that this was intended to allow those who were not just banking the property but had purchased it and actually begun some sort of construction process not to lose out on their investment, but if they had purchased in a historic district and were sitting on the land it would not provide them relief there and not intended to.

After further discussion by Council Members, Mayor Parker stated that it was a great expense but they did not want to put a minimum dollar amount on it, they were trusting that everyone was going to be operating in good faith if they come to the Archeological and Historical Commission.

After further discussion Council Member Lovell stated that if they owned a lot and wanted to build this did not stop them from building in any way, shape or form, that it did not stop any new construction, what it says in historical districts in new construction they wanted them to build to the design only on the facade, only on the outside, not in the inside, that they wanted them to build to the character of the neighborhood and they were asking them to do that, that this did not stop new construction in any way in any historic district.

After further discussion by Council Members, Council Member Bradford stated that going back to the language of the motion offered by Council Member Adams, he did not see the language that Council Member Lovell just referenced in the particular or proposed amendment, that if it was valid what the Council Member offered he would offer a friendly amendment to Council Member Adams to "include a description of expended funds, a purchase of land prior to date".

Mayor Parker stated that it was because it referred to an ordinance, an already existing ordinance that had clear language, that the ordinance was really aimed toward the destruction of existing historic properties contributing structures in an existing historic district, if they had a vacant lot and wanted to build on it there were requirements that they build in such a way that it was compatible with the existing structure, that the reason it was not spelled out specifically here was because it referenced an existing ordinance that allowed exactly what Council Member Lovell indicated, and Council Member Bradford stated that it was further restrictions, and Mayor Parker stated that "no" it did not impact anything that she could see with a vacant lot, that if they were going to build they still had to go the Archeological and Historical Commission, they would not grant them a Certificate of Appropriateness if they were building something that was not historically inappropriate but the changes that they were contemplating today would not stop them from building that inappropriate eyesore in that neighborhood, and Council Member Bradford stated that they did not get the automatic 90 day waiver as the other groups that were outlined in the amendment would get.

Mayor Parker asked Council Member Lovell to respond, and Council Member Lovell stated that the 90 day waiver only applied to demolition and not to new construction, that actually the amendment was very specific because they wanted to make sure that everybody understood that if they had a lot and wanted to do new construction this tells them, specifically, if they spent any money in any way then they get to go ahead and build what they wanted to build because they were not going to make them lose any money because of this, this was not restricted, that actually this says that they could go ahead and build and they were not going to stop them, that

if they had spent funds then they could move forward with their construction and they did not have to even comply with the rules of "it needed to look like what the neighborhood looked like", that it was meant to protect people who had made an investment, that was as simply as she could put it, and Council Member Bradford asked if he bought a lot and it had a structure on it that he intended to demolish then this would prohibit that, and Mayor Parker stated that was correct., and Council Member Lovell stated a contributed historical structure.

A vote was called on Council Member Adams motion to amend Item No. 37a. Council Member Bradford voting no, balance voting aye. Council Member Sullivan absent on city business. MOTION 2010-0364 ADOPTED.

Mayor Parker stated that she wanted to confer with the City Attorney, that she wanted to be really clear on the answer to Council Member Bradford question, the amendment they just voted on had no impact on that, but new construction, in an existing historic district, that was deemed incompatible by the Archeological and Historical Commission, would that or would it not be affected by the amendment.

Mr. Feldman stated that it would be, and Mayor Parker stated that she stood corrected and asked Mr. Feldman to explain, and Mr. Feldman stated that the language specifically referred to the fact that the temporary discontinuance was applicable to demolish and relocation of property within the historic limits and to new construction within the historic districts while consideration of proposed amendments take place, and Mayor Parker asked if that was intended to also impact new construction that would receive a Certificate of Appropriateness by the Archeological and Historical Commission, and Mr. Feldman stated "no", and Mayor Parker stated that it was only incompatible construction, and Mr. Feldman stated correct, and Mayor Parker stated that was the pivot point there, that Council Member Bradford had a partially incorrect answer to his question and she wanted to make sure they clarified that before they moved to the main item.

A vote was called on Item No. 37a as amended. Council Member Bradford voting no, balance voting aye. Council Member Sullivan absent on city business. ORDINANCE 2010-443 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,105,951.14 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Drainage Improvements at Grade Separations, Package II - 0.15% over the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN; H - GONZALEZ and I – RODRIGUEZ** – was presented, moved by Council Member Clutterbuck, seconded by Council Member Noriega. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0365 ADOPTED.

PURCHASING AND TABULATION OF BIDS

7. **SAFEGATE AIRPORT SYSTEMS, INC** for Airfield Lighting for Houston Airport System \$300,000.00 - Enterprise Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Bradford. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0366 ADOPTED.

8. **RED RIVER SPECIALTIES, INC** for Fertilizers, Herbicides, Insecticides and Non-Ionic Surfactant for Houston Airport System - \$57,145.10 - Enterprise Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0367 ADOPTED.
10. **VULCAN CONSTRUCTION MATERIALS, LP** for Flexible Base Materials for Department of Public Works & Engineering - \$3,561,000.00 - General and Enterprise Funds – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0368 ADOPTED.
12. **AMEND MOTION #2006-398, 5/24/06, TO INCREASE** spending authority from \$349,527.00 to \$436,908.75, for Treated Timber and Piling for Department of Public Works & Engineering, awarded to **BIG Z LUMBER COMPANY** - \$87,381.75 - General Fund – was presented, moved by Council Member Clutterbuck, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0369 ADOPTED.

RESOLUTIONS AND ORDINANCES

14. RESOLUTION designating the **FIRST MONTROSE COMMONS AREA** of the City of Houston as a Historic District - **DISTRICT D – ADAMS** – was presented.

After discussion by Council Member Adams a vote was called on Item No. 14. All voting aye. Nays none. Council Member Sullivan absent on city business. RESOLUTION 2010-0039 ADOPTED.

15. ORDINANCE amending Ordinance No. 2007-1197, which prohibits the construction or erection of new off-premise signs and requires compliance by new on-premise signs, to continue the ordinance in effect; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0444 ADOPTED.
17. ORDINANCE de-appropriating \$1,600,000.00 out of TIRZ Affordable Housing Fund (2409) previously appropriated to the Developer Participation Contracts Program; appropriating \$1,600,000.00 out of TIRZ Affordable Housing Fund (2409) to the City's Housing and Community Development Department to continue implementation of the City's Workforce Housing Downpayment Assistance Program and providing that such amount can be applied to assist persons earning up to 110% of area median income to purchase new affordable housing in areas selected by the Mayor for revitalization - **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0445 ADOPTED.
18. ORDINANCE amending Ordinance Numbers 2009-142, 2009-170, and 2009-208 to increase the maximum contract amounts; approving and authorizing first amendments to contracts between the City and 1) **INTERFAITH MINISTRIES FOR GREATER HOUSTON**, 2) **JEWISH COMMUNITY CENTER OF HOUSTON, TEXAS**, and 3) **NEIGHBORHOOD CENTERS INC** for Senior Nutrition Services - \$447,178.00 - American Recovery and Reinvestment Act Fund – was presented, and tagged by Council Member Rodriguez.

19. ORDINANCE amending Ordinance Numbers 2009-526 and 2009-208 to increase the maximum contract amounts; approving and authorizing first amendments to contracts between the City and 1) **DENT-O-CARE, P.A.** and 2) **PERRYLEE HOME HEALTH CARE SERVICES, INC** for various supportive services for seniors - \$689,406.12 - Grant Fund – was presented, and tagged by Council Member Jones.
20. ORDINANCE approving and authorizing contract between the City of Houston and **MORRIS & MCDANIEL, INC** for Promotional Testing Services for the Houston Fire Department; providing a maximum contract amount - \$75,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0446 ADOPTED.
21. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ASSETWORKS INC** for Fleet Management Information System for Various Departments (Approved by Ordinance No. 2002-221) – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0447 ADOPTED.
22. ORDINANCE appropriating \$110,000.00 out of Solid Waste Consolidated Construction Fund; approving and authorizing Purchase and Sale Agreement between **LOYAL DEE LYBARGER**, Seller, and the City of Houston, Buyer, for purchase of approximately 1.0 acre of land located at the intersection of West Whitney and Harvard Streets, to be used for the expansion of North Main Neighborhood Recycling Center and Re-use Warehouse; and approving and authorizing payment for the land acquisition costs and all closing costs associated with this transaction - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0448 ADOPTED.
24. ORDINANCE appropriating \$10,046,947.00 out of Miscellaneous Capital Projects/Acquisitions CP Series E Fund; awarding Design/Build Contract to **GILBANE BUILDING COMPANY** for New Health Department Laboratory; providing funding for Environmental Consulting Services, Civic Art Program, and contingencies relating to design and construction of facilities financed by Miscellaneous Capital Projects/Acquisitions CP Series E Fund - **DISTRICT D – ADAMS** – was presented, and tagged by Council Member Jones.
25. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ABITIBI-CONSOLIDATED CORP. formerly known as ABITIBIBOWATER, INC** (Approved by Ordinance No. 2009-604) for Recycling Services; amending Ordinance No. 2009-604 to increase the maximum contract amount - \$152,059.00 - HGAC Grant Funds – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0449 ADOPTED.
26. ORDINANCE appropriating \$107,596.67 out of Solid Waste Consolidated Construction Fund as an additional appropriation for contract between the City of Houston and **SPRING EQUIPMENT COMPANY, INC** for Concrete Repair Services for Various Departments - **DISTRICTS H - GONZALEZ and I – RODRIGUEZ** – was presented, and tagged by Council Member Jones.
31. ORDINANCE appropriating \$185,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LINA T. RAMEY & ASSOCIATES, INC** for Reconfiguration of Avenida De Las Americas between Rusk and Texas; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated

Construction Fund - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0450 ADOPTED.

32. ORDINANCE awarding contract to **STATEWIDE SERVICES, INC** for FY10 Water Distribution System Rehabilitation and Renewal; 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 and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - \$1,154,447.00 - Enterprise Fund – was presented, and tagged by Council Member Jones.
33. ORDINANCE appropriating \$5,889,400.00 out of Drainage Improvement Commercial Paper Series F Fund; \$711,600.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Crestmont Park and South Acres Drainage Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund; and the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0451 ADOPTED.

MATTERS HELD - NUMBERS 35 through 41

35. MOTION by Council Member Clutterbuck/Seconded by Council Member Hoang to adopt 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** – **(This was item 9 on Agenda of June 2, 2010, TAGGED BY COUNCIL MEMBERS JONES and RODRIGUEZ)** - was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. MOTION 2010-0370 ADOPTED.
36. MOTION by Council Member Gonzalez/Seconded by Council Member Hoang to adopt 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** – **(This was Item 11 on Agenda of June 2, 2010, TAGGED BY COUNCIL MEMBER JONES)** - was presented. Council Member Jones voting no, balance voting aye. Council Member Sullivan absent on city business. MOTION 2010-0371 ADOPTED.
38. 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 – **(This was Item 42 on Agenda of June 2, 2010, TAGGED BY COUNCIL MEMBER SULLIVAN)** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0452 ADOPTED.

39. ORDINANCE appropriating \$445,120.50 out of Equipment Acquisition Consolidated Fund for Purchase of Capital Equipment for Houston Fire Department – **(This was Item 45 on Agenda of June 2, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0453 ADOPTED.
40. 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 – **(This was Item 48 on Agenda of June 2, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones voting no, balance voting aye. Council Member Sullivan absent on city business. ORDINANCE 2010-0454 ADOPTED.
41. 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** – **(This was Item 60 on Agenda of June 2, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Sullivan absent on city business. ORDINANCE 2010-0455 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Costello announced the following events; the Flooding and Drainage Committee was having a committee meeting next Tuesday, June 15, 2010 at the Magnolia Multi Service Center; he was participating in a midnight ride on Friday on behalf of the Houston Police Foundation, that it was a two hour ride down Memorial Drive.

Council Member Bradford stated that he wanted to encourage everyone to come out to the Houston Police Foundation bike fun family ride on Friday, that it was a fun and safe event.

Council Member Rodriguez stated that he wanted to advocate and put in a word for the University of Houston and the Cougars, that there was talk of the University of Texas and Baylor going to the PAC 10 and the conference realignment, that he thought that it was important that this body let it be known that they support both universities and they wanted to be at the table if there was any talk of realignment or making sure that their schools were not negatively impacted by this shift, that sometimes they look at schools like Texas A&M and Baylor and Texas, they get preferential treatment, but U of H and Rice were just as important and they had major economic engines of the City that rely and jobs that rely on what conference they may be in, so he would like to ask the Mayor's assistance in at least letting the University of Houston know that the City of Houston supports their university, as well as Rice, and that they were brought into the loop in any discussions that effect the realignment of the conferences, that he did not want to see what happened to the Southwest Conference happen again. Council Member Hoang absent.

Council Member Lovell stated that she wanted to thank everyone around the horseshoe for their vote, that they took a historic step and a step toward having a much simpler ordinance, that she hoped they could sit down with Council Member Bradford, that she was like him about property rights and thought he was right that it was a very complicated issue and as they start forward their goal was to make sure they simply it, where voices were heard and everybody understands it, that there would be many hearings and could assure all of her colleagues that they would be at their door and listening to their comments and input on this, that she wanted to thank everyone involved; that there would be a Development and Regulatory Affairs Committee meeting on Thursday, June 17, 2010 in the Council Chamber; that it was a great Houston story to know Mr. Percy Creuzot, that he gave so much to the City, that she wanted to say to his family and friends that they were going to miss him and it was a pleasure to know him and what a great example he was and what a great Houston story. Council Members Hoang and Jones absent.

Council Member Johnson stated that he wanted to send condolences to the Creuzot Family, that he was a giant amongst them and gave them Frenchy's Chicken, that he leaves a tremendous legacy to his family, and announced the following events; on Friday, June 11, 2010 the Pleasantville Strategic Planning Committee would have a Senior Resource Workshop Luncheon at the United Way at 50 Waugh Drive, 11:00 a.m. to 2:30 p.m.; that the First Annual Northeast Community Health Fair would be at 11411 Homestead by Caring Safe Place Christian Center from 9:00 a.m. to 2:00 p.m. on Saturday, June 12, 2010; that on June 26, 2010 the District B office would be hosting a cleanup in the French Town area, from 8:00 a.m. to 1:00 p.m.; that yesterday many of the residents of the DeSoto area came to public session to talk about the demolition of Candlelight Trails and what they needed to do as a City to get this torn down, that he knew Mr. Feldman was working diligently and appreciated his aggressiveness with how he wanted to go after some of these type of properties, that he believed it was important that they have an understanding that yes they did have to tear these buildings down, they do needed to get these drug and crime havens out of their community, but he wanted to continue to reiterate his point to much of the DeSoto area and to the Housing Department that as they move forward it was going to be tremendously important that they make real investment of capital in those areas if they wanted to see life being pumped back into those communities so with the amount of money that they were going to be investing in those areas he was going to continue to push developers and communities, that they make investments in those areas that stay in those areas, that they were going to have to make sure that the contractors were coming from the area by which they were rebuilding or tearing down, or whatever the case may be, they needed to make sure that jobs were available because if they did not they were going to find themselves right back in the same situation, that he really appreciated those guys coming out yesterday and appreciated their being very diligent in caring and supporting their community, that as a Council Member he would continue to push all interested parties and all involved to make sure that money that was infused in that community would stay in that community.

Council Members Hoang, Rodriguez and Lovell absent.

Council Member Clutterbuck stated that the budget workshops were going swimmingly and the process for the freshman Council Members were going a little slower than usual but that was okay, that all good questions and hopefully preparing people with good answers, that it would all end soon, that next week would be the first week that the budget would appear on the agenda and next week was the first and probably the only week that Council Members would be able to offer their amendments, that the amendments needed to be in a format, that Marty Stein had a template for the amendments and they would format it accordingly and next week they would submit their amendments when the budget item was called, that it was all lined out in a letter dated May 18, 2010 by Marty Stein, that she wanted to thank Ms. Stein for providing the template and the format for everybody, that if they submit their amendments later than next Wednesday they were subject to being tagged and outliving the life of the main item, that it was anticipated that the main item and the tagged amendments presented on the original date of the main item would be voted on the following week and if they wait until the following week their amendments were subject to a tag and not be part of the main item and being moot, that there were requests yesterday, at a meeting, from Council Member Jones, and Council Member Bradford had been singing the tune all along, for a discussion of exactly what was the core duty or services of the City of Houston for their budget, that there was a request for a separate meeting to discuss the core City services, that she was happy to set up a separate meeting to discuss that, but she would suggest that their budget did involve something that at some point somebody believes was a core City service and this process was the opportunity to discuss that, that every budget contains something that they as a collective believed was a core City service and they all had different opinions on what exactly that may be, that they may remember, some of them more bitterly than others, an example last year when she offered an amendment to cease golf services at a particular park, she was the only one that supported that idea because she believed that at that park that was not a core City service, she lost, everybody else disagreed with her, that she honored that decision and voted for the budget even though it contained something in it that she believed was not a core City service, that they all had different opinions on that, they had discussions on whether or not computers in libraries were core City services, that some people thought they were not but probably she would suspect that the body would believe that they were, they had discussions about whether or not Planning was a core City service, that neighborhoods she had spoken to believed that it was, and certainly there were probably ways that they could be working together better about whether or not their Planning Department could work better with Public Works and CIP planning for traffic, that all of these items that they discuss in these budget workshops and that they would discuss at the table when they were both offering amendments next week and discussing the budget, were the nuts and bolts of what the public elects them to do to decide as a body what to spend precious tax dollars on, precious property tax dollars, precious sales tax dollars and precious fees and permitting dollars, those type of things all go to fund what they as a body end up deciding was a core City service, that certainly she would venture to say that they believed in a lot of things being a core City service and sadly there just wasn't enough money to do it all well, there was not enough money to have a single stream recycling in every neighborhood, that she regrets that but that was where the difficulty was. Council Members Hoang, Gonzalez, Rodriguez and Lovell absent.

Council Member Noriega stated that she was pleased that Mayor Parker recognized the A+ Challenge Externs today, that they were delighted to welcome Sara Campbell from Cyfair ISD to their office, that they were also pleased to welcome their intern for the summer, David Cantu, from YES Prep Southeast; that on Thursday, May 27, 2010 the Houston Department of Health and Human Services had their Second Community Re-Entry Network Graduation Ceremony, that they were ex-offenders who completed a ten week phase on skill building and learning how to re-enter the community, that they had 34 graduates who were recognized and presented Certificates of Completion; that on Friday, June 4, 2010, the State of Texas honored

8 Houston Police Officers who received the 2009 State of Texas Law Enforcement Achievement Award, that the awards were given in a ceremony at the State Capital Building in Austin, Texas, that their awardees were Bryon Vecera, Guadalupe N. Duron, Jason Turrentine, Norberto Preciado, Cory Frank, James Engelhardt, Matthew Marin and Chuck Onwuka, that they wanted to congratulate them. Council Members Hoang, Gonzalez, Rodriguez and Lovell absent.

Mayor Parker stated that she wanted to thank Council Member Adams for putting together the Fort Bend Pastor's meeting, that she was able to meet with a number of pastors in the Fort Bend area but also a public meeting that they moderated to talk about issues going on in the Fort Bend part of her district, that it was a reminder that they were not just Harris County, that Houston lops over into three counties with a significant portion of them in Fort Bend, that she wanted to thank Council Member Adams for being there with her. Council Members Hoang, Gonzalez, Rodriguez and Lovell absent.

Council Member Adams stated that since the Mayor touched on that she received some positive feedback and they were so excited that she came out and the Fort Bend pastors were really grateful that she decided to come out, that she stayed an hour and a half to address the community needs in the Fort Bend area; that Susan Taylor, an attorney for the City of Houston would be having a retirement party, that she had been an outstanding help to District D in many issues, that she wanted to say to Susan "a job well done", that they would be celebrating with her tomorrow; that she wanted to congratulate First Montrose Commons for becoming a historic district; that tomorrow Toastmasters would be having a luncheon in celebration of the City of Houston employees who come to Toastmasters to learn how to make better presentations, and to the Toastmaster Team, thank you, for taking the time every Wednesday at 12:00 p.m. to educate those employees; that on Thursday they would be celebrating her birthday and all of the funds would be donated to Sisters Network to fight against Breast Cancer, that Sisters Network was a national organization and located in District D, that it would be between 6:00 p.m. and 9:00 p.m. at Grooves Restaurant; that her mother, Barbara Stevens, had written her first play, "Behold the Bridegroom Cometh", that it would take place in Council Member Jarvis Johnson's District at Sweet Home Missionary Baptist Church, at 2503 Tennessee, on Friday, June 11, 2010. Council Members Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Stardig stated that she wanted to recognize the volunteers serving on the Houston Association of Realtors Political Affairs Advisory Group and the Governmental Advisory Group who came today to visit City Council and show their support; that she appreciated their passion for historic districts, that she also had the passion of protecting all of their established neighborhood and was looking forward to fine tuning some of their deed restrictions for enforceable deed restrictions in their communities, that she to had the same concerns as her colleagues and would like to move forward in working together in protecting the quality of life for all of their neighborhoods; that Candlelight Trails was impacting District A and the surrounding communities and it was also impacting the revenue for the City, that there was value that was being lost in that area so there was a bigger picture that they needed to consider when they made these decisions and she thought there would be a return on the investment to pursue this; that last week she visited two Fire Stations in District A, Fire Stations No. 49 and No. 50, that she had appointments to visit all of the fire stations in her district. Council Members Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent.

Council Member Pennington stated that when they talk about economic development in Houston everybody just assumes it was going to continue on the way they had been fortunate enough to experience in the past but in a presentation given last month by a well known U of H Economist, Barton Smith, he forecasted that by the year 2035, 80% of the population growth in their area would be outside of the City limits and also noted that this trend was well underway, that he continued to state that the 64% of future employment would be outside of the City, that they all knew with the recent news and the situation at NASA and the merger of Continental

Airlines they needed to have a well conceived program to bring and keep high paying jobs in Houston, that this problem was further emphasized by the article in this weeks Houston Business Journal on page 2 where there was a story titled "Houston This Time We Might Have a Real Problem", that the thrust of the story was that in a recent study commissioned by portfolio.com looked at the quality of life at 67 metropolitan areas with the population greater than 750,000, that the study looked at factors such as management, professional jobs, household income, poverty rates, adults with high school and college degrees and various factors, that out of the 67 metro areas Houston ranked 47th on the list, mostly due to the lack of high paying jobs, that Austin was the highest ranked city in Texas at number 9, Raleigh, North Carolina ranked first, that reading articles like these concerns him, that he believed they needed to focus on a program to encourage people to live and work in side the City of Houston and not just in this area, that as they had seen across the Country most of the population in larger cities tended to move to the suburbs while the inner city decays, Dr. Barton, he believed says, when a city typically reaches about 3.5 million was when it begins to occur, which was where they were, that he believed they could keep this from happening in Houston and keep Houston from becoming the hole in the middle of the local donut; that the next issue was the number that he considered to be unnecessary and unreimbursed 9-1-1 calls, that having heard Mr. Moran's testimony this spring about the City's cost for ambulance trips was bothering him, that he said that the over all cost for an ambulance run was \$2,000, that furthermore he stated that the City only collected about one half of what was billed to customers, it amounted to approximately \$30 million this year that went uncollected, that additionally he believed there were many unnecessary 9-1-1 calls and in these fiscal times he thought they should examine every service the City provided, and in discussions with the Fire Department, Health and Human Services Department and the representatives of the Harris County Health Alliance he had been informed about programs to reduce the number of so called "frequent flyers", those citizens who often called 9-1-1 for non emergency services, that furthermore many of those who called 9-1-1 could not get proper treatment in the emergency room anyway, they needed a different kind of care and they needed to get that care to them, that he hoped these plans were successful and hoped that the City supported these programs, that many of the "frequent flyers" needed counseling and direction, this was a large financial burden which could only be reduced through a wise investment of time and money and he realized that with the budgetary limitations it was difficult to dedicate money to these kind of programs but thought that just like making a capital investment and electronics that saved money they could do it here; that having met with many of his constituents over the past 18 months the number one issue continued to be crime prevention, that he along with many of his constituents understood that HPD had limited resources, with that in mind these folks wanted to be active in their neighborhoods to prevent crime, that he urged the Police Department to have as a stated goal to coordinate and communicate with super neighborhoods, neighborhood security, constables and other security personnel to maximize efficiency, communication and increased productivity, the residents and business owners wanted to be involved but needed the cooperation of HPD in order to accomplish this. Council Members Hoang, Gonzalez, Rodriguez, Lovell and Noriega absent.

Mayor Parker stated that the issue of ambulance transports was something that had been under consideration for some time, that she knew that Council Member Noriega was very well aware of it and would be receiving information soon in the Public Safety Committee, they had looked at the transport issue, they were going to be proposing changes to the fee structure, that was part of that plug number in the budget, but she did not want to imbed things in the budget that Council Members really needed a full opportunity to discuss and then there would also be a proposal on overhauling how they do their collection piece of it, that it was a quite timely comment and it was in the works. Council Members Hoang, Gonzalez, Rodriguez and Noriega absent.

Council Member Jones announced the following events; that she represented the City at the 64th Anniversary of the Italian Republic; that she wanted to thank the Mayor for trying to

figure out a solution to the down payment assistance and they voted on an item today to try to make right some things that they mis-stepped on; that her grandmother, Claudina Jones, turned 91 years old and wished her a happy belated birthday; that she wanted to welcome two new people to her office, one from the Worksource and one was an intern, Shawnathon Stoles and Erika Kiskey; that they passed something today for a Validation Study related to HFD to make sure they complied with the Constitution; that she wanted to ditto what Council Member Pennington stated, they really needed to evaluate whether City workers had to live in the City; that to touch on what Council Member Rodriguez stated about realignments of the conferences she wanted them to show their support for the University of Houston and Rice and all universities in the City. Council Members Adams, Hoang, Gonzalez, Rodriguez and Noriega absent.

Council Member Clutterbuck stated that she wanted to acknowledge a visitor, Connor Grace, who was present, that he was getting his Merit Badge in Citizenship and had been taking notes on the agenda. Council Members Adams, Hoang, Gonzalez, Rodriguez and Noriega absent.

There being no further business before Council, the City Council adjourned at 10:36 a.m. Council Member Sullivan absent on city business. Council Members Adams, Hoang, Gonzalez, Rodriguez and Noriega absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary