

City Council Chamber, City Hall, Tuesday, May 18, 2010

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 18, 2010, Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, 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. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Nelson Espitia, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director present. Council Members Anne Clutterbuck and Mike Sullivan absent on city business.

At 1:44 p.m. Mayor Parker called the meeting to order and called on Council Member Adams who invited all present with the Museum Park Super Neighborhood to the podium and stated that today they were being saluted and recognized, their willingness to look beyond neighborhood borders and plan and work with new partners was a strong indication the Super Neighborhood initiative would continue to work for them; that they satisfied all requirements and were assigned their city liaison; and presented them a Proclamation proclaiming today as "Museum Park Super Neighborhood Day" in Houston, Texas. Mayor Parker thanked all for being good civic volunteers and being engaged in the community. Council Members Stardig, Johnson, Rodriguez, Lovell, Noriega and Jones absent.

Council Members Adams invited those present with the Public Works Department to the podium and stated that this week was National Public Works Week and Public Work's services were an integral part of every day life, the health, safety and comfort of the community greatly depended on the facilities and their service; and presented Director Marcotte a Proclamation recognizing their vital contributions and proclaimed this week as "Public Works Week" in Houston Texas. Mayor Parker thanked all for their hard work all year round. Council Members Stardig, Johnson, Rodriguez, Lovell and Jones absent.

Council Member Costello stated that he was filling in for Council Member Sullivan and it was an honor for a Star Trek fan; that today there were visitors from a long time ago in a galaxy far, far away and invited Mr. Roger Bornstein and those with him to the podium; that Mr. Bornstein was director for Marketing for Space Center Houston and today they were highlighting the opening of a new exhibit; that beginning Memorial Day weekend and lasting all Summer Space Center Houston would be the exclusive host to a new interactive experience for families based on the legendary film maker George Lucas Star Wars, The Clone Wars, that Mr. Bornstein was instrumental in building a business relationship with George Lucas; and recognized members of the 501 Legion, the International Group of Star Wars Fans and Customers, who were in full dress; that he was a full fan and excited about visiting the exhibit; that he was told fans would be able to step into their favorite sections of the films and face challenges and quests; that they were proud to salute Space Center Houston for the role it played as a major tourist attraction; and presented a Proclamation to Mr. Bornstein proclaiming today as "Star Wars, The Clone Wars, at Space Center Houston Day" in Houston, Texas. Mayor Parker thanked all who were present for this presentation. Council Members Johnson, Rodriguez and Jones absent.

Mr. Bornstein stated that on behalf of all the crew members and guests of Space Center Houston they were proud to receive the honor of their endorsement and the prestige of the Proclamation; that at Space Center Houston they were committed to educating the public about NASA's contribution to exploration and discovery and representing the great City of Houston to the world; that this Summer's new attraction Star Wars, The Clone Wars Experience, would thrill visitors with a unique blend of movie magic, death defying feats and real world science; and invited all to experience it for themselves. Council Members Johnson, Rodriguez and Jones absent.

Council Members thanked Mr. Bornstein and members of the 501 Legion for being present. Council Member Jones absent.

Council Member Bradford stated that on a point of personal privilege he wanted to welcome students of Colter Elementary School, the only elementary foreign languages and cultures magnet school in Texas which featured a comprehensive language program for Kindergarten through Fifth Grade in Chinese, Japanese, French and Spanish and in addition the students were prepared for success with an outstanding core curriculum and educational experiences extending beyond language, they taught understanding of people and cultures for a lifelong success; and asked students and teachers to stand to be recognized. Council Member Jones absent.

At 2:05 p.m. Mayor Parker called on Council Member Gonzales who invited Pastor Samuel J. Gilbert II, with Mt. Sinai Baptist Church in the Heights since 1899 to lead all in prayer; and he led all in the pledge. Council Member Jones absent.

At 2:18 p.m. Mayor Parker requested the City Secretary call the roll. Council Members Clutterbuck and Sullivan absent on city business. Council Member Jones absent.

Council Members Costello and Bradford moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. Council Member Jones absent. MOTION ADOPTED.

At 2:10 p.m. the City Secretary began calling the public speakers. Council Member Jones absent.

Ms. Nichole Turner, 1835 Demaree Lane, Houston, Texas 77029 (832-457-8965) appeared and stated that she wanted to thank Mayor Parker for meeting with her and for her positions on key issues affecting Pleasantville; and thanked Council Member Johnson for his positions and for always being helpful to their needs; that today she was offering their position on funding for Marjo House, Agenda Item 34, Pleasantville was a deed restricted area and it prohibited residential property to be used as commercial property and in this case Marjo House was a business and a direct violation; that Houston had no zoning and communities could only protect themselves through deed restrictions and they were asking Council to understand that any disregard of that fact would open a "Pandora's Box"; that communities such as theirs was targeted for such businesses as transitional housing and it impacted their community; that Marjo House and their mission was noble, however, there needed to be a check and balance. Council Members Gonzales and Jones absent.

Council Member Johnson thanked Ms. Turner for coming; and upon questions, Ms. Turner stated that she was president of the Pleasantville Super Neighborhood Area, she lived there eight months and understood it was deed restricted when she moved there; deed restrictions were important in keeping the value and investments made. Council Member Gonzalez absent.

Ms. Rosa Harris, 8735 Pattibob, Houston, Texas 77029 (713-673-4510) appeared and stated that she had lived in Pleasantville since 1955 and they wanted to keep it a deed restricted area; that she had no problem with Marjo House housing the type of people, she was a registered medical technologist and worked with AIDS patients, but they did not want the houses in their community as one after another would come and then they were no longer a residential community; and urged that Council not allow Marjo House in their community. Council Member Gonzalez absent.

Council Member Jones stated that they had a Housing Committee Meeting on this and Legal did research and community housing was residential; that she had concerns with HUD

funding and did not want to violate fair housing; that more than a number of times she said they had to follow HUD regulations because 99% of the Housing Department budget came from HUD and HUD was evaluating the City of Houston; that her concern was if they started deciding whether to fund a project based on disabilities then HUD had the option to not give HOPWA funding and she wanted to be clear because she had questions on the deed restrictions as well; that deed restrictions did not trump federal law and from a legal perspective did not believe they were violating deed restrictions.

Mayor Parker stated that Council Members should have received a legal analysis which described why the Legal Department's opinion was it did not in fact violate the deed restrictions and at the same time it would be in full compliance with the City of Houston's requirements from HUD.

Council Member Lovell stated that she saw Legal's opinion, that it was not in violation of the deed restrictions; and Mayor Parker stated that Marjo House had been operating for the last twelve years.

Council Member Johnson stated that based on the Fair Housing Act it said it was unlawful to refuse, sell or rent or otherwise make unavailable or deny a dwelling to any person because of race, color, religion, similar family status, national origin or because of a handicap; and upon questions, Ms. Harris stated that if an individual with AIDS wanted to rent the house she would not oppose it nor would she want to deny a disabled couple rent, but she and the rest of the community wanted to deny Marjo House as they considered this to be a business and their deed restrictions stated no business should operate within a single family dwelling.

Upon questions by Council Member Stardig, Mayor Parker stated that she was aware of the need to preserve deed restriction, particularly in older neighborhoods and the Legal Department did intervene where it fell within the deed restrictions they enforced, but in this particular case the legal position of the Legal Department was that it was not in violation and it was complicated by the Fair Housing Act; that there may be other opportunities, and it would probably be appropriate to have a public discussion of where they could intervene in deed restrictions where it was a number of unrelated individuals living in a dwelling; and Council Member Stardig stated that she would appreciate the Mayor looking at that as sometimes they depended on the older deed restrictions too much; and Mayor Parker stated that would probably be appropriate in her committee with Council Member Adams to have that general discussion; and a motion was needed to extend time for this speaker.

Council Member Jones moved the rules be suspended for the purpose of extending the time for questions of Ms. Rosa Harris, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0289 ADOPTED.

Council Member Pennington stated that he recalled asking Legal representatives at the committee meeting if it would be a violation for the city to refuse the grant and he was mindful of Council Member Jones's concern about HUD and Council Member Johnson had requested additional time and what he would like to see happen would be for the City of Houston to approach HUD about the matter to see what they thought and give Council Member Johnson a chance to do what he needed and see if they thought the city had the discretion to do it or not; and Mayor Parker stated that she would strongly urge him to visit with the City Attorney about the issue individually.

Council Member Jones stated that she had talked to HUD about this and they were okay with this; that the bigger picture related to housing money received from them was how the city doled out money in the past, they got in trouble for a lot and the city had the discretion and had

funded them in the past with HUD money and to go forward they would have to do explaining; and if they did not provide housing to people with disabilities by not funding there was case law directly related and this was not the first go round on this.

Mr. Talmadge Sharp, 8635 Fannette, Houston, Texas 77029 (713-672-2069) appeared and stated that he was a resident of Pleasantville and had been since there was a Pleasantville; that Pleasantville had many problems with some being of natural cause and some caused by man, many they had no control over, but deed restrictions had kept Pleasantville united and on the right track; that when they spoke of people with disabilities that was an illness and they were not present to fight people with AIDS, people with disabilities; that he was diagnosed with Cancer in 1990, but his thing was they did what they could to keep the enforcement of deed restrictions alive.

Upon questions by Council Member Johnson, Mr. Sharp stated that he was a part of the Super Neighborhood Council and on the board when the Marjo House approached the board asking for a letter of support in 2006 and the board answered no; that prior to 2006 he did not know they existed as a business, it was because of the letter they found out and then they took actions to let the business know they were in violation of their deed restrictions; that the Pleasantville community had no lawyer to help with their deed restrictions, they relied on the City of Houston for enforcement.

Council Member Hoang stated to follow up with Council Member Johnson's questioning, Mr. Sharp considered Marjo House a business as did Ms. Harris, but the position of the city was to serve the community and there was no concrete number and they had to rely on the feelings of the community.

Council Member Johnson moved the rules be suspended for the purpose of extending the time for questions of Mr. Talmadge Sharp, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0290 ADOPTED.

Council Member Lovell stated that Marjo House had been there and they were good neighbors because the community did not know they were there; that her neighborhood took the first hit and sued to stop it from happening, but fears came with the disease of AIDS, but after becoming good neighbors all realized there was nothing to be afraid of; that there was not a lot of transitional housing for people with HIV/AIDS; that she would vote to allow them to stay, Legal was saying no deed restrictions were being violated, and they would watch and see if any deed restrictions were being violated; and Mr. Sharp stated that the same person who applied for this particular grant had purchased a house on Pattibob Street to do something similar and his point was they were not against people with AIDS or any other disease, his point was if they let this be done then everyone who wanted to come in and do their thing would just do it, that was the way life was. Council Member Pennington absent.

Council Member Johnson moved the rules be suspended for the purpose of extending the time for questions of Mr. Talmadge Sharp, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. Council Member Pennington absent. MOTION 2010-0291 ADOPTED.

Council Member Jones stated that some people thought this violated deed restrictions, but it did not; that this came before the courts before and they sustained it, legally this was not a business, it was residential; that they had a special called committee meeting and even those who did not want the funding said they were good neighbors and most did not know they were operating and she did not want the city losing HUD funding and the city funded them two years ago and she thought Council Member Sullivan was the only one who did not vote for it and he

was absent; that she supported deed restrictions, but HIV was a disability as determined by the law and this was a slippery slope.

Council Member Gonzalez stated that he totally agreed with Council Member Jones, she made excellent points; that he was respectful of the community's concerns but federal law made it clear they could not discriminate based on disabilities and HIV was included in the definition; that traditionally they funded and to not do it on a basis not valid would put them in a difficult predicament and impact funding in other areas of the city; that there were other tools which could perhaps be used down the road to make sure other facilities were not in close proximity, but it was a separate discussion and the fact it had been there years and funded in the past, they would have to have compelling reasons to not fund it now.

Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Mr. Talmadge Sharp, seconded by Council Member Johnson. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0292 ADOPTED.

Council Member Bradford stated that he had a question for Legal based on the discussion on the table; and upon questions, Mr. Heilman stated that the decision he was basing on was based on federal law and the federal law as the City Attorney pointed out was very clear they may not discriminate on race, sexual origin and the list was identified in the memo; and as pointed out by some members of this body they had to be careful on how they proceeded since it was funded in the past on what information they brought forward to change their position on this item; and Mayor Parker stated that because there was no provision for going into executive session for discussion of legal issues they strongly encouraged him (Council Member Bradford) to take the legal discussion directly to the City Attorney because as Council Member Jones indicated along with others there were some intricacies here with their relationship with HUD via this project in the past; and Council Member Bradford stated that her response was accepted.

Council Member Johnson stated that because of what the Mayor just said he would make his assessment based on information he got from Public Works; and upon questions, Mr. Sharp stated that no one was discriminating against Marjo House because of people with disabilities; that they were requesting the item be voted down simply because it was a business; Council Member Johnson stated that he called Public Works to see when was an occupancy permit given and an occupancy permit by which Marjo House had, along with an occupancy permit from the state, along with health and safety permits and many other city and state permits, which no one around the Council Table had and many lived in homes, but none had an occupancy permit to live in their individual, single family residences; that the grant being given was not being given to an individual it was being given to a business, the Marjo House was a profit and for profit organization which was a business; that no one present including him and the Pleasantville Community was saying they were discriminating and he did not want anyone to believe fair housing had anything to do with this because it did not, no one was discriminating against people with AIDS and the Administration did have the right to deny a grant based on their own assessments; that Fair Housing told him these cases were viewed case by case and that meant that if everybody who ran an organization for people with disabilities asked the City of Houston for money it was their obligation to give it to them simply because they did not want to be deemed discriminatory which was wrong; that they made decisions to give organizations money when they wanted to and based on the assessment that they made which was because they gave it to them in the past, did it mean two wrongs made a right, it did not and the fact this body voted for it in 2006 did not make it right to do it again in 2010; again this had nothing to do with fair housing; that every community they represented they were now setting a very vicious precedent to allow organizations and businesses to open in their communities; that he bought his house knowing the house next door would be solely and wholly used as a residence based on the City of Houston's deed restriction on the city website it said, "the resident character of

subdivisions by keeping out commercial and industrial facilities”; that for people who preferred to live in wholly residential environments deed restrictions were needed.

Council Member Johnson moved the rules be suspended for the purpose of extending the time for questions of Mr. Talmadge Sharp, seconded by Council Member Jones. A number was not given as a vote was not called.

Council Member Johnson further stated that in communities not deed restricted, they did not have a leg to stand on if they decided they did not want a house with people with AIDS next door, but he moved into a deed restricted community because he wanted protection; that he asked Mr. Sharp if he had legal representation to fight this organization and he said no; that he talked with the Eastend about an organization which was going to open at the Magnolia House and they had legal representation and fought it and kept them out of a non deed restricted community and they had no leg to stand on, but here they had a leg to stand on with a deed restricted community and every deed restricted community in this city needed the protection of this city; that this was strictly about a business permitted by the City of Houston, it may be residential but it was still a business; and thanked those present who tried to keep the quality of life and values in their community; and he would ask his colleagues to protect their communities.

Council Member Adams stated that she was looking at information provided which stated that, “the fact the community home has a license and a certificate of occupancy does not render the community home a business and the courts have ruled that they are residential homes”, so how would this body vote against something that the court ruled in favor of; and Mayor Parker stated that as she rightly pointed out the Legal Department did a brief for each of them sighting relevant case law and strongly stated it was not a violation of deed restrictions and under established law it was not considered a business; and urged Council Members to follow the advise of the City Attorney and ask Council Members that if they needed more legal advise to meet individually with the City Attorney to go into detail on the issue; and upon further questions, Mayor Parker stated again that was discussion for the City Attorney, the Administration did intend to proceed with this item in hopes the question would be rendered moot after the vote tomorrow morning.

Council Member Jones quoted a case relating to keeping handicapped individuals from residing in a neighborhood violated the Federal Fair Housing Act and stated that it was directly on point with the exception of the disability.

Mr. Eric Potier, 3420 Lyons, Houston, Texas 77020 (832-549-7342) appeared, presented information and stated that he thanked Council Members Jones, Johnson and Adams for their support; that he was present as in 2006 they started doing minor exterior home makeovers for the elderly and disabled, about 10 per year, and today he was asking for support of the Mayor and Council Members at Large as they were trying to do an extreme makeover for an elderly person in Acres Homes; that Home Depot was their corporate sponsor and they were asking them to have the Mayor’s and At Large Council Members support to proceed; and was asking for letters of support for their project to start in September. Council Members Hoang, Pennington and Lovell absent.

Council Member Johnson thanked Mr. Potier and congratulated him on doing a wonderful job in the community; and he would be supportive and hoped he could double whatever support he gave in the past. Council Members Hoang, Pennington and Lovell absent.

Council Member Jones stated that she would tag on to what Council Member Johnson said; that they did small makeovers, but Mr. Potier did a lot in an area which needed a lot; that he also had a prom for seniors and fed them; and to be able to get Home Depot and do a larger

project she would do what she could to help. Council Members Johnson, Hoang, Pennington and Lovell absent.

Mr. Rafel Coyle, P. O. Box 84621, Houston, Texas 77584 (281-485-0320) appeared and stated that he was a CEO with a computer processing company and over five years they tried to use their expertise in the technology field, to provide needed assistance to the Housing and Community Development Department and developed a software solution specifically designed to address the technology needs of the Housing Department and met with department staff; that their software was viewed by department staff and former Council representatives and all expressed interest and recognized their solution addressed many present needs; that a Council Member asked why it had not been purchased and he did not know why the previous director did not give them fair opportunity to solve the problems, but believed if software such as theirs was in place most expenditures identified in the HUD Monitoring Report of 2009 would have been saved, the documentation would have been there and about \$6 million in fines, etc., would have been avoided; that he heard the new director was looking for a solution to manage information in the department and obviously their product was never considered or he would not be present; that he saw a pattern of exclusion of Black businesses doing business with the city overall and at some point this body was going to have to decide if Black businesses were going to be allowed to help the city solve some of its problems or if the community would be used as a coupon to be redeemed to the government by others; and asked if they would be allowed to participate or would their rights to inclusion continue to be violated. Council Members Johnson, Pennington, Lovell and Noriega absent.

Council Member Jones stated that Mr. Coyle met with her some time ago and if they were ever looking for software, she remembered asking for specific information and in a matter of a second information was there; and she wondered why the department could not pull up information as he could. Council Members Johnson, Pennington, Lovell and Noriega absent.

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

Mr. David Mears, 5107 Tidewater, Houston, Texas 77045 (713-433-0563) had reserved time to speak but was not present when his name was called. Council Members Johnson, Pennington, Lovell and Noriega absent.

Mr. Trivedi Indravan, 9043 Beechnut #18, Houston, Texas 77036 (281-889-5813) appeared and stated that India celebrated 2010 and he wanted to honor the Mayor, they were proud to have a woman as their city Mayor; and presented gifts to be presented to her. Mayor Parker, Council Members Johnson, Pennington, Lovell and Noriega absent. Vice Mayor Pro Tem Gonzalez presiding.

Ms. Brenda Gould, 15911 Ridge Rock Road, Missouri City, Texas 77489 (281-437-9216) appeared and stated that she lived in Missouri City and she was discouraged; that she had a water leak under the sidewalk and the city owned the sidewalk and they came out and removed the sidewalk, but she had to stay in a hotel and with friends and had a bill in February of 90,000 gallons and requested someone sit with her and she was given an adjustment; that the city called and said she did not have her leak fixed but she had and she was going around and around; that she needed someone to get someone in the Water Department to sit with her and talk about the adjustment and look at her documentation; that after the adjustment it was still quite high. Council Members Pennington, Lovell and Noriega absent.

Mayor Parker stated that there was a representative present who could speak with her at this time. Council Members Pennington, Lovell and Noriega absent.

Upon questions by Council Member Jones, Ms. Gould stated that there was a credit of \$672.36 and she still owed \$698.00; and upon further questions by Council Member Jones, Mayor Parker stated that homeowners were responsible for their side of the meter and the sidewalk could be on the backside of the meter but they still had to fix the leak. Council Members Pennington, Lovell and Noriega absent.

Council Member Adams stated that Mr. Medina with Public Works was present and would meet with her, but she wanted all to know that Public Works out of courtesy did pull up her sidewalk and fixed it, but they could discuss her current adjustment. Council Members Hoang, Pennington, Lovell and Noriega absent.

Ms. Rosiland Johnson, no address, (no phone) appeared and stated that she was a patient at M. D. Anderson since 1975; that she was on Houston Housing and they said her daughter was involved in criminal activity, but then was told they had the wrong social security number and she wanted to get housing back but they said no because she did not report child support in '04 and she said she was not paid any, but she did report all she needed to report to them; that she called Council Member Johnson's office and was told they did not do housing and she was on the street six months; that she was on the street now and she asked to be put back on housing because of her medical condition; that she then took a voucher to an apartment complex and after a couple of weeks was told she was not on Housing but would not say why; that she was told she was not eligible for housing and she was using her total security check to rent an apartment. Council Members Hoang, Lovell and Noriega absent.

Mayor Parker stated that Mr. Steve Mikelman with the Housing Authority was present and there was a long waiting list, but he was willing to work with her and see if she could be connected to other appropriate resources. Council Members Hoang, Lovell and Noriega absent.

Upon questions by Council Member Jones, Ms. Johnson stated that she was terminated from housing in '07 and she was still out there; that they had given her a voucher in '07 and she took it to a complex and then said Housing told them she was not eligible; and Mayor Parker stated that actually it was '08; and Ms. Johnson stated that since she had been paying her social security check for rent, but now she could not afford lights, some of her medication or insurance for her and her children; and Council Member Jones stated that Mr. Mikelman was present, but apart from that her confusion was that when people came and their vouchers were terminated, etc., if they knew right away they could try and figure it out and fix it, but because there was a two year gap if she did qualify there was a low amount of housing and a waiting list; and Ms. Johnson stated that she spoke with Mr. Mikelman and he said she owed them \$6,000 and how could that be, she asked for proof and they could not show her; and Council Member Jones stated that her office would work with Mr. Mikelman. Council Members Stardig and Hoang, absent.

Council Member Adams stated that she had worked for Housing almost five years; and upon questions, Ms. Johnson stated that she was on housing from '03 through '06; and Council Member Noriega moved the rules be suspended for the purpose of extending the time for questions of Ms. Rosiland Johnson, seconded by Council Member Adams. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. Council Members Stardig and Hoang absent. MOTION 2010-0293 ADOPTED.

Council Member Adams further stated that every year when Ms. Johnson went to be recertified they asked for changes in income; and Ms. Johnson stated anytime there was a change she provided it to them; that she even had 5 hearings and was always given a voucher; and Council Member Adams stated that she would ask Mr. Mikelman to make sure in going

back over those years the income verification was not received, etc., and if it was proven she did she would ask if there was any availability to look into the programs which had a waiting list just a little shorter than Section 8 vouchers. Council Members Stardig and Hoang absent.

Mr. Stephan Garrett, 8223 Twin Tree Lane, Houston, Texas 77071 (713-541-9003) appeared and stated that a great injustice was done to him; that he served time in two states and successfully done his time in both and discharged; that he had gone to a dentist while serving his time in Oklahoma and after his trip to the dentist discovered something lodged in his jaw and discovered it was a high tech microphone, camera or some type of security system; and continued expressing his personal opinions until his time expired. Council Members Stardig, Johnson and Costello absent.

Mr. Steven Lamb, 11710 Scenic River Drive, Houston, Texas 77044 (281-594-0359) appeared, presented a picture for viewing and stated that he was present on behalf of Brock Park; that kids used the facility when parents could take them; that his boys used the facility to learn golf which also taught respect and manners; that it was safe and they did not have to travel miles to play; that you got out of life what you put into it and he hoped the Mayor and Council would keep investing in the children as they were the future. Council Members Johnson, Costello, Lovell and Noriega absent.

Mr. Roy Mata, 234 Sevenhampton, Houston, Texas 77015 (832-438-8980) appeared and stated that he was vice president of the Brock Golf Course Association and a golfer there since 1968; that they heard Council loud and clear at the last meeting about the need for fund raising at Brock and they felt they could use Council's help to achieve the fund raising needs and goals of Brock; that it could be accomplished in assisting them in establishing a relationship with the Greater Houston Partnership, the Houston Parks Board and the Houston Golf Association; that the Gus Wortham project showed how you could achieve success when the government, community and outside sources worked hand in hand for the same common goal and they would love to work with all; that last week Council Member Jones stated it was making an investment in humanity in northeast Houston and that was a big investment. Council Members Stardig, Johnson, Costello, Lovell and Noriega absent.

Council Member Rodriguez yielded time to Mr. Mata who stated that Mr. Lamb was a protégé of what they were doing there and now with children; that they would rather children carry golf clubs than guns, etc.; ; and they would be happy to be guided into partnerships. Council Members Stardig, Johnson, Costello, Lovell and Noriega absent.

Ms. Deborah Wilkerson, 1723 DeSoto, Houston, Texas 77477 (713-972-4026) had reserved time to speak but was not present when her name was called. Council Members Stardig, Johnson, Costello, Lovell and Noriega absent.

Mr. Jonas Richardson, 9002 Sterlingshire #406, Houston, Texas 77078 (no phone) appeared and stated that he grew up without a mother and father and product of your environment; that he had seen a transition, Black men used to go to work and now he did not see them going to work; that resources were being taken away, he could not get a job on construction sites and he applied and tried and went out and sold himself but could not get work; that inspectors told him they worked in unity; that METRO had a large light rail project going now and he wanted to know if he could see himself and other young Black men working there; that he had been laid off a year and six months now as a carpenter's helper; that he was doing this for his son, he had good work ethics and could become a lead man; and asked for any help that could be provided. Council Members Stardig, Johnson, Rodriguez, Lovell and Noriega absent.

Council Member Adams stated that Mr. Jason was present and would speak with him; that there was a lot with the rail going on, but they also had an educational program, training people to do METRO jobs and Mr. Jason could tell him how to get enrolled with the program and how to connect with the right people; and Mr. Richardson stated that he greatly appreciated it. Council Members Stardig, Johnson, Rodriguez and Noriega absent.

Council Member Jones stated that she was going to say the same as Council Member Adams, but she was encouraged from the Mayor on Hire Houston First, but she knew METRO was not always the friendliest in dealing with local people, whether it be local contractors or primes or people in the neighborhoods; and Mayor Parker stated that METRO had their own hiring policies and he would need to visit with the m; that federal funding had not been received as yet and they would not be staffing up until it was received. Council Members Stardig, Johnson, Rodriguez and Noriega absent.

Mrs. Devona Burt, 7507 Roeborn Lane, Houston, Texas 77070 (832-256-1960) appeared, presented information and stated that she was mother to Byson Burt who was born two months early and she and her husband were present to bring awareness of how some were falsely accused of Munchausen Syndrome by proxy, patient conditioning falsification, after their children were diagnosed with Mitochondrial Disease; that Byson was her only son and advocating could cause your child to be ripped away by CPS and your family torn apart; that they were an average and close family who wanted their son healthy and on September 4, 2009, their lives were turned upside down by CPS with false allegations of child abuse; that in August 2009 Byson was diagnosed with Mitochondrial disease by a specialist at Hermann Hospital; that Byson was taken from them in September while in the hospital receiving treatment because Texas Childrens accused her of falsifying her sons symptoms and whether he had Mitochondrial Disease or not she did not falsify his symptoms and specialists testified to that; that his symptoms were documented by a home nurse and yet they were without him; that Texas Childrens provided no answers to her sons conditions for three years and only mentioned he was complicated, by 2009 Texas Childrens had her son on over 15 medications and she felt it was too much and sought a second opinion, but not wanting him to undergo unnecessary procedures she took his records and lab test results for the specialists to view; that he was born with multi medical conditions which kept him in the hospital longer and he was released with high blood pressure, heart and kidney conditions, as years went by he was diagnosed with more and at two years old his gallbladder was removed and instead of the expected three day stay because of his significant health deterioration he remained there six months. Council Members Stardig, Johnson, Hoang, Rodriguez and Noriega absent.

Mayor Parker stated that the city had no authority over CPS, it was a State of Texas agency; and Ms. Burt stated that she did understand, but they reached out to legislatures and anyone to bring awareness to what happened as they believed some type of reform was needed to keep this from happening to other families; and Mayor Parker stated that she may want to seek legal counsel in a legal custody battle for her son. Council Members Stardig, Johnson, Hoang, Rodriguez and Noriega absent.

Council Member Jones stated that she was going to say what the Mayor just said and if they were having trouble with CPS they needed to find a family lawyer who had experience in dealing with CPS; and Ms. Burt stated that they were working on that, but it was a pricy experience; and she wanted to bring awareness that there was a link between children being diagnosed with the Mitochondrial Disease and being falsely accused and there was a lot of documentation to support that. Council Members Stardig, Johnson, Rodriguez and Noriega absent.

Mr. Charlie Burt, 7507 Roeborn Lane, Houston, Texas 77070 (832-256-1960) appeared and stated that he was the father of Byson Burt and today stood before them disheartened and

beaten down and lacking trust; disheartened because a doctor they never met or talked with would have their son taken away and accuse his wife of inhumane things; beaten down by a governmental agency with unlimited resources that only tried to prove their guilt and never researched to see if they were innocent; lacking trust because the very hospital they trusted and remained at for 3-1/2 years betrayed them; that they knew what they went through for six months and now CPS was tearing them apart; that when Byron entered Texas Childrens Hospital in July 2007 he was on two medications and when he left in December of that year he was on 15 medications and they did all the hospital said because they trusted them; that he had a home nurse, home therapist and others he interacted with daily and no one had ever been talked to by CPS; that CPS told legislatures Byron was fine, but the nearly \$235,000 in medical bills they received since he was in CPS custody did not reflect that statement; that they never gave him and his wife the chance to reunite with their son and their actions did not match their words; that he was a five year old little boy in his third foster home since the first of this year and he was only allowed to see him once since December; that no one could imagine his horror, he did not know where he was or the condition of his surroundings; that he and his wife had no communication with their son and they had no criminal past; that he was bringing awareness to the injustice, to his family and to anyone falsely accused of such a deplorable accusation and he hoped it would aid in the safe return of their son to he and his mother. Council Members Stardig, Johnson, Rodriguez and Noriega absent.

Mayor Parker thanked Mr. Burt for bringing this to their attention. Council Members Stardig, Johnson, Rodriguez and Noriega absent.

Ms. Twonda Abbington, 7612 Glen Prairie, Houston, Texas 77061 (832-441-0758) appeared, presented information and stated that she was a city employee for five years and five months in Drinking Water Operations, PWD; that she was present referencing management issues and had filed complaints from 2008 to May of 2010 in reference to discrimination, harassment, her job ethics had been degraded and she took a giant step to come in front of the Mayor to address these issues; that she did not have a high ranking job and it was very important to her, she was a Utility Worker Tier II and did the best she could with a pretty good record, but within the last year her assistant manager, Mr. Robert Amezgo, had been giving her a hard time and documentation she brought were bogus and degrading statements and no individual should have to endure this in everyday life or employment at all; that she started getting called yesterday and today so people were now looking since she was coming to Council and asked all to look over her information and help her as her job was being jeopardized. Council Members Stardig, Johnson and Rodriguez absent.

Mayor Parker stated that she understood apparently there was an incident last Thursday and an internal investigation began Friday and it was not yet concluded by the Public Works Relations Group; and encouraged her to give enough time for the process to work; and Ms. Abbington stated that she was just informed it was at OIG about 5:00 p.m. yesterday and heard it through a coworker; that she had already reserved time to come; and Mayor Parker stated that she would encourage them to communicate the status of the investigation with her, but to see how the system worked. Council Members Stardig, Johnson and Rodriguez absent.

Council Member Jones stated that she knew nothing of this, but what put up an antenna for her was if the OIG investigation was initiated after she made her first call complaining about a problem she would wonder about that and when this was all said and done she hoped that did get looked at, if someone started getting investigated...; she was having a whistleblower type thoughts; and she suggested going to HOPE; and Mayor Parker stated that she was not aware of any OIG investigation and would try and get that information. Council Members Stardig, Johnson and Rodriguez absent.

Upon questions by Council Member Adams, Ms. Abbington stated that since 2008 she had been trying to get help and it came to harassment and degrading her she had gone to the senior district DA to be transferred on many occasion and they told her it had to be justified to get a transfer and she thought she had justifiable reason when two individuals did not respect one another in a work environment; that she called work and said she was going to Council today; that she and the one named were still working together at this time; that she told them she was coming on city business and they said she needed a permit and she had the speakers list to take back. Council Members Stardig, Johnson, Hoang and Rodriguez absent.

Mr. Robert Gardner, 6319 Sheringham, Houston, Texas 77085 (713-723-0383) appeared and stated that he recently bought a house at 3327 Simmons and had been in communication with the Mayor's Office over this; that he felt he was dealt with in highhanded fashion; that he was not aware of the condition of the house as defined by the City of Houston as a "dangerous building" when he made the purchase; that it apparently had orders placed on it in '05 which expired in '06, but the minute he bought the house the city began to demolish it and he was making attempts to comply with rules they established; that he hoped all this would turn out to be a blessing because he also owned two houses on Laura Koppe, but he thought the ordinance needed consideration, he did not see how a house could be boarded up and remain so for an indefinite amount of time for which taxes were paid and then a house he owned and could not keep people out of was declared a dangerous building and he was asked to go to a hearing and he was not told what he was being asked to sign onto and still was not sure he knew because when he bought the so-called secure permit he presumed it would allow him to board the house as per the city's request and it could remain so indefinitely and was told at the Permit Office it was only good for a year and now was being told it was only good for six months; that fresh house numbers were being sprayed on the two houses on the lot and he was in fear both would be demolished. Council Members Stardig, Johnson, Hoang and Rodriguez absent.

Mayor Parker stated that Mr. Norris Davis with Neighborhood Protection was present and could discuss his situation with him; that he was required to secure his property and she apologized if he bought it not being aware that it was already under a demolition order. Council Members Stardig, Johnson, Hoang and Rodriguez absent.

Upon questions by Council Member Jones, Mr. Heilman stated that demolition order or secure order was filed of record and if they did a title search it should come up on the title record; and Council Member Jones stated that she would be curious to know that when the property was bought did the city have that filed, to know where the ball was dropped; and Mayor Parker stated that was a good question and maybe he had a cause with the title company; that she assumed he went through a formal process; and Mr. Gardner stated that he did not, but did not think it was fair, the energy of this was going upon him and he was not here to discuss a failure he might have made at the outset, but to talk about how a building got defined as dangerous and the way he was treated over this. Council Members Stardig, Johnson and Rodriguez absent.

Mr. L. F. Wynne, 75 Lyerly #530, Houston, Texas 77022 (832-317-5458) appeared and stated that he lived in Houston Housing, Lyerly Apartments, since about September 2009; that the president of the Resident Council was Iris Tryon; that Houston Housing and HUD in particular put a pool table, four computers, a piano and a television there for elderly to have activities, but Ms. Tryon had a note on the television saying don't touch and said don't play the piano and if you want to shoot pool buy your own pool sticks and she was given pool sticks; that the computers were disconnected and she asked how much money was in the Resident Council Account and was told that was not his business; that a policeman went to jail for stealing money from the union, but this lady could do this stuff and get away with it; that he went to Housing but they did nothing about it; that he spoke with Mr. Ed Thomas and Ms. Rivers, in June they were

holding another election and he did not want to be president but was going to run for it because he wanted to see them have something to do. Council Members Stardig, Johnson, Adams and Rodriguez absent.

Council Member Gonzalez stated that he was familiar with 75 Lyerly he had been there before, but not lately, and maybe he should pay another visit; that he could go on a courtesy call and call folks and get to the bottom of this and see if he could be of assistance; that he would be glad to follow-up with him and give him an update; and Mr. Wynne stated that he could move around pretty good, but some of the older ones could not. Council Members Stardig, Johnson, Adams and Rodriguez absent.

Council Member Jones stated that she would work with Council Member Gonzalez as she was curious too; that they could do a joint trip. Council Members Stardig, Johnson and Rodriguez 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 Stardig, Johnson and Rodriguez absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he needed more time; that all were of knowledge regarding his position of his official national crime victim case; and continued expressing his personal opinion until his time expired. Council Members Stardig, Johnson, Gonzalez and Rodriguez absent.

Mr. Sammie Jones, no address, (no phone) appeared and stated that he received sub communications from the Library concerning a complaint he had, he called 311 about his complaint he filled out over the computer, the gentleman's name of Emanuel Merenini, the reason he came here was to provide Council with the actual communications that they had; that he went to his website to print the communications and it had been altered; that what he wanted Council to see and read was deleted. Council Members Stardig, Johnson, Hoang and Rodriguez absent.

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

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

At 4:09 p.m. Mayor Parker stated that City Council was recessed until 9:00 a.m., Wednesday, May 19, 2010. Council Members Clutterbuck and Sullivan absent on city business. Council Members Stardig, Johnson, Hoang and Rodriguez absent.

The Houston City Council reconvened at 9:00 a.m., Wednesday, May 19, 2010, with Mayor Annise D. Parker presiding and with Council Members Brenda Stardig, Jarvis Johnson, 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 Members Anne Clutterbuck and 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 the first items on the agenda this morning were two public hearings. Council Members Lovell, Noriega and Bradford absent.

Mayor Parker stated that before they started the public hearing she wanted to make a brief announcement to Council Members, that one of their police officers was critically injured last night in a one car accident while on patrol in the north division, that she met his wife at the hospital this morning about 1:30 a.m., that it was Officer Eydelmen Mani, a seven year veteran of the department, that he has a wife and a 3 year old son, that Officer Mani had gone through 100 units of blood since the accident, that he had been administered the last rites and she would ask all of them to join her in a moment of prayer for Officer Mani, for his wife and his son, for his extended family here and for all of their men and women in the Houston Police Department. Amen. That she gave blood last week so she could not give blood again this week, but they were encouraging City employees and officers to replenish the blood supply, that she knew that many were going and lining up to donate in Officer Mani's name. Council Member Noriega absent.

The City Secretary stated that they had two hearings scheduled and Ms. Carol Ellinger Haddock of Public Works would make remarks concerning the hearings. Council Members Adams and Noriega.

HEARINGS - 9:00 A.M.

1. **HEARING** to consider a Municipal Setting Designation Ordinance for KBR Technical Services, Inc for the site located at 4100 Clinton Drive - **DISTRICT B – JOHNSON** - was called. Council Members Adams and Noriega absent.
2. **HEARING** to consider a Municipal Setting Designation Ordinance for Weingarten Realty Investors for the site located at 11092 - 11311 Fondren Road - **DISTRICT C - CLUTTERBUCK** - was called. Council Members Adams and Noriega absent.

Ms. Carol Ellinger Haddock, Senior Assistant Director of the Department of Public Works & Engineering, stated that it was more than six years ago that the Texas Legislature provided another tool to encourage redevelopment of contaminated properties by authorizing Municipal Setting Designations or MSDs, that an MSD protected public health by designating a particular parcel beneath which contaminated groundwater was prohibited from use as potable water, that this State law was administered by the Texas Commission on Environmental Quality, that she was present today because, although the TCEQ issued an MSD, participation in the State program required local support, that Article 13 of Chapter 47 of the Code of Ordinances provided a process by which the City may support, or not support, a party's MSD application to the State, that as part of that process they were holding a public hearing for two applications; that the first application was submitted by KBR Technical Services, Inc. for 153 acres of land located at 4100 Clinton Drive, the designated property currently had 28 buildings used for general office purposes, medical offices, Harris County Sheriff's offices, light construction and carpentry and storage, that site development started in the early 1900's with local businesses such as cotton warehouses and a cotton seed oil plant, that during World War II the US Government used the property to manufacture small arms ammunition cartridges, that the existing buildings were constructed in the 70s and 80s, that the site was entered into the TCEQ Voluntary Cleanup Program in 2004, no contaminants of concern were identified in groundwater with concentrations exceeding the non-ingestion protection concentration limits, however, thirteen contaminants of concern still existed in the groundwater that exceeded human ingestion protection levels; that the second application was submitted by Weingarten Realty Investors for 28.7 acres of land located at 11092 - 11311 Fondren Road, that the site currently consisted of commercial retail buildings and parking lots, the current owners acquired the property with its

current commercial developments in 2006, that the land was originally developed for commercial retail in 1978, that the property was currently enrolled in the TCEQ's Voluntary Cleanup Program, there are three plumes on the site, which were stable, and the sources of the contaminants had been removed, however, thirteen contaminants of concern still existed in the groundwater that exceeded human ingestion protection levels, that depending upon the outcome of today's hearing, the Director of Public Works and Engineering would forward separate requests for Council to adopt ordinances to support these two MSD applications, that these ordinances would include all elements required by State law and Article 13 of Chapter 47 of the Code of Ordinances, that she and the applicants were available if they had any questions. Council Member Adams absent.

The City Secretary stated that no one had reserved time to appear.

Council Member Noriega moved to close the public hearings, seconded by Council Member Johnson. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. Council Member Adams absent. MOTION 2010-0294 ADOPTED.

MAYOR'S REPORT

Mayor Parker stated that they would move to the consent agenda.

CONSENT AGENDA NUMBERS 3 through 32

MISCELLANEOUS - NUMBERS 3 and 4

3. CONFIRMATION of the appointment of **MR. CHARLES STAVA** to Position 12 on the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012 – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0295 ADOPTED.
4. REQUEST from Mayor for confirmation of the reappointment of the following to the **ELECTRICAL BOARD**, for terms to expire January 2, 2012:
 - Position Two - **MR. ELIOT L. DOUCET**
 - Position Four - **MR. ANTONIO A. ORTA**
 - Position Six - **MR. EDWARD T. DICKERSON**, and to serve as Chair
 - Position Eight - **MS. PIRDY F. NELSON**
 - Position Ten - **MR. JAVIER M. RAMOS**

– was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0296 ADOPTED.

ACCEPT WORK - NUMBERS 5 through 7

5. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$173,754.80 and acceptance of work on contract with **USA ENVIRONMENTAL, L.P.** for Soil Disposal for Right-of-Way Fleet Maintenance Facility at 100 Japhet Street and 1700 East Crosstimbers Street - 1.47% under the original contract amount **DISTRICT H - GONZALEZ** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0297 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,790,802.48 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Briar Park & Gulf Meadows II 1.88% under the original contract amount - **DISTRICTS E - SULLIVAN and G - PENNINGTON** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0298 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$997,013.40 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Timber Oaks West Area - 4.37% over the original contract amount - **DISTRICT A - STARDIG** – was presented, moved by Council Member Costello, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0299 ADOPTED.

Mayor Parker and Members of Council congratulated the new appointees to the Houston Archaeological and Historical Commission Board of Directors and the Electrical Board and thanked them for their service to the City of Houston.

PROPERTY - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Mark Gordon, on behalf of Vincent Mandola, reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of a ±15-foot-wide alley, from La Rue Street to Eberhard Avenue, located within the Harlow Addition, the Harlow Addition Fractional Blocks Numbers 4 and 5, and the Vincents Terrace Subdivision, all out of the O. Smith Survey, Parcel SY10-049 - **DISTRICT D - ADAMS** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0300 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 10

10. **KSB INCORPORATED** - \$68,932.00 and **PUMPS & EQUIPMENT OF TEXAS, INC** - \$89,217.00 for Submersible Pumps for Department of Public Works & Engineering - Enterprise Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Noriega. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0301 ADOPTED.

ORDINANCES - NUMBERS 17 through 32

17. ORDINANCE approving and authorizing first amendment to Lease Agreement by and between **BNC SOUTH LOOP ASSOCIATES, L.P.** (“Landlord”) and the City of Houston, Texas (“Tenant”) for a space at 2636 South Loop West, Houston, Texas – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0373 ADOPTED.
18. ORDINANCE accepting into the City Collection a quilt entitled “Power of Houston,” currently located at the George R. Brown Convention Center, and a medallion to Christoph Eschenbach, located at Jones Hall; providing for deaccession of a design feature known as “Cornerstones,” located at Jones Plaza; and appropriating \$6,600.00 out of C & E - GRB Consolidated Construction Fund for the appraisal of 26 works of art in the collection of the Convention & Entertainment Facilities Department - **DISTRICT I - RODRIGUEZ** –

was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0374 ADOPTED.

19. ORDINANCE amending Ordinance No. 2009-741, as amended, to increase the maximum contract amount for a contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, P.C.** for Legal Services relating to various utility related matters, upcoming Water/Sewer Rate Cases, Legislative Assistance and Legal Consultation - \$200,000.00 - General Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0375 ADOPTED.
20. ORDINANCE appropriating \$1,668,022.00 out of Equipment Acquisition Consolidated Fund for Purchase of Parking Meter Devices and associated equipment, signage and stripping for the Administration & Regulatory Affairs Department - **DISTRICT I – RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered.
23. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **APRIL VILLAGE SUBDIVISION, SECTION 1** and **LAKESIDE PLACE SUBDIVISION, SECTION 7** 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 Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0376 ADOPTED.
24. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **KEMPWOOD SUBDIVISION, SECTION 1** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0377 ADOPTED.
25. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **KESWICK PLACE SUBDIVISION REPLAT** and **RAMBLEWOOD PARK SUBDIVISION, SECTION 1 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0378 ADOPTED.
26. ORDINANCE approving and authorizing first amendment to the Regional Participation Agreement between the City of Houston and the **WOODLANDS TOWNSHIP** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0379 ADOPTED.
27. ORDINANCE consenting to the creation of **LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 6** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0380 ADOPTED.
29. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of way in connection with the public improvement project known as the Long Point Reconstruction Project, (from Pech Road to Hollister Street); authorizing the acquisition by donation, purchase, or eminent domain proceedings of sixteen (16) parcels of land required for street widening purposes and four (4) parcels of

land for water lines uses; said parcels to be acquired in Fee Simple or Easement Title and situated in the A. H. Osborne Survey, A-610, in Harris County, Texas; such property being more specifically situated and located along the north or south boundary lines of Long Point between Pech Road and Hollister Street in Houston, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees - **DISTRICT A - STARDIG** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0381 ADOPTED.

32. ORDINANCE appropriating \$4,893,527.00 out of Metro Projects Construction Fund, awarding contract to **DURWOOD GREENE CONSTRUCTION CO.** for Generic City Wide Overlay Package #15; 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 Metro Projects Construction Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0382 ADOPTED.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

PROPERTY

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Shelley Barrett, R. G. Miller Engineers, Inc, on behalf of Americor Partners, Ltd. [American Land LLC. (John Hunt, Manager), General Partner], for sale of ±34,892 square feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887, Parcel SY10-048 - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Lovell, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. MOTION 2010-0302 ADOPTED.

ORDINANCES

11. ORDINANCE supplementing Ordinance No. 2009-1118 relating to the issuance of City of Houston, Texas, Combined Utility System Commercial Paper Notes, Series B; determining the maximum principal amounts of Subseries B-4, B-5 and B-6 and approving additional Credit Agreements in connection therewith; approving an updated Offering Memorandum; resolving other matters related thereto; and declaring an emergency – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0383 ADOPTED.
12. ORDINANCE approving and authorizing contract between the City of Houston and **AIDS COALITION OF COASTAL TEXAS, INC**, providing up to \$362,422.00 in Housing Opportunities for Persons With AIDS Funds for Administration and Operation of a Tenant-Based Rental Assistance and Short-Term Rent, Mortgage, and Utility Assistance Program including Supportive Services – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0384 ADOPTED.
13. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC**, providing up to \$995,000.00 in Housing Opportunities for Persons with AIDS Funds for Administration and Operation of a Tenant-

Based Rental Assistance Program with Supportive Services – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0385 ADOPTED.

14. ORDINANCE de-obligating \$253,315.58 from the Community Development Block Grant Stimulus Funds (as authorized by Ordinance No. 2009-772 and Council Motion No. 2009-0861); appropriating \$144,127.83 from Equipment Acquisition Consolidated Fund and allocating additional grant funds for Purchase of One Pumper Truck for the Fire Department \$109,187.75 - National Clean Diesel Program Fund – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0386 ADOPTED.
15. ORDINANCE declaring the intention of the City of Houston to reimburse Dangerous Building Demolition Project Expenditures from future proceeds of certificates of obligation; authorizing a total allocation of \$1,428,506.60 from the General Fund for the purpose of making supplemental allocations in the amount of \$708,789.10 to the task order contracts between the City and **ARROW SERVICES, INC., P/P ABATEMENT GROUP, LLC, and INLAND ENVIRONMENTS, LTD.,** for Asbestos Abatement Services (Approved by Ordinance No. 2009-1100), \$69,717.50 to the contracts between the City and **HONESTY ENVIRONMENTAL SERVICES, INC.** and **TECHNOLOGY SERVING PEOPLE, INC.** for Environmental Consulting Services (Approved by Ordinance No. 2009-492), and \$650,000 to the contracts between the City and **JTB SERVICES, INC., FERNANDEZ & SON, CHERRY MOVING COMPANY INC. DBA CHERRY DEMOLITION, SMITH-MOBLEY, INC.,** and **WILLIS DEMOLISHING COMPANY** for Demolition Services (Approved by Ordinance No. 2009-900) - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0387 ADOPTED.
16. ORDINANCE approving and authorizing License Agreement between the City of Houston and **SMG** as Manager of Reliant Park, for the use of Reliant Park Facilities by the Department of Health and Human Services as site to conduct the Fourth Annual Hip Hop for HIV Awareness Campaign and providing a \$102,156.42 of Federal Grant Funds for such event - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0388 ADOPTED.
21. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **GENUINE PARTS COMPANY dba NAPA AUTO PARTS** for Automotive and Equipment Turnkey Parts Services for Public Works & Engineering Department approved and authorized by Ordinance No. 05-705 – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0389 ADOPTED.
22. ORDINANCE amending Ordinance No. 2007-0811 to increase the maximum contract amount for contract between the City of Houston and **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for Public Works & Engineering Department - \$537,500.00 - Enterprise Fund – was presented.

Council Member Jones stated that she wondered about the way that they monitored contracts with MWBE, that it was her understanding that this was an amendment and they were less than the goal, that she was curious why if a company was not meeting it's goal with the money they had given it why would they just, as a matter of course, vote to continue the contract, that was the problem they got to all the time, they completed the work and never got

there, was there a way that they discuss these as well and not just take amendments or extensions to contractors as par for the course.

Mayor Parker stated that if Council Member Jones wanted to tag the item they had some additional information about what happened on this contract, they could also delay it to the end of the agenda, that there was no reason why she could not tag it for a week and get that information.

Council Member Jones stated that she was going to tag it but when she was asking about these three items where it was less and she asked if it came before the MWBE committee, well no it did not because it was just an amendment, and Mayor Parker stated that the Chair had not requested those but certainly the administration would be happy to do that and it was discussed at the agenda briefings, and Council Member Jones stated that she did not disagree with that but thought if they were trying to show small and minority and women and disabled companies that they (the City) was really committed to the goals that they set then she thought they should scrutinize contracts, generally for fiscal reasons but also to make sure that they were in compliance and if they were not then they needed to figure out what they needed to do to get there, but she would tag the item.

Mayor Parker stated that Item No. 22 was tagged by Council Member Jones.

28. ORDINANCE approving and authorizing a first amendment to an Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** under the American Recovery and Reinvestment Act and first amendment to agreement between the City of Houston and **BUFFALO BAYOU PARTNERSHIP** (Approved by Ordinance 2001-0016) for Allen's Landing - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0390 ADOPTED.
30. ORDINANCE appropriating \$1,700,000.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **AECOM USA GROUP, INC** for Services associated with the Storm Water Management Program (Approved by Ordinance No. 2003-1195) – was presented.

After discussion by Council Member Costello a vote was called on Item No. 30. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0391 ADOPTED.

31. ORDINANCE de-appropriating \$855,136.00 out of Water & Sewer System Consolidated Construction Fund (Authorized by Ordinance No. 2008-221 for Design of the North Corridor Consolidation Plan); appropriating \$855,136.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Northgate and Imperial Valley Wastewater Treatment Plant Improvements - **DISTRICT B – JOHNSON** – was presented. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. ORDINANCE 2010-0392 ADOPTED.

NON CONSENT AGENDA - NUMBER 33

MISCELLANEOUS

33. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance for BAE Systems Resolution Corporation, Inc for the site located at 4516 Harrisburg Blvd. - **DISTRICT H – GONZALEZ - HEARING DATE - 9:00 A.M. - WEDNESDAY - JULY 14, 2010** – was presented.

Council Member Costello moved to set Wednesday, July 14, 2010 for a Municipal Setting Designation hearing, seconded by Council Member Hoang. All voting aye. Nays one. Council Members Clutterbuck and Sullivan absent. MOTION 2010-0303 ADOPTED.

MATTERS HELD - NUMBERS 34 through 38

34. ORDINANCE approving and authorizing contract between the City of Houston and **MARJO HOUSE INCORPORATED**, providing up to \$399,459.00 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$199,729.50, for the operation and administration of a community residence located at 1706 Gellhorn Drive, Houston, Texas, along with the provision of supportive services - **DISTRICT B - JOHNSON – (This was Item 38 on Agenda of April 28, 2010, POSTPONED BY MOTION #2010-249)** – was presented.

Council Member Johnson stated that as they all knew this had been a very vetted item, they had discussed it thoroughly, he thought, yesterday, and even a couple of weeks ago, and there still were a lot of questions that were out in respect to the Marjo House, Inc., which was a non profit business located in the Pleasantville area, that he had heard over and over again that if they did not fund this particular item they would be in violation of the Fair Housing Act, that as he continued to hear and recognize how the questions were being posed and how they would be in violation he asked yesterday to the Legal team, and also sent the Housing Department a couple of questions, and he would ask those questions right now so that it would be on record, that it simply said were they as a City obligated to fund, were organizations who served people with disability funded in perpetuity, that was number one, because he was told that because they had funded this organization once before, and if they did not fund them this time they would be violating fair housing and so the question was were they obligated to fund in perpetuity, do they have a contractual obligation to fund the Marjo House after they had been funded once because currently he understood that they were not contractually obligated to fund them at this time, thirdly, the question was, did they always fund every proposal that was submitted to the City with people with disabilities, and then lastly what would be reasons for not funding an organization of people with disability, and if they did not fund those organizations had they ever been sued by an organization who housed people with disability, under the Fair Housing Act; that it was also said that the reason they must fund this organization was because it had been in existence since 1997 in the Pleasantville Community and so therefore what was the big deal, the organization was originally founded as an organization that served three senior citizens that were Medicaid patients that did not require a City of Houston Occupancy Permit, the neighborhood did not know about the organization until 2006 when the organization wrote a letter to the civic league asking for their support in order to be able to change their mode of operation to then house people with AIDS, the organization at that time, in 2006, said “no”, now the organization, which only housed currently three, would now be able to house nine or fifteen depending on who they asked, that he understood that they had an occupancy permit from the City of Houston to only house nine, but they have an occupancy permit from the State of Texas to only house five, and so now he understood they were getting a bigger occupancy load to be able to house more people, and then lastly, it was also said that this was not in violation of the deed restrictions because it was still a house, that they were good neighbors, the house was in good working condition and they were simply good people to the neighborhood, then that would lead me to believe that if I wanted to open a garage in a deed restricted community all I had to do was make it look like a house, created as my resident, and it would not violate deed restrictions because it looked like a house, because it still had grass on the front lawn did not

constitute it as a residence, or simply, it just did not constitute as a residence, the point that was being made yesterday, and certainly would be made today, he hoped, was that they were not violating the Fair Housing Act by not funding the Marjo House, they were not obligated to fund, they would not be in violation of the Fair Housing Act if they did not fund, there had been a number of organizations that had submitted applications to the City of Houston that were not funded and consequently did not sue the City of Houston, so they were not in violation, and then lastly, he believed that it was very important, that he had heard some other people say that the City of Houston's legal team put out an opinion that said that this was the law and if the law was the law then he would believe that there was also a flip side of that law, the City of Houston had put out many opinions.

After a lengthy discussion by Council Members a roll call vote was called on Item No. 34.

ROLL CALL VOTE:

Mayor Parker voting aye	Council Member Gonzalez voting yes
Council Member Stardig voting aye	Council Member Rodriguez voting aye
Council Member Johnson voting no	Council Member Costello voting aye
Council Member Clutterback absent on city business.	Council Member Lovell voting aye
Council Member Adams absent	Council Member Noriega voting aye
Council Member Sullivan absent on city business.	Council Member Bradford voting no
Council Member Hoang voting aye	Council Member Jones voting aye
Council Member Pennington voting aye	ORDINANCE 2010-0393 ADOPTED.

35. MOTION by Council Member Clutterback/Seconded by Council Member Noriega to adopt recommendation to award to **EQUIPMENT DEPOT, LTD.** for Forklifts for Houston Airport System \$63,738.00 - Enterprise Fund – **(This was Item 8 on Agenda of May 12, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays one. Council Members Clutterback and Sullivan absent. Council Members Adams and Stardig absent. MOTION 2010-0304 ADOPTED.
36. MOTION by Council Member Clutterback/Seconded by Council Member Noriega to adopt recommendation to **AMEND MOTION #2008-654, 8/20/08, TO INCREASE** spending authority from \$1,577,127.00 to \$1,971,408.75 for Fittings and Appurtenances for Department of Public Works & Engineering, awarded to **CPR SERVICES AND SUPPLIES, INC d.b.a MDN ENTERPRISES** - \$394,281.75 - Enterprise Fund – **(This was Item 9 on Agenda of May 12, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Jones voting no. Balance voting aye. Council Members Clutterback and Sullivan absent. Council Members Adams and Stardig absent. MOTION 2010-0305 ADOPTED.
37. RESOLUTION approving and authorizing the nomination of **SYSCO CORPORATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project – **(This was Item 11 on Agenda of May 12, 2010, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays one. Council Members Clutterback and Sullivan absent. Council Members Adams and Stardig absent. RESOLUTION 2010-0035 ADOPTED.
38. ORDINANCE **AMENDING ARTICLE XV OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to traffic in neighborhood areas; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 15 on Agenda of May 12, 2010, TAGGED BY COUNCIL MEMBERS SULLIVAN, BRADFORD and ADAMS)** - was presented. Council Members Adams and

Stardig absent.

Council Member Lovell moved to amend Item No. 38 as follows, seconded by Council Member Hoang. Council Members Stardig and Adams absent.

“1. In Section 6 of the proposed ordinance, amend Item (5) of Subsection (a) of Section 45-364 to read as follows:

‘Written evidence of neighborhood or community support for the project from residents and property owners within the affected neighborhood area’;

2. In Section 11 of the proposed ordinance, amend Item (2) of Section 45-368 to read as follows:

Whether at least 15% of observed vehicle speeds on a street are equal to or in excess of the posted speed limit plus three miles per hour or, where there is no posted speed limit, the authorized speed limit pursuant to section 45-91(a)(1) of this Code plus three miles per hour;”

After discussion by Council Members, Council Member Costello proposed a friendly amendment “on Item 45.368, Item No. 1 as follows:

1. “Whether the estimated percentage of cut-through traffic on a street is equal to or greater than 20% of the observed traffic daily volume ~~and~~ or the observed daily volume equal to or greater than 720 vehicles per day”, that he wanted to change the word “and” to “or”.

Mayor Parker asked Council Member Lovell if she would accept that as an amendment to her motion to amend Item No. 38 and Council Member Lovell stated yes, and Mayor Parker stated that the administration concurred. Council Members Johnson and Stardig absent.

A vote was called on Council Member Lovell's motion to amend Item No. 38. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. Council Members Stardig and Johnson absent. MOTION 2010-0306 ADOPTED.

A vote was called on Item No. 38 as amended. All voting aye. Nays none. Council Members Clutterbuck and Sullivan absent on city business. Council Members Stardig and Johnson absent. ORDINANCE 2010-0394 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Pennington stated that many of them may have attended the Barton Smith lecture a couple of weeks ago and he predicted growth in the area and raised some issues that most of the growth was going to be outside of the City, that 80% of the population growth and 64% of the population growth was expected to occur outside of the City, that it was an issue that others had brought to his attention, that obviously most of the growth was occurring outside and he thought it would have some negative effect on their ad valorem values on their sales tax values if their neighborhoods were not renewed, that he was meeting with the Greater Houston Partnership this afternoon and was looking to meeting with people in the Mayor's office and maybe they can change that growth pattern; that last Thursday he attended the Teacher of the Year Awards Luncheon at the Houston West Chamber of Commerce; that he attended an event for the Boys and Girls Club and Shane Battea of the Houston Rockets was the Master of Ceremonies; that he wanted to share a letter from Liz and Dan Baker, who were

constituents of his on West Oaks Drive and who had a sewer problem for many years and Mr. Carmona of the Public Works Department was out working on another project and Ms. Baker got his attention and Mr. Carmona took the job on and realized that additional work was necessary and got the problem resolved, that he thought it was a situation where there was sewer in the backyard where young kids might be playing and it had been unresolved for several weeks and the Bakers wrote a nice letter commending Mr. Carmona and the City employees who worked on the project. Council Members Stardig, Johnson, Hoang, Noriega and Bradford absent.

Mayor Parker stated that since Council Member Pennington mentioned the Greater Houston Partnership, she presented the budget presentation that Council received to the Executive Committee of the Partnership this morning, so they were primed and were looking at the City budget as well. Council Members Stardig, Johnson, Hoang, Noriega and Bradford absent.

Council Member Jones announced the following events: that last week she went to the retirement of Police Officer Virgil Radliff, that she worked a very long time for HPD; that she went to the George Bush Intercontinental Airport/Houston where they had the Texas Black Expo; that Representative Sylvester Turner had a very good workshop this weekend at the CWA Hall to help people understand how; that her son went to the Bellaire Prom and she was checking on him because she was a parent and knew that there were dangers out there that kids had no clue about, and they try to warn them and they think they were smarter so he did not answer the phone and she was bothered that he did not answer the phone and she knew he was going to be out, there was a group of them and they had a limo, that the next morning she knew that Bellaire had a sanctioned After Prom event and knew they were going there but he still did not answer her phone calls or texts, that when she finally got her son to answer the phone, early Sunday morning about 8:30 a.m., she asked Geo why did he not answer the phone and he said he was tired, and she was concerned about where he was and the least he could have done was answer the phone or return her text, that he said he was really tired so she said for him to sleep, because she knew whose home they were at, that later she found out about Tobi Oyedeji, that he was tired, they had stayed up all night long, they had tried to squeeze every ounce of prom night out because kids do not understand that the sun was going to come up and they were going to have a whole other day, that she wanted to say to kids that they call and text them and they think they are nags, but they were really trying to protect them because they knew what was out there, that all of these kids want cars and cars are dangerous, they could kill them, they learned that this weekend, it was dangerous to drive when they did not have sleep, that if they were tired do not drive, that there was a charity basketball game tonight where Yates was going to play Bellaire, they both won their respective State Championships, to help raise money for the family, that she wanted to pay respects to Tobi, but also to Ms. Augustine, who was driving to work, that she was at the wrong place at the wrong time. Council Member Stardig, Johnson, Hoang, Pennington, Lovell, Bradford and Noriega absent. (NO QUORUM PRESENT)

Council Member Costello stated that just as a follow up to Representative Turner's event he would contact the representative; that as the Chair of the Drainage and Flooding Committee over the past five years he had been working to get the message out with his Co-Chair, Council Member Gonzalez, to advise everyone of the significant problems they had in drainage and flooding, in particular the issue of lack of funding for drainage and streets, as they actually had gone on the road and talked to some of the community leaders they understood the significance of the problem, that he wanted to advise everyone that there was an outside group called Re-New Houston that was advocating for a long term funding option to help the City get through the street and drainage particular problem that they were having, they had a petition drive going on now through July 1, 2010 to get approximately 50,000 signatures for a Charter amendment to get on the ballot in November 2010 to allow the general public to vote on it, the options really

entailed a three prong approach to funding which included a developer impact fee, a storm water user fee, that they would all pay monthly and a pay as you go for the City's financing on streets and drainage, that he had the petition and suggested that everyone download it off of their website, take a look at it and if they were in favor of getting it on the November 2010 ballot he urged everyone to sign it, that their website was www.renewhouston.org, that he thought it was a good cause and issue and thought it was an issue that had long been forgotten and they really needed to seek ways to get long term funding for streets and drainage, that it was also a dedicated funding source just like their other Enterprise Funds. Council Member Stardig, Johnson, Hoang, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Rodriguez announced the following; Second Annual East End Golf Classic would be Friday, May 21, 2010 at 8:30 a.m. at Gus Wortham Golf Course; the Italy America Chamber of Commerce were hosting the Tour of Italy this weekend at the George R. Brown Convention Center, May 21 through 23, 2010; that after a long night of civic clubs and events he got home and wanted to play with the baby and the first thing he did was reach out and say "dada" so it was the first time he said that, he had been saying "mama" for two weeks but he finally recognized his daddy last night. Council Members Johnson, Hoang, Bradford, Noriega and Jones absent.

Council Member Lovell announced the following; Council Member Hoang's birthday and Monday was Mayor Parker's birthday; the Development and Regulatory Affairs Committee would meet on Thursday, May 20, 2010 at 10:00 a.m. in the Council Chamber; May is National Preservation Month and in celebration in Houston the Education Committee of the Houston Archeological and Historical Commission would offer free and informative window repair and weatherization workshop on Saturday, May 22, 2010 from 9:00 a.m. to 12:00 p.m. at the City of Houston Materials Reuse Warehouse at 9003 North Main Street; Judge Emmett had been named Honorary Chair of the Local Observances of National Transportation Week, May 16 through 22, 2010; that as to the conversation of Marjo House she did not think it diminishes the value of any neighborhood to open up their neighborhood to any people that needed to have somewhere to live and wanted to live or needed to live in a communal setting, as long as they were good neighbors that kept their property well, did not disturb and were as good as they wanted their neighbors to be, that in Montrose long ago if they could not find a neighborhood that wanted it sent it to them, and they still had many of those homes that were there and some that had grown far beyond, that they were called businesses simply because that was the only way that people could get funding for them and that money was not given out individually, that she did not know of any of the property in Montrose that had diminished or been some sort of vicious precedent to any deed restrictions, and they were pretty heavily deed restricted over there, to their neighborhoods, that she had seen other neighborhoods that had opened up and figured out how they could work and live with people that needed to have somewhere to live, that she agreed in that there needed to be some way in which they regulated how many of those types homes come into their neighborhood, not because they had people that needed some place to live, but simply because they wanted to maintain the fabric of their neighborhood and have a good mix between multi family, single family and then people that needed to have some where to live, that it was something that they needed to look at and fix, that she agreed with that but disagreed that it diminishes the value of their neighborhood to give people that have needs a place to live. Council Members Johnson, Hoang, Bradford, Noriega and Jones absent.

Council Member Adams stated that she knew there were a lot of things that occurred in their City departments about treatment and harassment, various things that occurred in various departments, but she wanted to encourage the City employees that they had the right to file complaints against the various departments but she wanted to let them know that yes they could come before the City Council to let them know what was going on but to please make sure that they communicate with their staff, their supervisors or directors to make sure they take the adequate vacation time off from work when they come before Council, to let them know that

they were coming before Council to discuss a certain issue because they did not want to add additional concerns to their foul or anything that they feel like they were not respecting authority, so she just wanted to get that message out to make sure the chain of command was followed when they were coming down to speak before the City Council. Council Member Adams announced the following: they had the First Community Leadership Reception at the Hermann Park Zoo last Thursday; that yesterday Mayor Parker recognized Museum Park Super Neighborhood; on Friday Yates High School would have their ring ceremony where they would be issued their championship rings; condolences from District D to Congresswoman Sheila Jackson Lee on the passing of her mom; Saturday they would be having Demolition Day, they went from 200 to 185 homes because of some asbestos issues so they needed to make sure they covered some of those other properties, which would be covered once they looked at the asbestos issues; next week Alcott Elementary School would have their commencement ceremonies and she would be the commencement speaker; Mayor Parker's video, on how important Super Neighborhoods were, would be aired in Little Rock, Arkansas and she (Council Member Adams) and Donald Perkins would be teaching a class about Super Neighborhoods in Little Rock next week; she and Council Member Stardig would be meeting with City Attorney Feldman tomorrow to set the foundation about deed restrictions. Council Members Johnson, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Gonzalez wished Council Member Hoang a happy birthday and announced the following: Shine a Light in the Heights, an end of the school year bash, would be on Saturday, May 22, 2010, 11:00 a.m. to 2:00 p.m., Proctor Plaza Park, 803 West Temple; a cleanup at Sunbeam Curry Neighborhood, Saturday, May 22, 2010, from 9:00 a.m. to 12:00 p.m., 8317 Curry Road; Dia De La Mujer Latina Health Fair, Saturday, May 22, 2010, from 8:30 a.m. to 2:00 p.m., in partnership with the Nueva Casa de Amigos in the Near Northside from 8:30 a.m. to 2:00 p.m.; the Relay for Life of the Greater Heights event was rained out but a lot of folks turned out to help celebrate those who had battled and survived cancer and those who lost their lives, that they surpassed their fundraising goal, the celebration would continue on June 5, 2010 at Sterling Bank's parking lot located at 414 W. 19th Street; condolences to Reginald Keith Haynes, who lost his life on May 8, 2010 when he was murdered at his home by someone allegedly posing as a census worker, that he was an employee of the City of Houston for 8 years as a Traffic Analyst and was a strong member in the Independence Heights Community, that if anyone had any information on this murder please contact Crime Stoppers at 713-222-TIPS or Houston Homicide Division at 713-308-3600. Council Members Johnson, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Hoang stated that he wanted to congratulate the City of Houston and Harris County because they had a 3.4% Sales Tax increase; the Gulfton Parade and Festival invited him out but unfortunately they had to cancel the parade only; that he appreciated the congratulations from his colleagues Council Members Lovell and Gonzalez, that today was his 48th birthday, that this was the Year of the Tiger. Council Members Johnson, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Stardig stated that she wanted to thank Tim Douglass for his work on getting the authorization approved for the nomination of Sysco Corporation to the Office of the Governor's Economic Development and Tourism through the Economic Development Bank as an enterprise project; that at the Magnum Manor Civic Club meeting last night they had a lovely discussion about bio bags so several of the residents would like to bring to the Mayor's attention that they would like consideration of putting their twigs and small sticks in brown paper bags if possible, that it was a concern that they continued to have with bio bags, that she assured them that the administration was looking at the quality of the bags and considering the vendors they used; that tonight she would host a Crime Prevention Townhall meeting from 7:00 p.m. to 9:00 p.m. at the Spring Branch VFW at 5060 Foley, that she would like for Mayor Parker to attend if she was able, she anticipated it to be a very informative townhall meeting and her support would

be much appreciated. Council Members Johnson, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that she assumed that Council Member Stardig forwarded that to her office and Council Member Stardig stated yes. Council Members Johnson, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated they would be meeting with City Attorney Feldman tomorrow to discuss the importance of deed restrictions when it came to businesses being operated in communities that had current deed restrictions; that June 10, 2010 she would be celebrating a birthday and the purpose of the birthday party would benefit Sisters Network, a non profit organization who assists with women who were battling breast cancer, African American women, that they had a home in District D where they provided rental assistance, helped pay for medications, for mammograms if need be, for temporary stay in hotels when members came to Houston, to MD Anderson to get treatment, that they provide a array of information for all women who were battling breast cancer, that the birthday celebration would be at Grooves Restaurant, that she wanted to appreciate all of the sponsors who had written checks to Sisters Network, if they wanted to donate to Sisters Network they could go on line and let them know it was for Council Member Adams birthday for Sisters Network; that tonight she would be celebrating with the Women in Professional Government at their reception; that they were looking forward to Demolition Day on Saturday. Council Members Johnson, Hoang, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Mayor Parker stated that her transition team that looked at both deed restrictions and neighborhood density and development had continued to work on the Deed Restriction Data Base effort and it might be helpful for them to present to their committee, Council Members Stardig and Adams, committee the work that they were doing and an update on that, that she would make sure that they would get in touch with them. Council Members Johnson, Hoang, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

Council Member Stardig stated that she would like to ask the public to remember the officer this morning in their thoughts and prayers and if the Mayor would keep them updated.

Mayor Parker stated that it was her understanding that they were discontinuing their efforts on Officer Mani, his wife was with him, that she (Mayor Parker) would let them know as things progressed. Council Members Johnson, Hoang, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:48 a.m. Council Members Johnson, Hoang, Rodriguez, Lovell, Bradford, Noriega and Jones absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary